

THE INCORPORATION OF MECHANICS OF STIRLING.

(By DAVID B. MORRIS.)

WHO WERE THE MECHANICS?

The Incorporations which existed in Stirling were the Merchant Guild, the Seven Incorporated Trades, and the Tolerated Communities. The last named were the Maltmen, the Mechanics, the Omnium Gatherum, and the Barber Surgeons. The Maltmen were an ancient body, but the other three Tolerated Communities were of comparatively modern origin. The Mechanics in Stirling included Wrights, Masons, Slaters, Painters, Glassingwrights or Glaziers, and Plasterers, what we might call the building trades, also Litsters or Dyers and Coopers. As all these occupations must have been in use from very early times, it is a little difficult to understand why they were not organised sooner. Such organisation was, however, severely discouraged by the Scottish Parliament during the period of repressive legislation in the fifteenth and sixteenth centuries. In 1427 it was ordained that no Deacons were to be elected by Crafts, and in the same year the Town Council were directed to choose a Warden for every craft, who should fix the prices of goods and the workmen's wages and supervise work. It was declared that this ordinance should be extended to Masons, Wrights, Smiths, Tailors, and Websters. In 1473 Parliament ordained that there should be a Warden and a Deacon of the Craft of Goldsmiths. In 1491 exception was taken by Parliament to Masons and other men of Craft convening together and framing rules for the regulation of their respective trades.

Some operatives of the building trades who used the hammer may have been admitted to the Hammermen Incorporation, the members of which were a somewhat heterogeneous body. We may take it, however, that all the men who plied the above-mentioned trades within the town were freemen of the burgh long before the Mechanics became incorporated, it being a mistake to think that none but a member of the Guildry or the Incorporated Trades could be a burgess. Later on we find the Mechanics accepting for membership

Plumbers and Cabinet Makers, and there is mention of a Bookbinder in 1673 and of Pipe-makers in 1674 as members. In more recent times persons having right as sons or sons-in-law of members were admitted whatever their occupation.

Other than the Maltmen, the Tolerated Communities did not become organised until the seventeenth century. The process was gradual, the aim being incorporation by a Seal of Cause from the Town Council. The first step was the resolution for united action on the part of the burgesses who followed unrecognised occupations. These being of great variety were called the Omnium Gatherum, a name, probably facetious in its origin, which is spurious Latin for a gathering of everybody. The name is spelt in many ways, a shortened form being Omnigatherum or Omnigadrum. In 1595 the Omnium Gatherum were allowed four members of the Town Council, two of them being Litsters, and in 1598 two members, but in 1614 their meetings were prohibited. In 1617 the Society included a Mason and a Flesher. Why the latter was a member does not appear, as he had his own Trade Incorporation. In 1642 the Omnium Gatherum was stated to include Wrights, Masons, Coopers, Litsters, Glassingwrights, Slaters, and Gardoners. In 1643 the whole Omnigatherum agreed to contribute to the stipend of the Second Minister £46 13s 4d, whereof £20 was to be paid by the Mechanics amongst them. This is the first mention of the Mechanics in the Town Council records, and shows that in the body of the Omnium Gatherum the Mechanics were now organised as a separate branch. In the Common Good Accounts from Michaelmas, 1650, to Michaelmas, 1651, the Mechanics and Omnigatherum jointly contributed £84. In 1656, when the Rev. Matthias Sympsone was called, the Mechanics contributed £36, and "the rest of the Omnigatherum" £48. In 1671 the Wrights, Coopers, Glaziers, Litsters, and Slaters, under the combined title of Mechanics, took separate action to secure a remedy for their grievances. In 1723, when the Omnigatherum obtained a grant from the Town Council, they were described as consisting of "Workmen, Hauxters, Carriers, Horse-hirers, and other Dargsmen of such employs or occupations," and since that date they have included chiefly followers of occupations in which horses were employed. It is apparent from the foregoing that the building trades with the Dyers and Coopers

were originally part of the Omnium Gatherum, that by 1643 they formed a separate branch within that body, and that by 1671 they had set up as a distinct body under the title Mechanics.

During the period in which the Mechanics appear in the local records the Masons were included in that body, and they were for a time, as we have seen, in the Omnium Gatherum. The Masons have, however, a history of their own. The Masons in the Mechanics Incorporation were undoubtedly mixed up with the local Lodge of Freemasons. The individual members and office-bearers may at times have been the same, and as regards the members of the Incorporation who were working masons there may have been overlapping. Their dealings with Sir Anthony Alexander and with Henry Alexander, hereinafter referred to, apparently point to something of this kind. In the Mechanics' minute of 5th November, 1637, while Alexander Cunningham, who was a Wright, is styled Deacon, yet John Serves, who was a Mason, is styled Warden of the Lodge and Company. The same phraseology is used in Henry Alexander's minute of 7th March, 1638. While the term "Warden" had previously appeared in the fifteenth century legislation, the term "Lodge" is unusual.

I have no intention here of entering into the relations of Operative Masons and Speculative Masons, or the myths that have been freely circulated along with ascertained facts as to the early history of Freemasonry in Stirling. I would refer inquirers to the excellent paper on the subject by Mr William Harvey in the Transactions of our Society for 1922-23, pages 12 et seq.

SEALS OF CAUSE.

In 1671 the Wrights, Coopers, Glaziers, Litsters, and Slaters complained to the Town Council of strangers exercising these callings without being freemen or residents within the burgh. The Town Council on 1st April, 1671, by an Act, which is stated to be "in favour of Mechanics," ordained that no one should exercise any of these trades without becoming entered burgesses and neighbours of the burgh. This minute is one of some significance. It is the first official recognition of the Mechanics as a separate body, but it falls short of being a Seal of Cause, as it does not constitute the Mechanics an Incorporation. It is to be noted that strangers are not directed to become Burgesses qua Mechanics, but Burgesses

and "Neighbours." The term "neighbour" indicated one who was a burghess but not a member of an Incorporation. This was followed by a minute of 6th January, 1672, giving the Dyers a measure of protection.

The next phase of the progress of the Mechanics was an attempt in 1674 to gain the rights of incorporation without the consent or knowledge of the Town Council. The hero of this adventure was John Buchanan, a mason. A year previously the Town Council had employed him to furnish a sundial for the grounds of the Guild Hall. This handsome dial still graces the beautiful old Dutch garden, which, with the bowling green and paved terrace and stone balustrade, gives such a charming appearance to the hospital precincts. The Mechanics apparently recognised that the Town Council's Act of 1671 was not sufficient, and being of opinion that the Town Council would decline to give them the full status of a Trades Incorporation they tried other measures. They accordingly had prepared for them a "signature," or draft as we should call it now, of a Royal Grant, and took steps to have it presented for approval to King Charles II. This document, if confirmed, would have conferred upon the Mechanics the following privileges:—(1) the power to elect a Deacon, (2) the power to enter freemen, (3) the right to prevent all others from working at their specified trades within the burgh, (4) the imposition upon the Magistrates and Town Council of the duty of admitting the Deacon of the Mechanics as a Town Councillor, and (5) the right to call upon the Magistrates and Town Council to enforce the orders of the Deacon against unfreemen. If they had succeeded in getting this Grant, the Mechanics would have been placed in a highly privileged position, because only the Guildry could boast of a Royal Charter, the alleged Charter of the Maltmen being little more than a letter directing a settlement of a dispute. The other Incorporations derived their rights from the Town Council by Seal of Cause, in accordance with the custom in Scotland. Such a document as the Mechanics sought would have been most unusual, and we do not know what reason they may have had to anticipate success. When the project came to the knowledge of the Town Council they were highly incensed. They gave expression to their feelings in a minute dated 29th August, 1674. It was declared that the project had been factiously invented without the

