

The answer is, he was book-keeper, and so his accounts are *instrumentum commune* to all in the society with him. *Vide* 2d February 1687.

*Vol. I. Page 381.*

1687. *February 2.*—The case of Anderson of Dowhill and Captain Anderson, mentioned 3d December 1685, was advised. The Lords found Dowhill behoved to allow the cargo of sack in the fore end of the £29,000 of balance due to him by the partners of the ship called the Providence, when they last fitted their accounts. And, before answer to the rest, ordained probation to be led, if Dowhill alone had the keys of the cellar where the goods lay, or if the rest had access thereto, as well as he.

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1684 and 1687. The TOWN of EDINBURGH *against* The KING'S TRADESMEN.

1684. *March 20.*—The case of the King's Tradesmen, *viz.* Mr Miln, his mason; Callander, his smith, &c. against the Magistrates of Edinburgh, was reported by Redford; and the Lords find the 153d Act Parl. 1592, and the 275th Act 1597, and the other Acts and exemptions given to these tradesmen, can only liberate them from taxes and burdens imposed by the town by their own authority, or for their own use; as, for bringing in the water to the town by pipes, making highways between Leith, Edinburgh, and the Abbey, mending the streets, &c.; but that they cannot thereupon plead immunity from the King's stents and taxations; the Acts of Parliament imposing these bearing no exception of their privilege; and it is hard to give them now, seeing, *Imo*, These Acts were made when the King dwelt among us, and they were truly employed in his service; but now it is merely nominal, and they are titular. *2do*, They are the best and richest in their several trades; and it were unequal to free them, and lay their proportions upon the poorer. *Vide* more of this, 24th February 1687.

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1687. *February 4.*—The case of John Hunter, the Town of Edinburgh's collector of their cess, against those called the King's Tradesmen, mentioned 20th March 1684, is again reported by Redford; and the Lords found the suspenders' privileges did not extend to the impositions laid on for his Majesty's use; and therefore found the letters orderly proceeded against them; and assoilyied the Town from their declarator as to that point; but find and declare them free from bygones preceding Martinmas last *ob probabilem fidem*. A bill being given in against assoilyieing them from bygones, seeing the late Acts did not exempt them; the Lords adhered to their former interlocutor, in regard they thought the Town's proportion of the bygone cess was already made up without their parts.

Then a bill was given in reclaiming against exeming Deacon Callander, smith, that he could not be free of bygones, because, by a writ under his hand, he had condescended to pay them.

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