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ABSTRACT

This thesis seeks to examine the role of the gild in Dunfermline in the fifteenth century. While some comparative study is essential, emphasis is placed on the use of local contemporary sources, and in particular, the 'Gild Book of Dunfermline', 1433-1597 and the 'Burgh Court Book of Dunfermline', 1488-1584. A common thread may be seen in burghal development throughout western Europe, but each burgh and gild has its own history. Some attempt has been made, therefore, to place the gild within the wider context, but the main aim of this study is to consider the Dunfermline gild and its role in its own local society.

The gild as an institution may be seen as a significant facet of the emergence of burghs into self-determining communities. Fifteenth-century sources confirm that in Dunfermline the gild formed an integral part of the municipal organisation. The aim is, therefore, to consider, and at times question, the traditional view of the gild, as an institution; and its relationship to other groups within the burgh, and also to the burgh as a whole.

It is clear that the gild was not, however, merely an inanimate municipal department. This study, therefore, looks more intimately at the gild and its members. While accepting that a full comprehension of the thinking and values of a group of medieval men can not now be achieved, an attempt is made to consider the fraternity and its members in their daily routine within the gild, and in their more private lives. By approaching these aspects it is hoped not only to gain a deeper knowledge of fifteenth-century burgesses in Dunfermline, but also to come a little closer to an understanding of the reality of the medieval gild.
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EDITORIAL NOTES

The use of the Gild Book manuscript in this thesis.

There is a double system of pagination and foliation in the Gild Book. Pages are numbered in pencil by an unknown hand; and it was in this order that the manuscript volume was found in 1976. In 1980 folio numbers, in different order, were inserted by the Scottish Record Office, in encircled pencilled figures. In this thesis, Gild Book references are to the latter system.

In this thesis, unless otherwise stated, dates are expressed according to new style.
### Abbreviated Titles

The titles contained in the List of Abbreviated Titles of the Printed Sources of Scottish History to 1560 (Supplement to Scottish Historical Review, 1963) are used in this thesis, with the following additions:

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ACKNOWLEDGEMENTS

I am indebted to many for their assistance and support during the preparation of this dissertation. In the first instance, I would like to express my appreciation of the trust of the late Mr. T. Blair, Clerk and Treasurer to the Incorporation of the Guild of Dunfermline, in permitting me a long-term loan of the two earliest gild books. This afforded me a close proximity to basic source material, an opportunity rarely offered.

Without the encouragement of Professor G. Donaldson I might never have embarked on this project, and my supervisor, Professor G.W.S. Barrow, has ably guided me over the last few years, and to them both I owe a great debt. I have benefitted from the wisdom of many people, as may be seen from the footnotes to the text; but I would in particular like to express my gratitude to Dr. M. Lynch, Professor R.B. Dobson, Rev. T. Dennison and Dr. P.N. Dean for their help and time so unstintingly given.

My enquiries of librarians and archivists have been met consistently with efficiency and courtesy. To them also I extend my gratitude. I would especially thank the Earl of Elgin and Kincardine and his staff for the ready access to Broomhall Archives accorded to me.

My sister, Mrs. C. Dean, has given kindly and willingly of her time and expertise. Her transformation of my rough plans into the maps accompanying the text leaves me greatly in her debt, and I thank her for all her help. For typing assistance in the early stages I am indebted to Mrs. J. England, Mrs. L. Muir and Mrs. M. Trotter; and for this final typescript
my thanks go to Mrs. D. Williamson.

The completion of this study has not been possible, however, without the support of my own family. My mother, Mrs. C. Dennison, has been a true friend. I owe, and extend my great gratitude both to her and to my father, Rev. T. Dennison. But most of all, I would like to acknowledge the patience and understanding of my children and my husband. My deepest thanks go to Robin and Sarah, and to John.
I, Elizabeth Patricia Dennison Torrie, declare that this thesis has been composed by me, and that the work is my own.
FOLIO I. OF GILD BOOK
CHAPTER I

THE MUNICIPAL ORGANISATION OF DUNFERMLINE BEFORE 1433

The undertaking of this thesis became a possibility in 1976. In the autumn of that year searches amongst the papers of the Incorporation of the Guildry of Dunfermline revealed two manuscript volumes, one of which had passed unnoticed, apparently for generations. The larger of the two was a leather-bound book in fair condition containing the minutes of the Dunfermline Gild throughout the seventeenth century. The second set of manuscripts proved to be of greater importance. They were the records of the Dunfermline Gild from 1433 to 1597. This second book is not as well preserved as the first. It consists of one hundred and eight folios, some loose and worn. The paper was in parts thinning and torn. These, with a further two folios which appeared misplaced, were pressed into oak boards, one of which had split in two. Leather covers, of a once very fine quality, protected the boards. The water-marks on the paper are however clear.¹ The main bulk of the paper has a dagger marking, of a type unnoted by Briquet,² and could have been imported from Germany, France, or perhaps the Netherlands, where papermaking had commenced in 1428.³ A serpent design on folio 26 reveals its Rouen origin of a date normally considered by the evidence of the watermark to be between 1513 and 1522. Part of the page, however,

1. For assistance with the following comments on the paper of the Gild Book I am indebted to Mr John Morris of the National Library of Scotland.


describes a gild court held in 1508. It is possible that this was copied into the blank bottom half of the folio at a later date or perhaps the traditional suggestion that such paper was manufactured only from 1513 is a little conservative. The remaining paper is also French, of a type common along the Clermont-Ferrand, Lyon, Geneva line, with a gloved hand water-mark.

Fortunately, age has not destroyed any significant section of the folios. The text is, in the main, legible, and offers fine examples of fifteenth-century handwriting, of a relatively plain form. The only decoration is the drawing of hands to point out important enactments or statutes of the gild, as is found also in the earliest 'Burgh Court Book' of Dunfermline in the Scottish Record Office; and in the fifteenth-century parchment Stirling gild records in Central Regional Archives; and the Aberdeen gild records in the Aberdeen City Archives.

In 1978 the Gild Book underwent restorative treatment at the Scottish Record Office. The order of the papers is now different from that seen in 1976. Minor changes were made plus a main alteration, namely the inclusion of all gild accounts at the end of the book. This latter may be as originally presented. Folios 109 and 110 are now bound as if part of the Gild Book, but probably have no place there. Folio 26 is out of order and it is possible that folio 108 has been reversed. On balance, however, the new foliation is more satisfactory than the earlier pagination and the decision has been made to follow this, rather than inserting a third system. Conservation work inevitably alters the character of a

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4. See photocopies of folios 11v and 8v, pages 4 and 5, also folio 4v, page 348.
FOLIO 8v. OF GILD BOOK
manuscript, but in its present form the Gild Book is less fragile, which facilitates the handling of the material.