privity, knowledge, or consent of the Magistrates and Council, and that the Mechanics thought "till have gotten it" secretly past His Majesty's hand, that if this design should proceed, it would prejudice the whole heritors within the burgh who have houses to build and repair. (Apparently it was anticipated that prices in the building trades would go up.) It would break the harmony and good concord of the Town Council and the ancient establishment to have an additional trades councillor. Here we may detect the jealousy of the Merchant Guild. It was decided by a majority to oppose the Mechanics' design by all lawful means and ways. Thereafter John Buchanan was called before the Council as the chief contrivor and promoter of the foresaid design. They desired him to proceed no further with a thing so obnoxious to the weal and peace of the town. But John was a man of courage. He "most arrogantly and insolently" answered that he "wold persecut and sett forward" the design with his whole means and fortune to the utmost of his power, "say the contrair who wold." The Council thought such carriage on the part of John to be a great fault and ingratitude done against the town which had given him his burghess ticket gratis. Finding his act repugnant to his burghess oath, they cancelled his freedom of the burgh. This sentence being intimated to John Buchanan he protested, and appealed to the supreme judicatory "for remeid" thereof. From this minute we learn that John had been admitted a burghess free of charge, such an honour being generally conferred for some public service, although in later years the freedom was for a time conferred upon very slight pretexts. Probably it was in connection with the sundial at the Guild Hall that the compliment had been paid. Perhaps the reason was the excellence of the workmanship, and that the dial was a handsome one we can see to this day. It may be that some light is thrown on the transaction by the minute of 7th June, 1673, when the price of the dial came up for consideration, and remit was made to the Dean of Guild and Convener to settle with the said John threanent "as easy as they can." If John was paid by flattery instead of coin of the realm, he made a bad bargain, as he found when his honorary burghess-ship was taken from him.

The Mechanics did not get their Royal Charter. This may have followed upon the opposition of

the Town Council. It seems unlikely, however, that such a departure from precedent would have been allowed by the King's advisers. The Mechanics would probably be told to seek a Seal of Cause from the Town Council in the usual way. This is actually what did happen, although not until fifty-two years later. Except for a measure of protection to the Masons in 1687, the position was still the same thirty-four years after, because we find on 20th November, 1708, the Town Council recording that the Mechanics cannot plead the privilege competent to any of the Seven Incorporated Trades as to the ease of entry, which in their case was fixed at £24 Scots each person. Matters were not put on an assured footing until 22nd January, 1726, when the Town Council, upon representations formerly given in to them, passed an Act in favour of the Mechanics which was signed by the Preses (the Dean of Guild, not the Provost) and recorded in the principal Council Book. This was a real Seal of Cause, and was followed by other two on 25th September, 1729, and 25th February, 1736. In these last-mentioned years the constitutional basis of the town was brought up-to-date, and Grants in favour of the Tolerated Communities, the Maltmen, Mechanics, Omnigatherum, and Barbers were issued. This followed upon these bodies undertaking their share of the burdens of the town in supporting the ministry, thirling themselves to the Bridge and Burgh Mills, paying the malt tax, and subjecting themselves to the quartering of the military, watching and warding, and supplying their quota of men to the militia. (Minute, 16th January, 1731.)

These successive Acts of the Town Council, constituting the Seals of Cause of the Mechanics, being of importance to the student of Scottish burghal history, are given in full in an appendix. Their contents may be summarised thus:—

Seal of Cause I. 1st April, 1671. No Wright, Cooper, Glassinwright, Litstare, or Sklaitter to work within the burgh without entering burgess and neighbour, and reside and bear all public burdens. No apprenticeship for less than five years. Prices for work not to be raised.

Seal of Cause II. 6th January, 1672. No landward Litster to bring in any litted cloth or yarn or carry any yarn or cloth from the burgh to be litted, nor keep any house or shop to receive

cloth or yarn. The town Litsters to lit at as easy rates as the landward Litsters. Burgesses allowed to carry their own cloth or yarn furth of the burgh to be litted.

Seal of Cause III. 4th October, 1687. Any unentered person taking upon himself to engage in Mason work within the burgh to be liable to imprisonment.

Seal of Cause IV. 22nd January, 1726. The Acts of 1st April, 1671, 6th January, 1672, and 4th October, 1687, recited and ratified. No member of the Guildry or Seven Incorporated Trades to practice any of the Mechanics' crafts without entering with the Mechanics and paying the entry money. Those entering with the Mechanics must first be entered burgesses. Apprentices and journeymen to be booked, and the booking dues paid. Wright work brought in by country Wrights to be laid down in the timber market to be sighted as to its sufficiency by the Mechanics.

Seal of Cause V. 25th September, 1729. All Measons, Wrights, Coupers, Painters, Glasiers, Slaters, Dysters, and Plaisterers, burgesses qua Mechanics, to reside within the burgh with their families at least eight months of the year. Non-residenters or unfreemen not to be employed by members. Only entered Mechanics to take apprentices. A person entered with the Guildry or any of the Seven Incorporated Trades may do mechanic work upon paying £4 Scots to the Society of Mechanics, and to be free of other obligations to the Mechanics.

Seal of Cause VI. 25th February, 1736. Dues of entry to be increased. Each stranger £24 Scots; each journeyman £2 Scots, besides the clerk's dues and dues of the trade. No one to be entered without a sufficient sey for evidencing his knowledge in his profession.

SIR ANTHONY ALEXANDER'S LAWS.

By the time Charles I. came to the throne the period of strife between the Merchant Guilds and the Crafts in Scotland had nearly reached an end. The extreme bitterness had passed away, and the parties found more friendly means of settling their differences. This was the time of the rise of the Tolerated Communities. A movement arose throughout Scotland for the members of occupations hitherto officially unrecognised to combine for their mutual advantage. Seals of Cause began to

be granted more freely by Town Councils, and this occurred in Stirling as we have seen. Perhaps the process was too slow, for in 1636 an attempt was made to place the movement on a national footing. The man whose position caused him to be chosen as head of the project was Sir Anthony Alexander, Master of Works and General Warden of Scotland.

Sir Anthony convened a meeting at Falkland on 28th October, 1636, those attending being described as "the persons, artificers, and craftsmen of the Crafts and Arts underwritten." The Crafts and Arts named were "Meassons, Smiths, Wrights, Painters, Cowpers, Glazenwrights, Plumbers, Sclaters, Plasterers, Shipwrights, Makers of Spurs and Canes (sic), Calsay Makers, Makers of Fusies (sic), and all other artificers of buildings." The object of the meeting was stated to be "for overtaking with the wrongs and abuses committed in the saids Crafts and Arts, and reforming of the samen, establishing of such procepts as thereby His Majesties liedges may not be prejudged by any of the saids Artificers or Craftsmen, in the discharges of their saids Arts and Crafts, and whereby they may live the more peaceably amongst themselves in time comming." The result was that Sir Anthony promulgated a code of statutes, expressed in twenty-three Articles. These enacted that there should be established throughout the country Companies of Master Tradesmen, with power to choose a "Warden, Ovorsman, or Deacon" and other office-bearers. The admission of apprentices was carefully regulated, the period of service being fixed at seven years, while the relations with workmen, the settlement of disputes, and financial matters were also dealt with. The Companies were declared to be privileged, but the rights of Companies already established by Seal of Cause were reserved, and such were declared not to be subject to the Warden's Laws. Sir Anthony's laws are printed in full in an appendix to this paper.

It is not easy to determine the true meaning and value of these proceedings. One would like to know how the gathering was summoned, how many artificers were present at Falkland, and what was Sir Anthony Alexander's real motive. It is significant that the number of offences that could be committed against the statutes was very considerable and the penalties substantial, and that half of the sums so collected was payable to

the General Warden. The dues payable for membership were £30 Scots each, in addition to sums payable in respect of apprentices, and Sir Anthony claimed half of these also.

Our interest in this extraordinary Code of Laws lies in the fact that they were adopted by the Mechanics of Stirling. On 5th November, 1637, a little more than a year after the meeting at Falkland, the minutes read that "in presence of Alexander Cuninghame, Wright, Burgess of the Burgh of Stirling, Deacon, and John Serves, Measson, Burgess there, Wardane of the Ludge and Company within the bounds of Stirling" those compearing personally obliged themselves to observe, fulfil, and keep the whole preceding Acts, these being presumably Sir Anthony's laws. This was signed by twenty-six Mechanics. John Service was the man who, two years previously, had placed the sundial on the front of the Town Clerk's house "foirnent the mercat croce."

The Mechanics took steps to have their action duly confirmed, as is evidenced by the following minute:—

MINUTE OF COURT HELD BY THE GENERAL WARDEN.

