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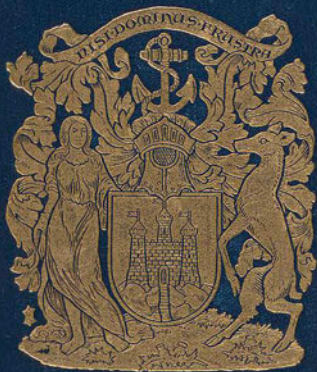
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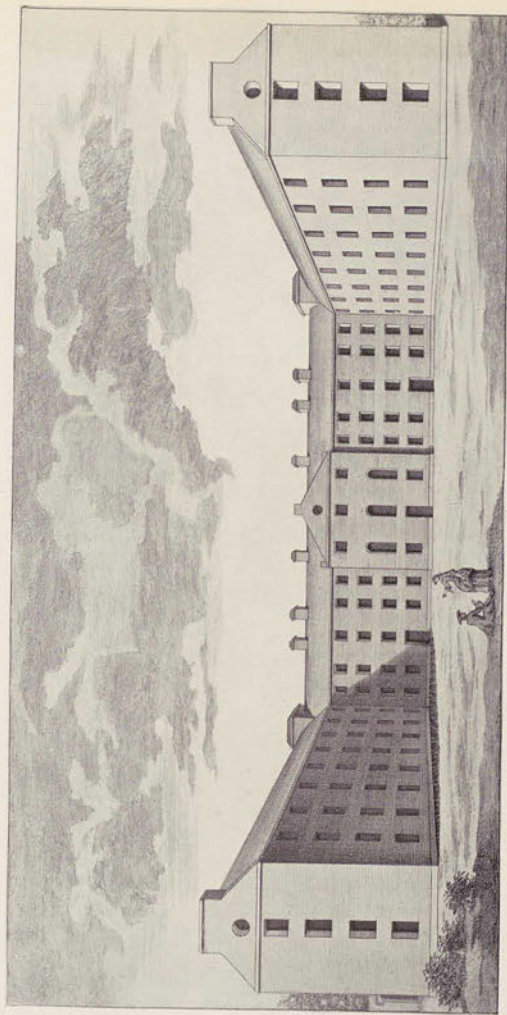
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THE BOOK OF THE
OLD EDINBURGH CLUB

Issued to Members
January 1939

THE BOOK OF THE
OLD TOWN OF GLEN



THE EDINBURGH CHARITY WORKHOUSE
From Maithland's *History of Edinburgh*, 1753

29612

THE BOOK OF THE OLD EDINBURGH CLUB

TWENTY-SECOND VOLUME



EDINBURGH

PRINTED BY T. AND A. CONSTABLE LTD.
FOR THE MEMBERS OF THE CLUB

1938



90 EASTER AND WESTER CROFTS OF BRISTO

In 1818 the house became the property of John Watt, tobacconist. It was again sold in 1823, this time to Andrew Usher, the father of the donor of the Usher Hall. The latter was born in the house, the various flats of which are still well preserved.

This completes the survey of the principal properties comprehended within the Easter and Wester Crofts of Bristo.

JOHN SMITH.

THE INCORPORATION OF THE TAILORS OF THE CANONGATE

THE Incorporation of the Tailors of the Canongate apparently originated in the sixteenth century; its existence terminated with the decease of the last member in 1877. Its records are now in the possession of the National Library of Scotland, and comprise complete Minutes from 1744 to the end of its career, transcripts of documents of earlier date, and a large quantity of account books, correspondence, etc. for the later period. On these the following paper is chiefly based.

I

The earliest documentary evidence of incorporation is a Seal of Cause granted on 20th May 1546 by Robert, Commendator of Holyroodhouse, as Superior of the Burgh of Canongate, to 'Thomas Allanson, Dekyn and Kirk Master of the Tailzeour Craft within our Brugh of Cannongait and certain masters of the same craft.' It ratifies 'certain gude Statutes Articles and Rules' which they have 'devisit and ordeinit for lovin of God, honour of realm, worship and profit of all leiges, augmentation of divine service at the altar in the Abbey, and for eschewing of insufficient craftsmen of their occupation.' Jurisdiction is extended over 'all persons of Taylzeour Craft in Leith, St. Leonards gait and Barony of Brochton' on whom the payment of 'sicklyke profits and dewties' as in Canongate may be enforced by the Baillies of Brochton; the money so received is to be 'warrit upon the reparation of the altar and chaplain and divine service.'

Details of administration are contained in a Seal of Cause

granted three years later (22nd May 1549) by the Bailie Council and Community of the Canongate, confirming rules made by the craft, as 'conformable to equity polity and the rule of other good towns.' These include an insistence that everyone of the craft must first be a freeman and burgess; they prescribe a six years' apprenticeship, with ten shillings entry money, examination by three of the best Masters before admission; and impose admission fees 'for the altar' of £2 for a freeman's son, £3 for a 'prentice, £4 for others, and a weekly payment of a penny in respect of 'buith' from each Master. These rules were endorsed by the Abbot in November 1554.

Meantime the Tailors had (22nd May 1546) made an agreement with the other three crafts then recognised—Hammermen, Baxters, and Cordners—to concur under penalty in 'all manner of actions, disorderis, or debates to the defence' of their rights, and to settle their own disputes and deal with their own offenders ('all falt and cryme avoydit and emendit among the said Maisters except theft or blude, and none prosecutit before the Court of Consistory'). In February 1610 they were parties to the well-known Agreement with the same parties, by which a Deacon Convener was to be elected annually in rotation from the crafts, and arbitration in disputes was to be exercised by a Court of Four Deacons and Four Masters.¹ To this we may assign the origin of the 'Conveenery of the Canongate,' to which frequent reference is made. Other four trades were admitted subsequently, the Barbers and Wig-makers so late as 1772. The Conveenery appears to have been in practice mainly an advisory body, and to have lacked adequate finance for effective action.

Here, as in Scottish economic development in general, the Reformation seems to have made little practical difference. As will be illustrated in detail, a close connection was main-

¹ This Agreement was expounded by Dr. Annie Cameron in an article included in vol. xiv. of the *Book of the Old Edinburgh Club*.

tained with the local churches, and the few surviving documents referring to the Age of Transition indicate the preservation of the mediaeval polity. A 'Protest' of 1619 by the Craft against an increase of fee 'astricitt' from apprentices on admission to burgess-ship was apparently sustained, and in 1645, tailors of the West Water of Leith, cited by the Incorporation before the Baron Bailie of Brochtoun, recognised their liability and submitted to its control through an overseer for 'the said bounds where they dwell' and to an annual payment of twenty shillings.

After the Revolution of 1688, the 'Ancient Rights Charters and Seals of Causes' of the Taylors and other Crafts received royal confirmation (22nd July 1690) and a general ratification from the Scots Estates (23rd August). The close geographical and social connection of the Canongate with Edinburgh, and its political dependence since the latter acquired the Superiority in 1639, had meantime of necessity brought the practitioners of the craft into close relations with their fellows in the capital. Friction was frequent, and even in the sixteenth century attempted encroachments by Edinburgh rivals were contested. In 1584 Edinburgh Council ratified Articles proposed by the Deacon of Tailors and others penalising unfreemen, including those in 'Cannogait' who took up work there. The failure to become burgesses of those resident 'in the heid of the Cannogait upon the touns syde thereof . . . as if the samen were a place na wayis belonging to the liberty of the brugh, being without the ports' was censured by the Edinburgh Council on several occasions during the seventeenth century.¹ At some date prior to 1723 (at which date a copy was printed which survives in a mutilated condition) rules were drawn up to govern the relations of the Edinburgh and Canongate Incorporations. There were eight articles, of which

¹ Examples of disputes are given in J. Mackay's *History of Canongate*, pp. 131-33, and Sir J. D. Marwick's *Edinburgh Guilds and Crafts*, e.g. pp. 180-81, 187-88.

the latter four are extant; they give procedure for dealing with disputes, and impose penalties for seizure of goods and for false declaration (a blank copy of the form prescribed is appended). To discourage litigiousness, complaints are to be judged only by the four Bailies of Edinburgh or the Dean of Guild.

In 1709 the Deacon of the Tailors, representing the Incorporations, gave in a Petition to the Bailies of Canongate, for ratification of their right to judge in matters solely regarding their own Incorporation, according to the 'union contract' of 1610. This was accorded, subject to unsettled difficulties being referable to the magistrates.