The discovery of these manuscripts holds a significance at two levels. Firstly, the burgh records of Dunfermline had been assumed to be extant from only 1486. In 1917 Erskine Beveridge in his introduction to the transcription of the Burgh Records of Dunfermline 1488–1504 did recall a tradition that an earlier volume of burgh records had been lost in the previous century. The collected documents of G.H. Hutton (d. 1827) include a very few extracts which may be from this earlier volume. Whether or not this had existed in the first part of the nineteenth century, burgh sources earlier than 1488 were not available to such historians of Dunfermline as E. Henderson in 1879 or P. Chalmers as early as 1844. The twentieth-century editing of the Regality Court Book of Dunfermline by J.M. Webster and A.A.M. Duncan, and the Extracts from the Burgh Records of Dunfermline in the Sixteenth and Seventeenth centuries by A. Shearer had, perforce, to be undertaken without the assistance of background information from the earlier fifteenth century. Had the existence of this early Gild Book been known of, perhaps a different emphasis might have been placed on some aspects of burgh life.

Assumptions were made about fifteenth-century Dunfermline that, in the light of this new evidence, are now suggested to be not totally correct.

10. Shearer, A. (ed.), Extracts from the Burgh Records of Dunfermline in the Sixteenth and Seventeenth Centuries.
Secondly, in the broader context of Scottish gild and burgh history the importance of this early book should not be underestimated. Much has been written of the role of the gild in municipal life, but insufficiently based on primary sources, largely because such essentials have been lacking. The gild records of Scottish burghs have survived only sparsely. There is reference to a meeting of the Edinburgh gild court in 1403, which should perhaps be more correctly dated 1453, in the *Burgh Records of Edinburch*,\(^ {11}\) and thereafter mention of isolated entries to the gild; but no gild court book as such survives which is earlier than 1550.\(^ {12}\) Dundee's records are extant from only the late sixteenth century, and Glasgow's from as late as 1676. However a manuscript parchment roll dating from 1462,\(^ {13}\) with minutes of the gild court, has reappeared in Stirling, during the last decade; the Perth 'Guildrie Book',\(^ {14}\) dates from 1452; there is a reference to the *Curia Gilde* of Aberdeen in 1437, and from 1441 the gild dealings are well documented for this burgh;\(^ {15}\) and three folios detail the proceedings of the gild court of Ayr from 1428 to 1432.\(^ {16}\) These are the only other fifteenth-century gild records for Scotland that have so far come to light.

This Dunfermline Gild Book commencing in 1433 is clearly, therefore, of considerable significance; and it is not merely one of welcome additional source material to supplement the sparsely

\(^{11}\) Edin. Recs., i.
\(^{12}\) Dean of Guild Court Book, vol. i.
\(^{13}\) 'Stirling Gild Records,' 1460-75. Archive PD 61/1.
\(^{15}\) Vol. V. 'Series of Council Registers', Aberdeen City Archives.
\(^{16}\) 'The Ayr Manuscript', fol. 8v-10, and 85v, Scottish Record Office. These folios have been published in Archaeological and Historical Collections relating to the Counties of Ayr and Wigton, i (1878), and edited therein by T. Dickson, 'Proceedings of the Gild Court of Ayr, from the Ayr Manuscript', pp.223-230.
documented medieval gild history of Scotland. Its intrinsic importance goes further.

Dunfermline in the fifteenth century was not a royal burgh, nor a very large town, and, some may argue, not of great importance on the Scottish scene. But it is precisely because of these factors that this gild book is important. The burghs and gilds of Edinburgh, Aberdeen, Dundee, Stirling and Glasgow have all been studied. These burghs, however, were in relatively privileged positions. Their wealth and to a certain extent size set them apart from the mass of burghs; and perhaps too often in the past what has been shown to be true for the larger, wealthy burghs has been held, on little evidence, to be so for the smaller. Only a close examination of these smaller burghs will redress the balance.

The aim of this thesis is to consider the gild of fifteenth-century Dunfermline from a number of relevant aspects. The gild as an institution is an important medieval European phenomenon. It had a vital role to play in the emerging self-consciousness of burgh life; and as a force within its own town its political, economic and social significance must not be underestimated. But any gild within any burgh was far more than an inanimate institution. It was a group of ordinary burgesses, not necessarily very wealthy or sophisticated,

19. Warden, A.J., Burgh Laws of Dundee, with the history, statutes and proceedings of the Guild of Merchants and fraternities of craftsmen.
though certainly important within their own town; and doubtless the gildsman of many a Scottish burgh would have felt himself to have more in common with the humble tiller of land on the burgh rigs than with the grand merchant of the capital. And it is precisely, again, because of this lack of standing and pretension, whether social, political or economic, that the gild member of Dunfermline, or indeed any small burgh, holds such interest; for in an attempt to understand him, there may be an opportunity to come a little nearer to a knowledge of that vast mass of townspeople who have no records or annals.

It is incorrect, however, to be dismissive. The emergence of burghs, Scottish and others, as close-knit, self-governing bodies attests not only to the vitality of medieval townspeople, but also is a witness to their strong feeling of community, whether expressed within the gild itself or in the burgh as a whole. 'If we ignore the peculiarly corporate character of the burgensic community we fail to record one of the greatest moral and legal achievements of the middle ages.'

In an age when burghal administrative practice was founded primarily on tradition and custom, not statute and codified rule, the antecedents of municipal government were of vital significance. To gain an insight into fifteenth-century burghal organisation it is essential to attempt an elucidation of early Scottish municipal administration, and particularly that of Dunfermline, even though so much evidence is shrouded in obscurity.


23. Prevenier, W., De leden en de Staten van Vlaanderen (1384-1405), 360.
Dunfermline was a royal burgh by 1124x1127. It was between these dates that David I granted to the church of the Holy Trinity, Dunfermline, amongst other things, *unam mansuram in burgo meo de Dunfermlin*, thus giving the first extant documentary evidence of Dunfermline as a royal burgh. That it existed as a royal burgh before this date is possible; that it existed as at least a small township before this date is certain. A charter of David I's of c.1128, confirming the grants of preceding kings to the church of Dunfermline, gives the earliest authentic record not only of the donations of King Malcolm Canmore and Queen Margaret and their successors, but also, which is more important for the moment, indicates the existence of a settlement that was already established before his reign.