Court holden at Stirling the seventh day of March, 1638, be Mr. Henry Alexander, General Wardane and Master of Work to his Majestie within this His Highness, Kingdom of Scotland: Court affirmed.

The whilk day, the said General Wardane nomenat and elected Alexander Cuninghame, Wright, deacon, and John Service, Measson, wardane, to us within the ludge and company of Stirling, James Morrison, pror. fiseall, William Ronald, and James M'Kewen, officer and dempster, within the said ludge, and creats and constituts Alexander Barclay and Mr David Forrester notars, as clerks, and ilk ane of them made faith as use is de fideli administratione, for the space of one year, and longer during the said General Wardane's pleasure, whereunto the said General Wardane interpond his authority. Sic subscribitur,

Henrie Alexander, Mr. of Works.

These proceedings were probably the first attempt on the part of the Mechanics to obtain official incorporation. It will be observed that they possessed both a Deacon and a Wardane, and that they are referred to as "the ludge and

company of Stirling." When the Mechanics obtained their Seals of Cause from the Town Council at a later period, no reference was made to Sir Anthony Alexander's laws or their adoption by the Mechanics.

Sir Anthony Alexander and Henry Alexander had a close connection with Stirling, both being sons of Sir William Alexander of Menstrie, Earl of Stirling, the famous statesman, courtier, and poet, and founder of Nova Scotia. Sir Anthony was the second son. After being a student at Glasgow University he went abroad by special authority of the King, Charles II., where he studied architecture. On his return, the King appointed him in November, 1628, Master of Works in Scotland, along with James Murray of Kilbaberton. He was admitted a Burgess of Stirling in October, 1632, and was Knighted at Whitehall in 1635.

When the Earl of Stirling was raised to the peerage he desired to possess a house more befitting his rank than the old family house of Menstrie, and so on a suitable site in the Castle Wynd he erected the magnificent mansion house which still stands and is now known as the Argyll Lodging. The structure was begun in 1632 and finished in 1635. The architect was his son, Sir Anthony, to whose skill the building, massive yet graceful, is a monument which is admired by every person of taste. Under the superintendence of Sir Anthony, Bowey's Aisle on the south side of the Parish Church was reconstructed, having been acquired as a family burial place.

Sir Anthony died in London on 17th September, 1637. His body was embalmed and brought by sea to Stirling, and interred by torchlight in a vault of the aisle, where also were buried the remains of his elder brother, Lord Alexander, who died a few months later. William Drummond of Hawthornden, his father's great friend, wrote an elegy on the death of Sir Anthony, in which these lines occur:—

"Shepherds on Forth, and ye by Devon rocks,
Which used to sing and sport and keep your
flocks,
Pay tribute here of tears; ye never had
To aggravate your moans a cause more sad."

Henry Alexander was Sir Anthony's brother, the third son of the Earl of Stirling. He also was a student of Glasgow University, and on Sir Anthony's death was appointed Master of Works

in Scotland. This explains why the Court at Falkland in 1636 was held by Sir Anthony, and the Court at Stirling in 1638 by Henry Alexander. Henry was admitted as a Burgess of Stirling on 9th November, 1636, and he became agent for the Convention of Royal Burghs. He made a runaway marriage with a daughter of Sir Peter Vanlore of Tylehurst, Berkshire. Sir Anthony having left no issue, Henry succeeded as third Earl of Stirling on the death of his nephew William, son of his eldest brother, in May, 1640. He died in 1650, his only son Henry succeeding him as fourth earl.

ALEXANDER CUNNINGHAM'S MORTIFICATION.

Most of the Stirling Incorporations have their great man. The Guildry point to John Cowane, the Seven Incorporated Trades to John Allan and David Adamson, the Tailors to Robert Spittal, the Hammermen to John Ramsay, and the Bakers to Colonel Sir William Edmond. So the Mechanics have regarded Alexander Cunningham as their special benefactor, and there can be little doubt that the association of the Mechanics with Cunningham's Hospital boys gave the Incorporation a standing in the community which it would not otherwise have possessed.

Alexander Cunningham was a merchant in Stirling. He was the eldest son of James Cunningham, who was a slater in the town, but who, after entering with the Guildry in right of his wife, was described as a merchant. Alexander's mother was Elizabeth Main, who was a daughter of William Main, also a Guild brother. Alexander joined the Guildry and became a burgess on 7th December, 1754, by which time his father was dead. Little is known of Alexander's life, but it is evident from the sum which he left when he died that he prospered in the world. He lent money to neighbouring lairds, including Alexander Brown of Quarter, Colonel James Eddington of Gargunnock, Donald Macintyre of Pitnacree, near Perth, Robert Cunninghame Graham of Gartmore, Peter Speirs of Culcreuch, Dr. Thomas Rind of Livilands, and others, duly secured by Bonds over their respective lands. The trustees under his Settlement included Alexander Wilson and John Wilson, manufacturers in Bannockburn, and Alexander Smith of Glassingall, the uncle of Thomas Stuart Smith, the founder of the Smith Institute. The Settlement was dated 23rd August, 1804, and, in addition to bequests to private friends, the testator directed his trustees to pay

£1000 to the Patrons of Spittal's Hospital for the better support of the poor widows of Tradesmen in the burgh. He also bequeathed £4000 and the residue of his estate to the Town Council for the maintenance, clothing, and education of poor boys of the Guildry and Society of Mechanics of Stirling, to be installed into that benefit from time to time by the said Council, and maintained, clothed, and educated, and put to business and trades in the same manner as the boys under John Allan's Mortification. The full sum which the trustees paid over to the Town Council was £5724. Alexander Cunningham was himself a Guild Brother, hence his preference for Guildry boys. His interest in the Mechanics was doubtless due to the fact that his father was a slater; and he showed his breadth of sympathy by leaving a substantial sum for the widows of members of the Trades, thus benefitting nearly all the classes into which the community was then divided.

Cunningham's Mortification came into operation in 1814, and there were about 20 boys at a time who received its benefits, half from the Guildry and half from the Mechanics. The boys under Allan's Mortification lived from 1741 in a house in Broad Street under the care of a nurse or governess. In 1799 they were removed to the old Allan's School in Spittal Street, the children living in the upper storey. That arrangement came to an end in 1800, when the boys were sent to their own homes and the parents were allowed 3s 6d, reduced in 1803 to 2s 6d per week for their maintenance. When Cunningham's boys began to be appointed, the same arrangement as in the case of Allan's boys was followed, and the parents received 2s 6d per week, the boys getting their clothing and boots. This continued until 1886, when both Cunningham's and Allan's Mortifications were taken over by the Stirling Educational Trust.

Dressed in their quaint uniform of grey corduroy trousers and black velveteen jackets with brass buttons, Allan's and Cunningham's boys were a familiar feature of the town as they attended Allan's School, or, in their Sunday suits of dark blue broadcloth, marched in procession to the West Kirk, attended by the Guildry and Trades Officers in gorgeous liveries.

The provisions in favour of the Mechanics in Cunningham's Settlement gave rise to a claim on the part of the Incorporation to have the right to nominate a member on the Town Council in order

that they might have a voice in the management of Cunningham's Mortification. On 17th May, 1819, they presented a Petition to the Town Council asking to have representation on that body as well as the Seven Incorporated Trades. The prayer of the Petition was refused, on the ground that, as it would involve an alteration of the Set of the Burgh, it was beyond the power of the Town Council to grant it. The Mechanics thereupon contemplated presenting a Petition to the House of Commons, but nothing further came of the proposal.

THE CHURCH.

The Mechanics were not incorporated until after the Reformation. There is therefore no evidence that they maintained any altar in the Parish Church. From an early date they contributed to the stipends of the Parish Ministers, and, through their delegate duly appointed as occasion arose, had a voice in the choice of the clergymen. They were parties to the arrangements made by the Town Council and Incorporations when a Second Minister and afterwards a Third Minister were appointed.

When the Mechanics had secured a measure of organisation they obtained the privilege of five seats in the East Church for their exclusive use. This was given by the Kirk Session on 18th August, 1663. The space was described as the south half of that rowme in the east end of the church, bounded by the south wall of the church on the south, and by the oaken props or supports under the Merchants' loft on the west and north, with entry through the doors of the old oaken partition. They were empowered to build as many seats as they conveniently could.

