

Statute 13 October 1702

Att Dundie the threteen Day of October One thousand seven hundredth and two years. The Provost Bailies Dean of Gild thesaurer and remanent members of Councell of the said Burgh Taking to their consideratione ane Petitione given in be the maltmen of the said Burgh Sheuing that where upon the fifth Day of June one thousand six hundredth and tuentie one years the then Provost Bailies Councell and Deacones of Craftes of the sd burgh of Dundie convened in the Councellhouse yrof Taking to their consideratione that a great number of persones with their families and housholds resort Daylie from landward to this burgh and setle their residence and abode within the samen with also great liberty and community as the free burgeses and brethren of Gild of the said burgh Notwithstanding that the saids persones be unfreemen and no wayes received in the number of free burgeses of the said burgh to the greitt hurt and prejudices of the commonwealth. And to the wrack and overthrow of the families of many poor burgeses of the sd burgh who have no other trade nor calling to live be nor be the brewing and selling of ale to the furnitar of the inhabitants of this burgh and his Ma'ties lieges reservand therto. Did therfor and for remeid of the samen statute and Ordaine that no persone yrafter of q'soever qualitie should be suffered or permitted to make malt or brew ale to sell and tap the samen within the Liberties of this burgh except freemen and burgesses yrof alennarly. And in caise that any persone who is not ane freeman and burgess of the said burgh should happen at any time yrafter to brew and sell ale within the Liberties therof That they and ilke ane of them should pay to the reparation of the comen workers of the samen burgh and fyne and unlaw of and to be discharged the burgh of using the said trade and calling within the sd yrafter as in the said act at mair lenth hes contained. As also shewing that their predecessors provost Bailies and councell of ye said burgh tend to the good and weelfar therof. Did authorise the samen. And therby ordained them to be kepted and observed invioable in all time comeing. To witt That no persone within this toune presume to brew ale or mak malt while first he wer entered free burgesse and freeman of this burgh.

Secondly That no maltman should accept of any prentice while he should pay fourty shilling Scots money his entry and four pounds money forsaid at his booking to be master to his Boxmaster of the said Trade.

Thirdly that of all the maltmen within for this burgh qch there should be ten pennies scots money of ilke stipene to the saids maltmen their Boxmaster (excepting Baxters).

And lastly that if each stipene of malt made within this burgh that should goe to landwart to gentlmans houses there should be payd to the box keeper six shilling and eight pennies money @written.

And Ordained the samen to have the full force and strength of thair act in all tyme thereafter and all necessary executione be poynding and warding to follow yron. As the samen act in itself more fully beares. And which acts are almost now in Desuetude for want of due concurrence.

And lykwyse shewing That the Dean of gild of the said burgh being mett and comviened with the maltmen therof they be their act of the date the Third day of October instant mentioning That they considering that ye dues payit to the maltmans poor be freemasters and prenties at their booking are very inconsiderable did therefore Enact, Statute & Ordaine that from thencefurth each prentice to ane maltman shall pay at his booking as a prentice To the maltmens Boxmaster for the use of thair poor The soume of four pounds Scots. And that each freemaster who has served his prenticeship within the toune shall pay at his booking as a freemaster to the sd Boxmaster for the use of the forsiad the soume of eight pound money @written. And that each freemaster who has not served his prenticeship within the touns shall pay at his booking as a freemaster to the maltmens Boxmaster for the use forsaid the soume of twelve pound money @written.

And that each freemaster who has not served his prenticeship within the toune shall pay at his booking as a freemaster to the maltmens Boxmaster for the use forsaid the soume of twelve pound money @speit.

As also that ye said Dean of Gild and maltmen then convened Considering the great loss and prejudice maltmen sustaines be their making of malt to unfreemen. Did Therfor with their advice and consent Enact statute and ordaine that from thencefurth no maltman within this burgh should presume to make any malt to unfreemen Except noblemen and gentlemen for yr own uses alennarly under the penaltie of ten merks scots *toties quoties* to be payed be the maltman contravener to the Boxmaster for the use and behalf of the maltmens poor. As the samen act in it selfe more fully beares.

And therfor Craving to the effect aftersp'eit.

Which Petitione Being at length heard seen and considered by the sds provost Bailies Dean of Gild Thesaurer and remanent members of Councell of yr forsd burgh And they being therwith weel and ripely advised They Not Only Revived and Reneued the foresaids tua old acts made in favores of the maltmen Anent the making of malt breuing and selling of ale be any except freemen; accepting of prentices without payment of their booking money, And payment of the ten pennies on ilk stipene of malt made within this burgh.

And six shilling eight pennies money forsaid on ilk stepene made to gentlemen and noblemen in the country, the one of which acts is dated in anno ane thousand six hundredth twentie one and the other in Anno one thousand six hundredth and fifite four.

But also of new again Ratified Aproved and confirmed the samen with the forsaid act made be the Dean of Gild and maltmen upon the said third day of October instant.

And that the heall heads, tenor and contents therof As Also Statute and Ordained and herby statutes and ordaines that from the first day of May last past to the first day of May one thousand seven hundredth and seven yeares Each persin liable in payment of the particular duties above and underwriten make payment therof to Alexander Fleeming present Boxmaster to the maltmen and his successors boxmasters yrto to be chosen with consent of the Dean of Gild of the said burgh for ye use and behove of ye maltmens poor Viz: Each Prentice to ane maltman at his booking as ane prentice four pounds Scots. Each freemaster who has served his prenticeship within the toune at his booking as a freemaster eight pound money forsaid.

And each freemaster who has not served his prenticeship within toune at his booking as a freemaster twelve pound money @written.

As Also Decerned & Ordained and herby Decernes and ordaines that from the said first day of May last past to ye first day of May one thousand seven hundredth and seven yeares Each maltman contravener of the forsaid last act by making malt to unfreemen (except noblemen and gentlemen for yr oune use alenarly) shall make pay to the said Alexander Fleeming p'nt Boxmaster to the Maltmen of the said burgh and his successors boxmasters therto to be chosen wt consent of the Dean of Gild as said is Of the said soume of ten markes *Scots toties* quoties for each stipine they shall happen to make contrar to the said act.

And that within forme of law under the pains of pounding & warding.

Signed A. Wedderburne clk.