The emergence in Scotland of well-defined towns, communities with the seeds of municipal organisation, which had taken root by the twelfth century must be seen as part of the wide trend of burghal renaissance in western Europe in the early Middle Ages. In Italy after the disturbances of the Investiture Struggle, the first indications of self-organisation of towns can be seen. A 'communal court' in Lucca, first mentioned in 1068, is doubtless not an isolated example; and it is reasonable to surmise that consuls existed in such towns as Milan in the eleventh century even though there is no primary source evidence before 1107.

24. The writ concerned (Dunf. Reg., no. 26) is undated. However, David I succeeded to the throne in 1124. One of the witnesses to the writ, Robert, bishop elect of St. Andrews, was consecrated in 1127. The parameters for dating are therefore fixed.
29. Pirenne, Medieval Cities, 182.
The two areas to have greatest influence on Scottish ideas, as these new notions spread, were northern France and the Low Countries. In the latter half of the eleventh and early twelfth centuries a number of self-governing communes are documented. Albeit in some cases abortive, the attempts at self-rule are indicative of the growing mood of the age. In France, St. Quentin, Beauvais, Noyon, Laon and, further north, Cambrai, St. Omer, Tournai and Bruges amongst others bore witness to the early bourgeois administration of the municipalities. 30 'Dans la ville, l'idée du pouvoir paternal fait place à celle de la fraternité.' 31

This notion was soon echoed in England. How much credit should be given to the Norman Conquest for the introduction of self-government in town life is doubtful. Most certainly the peace that followed in the wake of the Conquest provided an environment conducive to the growth of organised and responsible communal life. The fillip to growing mercantile activity on the continent and, once more, the interaction of constructive ideas, some of which had roots in Anglo-Saxon times, 32 were also contributory factors in the development of burghal life. Beverley, Burford, Canterbury, Leicester and York, to name only a few, were achieving a measure of self-determination, 33 a phenomenon which

30. Pirenne, Medieval Cities, 185, and Ennen, E., Die europäische Stadt des Mittelalters, ii, 166.
31. Pirenne, Villes, i, 179.
32. Some such as H. van Werveke in "Burgr";Versterking of Nederzetting? argue that the evolution of the English borough into a town with special privileges had its antecedents before 1066. 'Ainsi que l'a montré Tait, les "burhs" fortifiées par Alfred le Grand et ses parents dans la seconde moitié du ix ème siècle n'étaient pas toujours de simples ouvrages de défense'.
33. Gross, Gild Merchant, i, 10-16. See also Beresford, M.W. and Finberg, H.P.R., English Medieval Boroughs: A handlist.
was finding a parallel development in Scotland.

The twelfth century offers the first documentary evidence of burghs in Scotland; and the laws and customs of these burghs were to a large extent borrowed. The *Leges Burgorum* reflect in several chapters the 'customs' of Newcastle and, to a lesser degree, Winchester, Northampton and Nottingham.\(^{34}\) Drawn up, perhaps, for Berwick, these Burgh Laws became the general basic foundation for the rulings of specific Scottish burghs. And just as these burghs borrowed and copied ideas from each other, so the Scottish burghs quite deliberately borrowed from England. This was not mere plagiarism. Such urban liberties reverberated throughout north-western Europe. One needs only to note the proliferation of ideas emanating from the customs of Bruteuil to be aware of the wide spread of such urban notions in the twelfth century.\(^{35}\)

The resemblance of new boroughs in the British Isles to Lorris, Verneuil, Montauban, Freiburg, and other 'villes neuves' was no matter of chance borrowing. When we discover foundations of the same type from Wales to Languedoc and from Scotland to Saxony, we may be sure that they were made in respect of a European demand.\(^{36}\)

It would, however, be over-simplifying to view the emergence of Scottish burghs as part of a movement witnessed throughout western Europe at this time, without questioning what were the basic factors that caused this movement. A definitive answer is not possible; but perhaps in facing this vexed question from the Scottish standpoint the first indications of early municipal organisation may be recognised.

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34. *Leges Burgorum, Leges Quatuor Burgorum* or the Burgh Laws. *Leges Burgorum,* *Ancient Laws and Customs of the Burghs of Scotland,* ed. C. Innes. The detailed assessment of borough customs by M. Bateson shows clearly the similarity of practices (Bateson, M., *Borough Customs*).


The nineteenth and twentieth century theorisings of urban historians and lawyers on the emergence of burghs are well known: H. Pirenne and Carl Stephenson have ably summarised the Romanist doctrine and later varying Germanist theories and the views of the French historians, Thierry, Luchois, Giry and Petit-Dutaillis; and the works of Stubbs, Gross, Maitland, Ballard, Bateson, Round and Tait are well known. Some of these theories have been discredited; others retain much of value for any consideration of urban origins.

The Romanist doctrine that medieval towns were in a line of direct continuation of ancient Roman towns would seem dubiously tenable in the case of at least some towns of mainland western Europe; but totally without foundation when considering the Scottish scene, where Roman townships never existed in the form of either villas or towns. The traditionally Celtic and Anglo-Saxon structure of society was one of small vills, agricultural and pastoral groupings of houses, based on an entirely localised self-sufficient policy. This is not a view held by some historians, such as Murray and Warden, who see burghal life stretching back beyond the eleventh century. The reign of David I was, for them, one which merely confirmed the

37. Pirenne, Villas, passim.
38. Stephenson, Borough, passim.
39. Even if Velunia is classed as a township, there was no continuation of this settlement into medieval times. See Richmond, I.A. and Steer, K.A., "'Castellum Veluniae' and civilians on a Roman frontier", PSAS, xc, 1.
40. Murray, Burgh Organisation, i, 5.
41. Warden, A.J., Burgh Laws of Dundee, 2. See also Marwick, J.D., 'The municipal institutions of Scotland', SHR, i, 124-125.
existence of long established burghs. Much of their argument is based on the fact that the *Leces Burgorum* are taken as a primarily Scottish production, a collation of existing burghal rulings, and that these indigenous burghal rulings presuppose indigenous burghal establishments. The logic of this argument may not be faulted. The error lies in the premise. 42

While rejecting the proposition that Scottish medieval burghs were a direct development from pre-eleventh-century towns, whether Roman or not, an alternative explanation for their rapid emergence in the twelfth century must be offered.