A new arrangement was entered into on 31st January, 1719, when the Mechanics presented a Petition to the Town Council, wherein they set forth that the five seats in the east end of the church under the Guildry's loft which several years before had been allocated to the Mechanics were both very remote and dark, so that the worshippers could neither well hear nor see, and that owing to the increase in their numbers these seats could not accommodate above the half of them. The Town Council allowed the Mechanics to erect a new loft above the Scholars' loft, having satisfied themselves that this would not obscure the light from the Guildry and Trades lofts. This arrangement had been proposed in 1705, but

was negatived by the Guildry. The Mechanics gave up their right to the five seats which they had previously possessed. They wished to reserve the two front seats for the use of their wives, but this the Town Council refused.

Apparently the Mechanics used the door which the Maltmen had in 1714 opened out in the outer wall of the church. This door has been long since built up, but its position can still be seen. In 1726 the Kirk Session were of opinion that persons using this door escaped the collection. They therefore applied to the Town Council, who ordained the Visitor of the Maltmen and the Deacon or Overseer of the Mechanics to each order one of their number to attend at the foot of the stair with a plate or cup. The Maltmen got out of this obligation on the plea that they sometimes had to turn the malt on the Lord's Day, but the Mechanics had to take duty.

In the Scheme of Division in connection with the re-seating of the East Church approved by the Town Council on 17th September, 1803, the Mechanics were allotted nine seats, numbered 43 to 56 inclusive, measuring each seat from 9 feet to 12 feet 7 inches. In a Report submitted to the Mechanics in 1860, it is stated that they then had the following seats in the Gallery of the East Church, viz., Nos. 16, 17, 18, 19, 48, 55, and 54, seven in number. Some of these, being corner seats, were never let. In this Report it was mentioned that it had been said that they had also some seats in the West Church, but it was not then known where they were. There is no evidence that the Mechanics ever had any seats in the West Church. In the Scheme of Allocation of the new seating in the West Church adopted by the Town Council on 3rd October, 1818, the Mechanics or their seats are not mentioned.

ADMINISTRATION AND USAGES.

The principles of administration of the Mechanics were similar to those of the other incorporations in Stirling, and their doings as recorded in their minutes and account books are just of the same nature as those of their fellow-craftsmen.

Their income was derived from dues of entry, fees for booking apprentices and journeymen, fines, interest on investments, and fees for the use of the mortcloths. Sums were also received from persons living outwith the burgh and engaging in the same occupations as the Mechanics, for the

privilege of selling their goods or working to persons in the burgh. There was a regular system of taking written and attested Bonds from such persons, the usual payment being forty shillings annually, and there are frequent records of proceedings to recover payment. The most numerous payments were charitable donations to old or sick members, or widows or children of members. Occasionally these are quaintly expressed. Thus in 1748, on the same date we find payments to John Marshall, slater, having a broken leg £2 8s Scots, and to Duncan Campbell to buy a coat to Alexander Adam's son £3 Scots. There were small payments for services rendered, occasional legal accounts, and recurring items which apparently represented the price of drink when the occasion was thought to warrant such.

The dues of entry and booking fees varied very much from time to time, but apparently they were generally low as compared with the other incorporations in Stirling. What they were in 1860 is set forth below. The Mechanics embracing so many occupations were naturally a numerous body. In 1833 they numbered 125, and in 1884 the membership had fallen to 42.

The test of making a soy piece was faithfully made, two masters being duly appointed to see the candidate perform the work. The records frequently do not state what the test was, but I have noted the following:—Painter, a mock window; Plasterer, a picco of plaster; Wright, a two-jointed table; Wright, a round-faced corner cupboard with base and cornice.

The question of packing and peeling with unfreemen disturbed the Mechanics throughout their career just as it troubled all the other incorporations. A rather peculiar case occurred in 1739. One of their number, Charles Alexander, a wright, got a job, and requiring a plasterer for part of the work, employed a soldier in the castle named Woolfart. The Overseer of the Mechanics called a packed meeting, omitting to summon those who might be expected to be inclined to moderation. Without the least proof, it was alleged, they fined Alexander forty pounds, and prevented him from electing or being elected until he paid the money. Alexander appealed to the Town Council, which was always recognised as the supreme local authority in such matters. The Town Council found that the employing of

an unfreeman to work under a freeman was not packing or peeling with unfreemen, and they therefore annulled the sentence.

In 1814 there was litigation between the Mechanics Incorporation and a painter in Edinburgh named Gavin Bengo. The latter was a member of the Incorporation of Mary's Chapel in Edinburgh and of the Incorporated Trades of Leith. Being on friendly terms with Provost Glas of Stirling he painted the Provost's house, and the Mechanics made no protest. Fourteen years afterwards, when the Provost was dead, Mrs Glas asked Bengo to re-paint the house. He complied out of friendship for the family, and intended (so he said in his defence), if he made any charge at all, to limit that charge to the expence of materials and workmen's wages. The Mechanics called upon the workmen to stop and demanded their names. The men refused to give their names, but ceased work pending instructions from their employer. Bengo was from home, but on his return to Edinburgh several days later, he wrote to his men not to get into any dispute, but to return, and he also wrote Mr J. Glas with a full account of what had occurred. Apparently the Mechanics were not satisfied, and raised their action. Bengo then took up high ground and denied the right of the Incorporation to interfere at all, also claimed to have been entitled to warning not being acquainted with the usages of the Burgh of Stirling, and lastly claimed to be assoilized with expenses as he was working gratuitously. I have been unable to trace the final result of the case.

In 1860, the Incorporation remitted to a Committee to examine the records and report on the laws by which the Mechanics were governed. The Committee consisted of James Guthrie, wright; William Finlayson, slater; John Robertson, cabinet maker, along with Eben. Gentleman, writer. The Report was issued on 11th April, 1860, and contains a statement of the Regulations which at that time were recognised as governing the administration of the body. This gives a clear and succinct summary of the doings of the members, such as are recorded in their books and papers for nearly three hundred years. It is unfortunate that the records of the Incorporation are now in such a bad condition that it is impossible to make consecutive extracts. The laws set forth in the Report are as follows:—

REGULATIONS OF THE MECHANICS, 1860.

1. They have two stated General Meetings annually, in the Trades' Hall, the first in April, and the other in September, called by a warning given at least two days before by the Officer. At the first meeting the Mechanics consult with the Deacon in fixing on the Boys to be named to the Town Council; and, at the other, they elect a Deacon, a Clerk, a Treasurer, one Master of each Trade, two Auditors, two Inspectors of Boys, and an Officer, for the ensuing year, when they all take the oath de fidei. They also at these meetings decide on any other business that comes before them.

2. The Deacon for the time being keeps a Box, containing the Records and Papers of the Society; the Clerk also keeps another Box, containing the current Minute Book; and the Treasurer likewise keeps a third Box, containing his Account Book and Vouchers.

3. A Master Court consists of the Deacon, nine Masters, the Treasurer, the Auditors, the Inspectors of Boys, and the Clerk; and the Officer, by desire of the Deacon, must warn them on the day before a meeting.

4. A Committee, consisting of the Deacon, the Clerk, and the Treasurer, attend within the East Church, on the Saturday immediately after the Annual Election, at 11 o'clock, to see the Seats let.

5. Candidates for admission apply to the Deacon, and they have to produce an Essay to the satisfaction of two Tradesmen, and the Master of his Craft; and a written certificate of his qualifications must be lodged. The time allotted to produce the Essay is 16 days. The Deacon appoints the Tradesmen-Examinators.

6. The admission of Candidates takes place in presence of a General Meeting warned two days before.

7. The Dues of Admission to a Freeman's Son, or Son-in-Law, are 7s 6d for Speaking Drink, 6s 8d to the Box, 10s for Election Dinner, 1s 6d to the Clerk, and 1s to the Officer.

8. The Dues of Admission to a Neutral are 7s 6d for Speaking Drink, £5 to the Box, 10s for Election Dinner, 1s 6d to the Clerk, and 1s to the Officer.