II

It appears from subsequent references that the Incorporation became bankrupt in 1743, but it was reconstituted forthwith, and soon re-established itself. Its recovery is implicitly though not explicitly marked by the commencement of the first of the three extant Minute Books, with an entry of 13th November 1744. Minutes throughout are formal, perhaps because usually drafted by a law agent; while sometimes prolix in enunciating 'Acts' or recounting procedure, they are jejune in expressing policy or opinion, which has usually to be inferred. A description of the structure and functions of the Incorporation during the recorded period of its vigorous operation, till just after the end of the century, will now be attempted, and will occupy the main part of this paper; its decline and extinction in the course of the nineteenth century will then be briefly outlined, and their causes analysed and illustrated.

III

The Incorporation at this period had an average membership of about fifty, usually described as 'tailzeours' or

'taylors'; a sub-craft of 'staymakers,' much in the minority, was also included. No such variety of technique as existed in the case of the Hammermen¹ is indicated; indeed the records are singularly barren on the technical side. A few women are occasionally included in the list of members, but seem to have had no active part in its affairs; they were usually widows who kept up payment of dues to qualify for benefit.

The Incorporation was administered by a Deacon, a 'Box-master' (from 1798 denominated Treasurer), a 'Little' or 'Second' Boxmaster, two Senior Masters, a Clerk, an Oversman, and an Officer. A Committee was appointed annually; though 'commonly termed the number of twelve,' it was in practice variable in size. Its Minutes are occasionally recorded. The Clerk, who compiled the Minutes, was usually a Writer—fortunately for their legibility; in 1749 he was awarded a honorarium of 30s. per annum. From 1786, however, for some years the duty was undertaken voluntarily by a member, for reasons of economy. The 'Oversman' had supervision over the craftsmen of North Leith, which was a dependency of the Canongate. The post of Officer, which carried a small salary, was apparently something of a sinecure, as it was usually assigned to some veteran, *e.g.* the ex-Deacons William Fala (or ffala) (1753) and Alexander Monteith, 'a worthy old member' (1771). The latter received 10s. 'in compliment, to enable him to remove from Leith to Canongate,' but survived little more than a year; a principal duty was to give each member personal 'warning' of meetings and funerals.

Elections took place annually at 'Belton' (Beltane), the traditional name of the May term. The ritual was that the retiring Deacon nominated his successor, 'taking him by the hand,' but other names were added to the leet, and the official

¹ Cf. Dr. Marguerite Wood on the *Hammermen of the Canongate* in vols. xix. and xx.

nominee was by no means always successful; commonly the retiring head was reinstated for a second year. Refusal to take office was penalised by a fine. Boxmasters had to produce a guarantor, outwith the trade, on assuming office; and at the expiry of their term had to receive a formal discharge, granted only after audit by an *ad hoc* committee. At least one who refused to pay over the balance found due, was successfully sued (1749).

There were regular meetings at the four terms (the others being Candlemas, Lammas and Martinmas), when the quarterly dues were collected, and payments made to beneficiaries, as recorded in 'the Book apart' (Account Book). Sometimes these stated sessions, so far as reported, were purely formal; at others, business of varied complexion was discussed. Other meetings were held at need; sometimes, in urgent matters, within a few days of one another.

Prior to their bankruptcy, the Tailors like other Incorporations presumably met on their own premises, but thereafter, even in their greatest prosperity, never acquired a regular Hall—in dismal contrast with the fame of that in the Cowgate—though some project is hinted at in a cryptic reference in 1808 to 'having been disappointed of our convening house.' Meetings were held for some years in the house of Alex. Monteith, sometime Deacon; in 1738 a 'year's sett' was taken of the Shoemakers' Convening House; in 1783 they became tenants of the Mason's Lodge, and in 1792 transferred their patronage to the Hammermen.

The only reference to time of meeting is given in a decision of November 1822 to change the hour from 6 to 7 p.m.; in 1815 a threepenny fine for lateness was introduced, but there is no record of its exaction.

Meetings were formally constituted, it seems, by prayer, though this is definitely stated in the Minutes on only a few late occasions, and, rather ironically, a form of prayer was inserted in the book only after the period of decadence had

commenced.¹ Members were 'warned' personally overnight; unexcused absence involved a fine. Breach of peace was penalised by a fine of £10 Scots, extrusion for a year, and apology before readmission (1756). By 'taking instruments' dissatisfied members might record their protest against resolutions adopted; the prevailing sin of litigiousness caused some such protests to be carried further outside. Resolutions, grandiloquently styled 'Acts,' insisting on payment of entry money, of quarterly dues and of fines, were as frequent and about as ineffective as those of the Scots Estates themselves.

The constitution and rules of the Incorporation were modified from time to time (*e.g.* 1791, 1814, 1825), and on adoption the new regulations were recorded in the Minutes and signed by members; latterly they were printed for circulation.² No copy of those in force at the outset of the minuted period is extant. No special procedure, other than notice of motion, was apparently required for constitutional change.

IV

The mediaeval system, then, so far survived that at nearly every meeting one or more applications for membership were received. These were usually remitted to 'essay masters,' two chosen by the 'Petitioner,' two by the 'Trade,' and on their favourable report (given almost without exception, so that the seriousness of the test cannot be assessed, while no description of its character is available), and on payment of entrance fees, according to the scale in force at the time, the applicant was admitted at next meeting. A few specimens of 'petitions' survive, and the regular formula for admission is usually quoted in full:

'The Craft admitted and received A. B. freeman of this Incorporation with full power to him to follow forth use and exerce his trade of Taylor (Staymaker) within the whole

¹ The 'Prayer' is quoted in Appendix II.; *cf.* Mackay, *op. cit.*, p. 128.

² The rules are given in full in Appendix III.

bounds thereof as fully and freely in every respect as any other freeman might or can do at present or could do at any time heretofore.' In the case of North Leith residents, the licence might be only for 'foresaid district of North Leith . . . within the bounds aforesaid.' Staymakers were recognised as a separate branch of the craft.

'Intrants' had to take the following oath:—

'I protest before God in the presence of the Deacon and his brethren that I profess the Protestant religion, That I shall be a true loyal and faithful subject to the King's Majesty, That I shall obey our Superiors the Magistrates of the Canongate, the Deacon of this Incorporation and his officers for the time being in all things lawful and honest, That I shall not conceal any unfreeman's work under colour of my own nor take my Neighbour's House without his consent, Nor do any Act or Deed directly or indirectly to the Prejudice of this Incorporation. For the Performance of all which help me God.'

Occasionally an entrant evinced scruples against taking the oath in full, apparently on grounds of its Erastian tendency. A notable case was that of John Kemp (1751), whose re-election as Boxmaster in 1758 was on this account the subject of protest; three years later, however, he was chosen Deacon. James Smith, who had passed his essay as 'properly qualified to serve the lieges' (Nov. 1762), refused the oath, but eighteen months later withdrew his objection and was admitted.

In 1759 the admission of a candidate was opposed on the ground that he had been a resetter, and that his membership would therefore be especially injurious to a society then preoccupied with 'wiping off our reproach and re-establishing our reputation.' The objectors obtained an 'interlocutor' from the Canongate magistrates, but despite their protest the suspect was admitted and seems to have established his integrity and proved a satisfactory member.

The earliest extant table of dues dates from the recon-

stitution in November 1744, when the admission fee is stated as £8. A fuller statement was made in December 1746 *à propos* of a campaign to enrol defaulters. £6 was then the standard rate for an entrant; if he were the son of a member (Freeman) he got off with £20 Scots; if duly apprenticed to a member, with £30 Scots. For the subordinate 'freedom of North Leith,' the corresponding figures were £40, £12, and £18 Scots respectively; and for 'Pleasands' (the suburb of the Pleasance) £20 Scots. (The long survival as 'money of account' of the obsolete Scots currency is noticeable.) In May 1747 the ordinary fee was raised to £10, by 19 votes to 5; the minority protested against such a high figure, as discouraging entrants and due to the special interest of some members to 'debar persons to hurt their business' (*i.e.* restrict competition). It was reduced to £8 in March 1751, in an attempt to increase membership, and so relieve the inadequacy of the poor fund. In 1773 it was further reduced to £6 for non-apprentices. Owing to difficulties of exaction—a frequent subject of 'legislation,' *e.g.* 1766—one half of the 'upset' money was henceforth to be paid with the petition for admission, the other half when the 'essay' was reported upon. The revised rules of 1791 and of 1825 contain elaborate tables of dues, varying at the earlier date from £6, 10s. to two guineas, and at the latter, from £10 to £3, 10s.¹

Members were liable for quarterly payments of sixpence, 'for the use of the poor'; this was nominally raised to a shilling in 1765, and the increase was reaffirmed in 1776; but actual payments of the higher figure are recorded only from 1785, when 14 out of 34 paid the higher figure; in 1798-99, payments of two shillings were made by 25 out of 48. In the eighteenth century, quarterly receipts averaged about one pound, and were distributed forthwith.