It is not however the remit of this thesis to examine the varied theorizings on the origins of towns in western Europe in general. But, with them in mind, the urban origins of Dunfermline might profitably be considered. The marriage of Malcolm Canmore took place in 1067 x 1069, 43 and according to Fordun was magnificently celebrated at a place called Dunfermline, which the king then held *pro oppido*. This may be taken to mean a small settlement around a royal residence or perhaps merely a fortress. There was also nearby the church of the Holy Trinity, of sufficient importance to receive during this reign extensive grants from the crown. 44 Whether there was a township beside the royal residence and church at the time of King Malcolm cannot now be proved. In less than fifty years, however, such a development had taken place. 45

Explanations for this, whatever the exact date of origin, may be proffered.

42. See below, p. 24.
44. Dunf. Reg., no. 1.
45. See above, p. 10.
It might be argued that Dunfermline was a suitable meeting place for traders. It was directly placed on the trade routes from the westerly Stirling region to the easterly Fife ports. Moreover, the site was in an excellent strategic position in relationship to the narrowing of the Forth, later known as the Queensferry passage, which was an obvious ideal over-water route connecting the northerly regions with Lothian and the Borders. There is no primary source to substantiate this theory, but it is fair to say that the site of Dunfermline was geographically well-placed and a suitable centre for early travelling merchants; a site which would gain greatly in suitability once a royal residence and ecclesiastical settlement were established, bringing not only an aura of peace and protection, but, more important, the requirement for further trade.

This, of course, assumes the pre-existence of a merchant settlement. Perhaps, however, the royal residence and church were pre-urban nuclei. As such, they would naturally attract to their walls settlers, drawn together by the need for self-help and thus benefiting from the obvious peace afforded. There is nothing in Dunfermline, however, even if Malcolm Canmore's residence be considered a fortified stronghold, to support Maitland's and Ballard's theories that the essential difference between a township and a borough was of a military nature. These first settlers would be traders, craftsmen and others. No merchant community could readily exist without the support of local manufacturers and the stability of the sources supplied at the home base.


As to which did come first, merchant settlement or church and royal residence, there is now no answer. Stephenson's warning that 'Ultimately, good history, like good science, depends on verification', 48 must be set aside when primary sources do not exist. Whatever factor gave the original stimulus, one assumption it is fair to make is that this population as it enlarged beside the royal residence and church would be increasingly one for whom trade was its life-blood. 'La ville, en effet ... si elle n'est pas nécessairement un marché est du moins partout et toujours une place de commerce.' 49

Care must be taken, however, when considering an eleventh- or twelfth-century society, not to over-stress the duality of the community per se and the community of merchants. The town dweller who was a merchant was also often a craftsman and a farmer. Juristic notions of a later age as to which group held political sway and was supreme in the township have no place here. The roles of those settled together must often have intermingled, with rarely, if ever, the necessity to ponder the respective implications of the terms 'merchant' and 'town dweller', if indeed, for them, the terms bore any nuances of difference at all.

'To identify or postulate the presence of a population group is one thing; to account for a burgh is quite another; and the former is not the sole begetter of the second.' 50 A burgh was not something that grew naturally; burghal status was not achieved once a community reached a given size. 51 It might be argued that

49. Pirenne, Villes, 1, 55.
50. Mackenzie, Scottish Burghs, 14.
51. A. Mercer in History of Dunfermline, 62, argues that when a village adjoining an abbey attained any size, it was erected into a burgh.
urban attitudes and liberties came into force once a population group developed, both in size and in interests, beyond the purely village state. Evidence of urban consciousness and organisation, however, does not presuppose any burghal connotations. A burgh did not evolve. It was made. In early Scottish history the only recorded creator was the king, and a specific act on his part was necessary to create a burgh. The earliest extant charters of burgh erection date from the reign of William the Lion (1165-1214). This does not mean, however, that such charters did not exist earlier. David I's reign, (1124-53), was the first to witness references to burcus meus\(^52\); and it is quite possible that this king granted charters creating burghs also. As soon as a fair degree of relevant documentary evidence becomes available to historians so does the evidence of established burghs, but they may have existed earlier. There is little to suggest, however, that burghal origins go back beyond the eleventh century. Equally untenable are the arguments of Murray that the object of a charter 'was rather to confer privileges or franchises on the burgesses beyond those implied in the existence of a burgh', and, also that, by quoting Béchard, 'Originally the creation of a burgh was a feudal right, rather than a right of sovereignty, and it was only gradually that the Crown absorbed the rights formerly belonging to great lords'.\(^53\) This was a view supported by Cosmo Innes, who reasoned that the charters of William the Lion, (apart from that to Ayr), were to burghs already in existence, 'and tracing their existence and privileges to a period long before feudalism, a time when soil

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52. See above, p. 10.
was either all folk-land, or just beginning to be boc-land and Crown property'.

This seems to have no validity in Scottish history. The Scottish burgh was not of Dark Age origin.

These royal creations were not purely the offsprings of altruism. Whether by raising an existing township to burgh status, as in the case of Dunfermline, or by establishing a totally new settlement, the policy started by David I in founding fifteen (or perhaps eighteen) burghs whose burgesses held of him and in authorising the erection of the burghs of St. Andrews and the Canongate, brought considerable advantage to the crown.

There was the obvious factor that successful burghs brought in royal revenue which was raised largely from the payment of customs and rent, the ferma. It has been stated that David I's entire money revenue came from these sources. As elsewhere in western Europe, the burgh could become a stronghold or even outpost for the maintenance of royal power, a practice favoured in England not only in the century after the Norman Conquest, but even more forcefully by Edward I in his military campaigns. In Scotland, Inverness with its fosse and palisade and Dumbarton are excellent examples of burghs in strategic positions. Dumbarton, it is argued, may even have been granted burghal status as a reward for its protection of the Lennox region.