9. Members or Candidates for admission have a right of Appeal to a General Meeting, on paying 1s 6d to the Clerk and 1s to the Officer. If the

Appeal is sustained, and any additional expense occasioned, it is defrayed out of the Society's funds.

10. Candidates, on admission, take the oath de fidei.

11. The Clerk gets 1s 6d and the Officer 1s for all General Meetings, in addition to what they receive from Candidates on admission.

12. Before any member can have a right to Cunningham's fund, he must be entered as a Burgess.

13. A Book containing the names of the Mechanics and Guildry Boys receiving the benefit of Cunningham's charity, with the names of their parents, and their respective ages, is kept by the Clerk.

14. All the Members have a right to the Mortcloths belonging to the Incorporation.

The Incorporation is now in a moribund condition. While there must be many persons living, both in the town and elsewhere, who have a hereditary right to enter, the surviving members are few in number. Happily, the last elected Deacon, our much respected townsman, Mr John Merrildes, is still with us.

APPENDIX.

SEAL OF CAUSE I.

1st April, 1671.

ACT IN FAVOURS OF MECHANICS.

The proveist, baillies and counsell, takeing to their consideration the hurt and prejudice that is done to the wrights, coopares, glassinwrights, litstares, and sklaitters, free burgesses and inhabitants within the said burgh, in suffering strangers of the saids callings, and not freemen nor residents within the same bearing burdeens with the rest, to worke within the said burgh, and to take prentises for shorter space then uther trades doeth, and suffering them to set up worke at their owin hands before they attaine any knowledge of their trade, wherethrow the said freemen who are sufficientlie furnished to serve the inhabitants of the said burgh in their respective callings and trades are rendered unable to bear their part of the common burdeens of the said burgh without remead be provyded; for remead quherof, in tyme comeing, the saids magistrats and counsell statutis and ordeans that noe wright, coopare, glassinwright, litstare, or sklaitter, not being freemen and inhabitants within the said burgh, salbe suffered to worke their saids trades within the libertie of the said burgh in tyme comeing till first they be enterit burgesses and neighbours of the said burgh be the magistrats and counsell and pay therefore as uther strangers are in use to pay, and reside and beare all publict burdeens with the rest of the neighbours of the said burgh; and that none of the freemen of the callings foresaid take any prentises in tyme comeing for shorter space than fyve yeares, under the paine of an unlaw to be exacted be the saids magistrats and counsell; provyded alwayes that the saids freemen of the callings foresaid worke at as easie rates and pryces as heretofore has been wrought at, and incase of differences or complaints to be made theranment that they be alwayes regulat be the magistrats for the tyme.

SEAL OF CAUSE II.

6th January, 1672.

ACT AGAINST THE LANDWART LITSTARS.

The proveist, baillies and counsell, takeing to their considerations the great hurt and prejudice

sustained be the listares of this burgh through the abuse comitted be the listares dwelling in landwart, who keeps houses within the said burgh for resett of all sorts of yairn and cloath brought to them by the neighbouris and cuntrey people to be litted, and bringing in and carrieing out of the samyn be themselves and their servantis, wherethrow the saids town listares are rendered unable to beare their pairt of the common burdeens of the said burgh; for remead quherof the saids proveist, baillies and councill, statuts and ordeans that noe listare dwelling in landwart, presume, after Cardlemas next, ather be themselves, their servants, or uthers in their names, bring in any litted cloath or yairn within the said burgh, or carry any yairn or cloath furth of the same to be litted be them, nor yet that they keep any hous or shop to receive any cloath or yairn therin to be taken out and litted as said is, under the paine of confiscation of the said yairn and cloath (if it be apprehended within the said burgh in their possession), and payment of ane unlaw of fyve pounds to the towns use; provyded alwayes the saids town listares lit at as easie rates as the saids landwart listares, and to be regulat be the saids magistrats and councill; and that it sall be lawfull to any neighbour or inhabitant of the said burgh, be themselves or their servantis, to carry furth of the said burgh their owin cloath and yairn to landwart to be litted be the saids landwart listares and to bring in the same litted as said is.

SEAL OF CAUSE III.

4th October, 1687.

ACT IN FAVOURS OF THE MEASSONS.

The same day the proveist, baillies and councill of the said burgh being convened there was ane supplicantione given in to them by Harye Livingstone, James and David Napier, and John Turnbull, meassones burgesses of the samen burgh for themselves and in name and behalf of the remanent meassones burgesses of the said burgh mentioning that albeit the petitioners hev both entered themselves neighbours and burgesses of the said burgh and incorporat themselves with the neighbours therein hes still borne in time bygone and are most willing for the future to beare portable burding with the rest of the

neighbours, yet several countrie meassones and oys who are neyr entered burgess nor yet incorporat with the mechanics and who never did bear portable burding with the remanent neighbours have upon several occasions most avowedlie engage with meassone work within this burgh and wrought the same to several persones therein as if they had been entered meassones to the great prejudice of the supplicants and that the sds. countrie and oyr unentered meassones will not fail to doe the lyke in tyme coming, unless the Council stop the same and seeing the supplicants who are burgesses and bere portable burding with their neighbours are most willing to serve the hail inhabitants of this burgh in all meassone work full at as easie ane rate as ony meassones have done or can doe. Therfor humble oraving the Council in consideration of the premises by their act to inhibit and discharge all unentered meassones from engaging with or working any meassone work within this burgh or territories yrof in time coming under such penalties as the counsell should think fitt especiallie seeing the remanent Mechanics who are entered neighbours and burgesses gave the same privilege allowed them which supplication above written with the privilege of the remanent Mechanics who have entered themselves neighbours and burgesses of this burgh being considered by the sds. magistrats and councill they all in ane voyce statute and ordain that no unentered meassone at any time hereafter presume or take upon hand to engage with or work any meassone work within this burgh or territory yrof under the paine of imprisonment of yr. persones and lykways observing of them as the magistrats shall think fit especiallie seeing the petitioners by signing of the above wrn. supplication are agreeable to serve the towne in all meassone work necessar at as easie ane rate as any oyr meassones hes done or can do. It is alwayes provided that in case any of the sds. countrie or oyr unentered meassones who are hereby secluded and debarred for working any meassone work within this burgh shall at any time hereafter enter themselves in the bowkes burgesses of the samen burgh and incorporat themselves with the supplicants and remanent Mechanics therein, then and in that case they are hereby warranted to work meassone work within the burgh as they shall be employed as frielie in all respects as the above said petitioners may or can do by virtue hereof.

SEAL OF CAUSE IV.

22nd January, 1726.

GRANT AND RATIFICATION BY THE COUNCIL TO THE
MECHANNICKS OF SEVERALL PRIVILEGES.

The Same Day the Provost, Baillies and town Council of the said Burgh being convened and having Considered the Representation formerly given in to them by Adam Jack, Sclaitter, present Deacon or overseer to the tolerate Society of Mechannicks within this Burgh comprehending Litsters, Wrights, Measons, Sclaitters, Coupers, Painters, Plasterers for himself and in name and behalf of the haill other Mechannicks of the forsaids different handy craft within the same. HUMBLY SHEWING that where albeit by ane Act of the town Council of this Burgh, the first day of April, One thousand, Six hundred and seventy-one, the town Council did Statute and ordain that no Wright, Couper, Glazenwright, Litster or Sclaitter not being freemen and inhabitants of this Burgh, should be there after suffered to work their saids trades therein till first they were admitted burgesses, Resided therein and carried all publick burdens with the rest of the neighbours, the freemen of saids employments alwise working at as easied rates and prices as formerly and to be regulated by the Magistrates for the time; And likewise that by another Act of Council, the Sixth day of January, One thousand, Six hundred and seventy-two upon application made be the litsters within this Burgh. IT BE ORDAINED that no Litster dwelling in Landwart should presume after Candlemass next thereafter either by themselves, their servants or others in their names to bring in any litted cloath or yairn within this Burgh or carry any yairn or cloath furth thereof to be litted by them, nor keep any house or shop therein to receive any cloath or yairn to be taken out and litted as said is under the pain of confiscation of said yairn and cloath if apprehend in their possession within this Burgh, besides ane unlay. The town's Litsters alwise litting at as easie rates as the landwart litsters and to be regulate by the Magtts, and Council, and any neighbour or inhabitant in this Burgh having power by themselves or their servants to carry their own cloath and yairn out to landwart to be litted by the country Litsters and to bring in the same when litted. And further that by