Other sources of income were fines for absence from meetings, and from the funerals of members and their families.

¹ The rules are given in full in Appendix III.

Neither was very lucrative, especially as many of the defaulters were still less forthcoming with their cash than with their presence. Attendances were particularly small just before the bankruptcy, when the holding of nine meetings within eight months afforded some excuse for delinquency. The tendency to live outwith the burgh, obvious in the early nineteenth century, and affording an interesting analogy with the housing changes of the early twentieth, made regular attendance more difficult to cultivate. The high percentage of funerals of children reflects the sinister prevalence of infantile mortality.

The Incorporation had formerly possessed 'a timber tenement on the south side of Canongate a little below Canongate Cross,' and in 1685 obtained warrant from the Dean of Guild to erect 'an additional building westward.' As all their heritable property was conveyed to trustees on behoof of creditors in the bankruptcy of 1743, they had for some time no revenue-producing assets, save such of their church seats as they 'set' to others (*v. infra*). By 1758, however, sufficient balance had been accumulated to enable £10 to be lent on security to an Edinburgh merchant, and by the end of the century they were earning interest on bills on deposit with the banking house of Sir William Forbes. Whether from a native pride in possession of realty, or from desire for what was rather optimistically considered a profitable investment, they decided in 1799 to lay out their surplus in the purchase of a two-storey house; they were able to pay £250 down, the balance was advanced by members, and the debt with interest was cleared off by May 1803. Subsequently other purchases were made, and an appreciable sum received in rents; a member was appointed as factor.

The principal expenditure was on 'monies given to the poor.' The first extant entry, for the quarter day August 1749, records a total grant of twelve shillings, in sums of 1s. 6d., 2s., 2s. 6d., five of the recipients being women. The

sums paid frequently 'superexpended' contemporary receipts for the purpose. Recipients included two ex-Deacons, Carmichael, who from 1751 to 1761 received quarterly payments varying from 3s. to 8s., and Callender, who between 1756 and 1761 intermittently received £1, 6s. or £1, 4s. per annum. Otherwise, beneficiaries were nearly all women, one of the longest-lived being Mary Adams, who survived till 1768 on one shilling per quarter. The contentious ex-Boxmaster Tyrie was on the roll for six shillings from 1766 to 1774. Numbers diminished considerably from the 'seventies, when payments virtually constituted a Widows' Fund; the relicts of Deacons Monteith (1774-84) and Fala (1776-88) were included.

There were recurrent obligations to the church, and when they became property owners, to the municipality. For any exceptional expenditure—*e.g.* for expenses of the frequent lawsuits, or for charitable or public purposes—a preference was exhibited for voluntary subscriptions, though an advance might be made from the common fund, which indeed for some time was too exiguous to withstand any extra drain. Even for the purchase of a new mortcloth in 1763 an appeal was made to the generosity of individuals, and in 1778 a subscription list was issued in support of the raising of Volunteers. In paying their share of costs of dispute with journeymen in the following year, they decreed that as far as possible the outlay should be reimbursed by individual subscriptions of from five to fifteen shillings.

The earlier accounts were sometimes very irregularly kept, and include jottings on various points. Owing to the heavy drain on their finances, all present bound themselves by signature to a decision that no member should be entitled to any relief unless fully paid up (5th April 1757). This finding was frequently appealed to in subsequent cases, though occasionally disregard was connived at, on compassionate ground—*e.g.* Alex. Monteith, whose long services certainly merited it, was in advanced age awarded relief. Even the

troublesome Tyrie was given an extra two shillings on account of 'distress' (August 1771).

Their bankruptcy raised involved legal issues. They presented a Memorial in 1749 to Henry Home, advocate, for his 'opinion,' in which they affirmed that they had become indebted to creditors 'in sums far above the value of their Estate.' The then members had 'concurred in a Deed denuding themselves as well as the Incorporation of the whole heritable and movable effects belonging to the Incorporation in favour of William Wilson, writer in Edinburgh, as Trustee for creditors, . . . never doubting to be troubled after their surrender.' Some of the creditors, however, persisted with claims against them, so they cited precedents to demonstrate the non-liability of individuals. They subsequently appealed against an adverse decision by Lord Elchies.

A further point which gave trouble for some time was the liability of members admitted after reconstitution; so late as 1765, Hugh Kinloch (admitted 1760), on his appointment as Boxmaster, 'took instruments' against any application of funds for debts incurred before the bankruptcy or through processes arising. The most persistent difficulty, however, was occasioned by the conduct of James Tyrie, who had been Boxmaster when the 'affairs of the corporation went into confusion.' During the decade 1757-66 he usually headed the list of 'absents' and was chronically in default with his dues; when present he persistently protested against decisions, and at length entered into what his colleagues (whose indignation is for once reflected in the usually dispassionate Minutes) described as 'an illegal and malicious process against the trade' for debts alleged to be due to him (1756). The dispute dragged on till November 1766, when Tyrie, 'incumbered with want and infirmities,' agreed to 'discharge' of his claims, on the defendants agreeing 'to inroll me in their Roll of Bountys for such a sum as my indigence requires or their funds will allow.'

In general, it may be said that their proneness to litigation was one of the most expensive and injurious characteristics of the Incorporation. It would be an exaggeration to say that it proved ruinous in a financial sense, since they ended solvent; but the North Leith, Kirkwood and Boyes cases, subsequently referred to, not only involved expense disproportionate to any gain that could possibly be achieved, but doubtless discouraged prospective members and precluded more satisfactory application of resources. It is little wonder that there were recurrent protests, sometimes met by the rather feeble compromise of a voluntary levy.

In 1798 an innovation of great future importance was made in the financial arrangements; whether its effects were designed or foreseen is from the barrenness of the Minutes impossible to determine. It took the form of the institution of a New Fund for Widows and Disabled; regulations governing it were finally adopted in February 1799, and were amended in 1803. Participation was not incumbent on all members, but became general. The chief provisions at the outset were that entrants were to pay £1 per annum for four years, and thereafter two shillings per quarter; no benefit was to be paid within five years of entrance; it was then to be at the rate of £6 per annum. Amendments of 1803 further exemplified the insurance principle, by confining admission to 'persons enjoying good health and under forty years of age.' These rules were made more stringent in 1807, when it was further stipulated that entrants must be of 'prudent behavior.'¹ By April 1804, 45 members had completed the necessary premiums.

With the decline of numbers, the premiums for this Fund became almost the sole source of income (apart from rents of property), and it was a fine legal point how far it was distinguishable from the general revenues of the Incorporation. A Memorial drawn up on their behalf in 1849 indeed asserted

¹ The Rules of the Widows' Fund are given in Appendix IV.

that all their properties now really belonged to the Widows' Fund, all their proper funds having been exhausted. Payments were made into and from one general account. This view was not disputed by Counsel (May 1850).

The existence of the Fund virtually if implicitly transformed the character of the organisation from, in part, a charitable to, in the main, a provident society, since, as was expressly stated in the Memorial, 'regular provision as a matter of right, not of bounty' for those qualified was inaugurated by its establishment.

In 1820, owing to the low state of the revenue, widows' pensions were reduced from £10 (awarded in 1814) to £6. Next year, however, income amounted to £148, of which just over £100 was derived from rents; and expenditure to £108, four-fifths of this being devoted to the widows. The rules of 1825 continued the widows' pensions at £6, and granted the same sum to disabled members and to orphan children, though annuities might be reduced in financial stress; this was actually done in 1828, when there was a debit balance. After the serious loss incurred in fighting the Boyes' case, drastic cuts were made in 1836; but in 1845 annuities were again raised to £3, in 1850 to £4, in 1852 to £6, in 1861 to £17, in 1864 to £50, and in 1867 to £75. These rapid increases were made after valuations by an accountant, which by regulations of 1854 were to be made at intervals of at most seven years. At the death of the last member in 1877, it seems that there remained about £400 in shares of the Scottish Wagon Co., and a similar amount in Edinburgh Corporation Bonds. As the accounts are left open, it does not appear what ultimately became of this balance.

V

We turn from questions of structure and procedure to the more substantial but obscure topic of the powers and duties actually exercised by the Incorporation. It may be assumed

that, as has been said of the Crafts in general, in its origins it 'mingled the opposing ideas of brotherhood and exclusive privilege,'¹ enforced a monopoly of the practice of the trade for its own members, and supervised their activities. In the mid-eighteenth century, Scotland was just meeting the sudden impact of new forces on a social order that had remained essentially mediaeval. With regard to tailoring, it is noteworthy that little change in technique took place, relatively little even in organisation; it remained in general a small-scale handicraft industry until the days of Montague Burton. Though its own annals are silent, it appears from other evidence that there was some development of ready-made tailoring, and of 'domestic' work in the homes of employees, as notoriously was the case in London, Leeds and elsewhere²; the multiple business was apparently introduced into Edinburgh by Hyam's of Leeds about the middle of the nineteenth century.