Little can be known of the burgesses of these early burghs, but all the indications are that the crown pursued a deliberate

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56. Duncan, A.A.M., Scotland, the Making of the Kingdom, 475.
policy of encouraging settlement in burhgs, not merely of locals, but also of skilled outsiders. The names of some of the burgesses of St. Andrews, such as Elfgar and Arnald or Ernald, for instance, do not suggest a local origin, but rather from further south. Foreign influence is also clear: Mainard 'The Fleming' in St. Andrews; Baldwin, possibly Flemish, in Perth; and Geoffrey Blount, a Norman, in Inverness; a 'Swain' at Perth are only a few examples. The 'Swain' of Dunfermline cited by Mackenzie, however, would appear to have little to do with the burgh. Referred to as the praepositus of the king in a mandate of King David I to preserve the rights of the church of Dunfermline, he should be seen more as an officer in charge of a district, not the burgh. The earliest burgh records of Dunfermline give no clues to the alien origin of its burgesses. It may, however, be accepted in principle that Dunfermline, as other Scottish burhgs, experienced foreign infiltration. The list of names of burgesses in the Ragman Roll more than adequately confirms this point.

That Dunfermline was a place of some stature after its erection to burghal status in the reign of David I is to be inferred from the extant acts of twelfth-century kings. In the time of David I, of ninety-seven of Scottish origin, eleven were issued at Dunfermline, compared with Edinburgh’s fourteen,

58. St. A. Liber, 124.
60. Reg. Dunf., no. 18.
Stirling's twelve and Scone's eleven. (To the latter one might add also three issued at Perth.) Malcolm IV also favoured the burgh, but perhaps to a lesser extent, as the source of seven acts compared with twenty from Edinburgh, thirteen from Perth, ten from Roxburgh and six from Jedburgh. To achieve the status of a burgh brought with it the considerable benefits of royal patronage; and thus Dunfermline gained much by being one of the first burghs created. Inverkeithing and Kinghorn were also chosen places in Fothrif during the reign of Malcolm IV; and it is interesting to note that by the reign of William I, the relative importance of Dunfermline was already slipping on this criterion. Only twelve of the 437 surviving acts with Scottish place-dates emanate from Dunfermline (compared, for example, with Kinghorn's twenty-one, Perth's forty-five, Stirling's forty-four and Edinburgh's thirty-four); and even these are dated early in the reign, thus indicating a considerable loss of favour which may partly explain a decline in the original burgh settlement, and an increasing attraction to settlement around the abbey precincts. For at least the first half of the twelfth century, however, the crown augmented the status of the burgh by residing there, not only because of the prestige this brought, but also because of the stimulus to the town's economy by the demand for services and supplies from the local community.

The crown was not the sole beneficiary of this twelfth-century policy of burgh erection. It necessitated some form

63. RRS, ii, 28.
64. For further discussion, see below, p. 40.
of municipal organisation, not automatically imposed from above, but also demanding some initiative on the part of the burgesses. The very notion of burgess-ship implied basic, fundamental rights; and the most important of these was the relative freedom of the individual. 'Die Stadluft macht frei!' 65 To be a fully participating member of a burgh implied that one recognised the authority of only that burgh and its superior, which for Dunfermline was the king. All other feudal ties were severed; and overlordship held no meaning. The harshest punishment to be inflicted in the burgh was banishment, for this meant total loss of all rights and privileges, the very basis of burgess existence.

The status of burgess was, then, something to be coveted; for there was no suggestion that all who dwelt in a burgh were burgesses. Only a privileged few held this position, and enjoyed to the full the burghal liberties and participated in its government. In Dunfermline, as elsewhere in Britain and western Europe, there was no doubt a greater proportion of indwellers, with few rights, than of free burgesses. All who made their homes within the burgh were, however, subject to its rules, whether or not they were of the select number who held the status of burgess; and in theory, on entering its gates the individual was subject to the laws or 'customs' of the burgh, the peace of that town, rather than to the common law of the kingdom.

One of the original basic qualifications for burgess-ship was the holding of a toft or rood of land within the burgh upon

which the aspiring burgess was required to build his dwelling. To assist this building, and encourage incomers, a period of grace without payment of burgh dues, usually of a year and a day, the 'Kirset(h)', was granted.\(^{66}\) There is much evidence that these tofts were not haphazardly delineated; and early burghs may have been deliberately laid out and planned, possibly under Flemish influence.\(^{67}\) 'Na man sall bruke the libertie and fredome of the burgh bot gif he have ane land inhabit and streniezeable within zeare and day after his entries.'\(^{68}\) For this toft a rental was due to the burgh superior. As Mary Bateson has so clearly shown the burgess tenement was considered a gage or pledge.\(^{69}\) If a burgess failed in his obligations and duties, the burgh court had the right to seize his burgage in recompense. In Scotland this was taken a step further. Chap. xc of Leges Burgorum indicates that a burgage tenement might even ultimately be sold as the recompense for a debt, and the Fragmenta Collecta also ruled that two people could not have freedom of the burgh in respect of the same burgage.\(^{70}\)

Payment of rental for a burgh tenement was only one of the obligations placed on a burgess of Dunfermline or elsewhere in Scotland. Just as the peace of the burgh was the very core of all burgh liberties, the defence of that peace was a prime duty

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67. For a discussion of this point, see below, pp. 145-146.
68. Curia Quatuor Burgorum, c. ii; Articuli inquirendi in itinere Camerarii, c. xxxvi, c. lxiii.
69. Bateson, M., Borough Customs, ii, p. lxii.
70. Fragmenta Collecta, c. xi.
of the burgess. All had to take a fair share of 'watching and warding'; and, for this, be adequately equipped. Widows only were exempt, unless they bought and sold, in which case male substitutes might take their places. 71 All burgesses were, however, to take their share in burgh administration. The Burgh Laws indicate that not only did the burgess swear an oath of loyalty to the king, but also to the bailies and community. Attendance at head courts was compulsory; and all had to conduct themselves according to the regulations laid down by the burgh community. One may see in these early, basic privileges and obligations of burgesses the corner-stone on which was built the structure of municipal organisation, the constitutional framework of the burgh of Dunfermline, as of all Scottish burghs.

The most authentic material available for early Scottish burghal history is the Leges Burqorum, reputedly of the reign of David I; statutes from the time of William the Lion; and the Statuta Gildae, the statutes of the gild of Berwick, the earlier part of which is attributed to 1249 and the later specifically dated 1281 and 1294. That the first were not laws in the true sense of the word may well be fair comment; 72 but as already indicated 73 one cannot agree with Murray that

they are a collection of burghal customs which King David recognised and arranged, with some additions of later date ... Custom grows slowly, and alters slowly, and the existence of the Leges Burqorum is evidence that burghal communication had grown up and taken shape long prior to David's time. 74

71. Marwick, J.D., 'The municipal institutions of Scotland', SHR, i, 132.
72. Mackenzie, Scottish Burghs, 23.
73. See above, p. 17.
74. Murray, Burgh Organisation, i, 4-5.
These laws, just like many burghal statutes of William the Lion’s reign, and even the later Statuta Gilde were to a large extent borrowed from elsewhere, precisely because Scottish burghs developed late. The Borough Customs of Mary Bateson, throughout, specifies the borrowing of these Scottish customs. To reiterate, there was an overall tendency towards uniformity of burghal practice, not only in Scotland (where a deliberate effort was made between burghs to maintain similar practice by correspondence 75), but throughout northwestern Europe. Dunfermline was merely one very tiny piece in this pattern.

