

Act. 5.

Of Burghs and their Courts

b. d. b. o. l. i. page 88. 89. 332 & 399. 625. 642. 792. 917. 942. 985. 1579. 1655 & b. d. b. o. l. 2. pag. 34 & 399. 275. 734 & 399. 739 & 399.

Royal Burghs are Corporations Made for the Advantages of Trade by Charters Granted by several Kings of Scotland to them for their Great Services to the Crown and to their Country and Endowing them with many particular privileges: as the sole power of Merchandize and Trade, Exclusive of all others; the power of Keeping Courts, having the Jurisdiction of Sheriffs, and the Authority of Making by Laws for the Government of their Burghs; and to Judge in Actions between Burghers. Several Burghs have also underlets and franchises by which they make Election of their Magistrates and town Council. About Michaelmas Yearly some before and some after that term for form to the laws of the Land, at Act 46. Parl. 11 J. 2. Act 30. Parl. 5 Act 57. Parl. 7 Act 103. Parl. 14 J. 3. Act 80. Parl. 6 J. 4. Act 26. Parl. 4 J. 5. Act 8. Parl. 20 J. 6. But the Numbers of the Magistrates

trates and Council Differ in the several Burghs. A person named 195. The Royal Burghs besides their More Ancient privileges have many others Act 3. Parl. 1 J. 4. Act 39. Parl. 6 L. M. Act 120. Parl. 7 J. 6. Act 41. Parl. 4 Act 38. Parl. 3 Act 24. ~~Act 37~~ 37 & 38. Parl. 6 J. 7. Act 27. Parl. 4 Act 107. Parl. 7 J. 5. Act 12. Parl. 23 J. 6. Act 113. Parl. 7 J. 5. Act 124. Parl. 7 J. 5. Act 23. Parl. 5 Act 9. Parl. 6 Act 36. Parl. 9 L. M. Act 26. Parl. 1 Act 64. Parl. 3 Act 35. Parl. 6 Act 5. Parl. 19 J. 6. Act 53. Parl. 6 L. M. Act 156. Parl. 12 J. 6. Act 54. Parl. 6 Act 43. Parl. 9 L. M. Act 17. Parl. 18 Act 112. Parl. 11 Act 152. 153. 154. Parl. 12 J. 6. Act 225. Parl. 14 Act 6. Parl. 19 Act 177 & 181. Parl. 13 Act 226. Parl. 14 J. 6. Act 24. Parl. 1 Ch. 1 Act 5. J. 3. Parl. 2 Act 6. J. 3. Parl. 1 Ch. 2. Act 3. J. 5. Parl. J. W. Act 3. J. 3. Parl. 2 Ch. 2 Act 12. J. 2. Parl. W. & M. Act 19. J. 7. Parl. J. In the Convention holden at Dundee in July 1692 Mr John Buchan the Burrows Agent having Undertaken the payment of ten pounds of the stout Roll; the burrows allowed him to give a Communication of their privileges to any free trader or burgh of Barony that would accept thereof for payment of such a proportion of the said ten pounds as should be laid upon them.

Every Royal Burgh had a Dean of Guild, that is head of the Society of Merchants who are free men of the Burgh. He is Next Magistrate to the Bailiffs, who take precedence of him in all publick Appearances. But in Burghs of Conspicuous Trade his power is More Extensive than that of the Bailiffs. For he is Judge in all Controversies of Merchants relating to their Trade. 2. He Judges Disputes between Inhabitants concerning Buildings, Lights, water Courses, and other Differences for preservation of Good Neighbourhood. 3. He and his Council have the sole Management of the Common Stock of the Guildry. 4. He calls Courts at which all the Brethren of the Guild are bound to give Attendance. He Amends and Collects all fines. In the Year 1284 several Statutes of the Guild were Made and Constituted by Robert Bisham Mayor of Berwick, Simon Martel and other Good Men Recorded in the Books of the Majesty. Many of which are found in Disuse, but the Most Material are observed to this Day. And there are besides several other Statutes of the Guild relating to buying and selling within Burghs, to prices of Tradesmen's Work to Brokers

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