As already indicated, admissions to the Incorporation according to traditional forms were regular when the surviving Minutes commence. The succession of son to father is quite common, but hereditary membership was evidently unusual enough to be commented upon when James Brown was admitted in February 1777. Not only was he complimented on an 'essay fairly and elegantly wrought and executed,' but was hailed as 'eminently entitled to the freedom, taking along with his qualifications the eminent services of his many ancestors.' He was apparently of the third generation then in membership; his father, usually referred to as James Brown jr., had been Deacon and Bailie, and served the Incorporation in several capacities.

The acquisition of recruits continued steadily till the end of the century, after which it rapidly fell off. Powers of

¹ Cf. Dr. Cameron, *ut sup.*

² An account of these will be found in *Select Documents; the Tailoring Trade*, ed. by F. W. Galton (1896).

'discharging and debarring all unfreemen' from the practice of the craft were enforced well on in the eighteenth century. Instances are detailed where search was made in the houses and shops of suspects. A warrant was, *e.g.*, granted by the Bailies (29th Jan. 1754) 'to seize and carry off the pieces of work wrought or aworking' by eleven unfreemen, and 'to bring them to justice for such Ineroachment and offences.' It was alleged that offenders hid the cloth or stored it with neighbours.

A detailed account of another case gives information regarding the actual wares, as to which little is said otherwise. On Tuesday, 9th December 1755, about midday, 'before the lads were loosing from work,' representatives of the Incorporation with the Burgh Officer 'entered the workhouse or shop of Robert Anderson on the north side of the Back of Canongate' and found him and two men 'working on a suit of scarlet cloaths mounted with a gold chain, and did also see on a chair beside them a suite of Blue Cloaths trimmed in the same way.' Two days later Charles Caire was found working in his house in Fleshmercat Close 'at a pair New Breeches and a suit of Laced Livery lying beside him.' Fines were claimed from both, and prohibition of their exercising the trade 'without a Toleration or a composition for so doing.' Anderson *in absentia* was 'unlawed in the sum of £5 of contumacy' and a warrant granted to 'incarcerate him within the Tol-booth,' but after several adjournments he made his peace, and the case was 'superceded pro loco et tempore.' On 20th December, Carr, who had denied the charge, was found liable to ten shillings damages, and to be imprisoned till he paid same and gave caution to refrain from future transgression; which he did on Christmas Day.

The technique of the trade was also involved in a case decided in their favour (30th Nov. 1772 to 7th Jan. 1773) as to whether 'stay and habitmakers' came within their jurisdiction. The Incorporation pleaded that the exemption of

these classes would 'strike against its very being,' as 'Habit-making which is only a new or upstart name for making cloaths or habits to persons and which is synonymous for taylor or cloathsmaker, as well as Staymaking has since the memory of men been always taken and held as a species or part and pertinent of the taylor craft.' Two similar cases received the same verdict.

In these cases incidental reference has been made to a practice which had grown up by which working at the trade was 'tollerat' to residents—sometimes described as 'stall-angers'—who without receiving the rights and privileges of membership paid a lesser fee for the concession. On what grounds, and to what classes precisely, this 'soft option' was granted, is by no means clear. A meeting in December 1746, on being informed that several were encroaching on their privileges without 'entering or making compositions for toleration,' expressed a preference for making efforts to secure compliance rather than 'bring them to justice'; but in default was prepared to proceed against them. Complaint was accordingly lodged with the Bailies against three women mantua makers; these were 'decerned against' for five shillings sterling each.

Interesting analogies are afforded by the experience of the corresponding craft in Aberdeen, where eventually, after much resistance, a 'toleration' was given to women mantua (or mantle) makers. The craft subsequently sustained four years' litigation (1817-21) against infringers of its privileges. The Canongate Tailors, however, unduly disparaged the analogy, and declined a petition from Aberdeen 'to reimburse part of the great expense they have been at to preserve and support their priviledges.'¹

Associates might and occasionally did subsequently aspire to full membership (*e.g.* 1747, 1750, 1766), and were sometimes, because of their experience, exempted from the usual test of

¹ E. Bain, *Merchant and Craft Gilds, Aberdeen*, pp. 256-67, 262-63.

proficiency (*e.g.* December 1770). Wm. Mackenzie was in August 1746 granted 'toleration to work' on payment of a guinea; in May 1750 he made a payment of £5 for further permission, without privileges of church seat and poor box; this was to be treated as an instalment if he completed the full fee later on, which he did in April 1766.

Another feature, familiar in the history of the gilds, and one which had a disintegrating effect, was the admission of members not engaged in the trade. This policy, which changed the character and probably preserved the existence of many similar bodies, seems to have been less pursued by the tailors. So late as 1854, in revising their rules after the Act of 1846, they maintained the provision that applicants should have been 'regularly bred to the trade.' The last case noted in which the issue was actually raised and the rule insisted on occurred in 1813, when the firm of T. and R. Gibson, Leith, who had long traded as haberdashers, 'took up the clothier business,' and its partners applied for admission. They were rejected, on the ground of their admitted inability to perform the essay, and afterwards cited before the Bailies. They asserted that precedents existed for admission without passing the test; the final issue does not appear. Certain 'Honorary Members'—merchants in Edinburgh—were in fact admitted in the last years of the eighteenth century (April 1787, April 1797, April 1798). A curious earlier case is that of a cooper, who was admitted as a sort of proxy, having assumed the financial responsibilities of his predecessor, a member who had removed to Orkney; he was to forfeit his privileges if the absentee returned to claim them (1765-66). It seems clear that the last batch of members had acquired other and probably more lucrative sources of income instead of or in addition to the tailoring trade.

Probably—as the Municipal Commissioners of 1835 maintained¹—the most serious blow to craft monopoly was that

¹ *General Report of Municipal Commissioners (1835)*, pp. 78 *et seq.*

given by recurrent legislation in the interests of ex-servicemen. The grant, at the close of hostilities at each stage of the 'Second Hundred Years' War,' to 'King's Freemen' of the right to exercise handicrafts 'greatly diminished the operation of exclusive privileges.' The Tailors were particularly affected by a notorious test case, that of James Kirkwood, who claimed that his three years' service in the Militia gave him benefit of soldiery. The Incorporation not unreasonably held that active service in the field was contemplated by the Statute, but the judicial verdict was in his favour, presumably not so much from appreciation of his rather undistinguished patriotism, as from sympathy with the rising *laissez-faire* interpretation of economic policy (1811).¹

This judicial bias was also evident in judgments given in other cases to limit the competence of the craft, especially with regard to the geographical boundaries of its jurisdiction and the development of new processes. The latter, as indicated, did not much concern the Tailors, but the spread of population outwith the old bounds of the burgh of Canongate raised issues; *e.g.*, in August 1814 the Court of Session decided that Roxburgh Park (Pleasance) was under the jurisdiction of the Magistrates of Canongate, and tradesmen in the area were accordingly made to comply with the rules of the Incorporation.

From the outset, a further qualification for membership of the Incorporation had been that entrants should be Burgesses of the Canongate. This provision was laid down in the Seal of Cause of 1549, and reiterated in the various revisions of the constitution up to 1854. The abolition of the Burgh by the Act of 1858 made this obviously obsolete, and was at least a technical ground for refusing further admissions. It had not always been adhered to in practice, and in 1798 a letter was received from the magistrates insisting upon its observance. A further reminder from the Burgh Fiscal in

¹ Mackay, *op. cit.*, pp. 135-36.

April 1821 was resented; it was resolved that 'Members present do not think themselves bound to become Burgesses of the Canongate before entering with the Incorporation or even after they become Members, unless they reside within the burgh.' This was obviously unconstitutional, but as obviously indicates what was becoming a normal state of affairs, that members not merely resided but carried on business outwith the burgh; *e.g.* Vallance and Wilson, the last two admitted, lived and traded throughout in the New Town.¹ The change in housing conditions and standards of life which particularly affected the Canongate, through the building of the New Town and other suburbs, and the encroachment of factories and railways, is doubtless one potent factor in the decline of the Incorporation.

VI

The traditional threefold classification of master, journeyman and apprentice was still in force when our records commence, but was undergoing rapid modification. Not only recruitment to the trade but transmission of its customary technique, was involved in the preservation of the apprenticeship system. As already noted, the Seal of Cause granted in May 1549 had stipulated six years' apprenticeship. Little reference to this topic appears in the Minutes or other records, and the rules confine themselves to stating the fees to be paid by an apprentice on being 'bound' and 'loosed.' Only a minority of those admitted at this period seem to have 'served' with members.