another Act of the Town Council, the twenty-fourth day of October, One thousand, Six hundred and eighty-seven upon application made be the Measons therein, it be statute and ordained that no unentered measons should presume or take upon hand at any time thereafter to engage with or work any meason work within this Burgh or territories thereof under the pain of imprisonment and being fined as the Magtts. should think fitt the measons within this Burgh alwise serving the town in all meason work necessar att as easie rates as any other Measons had done or could doe as Extracts of the saids three Severall Acts of Council with obligations granted be severall country litsters for a certain sum yearly payable to the Mechannicks for their allowing the saids country litsters to bring in and carry out litted cloath and yairn to and from this Burgh as consequentiall of the saids Acts in themselves more fully evince: Yet the Representant for himself and in name for said Humblly begged leavd to sett furth that the Mechannicks saids grants and privileges have been for some time past incroatched upon as follows, viz:—Primo. By Country Litsters who are not entered burgesses with this Burgh and with the Mechannicks or in the least acknowledge the Mechannicks for obtaining their allowance by payment of cess or yearly or termly to them (as is instructed to have been usual). Their bringing to and carrying out of this Burgh yairn and cloath dyed or to be dyed to the great prejudice of the towns Litsters. Secundo. By some persons burgesses of and residing in this Burgh who follow some of the Mechannick employments. Their standing out against entring with ye said Society or booking their prentices and Journeymen they take with the Mechannicks and paying the usual dues therefore. Tertio. By measons, wrights, painters and plasterers who are not admitted burgesses not entered with the Mechannicks nor bearing any part of the publick burdens of this Burgh their following and working at their said severall employ's therein to the prejudice of many of the Mechannicks who bears Soot and Lott. Quarto. By Country Wrights then bringing in made work to this Burgh and selling and disposing thereof without laying the said made work down in the place where the timber morcates is kept to be sighted by any of the wrights the Mechannicks shall appoint as to the proficiency or insufficiency of the work before the same can be sold or dis-

posed of. All Which tend greatly to the prejudice and discouragement of the Mechannicks Burgesses of this Burgh, and weakens their hands that they cannot get their poor seen to and provided for as formerly without they encroach upon their publick stock. And Therefore creaving the saids Provost, Baillies and Council to take the premisses to their serious consideration, and by their act not only to ratifie approve of & revive the forsaid grants in favours of the Mechannicks by the saids Provost, Baillies and town Council their predcessors. But also to redress the Mechannicks fo-said present griveances by providing and enacting there against for the futter. In such extensive terms way and manner as to the saids Maggts. and Council should see most just and expedient. Which Representation together with the saids three severall former acts of Council and obligations granted be some country listers to the Mechannicks in manner above. Narrated and in consequence thereof having been upon the fourth of December last presented to and publicly read in the town Council of this Burgh and ordered to ly on the table till next dyet of Council thereafter which was upon the twenty-fifth day of the said month and being thereon insisted in and again publicly read in Council They Recommended to the Provost, Baillies, Dean of Gild and Conveener to meet betwixt and the next dyet of Council and consider of said Representation & vouchers yrof. And report what they should think fitt the Council should doo therein. And the said Comittee having accordingly mett and deliberately perused and considered the said Representation and vouchers thereof and fully reasoned thereon made report of their opinion thereanent to the Council this day as the first dyet of Council after their having mett in obedience to the forsd appointment. All which being maturely ponderate by the saids Provost, Baillies and Council they did and hereby doe not only ratifie approve of and revive the forsaid former acts and grants by their predcessors and Maggts and town Council of this Burgh. In favours of the said Mechannicks in the hail heads articles and Clauses thereof in the terms and under the provisions and limitations above and aftermentioned. And declare the saids acts and grants to be and continue in full force, strength and effect during the Councils pleasure. Allowing the Mechannicks present and to come to cause convene the contraveeners thereof before

any Magistrate that the same may be putt to all due execution against such, but also hereby statute and appoint that in time coming, no inhabitant or Burges within this Burgh not being entered or incorporate with the Gildry or any of the seven incorporate trades shall be allowed to follow and practise any of the above handy craft work or employs belonging properly to the Mechannicks within this Burgh till such person or persons be entered with the Mechannicks and pay to them the ordinar entry money taken by them in such cases for behoof of their poor and that if such be only inhabitants of this Burgh and not entered Burgesses thereof that they be first entered with the Burgh before they can be admitted with the Mechannicks. And that if any shall presume not entered and incorporate as above to follow any of the Mechannicks employments upon application made by their Deacon or any of their Masters to the Magtts, or any one of them present or to come that such persons shall be fined therefore toties quoties not exceeding the sum of three pounds Scots money whereof the half to be payed in to the Mechannicks box and the other half to the Magtts. and to be enacted in the town Court Books not to be guilty of the like encroachment for thereafter under the pain of ten pounds money forsaid to be payed as above for ilk contravention. And likewise yt such persons as follow any of the Mechannick employments within this Burgh and take prentices or Journeymen and are not otherwise incorporate as above be oblidge in all time hereafter to book their apprentices and Journeymen with the Mechannicks within twenty days after their prentices are found or their journeymen shall enter to their service and pay to the Mechannicks box therefore as follows, viz:—For booking of each apprentice two pounds, six shillings and eight pennies Clks dues included and each journeyman one pound three shillings and four pennies clks dues therefore included (no journeyman being oblidge to book or pay but once). And furdur that any wright work made and brought into this Burgh by country wrights without being trysted or bespoke by any of the burgesses and other inhabitants therein shall not be sold or disposed of within this Burgh by any country wrights till such made work be first presented and laid down in the timber mercat to be sighted as to the sufficiency and insufficiency of the work by any wright ye Mechannicks shall appoint for that effect. And that under the pain:

of one pound money for said to be inflicted by any Magistrat for such contravention toties quoties & equally divided as above besides the contraveeners being lyable to enact himself for thereafter in the terms above mentioned but prejudice alwise to any of the Burgesses or other inhabitants of this Burgh to send for any made wright work for their use to any part within this kingdome they shall think fitt without being lyable to any inspection of the Mechannicks or quarrelled by them. And the Council declares this present Act to continue in full force during their pleasure. But prejudice to them or their successors in office to rescind alter or innovat the same in haill or part at any time hereafter as they shall find just cause and appoint the town Clerk to cause attend the Bigg Sale of this Burgh to the Extract hereof.

SEAL OF CAUSE V.

25th September, 1729.

ACT AND GRANT IN FAVOURS OF THE MECHANNICKS.

Anent the petition given in to the saids magistrats and councill by the society of mechannicks within the said burgh, mentioning that of late severall inhabitants of this burgh have, in respect of their being burgesses of one or other of the incorporations of the burgh, ingaged and brought in strangers from the country, not entered burgesses nor bearing any burdon in the burgh, and employed them to work in severalls of the handicrafts of the mechannicks, such as wrights, measons and others, albeit the said strangers are not entered with the mechannicks; and in the next place others of the inhabitants, who being members of some of the other incorporations of the burgh, do yet use and exerce some one or other of the handicrafts of the mechannicks, and gain their subsistence and living thereby without entering with their society, and giving no assistance in common with them to advancement and improvement of their severall handicrafts, nor in the least contributting to their common charge: which mentioned practices tending evidently to the discouragement of the mechannicks, as thereby strangers are brought into the burgh and make gain att the hands of their employers, which they carry away without being concerned in the publick burdens of the burgh to be spent by them in the country, and which therefore does not

circulat in the town; whereas in the meantime the mechannicks, whose business is to work in these handicrafts, are perhaps reduced to straits for the maintenance of their families by the want of the employment which is given in manner for-said to country tradesmen, and yet are liable to the publick burdens of the burgh and to the common charge of their society; and as the said society of mechannicks have anxiously provided for the support of the poor of their severall handicrafts so as to prevent their being burdensome to the burgh, and as they must of course be disabled from making the necessar provision for their poor if the forsaide practices be continued; and as besides the advancement and improvement of the severall handicrafts, which is to be expected to be the effect of sutable encouragement from the councill, the mechannicks have it furdur to plead in their behalf for the councills favour in preference to strangers, that as they reside in the burgh with their families they are alwise att hand and ready to give their assistance upon any emergent occasion of fire or other sudden accident which may not admitt of delay.