There was far more implied in the achievement of burghal status than the mutual obligations of crown and burgh. 'The burgh is a community organised for trade' 76 and is recognised as such in twelfth-century primary sources. It has been argued with reason that the 'most permanent characteristic of burghs was that they were to be centres of trade'. 77 The burgh was the possessor of mercantile privileges; and a study of the early documents, whether Scottish, English or continental, asserts the strong links of the burgh and trade. Adolphus Ballard claimed that of sixty clauses in fifteen Scottish charters analysed, thirty-three deal with mercantile privileges of burgesses. 78 And it is true that in Scotland one of the vital benefits bestowed at the erection of a burgh was exemption from tolls and some customs, payments to

75. APS, i, 722-724; Abdn. Recs., i, 26-29.
77. Maitland, F.W., Domesday Book and Beyond, 193.
the crown; and, consequently, the right to trade freely. There are in some charters specific references to even greater rights. Many burghs received from the crown the right to trade over an extended zone, a grant relatively common in Scotland, but not elsewhere. Inverkeithing, Dunfermline's close neighbour, for example, gained total monopoly in merchandise over an area from the water of Leven to the water of Devon. 79

Dunfermline, in the thirteenth and fourteenth centuries, also gained greatly by being the burgh of the abbey, 80 which from the twelfth century was gaining extensive commercial privileges. If the evidence is authentic, it would appear that as early as 1124 Alexander I was at pains to benefit priories and specifically the church of the Holy Trinity at Scone, not only by granting royal customs to individual priories but encouraging trade by ensuring the protection of English merchants travelling thereto. 81 By the reign of David I the priory of Dunfermline was granted the 'cain' of one ship 'ubicunque in regno meo applicaverit,' 82 and later by charter of the same king the ship of the abbot of Dunfermline and all its cargo were declared free 'de omni consuetudine mihi pertinenti.' 83 Such early grants were clearly not intended for the benefit of the nearby burgh, but once Dunfermline came under abbatial authority, the burgh was in a position to benefit directly from the trading privileges of the abbey.

80. At some stage, Dunfermline ceased to be a royal burgh. It re-emerged as an abbatial burgh. For discussion of this, see below, p. 40.
81. Scone Liber, no. 3.
Reference is made to the gild merchant in *Leges Quatuor Burgorum*:

Nullus tinctor vel carnifex vel autors potest esse in gilda mercatoria nisi abiuret facere officium suum manu propria sed per servientes suos sub se

but it is the reign of William the Lion that sees its official sanction:

De libertate gilde mercatorie. Item statuit quod mercatores regni habeant gildam suam mercatoriam et ista gaudeant in pace cum libertate amendi et vendendi ubique infra limites libertatum burgorum ita quod quilibet sit contentus sua libertate et nullus occupet libertatem alterius ne forte in itinere Camerarii nostri condemnetur ut foristallator et puniaturs. 84

Gilds, as friendly societies, had their origins several centuries previously. 85 In Scotland, the thirteenth-century rulings of the Berwick gild would suggest an institution of some age. Once more the close identification of purpose, as a society for mutual self-help and conviviality, between the gild of Berwick and the gilds of the Low Countries may be noted. 86 By the thirteenth century, however, the gild in Scotland was portraying also a mercantile nature.

With the royal favour of gilds merchant, the way was open for the emerging burghs to take full advantage of their newly gained mercantile privileges. But even when a specific right to a gild merchant was granted alongside a burghal charter, this right to a gild was very much a corollary. 87 The gild, although of great influence, was not in origin the primary, vital core of the burgh personnel, just as trade, although an essential limb

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84. *Leges Burgorum*, c. xciv; *Assise Regis Willelmi*, c. xxxix.
was not the raison d’être of the burgh. Even Pirenne concedes,

Il ne semble pas possible d’identifier aussi complètement que le fait M. Sohm la ville et le marché.\textsuperscript{88}

One reaches, then, a position of considerable sympathy for Y.A. Levitsky when he argues for tolerance in the interpretation of the term mercatores.\textsuperscript{89} The twelfth century had not yet seen true specialisation and the divorce of crafts and commerce. It is more than probable that at this time traders were craftsmen-traders and farmer-traders as much as merchant-traders; and care must be taken not to impose the categorisings of a later, somewhat legalistic, age on a newly developing burghal economy.

It is true to say, however, that wherever a gild merchant developed, that burgh had the necessary tool to fully benefit from its mercantile privileges. As indicated,\textsuperscript{90} the Berwick gild would appear to be of an earlier than thirteenth-century origin, and Perth and Roxburgh are known to have had gilds before 1198, since they are referred to in a charter of Roger, bishop of St. Andrews when the gild of that burgh was established.\textsuperscript{91} The thirteenth and fourteenth centuries saw the formation of many more gilds. These, along with Edinburgh (1209?), Dundee (1165? x 1214), Inverness (1165? x 1214), Inverkeithing (1165? x 1214), Aberdeen (1222), Ayr (1222?), Dumbarton (1222) and Stirling (1226) were the first recorded in Scotland.\textsuperscript{92}

\textsuperscript{88} Pirenne, \textit{Villes}, i, 28.
\textsuperscript{90} See above, p. 26.
\textsuperscript{91} 'The Black Book of St. Andrews' compiled by John Mutto, fo. 35 recto.
The position of Dunfermline is a little more obscure, but it is clear that as one of the Dunfermline regality burghs, along with Kirkcaldy, Musselburgh and Queensferry, the town was in a position to benefit more than indirectly from any trading privileges bestowed on the abbey. An undated charter of Robert I gifted the great customs of wool, skins and leather, normally reserved for the crown, to its favoured subjects, the abbot and convent, throughout their regality.