The decline in effectiveness of the system in the crafts generally is deplored by William Creech.² He observes in the years 1763 to 1783 a great change in social conditions, of which one sign is that formerly Masters 'took charge of apprentices, and kept them under their eye in their own

¹ *Edinburgh Directory*, *passim*.

² Report by Wm. Creech in *Old Statistical Account*, vi. 610-11.

houses,' but now 'Few Masters would receive apprentices to stay in their houses. If they attended hours of business, masters took no further charge.' How far this was true of the tailors can only be speculated.

Relations with journeymen, on the other hand, afford one of the most fully documented and vitally interesting features of the Incorporation's history. They also give the most significant illustration of the transition to modern 'capitalism.'

For several years an official list of the number of 'servants' kept by members was compiled, beginning in 1737, when 14 members had from one to three each. This was done regularly till February 1743, after which, unfortunately, there are only a few intermittent entries, terminating in August 1750.

Creech remarks that during the latter part of the century 'the wages of journeymen were greatly raised, and disturbances frequently happened for a still further increase.'¹ The latter part of this statement at any rate is amply borne out by detailed references in the Minutes. It was only in 1850 that a regular trade union was organised among Scottish tailors, but the Radical propensities of the craft are notorious, and some of its practitioners, such as Robert Cranston (afterwards founder of the well-known hotels) were active Chartists.² Something in the nature of an embryo union must have existed in the latter part of the eighteenth century, and there are sporadic references to one or more presumably ephemeral workers' combinations in Edinburgh in the early nineteenth.³

From other sources it appears that a strike for advance of wages took place in Edinburgh in 1748; the strikers were indicted at the instance of the Incorporation and under threat of heavy penalties were compelled to 'enact not to be guilty in future.' The repentance was short-lived. The first manifest

¹ Report by Wm. Creech in *Old Statistical Account*, vi. 610-11.

² *Glasgow Sentinel*, 1850, *passim*; 'Scottish Chartist Leaders' (*Glasgow Herald*, Feb. 10, 1934).

³ Cf. Galton, *ut sup.*

sign of trouble affecting the Canongate is a resolution of 15th March 1758, to support the Edinburgh Incorporation in resisting 'encroachment' by Journeymen, in that they had applied to the Magistrates of Edinburgh to 'have off an hour from the masters twixt nine and ten' and claimed other privileges. A few weeks later (3rd April 1758) it was decided that, under forfeit of privileges, each was to pay at call four shillings for each journeyman in their service (as 'ascertained by their ain honest word'), to assist Edinburgh masters 'to exerce their utmost efforts against the present mutiny and rebellion of the unreasonable journeymen.' It was agreed to pay the expenses of a process against the journeymen from the common fund, and to appoint a representative to the General Committee formed by the Incorporations concerned (24th September 1761). They declined a suggestion by the Lord Ordinary for a private settlement of the dispute, demanding that the Court of Session should give its verdict (19th November 1762).

There is a fleeting reference in February 1770 to 'the present dispute twixt Masters and Journeymen.' On 18th May 1776 further measures were taken. A lengthy preamble narrates the masters' grievances. 'The Corporations of Taylors in Edinburgh and Suburbs, Cannongate, South and North Leith [evidently a 'Grand Alliance'], having for many years past been greatly distressed by the unlawful combinations of the Journeyman Taylors and their Weekly meetings in the publick houses of slate keepers appointed by themselves where amongst other disorderly things they assess themselves and even Journeymen strangers who come to the place, and levy money for supporting schemes to oppress their masters and render it impossible for them to serve the public with the dispatch and propriety necessary on many occasions, unless they comply with their demands however unreasonable.' The Corporation therefore agreed to support a decision of their Edinburgh colleagues to set up an employment office at their

own expense, 'regarding it as a relief to the masters and the public,' and to enjoin masters to use it under penalty of a fine of ten shillings to the keeper. The Deacon was authorised to concur with Edinburgh in an application to the J.P.'s 'or any proper judge,' 'to have this Act enforced and the Clubhouses of the Journeymen discharged.' The 'Act' was to be published in all local newspapers, and a Committee was appointed to take any necessary action.

In this rather clumsily worded manifesto, two points of general interest to the economic historian are noteworthy—the continued resort to judicial fixation of wages and conditions of work, and the initiation by journeymen of their own 'house of call.' The further history of this dispute also reveals some factors of wider moment. It appears that, at the time of the earlier dispute, the Edinburgh Magistrates had made regulations denying journeymen an 'hour of recess,' and ordaining them to work as formerly at a maximum wage of a shilling a day; any refusing to work on these terms without 'some reasonable or sufficient cause to be shown to and allowed by the magistrates' were to be 'punished in terms of the law.' The Edinburgh Corporation obtained 'decreit' of the Court of Session (11th December 1762), approving these rules, and they were endorsed by the Canongate Incorporation in May 1767, and this was approved by the Bailies at the time. Now, however, when they prosecuted one of their members, William Milroy, for paying wages in excess of the authorised figure, he successfully pleaded the invalidity of the regulations in that they had not been minuted; they were now duly recorded. Incidental and rather belated reference is made to 'a general revolt and desertion from their work' on Monday, 27th April 1767, of journeymen who demanded an increase to fifteen pence a day.

A general approval was given in 1777 to new regulations made by the Edinburgh Incorporation, with a reservation insisting on 'one man one vote' instead of a multiple vote

proportioned to the number of employees. The preamble repeats the complaint against 'unlawful combinations raising wages and distressing masters and lieges by refusing to work but upon advanced wages.' The rules reiterate the maximum wage of a shilling, prohibit the employment of another's workman without leave, under a daily fine of 2s. 6d.; prescribe that payment shall depend on performance of work, and is not to be given in full to those who 'loiter at their work'; insist on the prosecution of offenders, and guarantee members the backing of the Incorporation.

There seems, however, to have been some lukewarmness. Milroy was reinstated, and soon after made Boxmaster; protests were made against the funds being used on legal action, and members declined to assist in Edinburgh in further proceedings (March 1778). On 11th May further protest was made against the disloyalty of members who paid higher wages in violation of a 'solemn obligation written upon stamped paper by the clerk,' and of the various decrees already quoted; their liability was asserted for damages and expenses incurred by loyal members through their 'unlawful conduct.' The loyal rather naively concluded by disclaiming responsibility if compelled in self-defence to follow suit.

They were, however, agreed in rejecting a 'slate of prices for working by the piece' submitted by the journeymen in March 1780; and gave a Committee full powers to oppose it as 'attended with detriment and difficulty.' They also paid one-third of the expenses of the lawsuit engaged in by Edinburgh (November 1780). Two years later, while still reluctant to engage in litigation, they supported the Edinburgh Tailors in 'discussing a Bill of Advocation' presented by the Journeymen, and professed the 'utmost desire to have an Interloquy of the Court of Session' settling wages. They were now less confident that their interests were bound up with the Edinburgh Masters, and protested against the 'frivolous and rash' prosecution by the latter's office-bearers of one of their

members for alleged infringement of the journeymen rules (April 1783). The last echo of the protracted dispute is the recording of opposition to a proposed Petition to the J.P.'s desiring an alteration in journeymen's conditions (June 1783).

In Aberdeen also, the journeymen made an 'illegal combination' to raise wages in 1768, and indulged in a strike in 1797. In Edinburgh there was again a strike in 1823 for increased piecework prices, and a House of Call was established¹; but the Canongate Incorporation seemingly 'cared for none of these things.' Presumably, with the repeal of legal fixation, relations with employees were now regarded as a matter for individual bargaining.

VII

We may now consider the relations of the Incorporation with other bodies. It has been shown that the Tailors were original members of the Conveenery of the Canongate, and from time to time the activities of the latter are mentioned. Its general method of procedure was to recommend a line of conduct to the affiliated trades on matters of common interest, *e.g.* calls to the ministry and the care of the poor. In 1784 they opposed 'innovations' of unspecified nature in the Conveenery proposed by the Incorporation of Wrights. In February 1806, presumably in the interest of its own always inadequate revenue, the Conveenery proposed to double the fees due to it on entry from members of all eight Incorporations—a master to pay 10s. instead of 5s., an apprentice, 3s. 4d. instead of 1s. 8d. To this no objection was evidently taken. Owing doubtless to the fall in admissions, the Conveenery made in February 1821 a demand for an annual 'affiliation fee' of two guineas; a conditional assent was grudgingly accorded.

Ultimately, owing to financial difficulties and to the frequent lack of a quorum, it was decided, with the approba-

¹ *Ibid*; Bain, *ut sup.*

tion of the Tailors, to dissolve the Conveenery, and auction its small properties, which consisted mainly in regalia (May 1854). There was the inevitable dissentient minority, in this case the Weavers' Incorporation, which obtained an injunction against these proceedings, but were eventually induced to come to terms (May 1856).

