

1752. July 8.

COOPERS of PERTH *against* DAVIDSON and DONALDSON, and OTHERS.

No. 7.

THE Lords found, that the merchants in Perth may have persons of skill as their servant to make salmon casks, and pack their salmon for exportation, and are not obliged to hire the coopers of Perth, who are a branch of the Incorporation of Wrights, as a man may employ his own servant to shave him, or make his clothes; or a merchant may employ his own servants to sew wrappers about his packs or bales of goods; and they suspended a decret of the Magistrates of Perth at the instance of the Corporation of Wrights fining these servants, or rather coopers, *renitent*. Minto, Kilkerran, *et me*, who thought that was eluding all Corporation privileges, and by the same argument a merchant may hire as his servants weavers, shoemakers, or any other craftsmen, if he can find employment enough for them either by home-sale or by export; for the President thought that they might employ their servants to make casks for export, though no salmon were packed in them. (See DICT. No. 68. p. 1938, and No. 112. p. 2006.)

1753. November 28. DUKE of ROXBURGH *against* TOWN of KELSO.

No. 8.

THE Merchant-Company, and five crafts in Kelso, were found to be Incorporations, by acting as such for upwards of 150 years, with the knowledge and consent of the Earls of Roxburgh, the Barons, though they could produce no seals of cause, but acts regulating their several crafts with the Barons consent; but in respect of a power reserved in these regulations to the Barons to review and alter them, therefore found them subject to such regulations as the Duke or his Bailie should make, touching the government of the Corporations or trial and admission of entries, the same being always for the weil of the Corporations and Burgh. *2do*, Found the Duke bound to apply to the policy of the Burgh certain customs given him to be applied to that use by his charters in 1614 and 1634, though that use was not mentioned in any of his charters since that time; but found that part of these customs, which had always been given to his Bailie, was a proper application. Stopt by a reclaiming bill. (See the ultimate result, DICT. No. 6. p. 1860.)

See Heritors and Burgesses of Musselburgh *against* Magistrates, 30th June 1752, *voce* BURGH ROYAL. (DICT. p. 2521.)