Damus concedimus ... totam novam magnum customam nostram de omnibus terris suis infra regnum nostrum, videlicet tam de burgis de Dunfermelyn, Kirkcaldy, Mussilbruch et de Passagio regine quam de omnibus terris suis aliis quibuscunque ita quod dicti monachi habeant et utantur koketa sua propria secundum libertates regalitatis sue et presentis concessiois nostrae in omnibus terris suis predictis. qua quidem koketa cognoscatur et admittatur ab omnibus burgensibus et hereditibus nostris et extraneis mercatoribus per toto regnum nostrum sine impedimento camerariorum nostrorum aut aliorum ministrorum nostrorum quorumcunque qui pro tempore fuerint sine petitione alterius alicujus allocationis vel liberationis.  

By 1363 the burgesses and merchants of the abbey were quite specifically named as beneficiaries when they received two further royal favours. There was confirmed to them the monopoly of buying and selling without payment of toll, within the bounds not only of their burgh but also of the regality of the abbey. This was a considerable concession. A further grant was bestowed when the abbey and its burgesses and merchants were given a port at the grange of Gallet or West Rosyth. As a result of these concessions, the four Dunfermline regality burghs had a great potential for trading expansion. Their

93. RMS, i, 24.  
94. Reg. Dunf., no. 390. (Appendix I)  
95. Reg. Dunf., no. 391. (Appendix II)
area of monopoly was not confined merely to the immediately surrounding rural hinterland. Wherever the regality of the abbey extended, so did the trading rights of the abbey burgesses. As east coast towns, their opportunity for commercial activity with western continental countries and England was enhanced. Dunfermline, in particular, with its lack of any port and its close proximity stood to gain most by this grant of Gallet.

David II's charter of the following year (1354) in favour of the burgesses of Scotland, reiterating the mercantile liberties of burghs and their merchants, encouraged further this close link of burgh and trade. Burgesses were to have 'frie liberty to by and sell averie quhair within the libertyis of thair awin brugh' and none other; no 'bischope, priour or kirkman, nor erle, barroun or other of the temporall estaitt, by woll, skinnis, hydis or ony uther kynd of marchandice'; they 'sell nocht ony thing bot to the merchandis of the brugh within quhais liberty thai mak thair residence', and that, at the burgh market cross, and paying the king's customs; foreign merchants arriving by ship were to sell their merchandise only 'to the burgessis of our brughes'; and they were to 'by na kynd of merchandrice except fra the handis of the merchandis of our brughis'. The reign of David II saw the way open for the Dunfermline merchants to take full advantage of these proffered opportunities.

Probably soon after this, but certainly between the years 1365 and 1399, a grant was made by the abbot and the monks of Dunfermline, 'burgensibus nostris de Dunfermelyn et eorum heredibus inperpetuum gyldam marcatricem ... sicut burgenses

97. During the abbacy of John, possibly of Strathmiglo.
domini nostri regis in burgis eiusdem domini nostri tenent et possidant.98 It might be argued that this was merely confirming a right already held by the burgesses of Dunfermline, for a reference is made to property held by the gild 'of old'. But whether an original grant, or merely confirmatory, there is ample proof that by the latter half of the fourteenth century, the people of Dunfermline were now in a position to benefit fully from the trading rights inherently implied in the basic notion of a burgh.

Before continuing to consider to what extent the burgesses exerted their growing right to control the municipal organisation, the most fundamental liberty of a burgh, it is essential to look at the interaction of the roles of burgess and gild member. It has been argued on several occasions that the gild formed the very core of burgh government. Miller in 1891, for example, stated that 'Gilds seem to have been the first form of municipal government in Scotland',99 and then, 'The statutes of the gild made at Berwick which were enacted in 1284 ... formed, it is generally conceded, the first basis of municipal government in Scotland'.100 This is an extreme view favoured by other nineteenth-century Scottish historians, such as Colston who could argue that 'guildries were the first inception of a proper civic administration',101 but at no stage is there offered documentary evidence to strengthen the argument.

98. Reg. Dunf., no. 595*(Appendix III)


100. Ibid., 9.

It is certainly true that in eleventh-century Flanders there were examples of virtual merchant control of municipal affairs. The term 'poorter' became synonymous with 'burgess'.\textsuperscript{102} Also, during the control of Wulfric Rabel (1072-83) as castellan of St. Omer the gild was, to a great extent, set in charge of the management of the town;\textsuperscript{103} at Lille the merchant funds were used as the mainstay of the burgeoning city, and the name 'Count of Hanse' was used for the treasurer throughout the Middle Ages,\textsuperscript{104} thus leading Pirenne to the conclusion that:

The result of all this, manifestly, was that the gilds were, in the region of Flanders, the initiators of city autonomy .... It can be stated without exaggerating that in the course of the eleventh century the chiefs of the gild performed de facto the functions of communal magistrates in every town .\textsuperscript{105}

A study of the available Scottish documentary evidence, certainly in the eleventh century and even in the twelfth, does not however indicate direct parallels to the Flemish scene. Long before the Statuta Gilde were drawn up, the first signs, albeit still in embryo state, of the machinery of municipal government can be found, and the gild merchant was not then the essential organ. It would be fair, however, to agree with Tait that although the gild might not have been the essential nucleus of burgh organisation, it could be effectively used to express growing burgesic aspirations.

The Burgh Laws throughout deal with 'burgesses', 'nychtbouris' and 'gudmen' as synonymous terms. C. lxx states specifically that,

\textsuperscript{103} Pirenne, Medieval Cities, 194.
\textsuperscript{104} Ibid.
\textsuperscript{105} Pirenne, Medieval Cities, 195.
\textsuperscript{106} Tait, J., The Medieval English Borough, 233.
At the fyrst mute next eftir the feste of Sancte Mychael the aldirman and the bailzeis sal be chosyn thruch the consaile of the gud men of the toune the quhilk aw to be lele and of gud fame.

These 'gudmen' may well have been gildsmen, but there is no suggestion that they were exclusively or necessarily so. The merchant gild does receive attention in c. xciv, even though the Burgh Laws deal primarily with specifically municipal matters. The inclusion of this clause might even suggest that the gild merchant was, in the twelfth century, controlled by the burgh organisation, and the gild possessed no independent existence of the burgh. 107

The clauses of Assise Regis Willelmi naming specifically 'merchants' and 'gild merchant' 108 deal solely with mercantile affairs, and here there is certainly no confusion as to the relative roles of merchant and burgess. Even when considering the later Statuta Gilde it is immediately apparent that, although primarily regulations for the smooth-running of the gild merchant, they are promulgated not by the members of the gild themselves, but by 'the disposition of Robert Bernhame mair of Berwick and Simon Maunsell and other gude men of the said burgh'; 109 and it is now suggested that the inclusion of such clauses as xxxvii, which deals with the municipal government of the burgh, is explained by this origin, not by the fact that the gild controlled the burgh. It might even be argued that here was a very serious attempt by the burgh, having brought everyone into one single gild, to control the gild.