The Tailors also had occasional dealings with other Incorporations individually, chiefly in the way of giving or withholding financial assistance in litigation. After some delay, £1 was donated to the Shoemakers to aid in discharging an account for £70 incurred 'in defending the privileges of the General Incorporation' (April 1776); likewise, in January 1822, £5 was awarded to assist the Bakers in their appeal against an Interlocutor 'materially affecting the whole corporate rights in North Leith.' In January 1812, however, the Wrights were refused assistance, apparently because of the expense just incurred through the Kirkwood case.

The share of the Incorporation in the municipal government of the Canongate is obscure. The 'Sett,' as granted by the Abbots and confirmed by the Crown, included on the Council the Deacons of the Trades; and in 1620 the right of the burgesses to maintain this Sett was legally vindicated against the encroachment of the Superior, Sir William Bellenden.¹ An Act of Council of the Canongate (3rd October 1622) ordained that the Deacons and Brethren of the Four Crafts should have free votes in electing magistrates and council yearly. After the acquisition of the superiority in 1639 by the City of Edinburgh, popular rights seem to have lapsed; the Municipal Commissioners of 1835 are silent on the point. On one occasion indeed, on the initiative of the Conveenery, the 'propriety of the trades being restored to their antient privilege of being joined in the Magistracy and management of the burgh' was affirmed, and the present magistrates were requested to give recognition to these rights

¹ Mackay, *op. cit.*, pp. 23-32.

'vested by Acts of Parliament and of the Privy Council and acted on by many Acts of the magistrates' (9th December 1817); but no effective steps were taken to implement the claim. The separate existence of the Burgh was terminated by the Edinburgh Municipal Extension Act of 1856. Meantime the newfangled device of Police Commissioners had proved unwelcome. The Edinburgh Police Act of 1805 was condemned as 'burdensome, oppressive and of little utility'; in 1812 its repeal was advocated, and conditional support given to an amending Bill.

In one of the functions of local government, however, the Tailors showed active concern, the care of the poor. By the middle of the century, the notion of a Charity Workhouse was coming to the fore; and on 23rd August 1753 a meeting of the Baron Bailie, Minister, Deacon Convener and other Deacons and Kirk Treasurer, recommended the Deacons to lay particulars of such a scheme before their Incorporations. The Tailors forthwith appointed representatives to 'commune and consort' with the other Incorporations, and ultimately donated £10 (1760). On the opening of the workhouse (1761), each Incorporation received the right to elect two managers annually; this was regularly exercised by the Tailors. The establishment was maintained chiefly by church collections, and at the end of the century entertained over seventy residents, besides giving out relief to another two dozen. The Tailors in 1793 put forward a demand for the segregation of their own poor within the institution.

Here, as elsewhere, the older methods of charity became inadequate, and in 1794 the Tailors supported a proposal for assessment sponsored by the Conveenery, deeming it 'the most equitable and proper method for supporting the poor of the parish.' The reform was, however, not achieved till 1812, when a rate of sixpence was imposed. By Decreet Arbitral of Professor David Hume (1814), it was established that the 'right and power of assessing for the poor in Canon-

gate belongs to a general Meeting called by and in the name of the Magistrates, and comprising the Bailies, Heritors, Ministers, Kirk Session and Deacons.'

In 1819 the Incorporation subscribed two guineas to a 'Society for preventing the Increase of the Fever now prevailing'; the 'voluntary principle' in questions of public health was then unchallenged.

The burgh had a Public Grammar School under the patronage of the Magistrates and Kirk Session.¹ The erection of a new one was proposed in 1756, but the Tailors declined to contribute. In 1846, however, they agreed to support the foundation of a 'Sessional School' at New Street, and lent £200 at five per cent. to the church authorities for the purpose (1849).

VIII

The early and intimate associations of the crafts with the Church are well known, and these survived the Reformation. The possession of their own seats was the chief outward and visible sign, and together with the call of ministers and the obligation to share in the upkeep of the fabric, provided the chief instances of conflict as well as of connection.

The Church of the Canongate was collegiate; the patronage of the first charge belonged to the Crown; that of the second, as was confirmed by legal 'opinion' in December 1754, was vested in the Heritors, Kirk Session and Deacons. According to the *Old Statistical Account*, the 'settlement' of the latter was, owing to the number of electors (about 400), 'generally attended with much difficulty and litigation,' as the Minutes fully confirm.² Perhaps with the rise of Evangelicalism, the Incorporation members became more urgent in pressing their claims; during vacancies in the first charge in 1753 and in 1783 they actively supported the candidature of the successful nominees.

¹ *Old Statistical Account*, vi. 565.

² *Ibid.*

The Incorporation, as was usual, made an annual visit in state to the parish kirk after the elections to be 'churched' and to assert their rights. These, however, involved them in financial responsibilities which were less appreciated. They did indeed from time to time, for their own convenience, undertake necessary repairs to their own property; e.g. in December 1746 structural alterations were ordered, to avoid disturbances by 'idle boys,' and in August 1791 a contract for £9, 6s. was given to 'renew the two back seats of the loft, so as to render their seats commodious and the access easy.' In February 1758 the late and present Deacon were formally thanked for improving the amenities of the church. In May 1767 the 'laigh seat' was 'set for the behoof of their many indigent brethren' to one Peter Gilbert, a brewer.

In 1816 the interior of the church was drastically remodelled, much to the detriment of its historic and artistic interest, as 'the places occupied by the Corporations and the gallery ornamented with representations of their insignia were obliterated, doing away with the bonds of attachment which connected many craftsmen with the parish church.'¹ The unsentimental and unaesthetic Tailors, however, approved the new plans, contributed £60 to the cost, and forthwith let the whole of their new accommodation—six pews in the gallery, and six in the area. In 1851 it was reckoned that the average annual income from their seat rents amounted to £1, 5s.

For the ritual funerals of members the Incorporation possessed its own mortcloth, which in August 1763 was found to be 'greatly decayed.' Subscriptions were sought to buy a new one, and were recorded in February 1766, by which time Matthew Hunter had made one 'in compliment'; it was thriftily decided to repair the old one and use it in bad weather (18th April).

There was protracted controversy about 'the property of

¹ Rev. W. R. Fraser, *The Kirk and the Manse* (1857), p. 166; Rev. A. Bonar, *Canongate Ancient and Modern* (1856; 31 pp.).

the church, the administration of the funds arising and the burden of expensive repairs.' In 1772 a 'contract of agreement was at last entered into by the magistrates, kirk session, heritors and deacons of crafts, vesting the said property and administration in fifteen delegates, chosen annually as managers,' including three from the Incorporations.¹ This was endorsed with some hesitation and several dissentients by the Incorporation on 3rd March 1774.

An Act of 1860 abolished the Annuity Tax in Edinburgh, and set up Ecclesiastical Commissioners to administer the City Churches; their responsibilities included the letting of seats. A Private Act of 1867 'uncollegiated' the Canongate Church, and placed it under their jurisdiction.² In terms of the Act, the buildings had to be put in good order before being handed over; this involved the Tailors in a claim for over £76, in respect of 75 seatings. This charge seems eventually to have been met, and on the new arrangements coming into force, no income or burden henceforth accrued to the Tailors, and their official connection with the church ended.

In 1792 the Canongate Church authorities proposed to erect a 'Chapel of Ease' at New Street, and offered a share in its management to any body contributing £25. The Tailors qualified, and at a meeting in October 1793 their representatives concurred in a stipulation that the minister called must be agreeable to a majority of heads of families. They continued to appoint representatives till the Disruption, when the minister and apparently the bulk of the congregation joined the Free Church.

Owing to North Leith coming within the bounds of their jurisdiction, the Incorporation had rights in its church also. On account of the anomalous status of the latter, these were extraordinarily complex. In May 1628, the Kirk Session granted to the 'tailors' craft of the parochin' the 'laigh seat'

¹ *Old Statistical Account*, vi. 565.

² Statutes Relating to Scotland, 1860 and 1867.

No. 6 'under the pillar of repentance, to be repaired by them and closed at both ends with a door'; in return, they were to make a yearly contribution to the stipend. Here, also, the Incorporation attended officially on the second or third Sabbath in May, though the object was piously stated as being 'to hear the Word of God preached in this church as usual.' In August 1754 it was decided that a quorum should attend quarterly to maintain their rights. Chiefly as a source of income their seats came to be let out on 'tack' to the Kirk Session itself. In February 1753 a 21-year lease was entered upon, at 17s. per annum, with reservation of rights for the annual visit. This was renewed in 1774, but in 1782, owing to an increasing demand for accommodation for their own members, one seat was resumed; Mr. Gladstones, grandfather of the well-known statesman, acted for the Session on this occasion.