. . . . (After consideration of the petition, the magistrats and councill statute, enact and ordain that in all time coming all measons, wrights, coupers, painters, glasiars, slaters, dysters, and plaisterers, as well entered as to be entered with the mechannicks and with this burgh as burgesses qua mechannicks, who do not reside themselves with their families att least eight months in the year within the burgh shall not have the liberty or priviledge of being undertakers of any mechannick work therein during their not residing within the same as aforesaid notwithstanding of their entrees; and that all measons, wrights, coupers, painters, glasiars, slaters, dysters and plaisterers, as well entered as to be entered with the mechannicks and with the burgh as burgesses qua mechannicks, shall not have the liberty or privilege of employing non residents in the burgh, or unfreemen of the saids eight severall handicrafts, till they first make ane offer to the mechannicks of these employments entered and living within the burgh as aforesaid; and that no inhabitant of the burgh who follows and professes any of the mechannick employments shall have the liberty or priviledge of taking journeymen or apprentices under them as mechannick journeymen or apprentices till such time as he who takes them be himself first entered with the mechannicks;

but statute, enact and ordain that in all time coming any person entered or to be entered with the gildry, or with any of the seven incorporat trades of this burgh, who follows or practices any of the mechanick employments and resides therein as aforesaid, shall still have the liberty and privilege of following and practising any mechanick employment, and of being an undertaker of any mechanick work within the said burgh, and of taking mechanick journeymen or apprentices under them upon his paying in four pound Scots to the said society of mechanicks; and the saids magistrats and counsell further declare that he shall be free of all other charges or expenses for speaking drinks, or att going the marches and fairs of this burgh, or otherwise as a mechanick.

SEAL OF CAUSE VI.

25th February, 1736.

ACT AND GRANT IN FAVOURS OF THE MECHANICKS.

Anent the petition and representation given in by John Millar, present deacon or overseer to the society or incorporation of mechanicks within this burgh, for himself and in name and behalf of the haill remanent members of the said society, shewing that the said society or incorporation of mechanicks did consider that for some considerable time past they have been oblidged, for the necessitous and clamant conditione of their poor, who have of late very much encreased, not only to give out in supplee to thom their whole yearly income but even to take part of their principall stock for that end, by which the said society or incorporation may in a little time, or in a very few years, be rendered intirely incapable of supporting their own poor, and that by this they will be necessarily burdensome to the community of the burgh and revenue thereof (the Council allow the incorporation to augment their entries and dues) as follows, viz., the entry of each stranger to £24 Scots, of each journeyman to £2 Scots, besides the clerks dues and the dues of the trade hitherto in use to have been exacted. And statute, enact and ordaine, that in all time coming it shall not be in the power of the said society or incorporation of mechanicks upon any pretence whatever to enter or receive into their society any persone professing either of the arts or callings of meason, wright, couper, dyer or slater, whereof

the said society of mechannicks are made up, unless he be capable to give into the society a sufficient sey for evidencing his knowledge in his profession, and do actually give in the same to the satisfaction and approbation of the deacon of the said society of mechannicks and the master for the time of that particular art or calling that the person creaving to be entred professes, and of such others of that art or calling as shall be chosen for that end by the mechannicks in a generall court under the designation of inspectors and sey masters.

SIR ANTHONY ALEXANDER'S LAWS.

ATT Falkland, the twenty sixth day of October
the yier of God one thowsand sex hundred
and thirty sex yiers.

The Whilk day, at ane meeting being halden by Sir Anthony Alexander, Master of his Majiesties Works of the Kingdom of Scotland, and Generall Warden, of the Persons, Artificers, and Craftsmen undersubscryvand, of the Crafts and Arts underwriten, for overtaking with the wrongs and abuses committed in the saids Crafts and Arts, and reforming of the samen, establishing of such precepts as thereby his Majesties liedges may not be prejudged by any of the saids Artificers or Craftsmen, in the discharges of their saids Arts and Crafts, and whereby they may live the more peaceably amongst themselves in time coming: And the said Sir Anthony Alexander, General Warden and Master of Work foirsaid, after conference with the saids Artificers and Craftsmen undersubscryvand, agreed and condescended upon the status following.

ARTICLE 1st.

In the first it's thought meet, that there shall be Established Companies of the arts and crafts, of Meassons, Smiths, Wrights, Painters, Cowpers, Glazenwrights, Plumbers, Solaters, Plasterers, Shipwrights, Makers of Spurs and Canes, Calsay Makers, Makers of Fusies, and all other artificers of buildings, in ilk convenient place within the kingdom of Scotland, where there is no established Company be liberties and sealls of cause already; Ilk Company being at the fewest, the number of twenty persons, that union and concord may be kept amongst them; The whilk companies to be established shall have power to take assayes and trials of their qualifications of all the saids Arts and Craftsmen thereof, and being found

qualified, and of good life and conversation, to admit them Masters of the saids Arts and Crafts, to the effect the persons soe to be admitted may serve his Majesties liedges in all the parts of his Majesties Kingdom, where there is no priviledged companies already: Whilk admission shall be always thought lawful, having the approbation of sex Maisters of Meassons for the admission of ilk Measson, sex Maisters of Wrights for the admission of ilk Wright, and two Maisters of Shipwrights for the admission of ilk Shipwright, and two Maisters of Sclaters for the admission of ilk Solater, and two Maisters of Cowpers for the admission of ilk Cowper, and two Maisters of Glasenwrights for the admission of ilk Glasenwright, and two maisters of the saids several arts to ilk of their admissions, and gif defects of the saids several companies be of the saids numbers of maisters, then the next adjacent companies shall supply the samen defectis, and all other particular admissions of the samen crafts above specified shall be insert in their several companies Books, containing the day and place of the samen admission, the trade of the persons admitted and admittor, and art whercunto he is admitted, for the whilk admission, ilk person to be so admitted shall pay the sum of Thirty Pounds Scots money, of the whilk the equal half shall be for the said General Warden, and the other equal half to the Box of the said Company.

ARTICLE 2nd.

Item: For the good of the liedges and weal of the saids arts, ilk several Company to be soe established, shall have power yearly from year to year in all time coming, to elect and choose out of ilk ane of the saids Companies, ane sufficient, discreet, and qualified person, of good life, knowledge and understanding of any of the foirnamed crafts; to be their warden, oversman or deacon, who, and every one of them, shall have power to suppress and discharge all cownans, and unqualified and unadmitted persons of the saids crafts, and the taking order with all unsufficient works of all sorts of falso and deceitful mettayes and measures belonging to any of the saids arts, and repaying of all parties redress of all wrongs to be committed, as well to be done by any of the saids crafts to their employers or owners of work as of the saids crafts, to ilk ane of them, conform to equity, and to collect all fynes and

unlaws to be imposed upon the contraveners of the Articles set down, and to be set down, be the said Generall Warden, be consent of their Companies, and the said Deacon or Warden to be soe elected by the saids Companies, and his name to be given up yearly to the said Generall Warden, and to be accountable to him or his deputs of the equal half of all unlaws and others, to be collected by him, and of the discharge of his office yearly, and the other equal half of the saids unlaws and others to the Box of the saids Companies.

ARTICLE 3rd.

Item: The said Oversman, Warder or Deacon to be soe elected, at his election shall swear and protest before God that he shall administer his office during his abiding therein, truly and lawfully, and doe his honest dutie and diligence without frad or favor of any person.

ARTICLE 4th.

Item: Every Company of the saids crafts to be established, as said is, shall have power to elect ane Boxmaister of any person of the said Company from year to year, and the custody of their said Box and money thereof to be constant in his hand, being ane responsall man, who shall be answerable for his intromission therewith, to the remanent of the said Company, and to be distributed to the said Company as they shall think expedient.

ARTICLE 5th.

Item: That no person nor persons be admitted Maister of any of the saids Companies but such as have served and passed his apprenticeship in the saids crafts, and if he be found to have bought down any of the years of his Indentur as yett not served the space thereof, albeit he had his maister's discharge, he shall not be received nor admitted ane Maister.