Here, as in so many places, the old church fell a victim to the material prosperity and bad taste of the early nineteenth century, though the building survived as a warehouse. The erection of a new church produced the most protracted and involved of the numerous lawsuits in which the Incorporation engaged; a lucid and succinct account of the issues and results is given by Mr. David Robertson in his paper on the 'North Leith Case.'¹ Suffice it here to say that the accommodation in the new edifice was inadequate to satisfy all claimants. Eventually the Incorporation accepted a compromise, and agreed to pay £23, 15s. 10d. as their share in expenses (1830). Their rights were subsequently considered burdensome, and in December 1861 it was decided to dispose of the seats. This, however, was not done, and when the affairs of the Incorporation were finally reviewed in 1878, the Church admitted its rights to 23 sittings in three pews; both revenue and costs were trifling, but a liability in emergencies still lay on the Incorporation.

¹ D. Robertson, *The Bailies of Leith* (1915), pp. 50-68; cf. J. Russell, *The Story of Leith* (1922), pp. 164-80.

IX

As a body, the Tailors intervened little in public affairs. They were apparently so preoccupied with their own reconstruction that no reference to the '45' enlivens the opening pages of their Minute Book. Under the stress of the American Revolt a quarter of a century later, however, they raised subscriptions and made a temporary advance from their funds to assist in raising a company of Volunteers (4th February 1778). Their loyalty, however, was consistent with a prejudice against undue sacrifice, in that they supported the Conveenery in protesting against the quartering of soldiers on tradesmen only, and the exemption of other classes from this doubtful favour (8th August 1780). Becoming unpleasantly aware of the economic consequences of war, they associated themselves with the Conveenery in the appointment of a Committee to consider methods 'to alleviate the distresses of the industrious poor,' and granted £4 for relief purposes (4th February 1783).

In February 1792 they unanimously joined the other Trades in petitioning for the abolition of the slave trade and thanking Wilberforce and his colleagues for their exertions, voting two guineas towards expenses. That this was not due to any general sympathy with reform was indicated by a resolution of 13th December, induced by a letter from the Conveenery, intimating that 'Riots and Tumults was apprehended from the present ferment in the Minds of the People and desirous to know If we was willing to aid the Civil Magistrate in their suppression.' Thereupon 'the Society are sorry to think that at this time designing men are endeavouring to undermine and Destroy our happy Constitution, and they unanimously agree to join with those Respectable Bodies who have already Testified their Loyalty and Attachment to the Present Constitution under which We Injoy so Many Blessings and Priviledges, and to Defend the Same by all thats Dear and

Valuable to Us and to Support the Civil Magistrate all that lye in our power for preserving peace and good order in the Burgh.'

In 1814 the proposed change in the Corn Laws was opposed as 'injurious to the lower classes and having a tendency to hurt and ultimately ruin manufactures.' In March 1829 they petitioned, by seven votes to three, against Catholic Emancipation, but in February 1831 unanimously deleted the 'Protestant Clause' in the oath of admission. They were carried away by the Reforming zeal of the early 'thirties, and very thoroughly ate their rhetoric of forty years earlier in a unanimous petition for the Whig Bill (17th March 1831), and in a protest, with one dissentient, against its rejection by the House of Lords (15th May 1832).

X

The last fifty years of the Incorporation's existence offer little of general interest. The definite commencement of decline can be assigned to the close of the Napoleonic War. It appears that in 1812 there were four entrants, in 1814 nine; thereafter one each in 1818, 1819, 1827, 1829 and 1831. A last belated enrolment after performance of essay was that of Andrew Lind, son of a member, in February 1845. In December 1849 he was, however, induced to withdraw; he had been refused admission to the Widows' Fund, and after prolonged negotiation he accepted a sum down in discharge of his claims.

Some years earlier, the last and in some ways most disastrous of the numerous lawsuits had been decided against the Incorporation. Andrew Boyes had in February 1830 been expelled on the ground of long-standing arrears in dues; a subsequent offer on his part to pay up had been rejected; he went to the courts, and eventually the Court of Session ordered his reinstatement, with costs of over £126 (February 1836).

The Incorporation submitted evidence in reply to the

questionnaire of the Burgh Commissioners in 1833, but apparently expressed no opinion on its recommendations. The Report of the latter summarises their position in a sentence: 'The tailors have had no prosecutions for a great number of years, but are unwilling to abolish the exclusive privileges without compensation.'¹ They, however, raised no objection to the Act of 14th May 1846 'for the abolition of the exclusive Privilege of Trading in Burghs in Scotland'²; it indeed receives only a passing reference in the Minutes. The Act was indeed, so far as they were concerned, little more than an affirmation of an accomplished fact. Under its provisions they continued to exist for another generation as a property-holding benefit society, and, as enjoined, appealed periodically to the Court of Session for sanction of bylaws.

There seems no essential reason why the Incorporation, like other bodies of the kind, should not have survived indefinitely on the new footing. It was, however, apparently resigned to euthanasia. So far from seeking to augment their numbers, the remaining members evidently resolved to enjoy themselves, while they lived, the resources which had been accumulated; those who like Boyes fell into arrears were rigorously excluded, and claims for relief as stringently rejected wherever possible.

Meetings became formal, concerned only with laying out the common good in the most lucrative fashion, while any other outlay was grudged—*e.g.* a large payment as share in repair of Canongate Church was shirked for years (1856-59). The real estate, which gave trouble to keep in good condition and involved vexatious claims, usually resisted, was gradually disposed of, and most of the capital was invested in Edinburgh City Bonds, and in shares of the Scottish Wagon Co., with which the penultimate survivor, Deacon Vallance, had apparently some connection.

¹ *Municipal Commissioners Report* (1835), Local Reports, Part I, p. 328.

² 9 & 10 Vict. c. 17, in *Acts relating to Scotland*, 1846.

Latterly, a small clique constituted almost a 'racket,' voting themselves ever-increasing pensions from the capital fund, on a sort of 'tontine' principle. In 1850 opinion of counsel was taken as to the legitimacy of dividing up the property among the remaining nine members, since the Incorporation had 'fallen into decay of late years' and was unlikely to revive. Mr. Handyside gave a rather non-committal response. Similar action by a few other Incorporations had been reprehended in the Report of the Municipal Commissioners of 1835¹; and the archives contain, doubtless for the monition of its own members, documents relating to a suit against the Incorporation of Fleshers by the widow of a member for alleged misappropriation of monies properly pertaining to a Widows' Fund inaugurated in 1808-09 (1838-40).

By 1871 there survived only Deacon George Vallance, 'breeches-maker and glover to the Queen,' West Register Street, admitted in August 1827, and now 71 years old, and Treasurer George Wilson, partner in Wilson and Martin, clothiers, St. Andrew Street, son of a former member; he was admitted in November 1831, and was now 79; owing to his advanced years, the meetings were henceforth held in his house, Ashley Hall, Linlithgow.

After the death of Vallance, on 30th May 1876, Wilson sought to have the residue of the properties made over to himself, and had an elaborate Memorandum prepared, which he submitted with great confidence to Counsel; the latter's opinion was unfavourable, on the ground that the property was essentially that of the Incorporation as such, and that the Crown retained rights as ultimate heir (July 1876). A few months later, the Crown was petitioned to investigate the affairs of the Incorporation, but declined; and at the death of Wilson, on 28th November 1877, matters were left unsettled. The latest item in the records is an Inventory supplied in November 1882 by the Procurator-Fiscal of West Lothian to

¹ *General Report of Municipal Commissioners* (1835), p. 78.

the Queen's Remembrancer. The archives had been carefully preserved during the past century and a half, and references occur repeatedly to their being copies and catalogued, or given into safe custody.

XI

In summary, it may be said that despite recurrent financial difficulties, and an undue propensity to litigation, the Incorporation had an active and flourishing career during the latter part of the eighteenth century. Its decline in the early nineteenth was due not so much to internal change as to the 'spirit of the age,' the growing tendency to *laissez-faire*, reflected in legislation and judicial decisions, and alterations in social habits and standards of life. Its rather sordid end may be attributed to the growth of oligarchy, facilitated by the smallness of numbers, and peculiar relation of the Canon-gate to the larger burgh which dominated and ultimately absorbed it.

The Incorporations in general suffered from the deficiencies of what sociologists call a 'custom society.' They proved incapable of adaptation to a rapidly changing environment. Now that we are escaping from nineteenth-century economic individualism, only to fall into the hands of the bureaucratic, if not totalitarian state, it may be permissible to regret that a way was not found to continue the organisation of industry on a self-governing basis of voluntary co-operation.

W. H. MARWICK.

The authority for data not otherwise indicated is found in the Minutes and other records as listed in the Appendix.

APPENDIX

I

LIST OF DOCUMENTS OF INCORPORATION OF TAILORS OF CANONGATE

NOW IN POSSESSION OF THE NATIONAL LIBRARY OF SCOTLAND.
Catalogued as MSS. 1957-90.

- 1957. Printed Rules *re* relations with Tailors of Edinburgh (*ante* 1723), 46 pp. (1-16 missing).
- 1958-59. Copies of original charters, seals, etc. of Incorporation, 1438-1796.
- 1960. Notarial Copies of Decreet of Sheriff, 1767 etc.
- 1961-63. Minute Books 1744-77, 1777-1819, 1820-77.
- 1964-65. Minutes of Incorporation Committees, 1828-49, 1850-76.
- 1966-67. General Correspondence, Deeds, etc., 1628-1850, 1850-76 (includes Inventory for Queen's Remembrancer, 1882 in 1967; No. 264).
- 1968. Case of Andrew Boyes against the Incorporation, 1830-36.
- 1969. Roll Book. Absents and Fines, 1731-82.
- 1970. (i) Book for 'list of servants,' 1737-50; (ii) List of Quarter Accounts, 1745-67; (iii) Absent Book, 1742-44.
- 1971. Ledger of quarterly payments, 1770-1846.
- 1972. Account of Monies to the Poor, 1749-96.
- 1973. Treasurers' Accounts, 1821-78.
- 1974-82. Accounts and Receipts, 1764-1877.
- 1983. Reports on Affairs of Incorporation, 1853-76.
- 1984-88. Pass and Cheque books, 1856-76.
- 1989. Printed Papers, 1809-54.
- 1990. Duplicate of 1989.

II

FORM OF PRAYER AT CONSTITUTION OF MEETINGS

SUBMITTED BY DEACON, ADOPTED, AND INSCRIBED IN MINUTE BOOK,
10TH AUGUST 1829.

O Most Gracious God and Loving Father in Christ Jesus: Seeing we are here convened to advise and consult upon those things that

concern our location, We most humbly beseech Thee to be present in Mercy with us: Endue our hearts with Wisdom and Discretion, and so moderate all our affections, that without Grudge, Malice or Partiality we may discreetly and wisely proceed in all things presented to us, as done in the presence of Thy all seeing Eye; and Grant, Lord, that all our Actions and Travels may both begin from Thee, and end through Thee, and so tend to the Glory of Thy Blessed Name, the Weal of this our Calling, and to the profit and comfort of every member of the same, through Jesus Christ Thy Son our Saviour, To Whom with Thee the Holy Ghost be all Praise, Glory and Honour, for Ever and Ever. Amen.

III

LAWS AND REGULATIONS OF THE INCORPORATION. 1791

INSCRIBED IN MINUTE BOOK No. 2, P. 52.

1. That any person before he be received a Operative member of the Society shall make an Essay, which must be approved of by four Essay Masters, two of which to be chosen by the Incorporation, and two by himself from amongst the members.

2. That he shall subscribe the Upsett Oath a copy of which is subjoined.

3. That he shall pay into the hands of the Boxmaster for the time being, the Sum specified in the other following pages as the price of his entry.

4. That he shall conform to the Laws and continue to pay Quarterly Accounts regularly, as by being two years behind in paying Quarterly Accounts forfeits all title to receiving any Benefit from the Funds of the society.

ACTS REGULATING ADMISSION MONEY

Upsett Money for an Operative Member . . .	£6 10 0
To the Conveeny.	0 5 0
Clerk	0 5 0
Officer	0 5 0
As a Member of the Canongatehead becoming a freeman with us	4 10 0
As a Person carrying on no Taylor trade entering	4 4 0
The dues to each as above to a full Freeman	0 15 0

A Freeman's son, or who Marries a Freeman's daughter . . .	£2 2 0
as Freeman of the Pleasance	2 13 4
" " North Leith	3 6 0
A Free Apprentice on Admission	2 10 0
Att his being bound	0 6 8
to the Conveeny on his account	0 1 8
" Officer " "	0 2 6
Att his being loosed from Apprentice, to Conveeny	0 0 10
The Dues of Each on Admission the same as any other Freeman, except North Leith, where the Officer of North Leith gitts the Officers' Fees, and the Conveeny half as a Full Freeman	0 12 6
A Freeman of North Leith	1 1 0

Each freeman to pay 1s. per quarter to funds, absence when warned forfeits 6d.; absent from burial of any in Incorporation 6d.

IV

PLAN OF WIDOWS' FUND

APPROVED AND INSERTED IN MINUTES, 14TH NOVEMBER 1798
(Vol. II, pp. 79-82) (Summarised)

1. Entrants to pay £1 per annum for four years. Fine of 1s 6d. for delay.

2. All to pay 2s. per quarter permanently—including beneficiaries.

3. No payments during first five years; widows may become beneficiaries by continuing payment meantime.

4. Two years' arrears forfeits all benefit; lesser period may be made up by fines or charge of interest.

5. Present widows, or widows of non-contributors to new fund, to receive old sum of £2.

6. All entrants to see and sign articles.

7. A widower marrying out of the Society to pay a guinea.

8. Fines of 10s. 6d. and £1 for new members defaulting for one or two years.

9. Special levy in case of deficit.

10. Deacon and Treasurer to act in regard to Fund.

11. Further year may be added if funds are inadequate after four years.

12. Fund to be used solely for relief.

It was resolved that annual payments of £6 each might be made from this fund to widows and disabled, though this was not inserted in the rules.

V

REGULATIONS ADOPTED, 18TH MAY 1814

MINUTE BOOK II, P. 192

INCORPORATING 'NEW FUND' RULES

1. 'No person can be admitted a Member of the Incorporation unless he has been regularly bred to the Tailor Business. And any Person desirous of admission must present a petition to that effect which must be considered at a full meeting regularly warned, and if this petition be admitted he shall pay £1, 1s. to be accounted part of his entry money.'

2. If the petition is approved, 'he shall be appointed to make an Essay' (judged by four Masters); if satisfactory, he is to pay Entry Money and House Dues, then take oath and sign book, then he is entitled 'to carry on the Business in all its branches, within the Parish of Canongate, North Leith, and all other places under the jurisdiction of the Magistrates.'

Table of Entry Money.—To Stranger, £15. Freeman's son or son-in-law, £4, 10s. Apprentice who has signed for the Freedom, £6, 15s. To Conveentry, 10s.; Clerk, 10s.; Officer, 10s.

3. Each to pay 1s. quarterly. Two years' arrears forfeit claim.

4. Superannuated and widows receive £2 per an.

5. Absence from funerals or meetings fined 6d., unless with satisfactory excuse. Committee meetings, 1s.

6. Dispute among members to be referred to final decision of arbiter; if resort is made to legal redress, each party to bear his own expenses.

7. Apprentices bound pay 2s., plus 6s. 8d. to Conveentry; on discharge of indenture, 3s. 4d. to each.

8. Widows' Fund Rules ratified; members admitted to be under 40 and in good health; under special circumstances, eligible between 40 and 45 at additional payment of £1 per an.

9. Members of latter to pay £20 to Incorporation on admission, or within five years; five-year qualification required for benefit.

10. One shilling quarterly to be paid to Fund; two years' arrears forfeits claims.

11. Widows in full benefit to get £10 per an. (including £2 from General Fund of Incorporation).

12. Widows may pay up incomplete premiums and so qualify for benefit.

13. Disabled to get £10 per an. (including £2 under Art. 4); as also infant orphans up to age of 12.

14. Levy or reduction of annuities in case of deficit.

15. Widowers to pay £1, 1s. on remarriage.

16. 5 per cent. interest due on arrears; two years' arrears forfeits.

17. Widow forfeits on remarriage or misconduct.

18. Debtors forfeit interest in benefits.

19. Treasurer to give security on assuming office.

20. Rules to be given to and signed by all.

VI

BYLAWS ADOPTED 1854, AND APPROVED BY COURT
OF SESSION UNDER ACT OF 1846

PRINTED FOR DISTRIBUTION. MS. 1983.3. SUMMARISED EXTRACTS

1. Entrants must be regularly bred to craft, of good character, sound body and mind, previously admitted as burgess of Canongate, under 45 years old.

2. Evidence of age and training to be given, medical examination passed, and essay performed.

5. No new apprentice to be taken, previous apprentices must have served five years.

6. Dues variable according to age.

9. Allowances to widows.

9. Annuities at age of 50 after fifteen years' membership.

11. Two stated meetings per year.

12. Annual meeting in May.

27. Rules alterable after notice.

28. Investigation of funds to be held every seven years.