ARTICLE 6th.

Item: That no admitted Maister take any prentices under the space of seven years, nor the number of seven years, and his Maister shall give him down non thereof, nor any sealls, the said time, under the pain of Forty Pounds, the equal half be apprentice to the said Generall Warden, and the other equal half to the Box of the said Company.

ARTICLE 7th.

Item: That no admitted Maister take any Prentice but one, ilk three years at the most, and that onlie if he be tolerat be his Company see to do, the which is wished be sundry, that Maisters should content themselves with ane Prentice ilk seven year once, and gif he obtained the said consent and toleration at any time within the said space of seven years to accept ane other prentice, he shall pay for the said consent and toleration, the sum of Fourty Shillings Scots money by and attour the entry money silver of the said Prentice, and gif he contraveens the present act, he shall pay the sum of Ten Pounds of unlaw toties quoties, the equal half thereof shall appertain to the said Generall Warden, and the other half to the Box of the said Company.

ARTICLE 8th.

Item: There shall be general correspondence amongst the saids heall trades and crafts at all occasions, that ilk Company may assist ane another in his lawful affairs so far as inquiry be made of any fugitive Prentice or servant, the Company with whom the said fugitive shall be found shall shew the samon to be ingaged, that he shall be examined, and put the said fugitive in ward, till either his last Maister come or send for him, or cause that he find caution to return to his said Maister.

ARTICLE 9th.

Item: It shall not be leisom for any Maister to intyse any other Maister's Prentice or Servant to releave or fra them without their Masters leave, neither to accept any Prentice or Servant in his company, until he shew ane testimonial of his liberation from his last Maister whom he last served, or from the Deacon, Warden or Overseer of the said Company, that he is ane free-serving man, and gif the said Prentice or Servant be found no to be ane fre man, the acceptor of him shall dismiss him from his work, or send him back to his own Maister, or put him in ward while either his last Maister come or send for him, or he find caution to return to his said old Maister, to perform his conditions to him, and the Contraveener thereof shall pay ane unlaw of Twenty Pounds mony by and attour the partie interest, the equal half thereof shall pertain to the said Generall Warden, the other equal half to the Box of the said Company.

ARTICLE 10th.

Item: That no Maister take any Prentices at all untill he first acquaint the Deacon, Warden, or Oversman of the said Company, and that the said Warden and his Company take ane triall whither the said Maister be of ability and aptness for education of ane Prentice or not, and being found of ability and aptness foirsaid, shall be permitted, and being otherways found unable and unapt thereto, shall be discharged therefrom.

ARTICLE 11th.

Item: For keeping amity and concord amongst the heall arts and crafts, who are to receive the benefit of ane Maister in his arts shall be reconciled to all these his Bretheren whom he hath any way offended, and that diligent inquiry be made theranent that no man hath any thing to lay to his charge, and if he be found to have done amiss, he shall redress and satisfie the partie before he gett his admission.

ARTICLE 12th.

Item: That all Maisters of the saids arts of this Kingdom, where the saids privileged Companies are not shall within the space of fifteen dayes after the making of their Indentures, come under the privileged Companies under whose jurisdiction they are, and book their Prentice with their Servants and Journeymen in the Crafts books of their Companies, and the entry of their Prentice to be only repute from the date of their booking, and the Prentice shall pay to the said Generall Warden the sum of Twenty Shilling and other Twenty shilling to the Box of the said Companies, with Sex Shilling Eight Pennies to go to the Clerk, and the sum of Twenty Shilling to be payed by the Journeyman, to be divided in manner foirsaid with Four Shilling to the Clerk.

ARTICLE 13th.

Item: That the heall Maisters of every Company shall convene by themselves, in the places appointed to them quarterly, or at least once in the year, for election of their Warden or Deacon, and Box Maisters, and taking account of the Common Box, and discharge thereof, uplifting fynes and unlaws, admissions of Maisters, and all other business belonging to the saids crafts, ilk person absent at the election of their Deacon or Warden and Box Maister and making of accompts, shall pay the sum of Four Pounds, and being

warned at other times, and being absent, shall pay the sum of Ten Shillings, to be divided as said is.

ARTICLE 14th.

Item: In all causes belonging to the said Crafts, it shall not be leisom for any Maister or Servants for any wrong committed betwixt Maister and Maister, or betwixt Maister and Servant, to seek Justice at any judges hands, but at the hands of the Deacon or Warden of the said Company, or, at the said Generall Warden, or her deputs, wherein, if any be found to contraveen this act, he shall pay ane unlaw of Ten Pound to be equally divided in manner foresaid.

ARTICLE 15th.

Item: That ilk admitted Maister of the privileged Companies now to be established, shall pay yearly the sum of Thirteen Shilling Four Pennies to be divided as said is.

ARTICLE 16th.

Item: When any Maister shall happen to work out of that part of the Country where he was admitted ane Maister, then shall be lyable to the acts of the Company where he shall resort and work for the time, and book himself in the said Companies Books, and the Maister shall pay for himself and his Servants, the sum of Fourty Shillings, to be equally divided in manner foresaid, with the Clerks duties, which shall serve for his freedom in that place or Company in all time thereafter.

ARTICLE 17th.

Item: When ane Servant shall come and work out of that Company where he was first booked ane Servant, he shall be lyable to the acts of the Company where he shall resort and work for the time, and book himself in the said Companies Books, and the said Servant shall pay therefore Twenty Shillings, to be equally divided in manner foresaid, with the Clerk's dutie foresaid, which shall serve for his freedom in that part for all time thereafter.

ARTICLE 18th.

Item: It shall not be lesom to whatsoever Maister of the saids trades, to work, conduce or agree with the owners of work for any moe works or arts, but so far as concerns his own art and craft alenarly, under the pain of ane unlaw of

Thirty Pounds by and attour the discharging him from the said work, whilk unlaw shall be divided in manner foresaid.

ARTICLE 19th.

Item: That no Maister shall take another Maister's work over his hand, after that ane other Maister has agreed with the owner of the said work, either be contract, arles, or verball condition, under the pain of ane unlaw of the fourth part of the pryce to be gotten for the said work, it being alwayes probable to the last taker of the samen, and discharge him of the said work, and the value to be divided as said is.

ARTICLE 20th.

Item: That no unadmitted persons of the saids arts take any work in hand, or ontrade the samen, or take Prentice fees, or Servants, until they be admitted ane Maister in ane Company, until the whilk time, he shall be only repute ane Servant, be he already admitted, and to be admitted; Maisters of the free established Companies of certain of the free Burrows being excepted.

ARTICLE 21st.

Item: That no Maister shall take the working of any other Maisters work that he hath wrought at, nor serve that owner in any condition, untill the time that the first Maister be payed for the work that he hath wrought, under the pain of Sex Pounds by and attour the depriving him of the said work, until the said former Maister be payed, and the said unlaw to be divided in manner foresaid.

ARTICLE 22nd.

Item: The saids Companies of the free Burroughs, who have already established good orders by their liberties and sealls of cause, shall take tryall of Essays of these artificers of the said crafts, dwelling and residing next adjacent thereto, these persons desire to be admitted be them, and they being found qualified and of ane good life, to admit them to the saids Crafts that they may work and serve His Majesties Liedges without their liberties in all these unprivileged places of this Kingdom, they paying and performing to the said Generall Warden his allotted duty, to be received from the saides persons to be so admitted, and doing and performing the other duties contained in the above rehearsed articles, so far as the samen may be extended to the

establishment to be made thereanent, pro tanto, the doing and performing shall be nowayes prejudicial to their former liberties.

ARTICLE 23rd.

Item: Because some of the free Burrows hath diverse good order and liberties already, be their sealls of causes, therefore the said established Companies of the Burghs shall nowayes be subject to the said prior acts: But shall keep all their ancient liberties, which shall nowayes be impeeded or interrupted be the said Generall Warden, within the bounds of their sealls of causes, or if they shall work or resyde furth thereof in any other Companies bounds, then they shall only pay for themselves and their Servants Fourty Shilling, to be equally divided in manner foresaid, and it shall serve for their freedom in that part in all time hereafter. Sic subscribitur,

AN. ALEXANDER, Master of Work.