107. See Murray, Burgh Organisation, i, 463.
108. Assise Regis Willelmi, cc. xxxix, xl and xli.
109. Statuta Gilde, c. i.
That the gild merchant was not the essential nucleus of the municipal constitution may be seen from the examples of London, Norwich and Colchester, where a gild merchant never existed.110 But if one considers the available evidence of burghs where a gild merchant did develop early it is impossible to deny the close interweaving of burgh and gild. The instances of Berwick, of Perth and, particularly, of Aberdeen exemplify this. In Aberdeen the gild held such sway that the gild records indicate that in 1445, 'it was concludit statute and ordanit be the commoune counsaile and mony othir of the gilde'.111

It is not surprising that gradually as the burgh organisation developed the merchants of the community should begin to adopt a greater role in administrative affairs. They were often the more substantial members of the townspeople, and, with their gild institution, the most vocal and, probably, able. The gild might even be looked upon as a mouthpiece for burgeoning self-expression. Each burgh has its own history, but to a lesser or greater degree, in each burgh the merchants as the most fit burgesses, and not as merchants per se, increasingly gained control of the municipal organisation.

Care, as has already been stated, should be taken to not over stressing this duality of role. Quite probably in the twelfth century, as indicated, the terms 'burgess' and 'merchant' were used virtually synonymously. Gradually a more specific delineation would develop, but even into the fifteenth century confusion as to the respective duties and rights of gild and burgh are legion.112

112. For further discussion of this point, see chapter II.
The part played by the gild in the development of municipal liberties must not be belittled, however. There is some truth in Stephenson's statement that:

the later borough was fundamentally mercantile is beyond doubt. Commerce underlay its social structure, and, on this, in turn, was built its legal and political constitution. To analyse the municipal character is to be convinced that the boroughs to which they were granted were essentially trading communities. The typical burgess appears as a trader – his liberties, adopted to his own particular calling, serve to distinguish him from members of the military and agrarian classes. And when self-government emerges in the burgh, it is so intimately associated with the bourgeois status of the new age, and so completely unknown in rural communities that we are led to accept it as a peculiarly urban development. 113

But it is Pirenne who most nearly approaches the truth with:

Quelle que soit l'influence exercée par la gilde sur le développement des institutions urbaines, on ne peut trouver nulle part la preuve qu'elle ait produit ces institutions. 114

It is important to consider how far the implied liberties and rights of a burgh had been actually implemented in Dunfermline in the first three hundred years of its existence. The town's municipal records are partially extant from only 1433. To piece together the earlier occasional clues will not give a complete pattern, but may offer, at least, an outline basis for a study of the fifteenth-century constitution.

It is with extreme caution that one should assess the municipal organisation of any of the first twelfth-century burghs. The Laws of the Four Burghs could encourage a view of an emerging burgh as a self-governing, independent community, enjoying perhaps

113. Stephenson, Borough, 30.
114. Pirenne, Villes, i, 16.
not to the full, but to a fair degree, the status of a
liber burque. That the Laws of the Four Burghs specified
how a burgh should be organised does not mean that burghs
were organised in such a manner. While not disparaging the
notion of liberty inherent in the burgh from its foundation,
there is little to suggest that in the early days of its
inception this notion of liberty found much self-expression
in the field of urban organisation.

From their first days, praepositi were introduced into
the burghs;¹¹⁵ but these praepositi should not be seen in the
position of the later elected alderman. The praepositus was
an official appointed by the crown to enforce the crown's orders.
As such, he is met in Domesday Book, where the praepositus was
an official on a royal manor with the primary task of overseeing
revenues;¹¹⁶ and it was as one who obeyed royal commands that
praepositus Swein was referred to by David I.¹¹⁷ The earliest
references to praepositi in Scotland are from c.1130. Royal
writs dealing with the sasine of burgh lands are addressed
either to the sheriff or to praepositi. By the time burgh courts are first documented in the thirteenth century, although
it should be noted that burgh courts were of greater antiquity
than their documentation might suggest, one of these same
officials is found to preside over the burgh court.¹¹⁸ By the
time of William the Lion (1165-1214) there are references to

¹¹⁵. Mackenzie, Scottish Burgh, 47.
¹¹⁷. ESC, no. 1xxxv.
the ballivi of burghs. It has been argued that these officials should be seen merely as the royal appointees to collect revenues and support the praepositus and sheriff under the supervision of the great chamberlain. It should also be noted that c. ii of the Burgh Laws states that 'wha ever is made new burges of our lorde, he sall swer feate to our lorde the kyng and to his bailyes'. Without doubt, bailies, as well as prepositi and sheriffs were royal nominees. But when increasingly in this reign bailies are found, with no mention of sheriffs, perhaps there are to be witnessed the first signs of freedom from shrieval control, the first attempts to implement the Burgh Laws which laid down that bailies were to be chosen by the common consent of the 'gud men' of the burgh. This must, however, remain hypothesis. The earliest extant records of a burgh election are those of 3 Oct. 1398 in Aberdeen, by which date the alderman and bailies were elected 'with the consent and assent of the whole community of the burgh'. It would seem reasonable to say, however, that the change from a state where the sheriff and his officials, the prepositus and possibly bailies, are royal agents to one where prepositus and bailies are town agents is closely linked with the raising of the burgh fermes. The indications are that in the time of David I the duty of raising the burgh fermes fell to the sheriff.

120. Abdn. Recs., p.xxii.
122. Duncan, A.A.M., Scotland: the Making of the Kingdom, 483.
Clearly, however, this was a role taken over, through time, by the burgesses and as this latter developed, so did the nature of the prepositus change until ultimately he could be seen as an agent of the burgesses, not of the sheriff.

When Dunfermline reached this state of relative freedom to appoint its own officers cannot be said. Perhaps, however, a reasonable conclusion may be drawn from an item in the Wardrobe Accounts of Edward I. When dealing with the fees for digging a ditch around the town of Dunfermline, it is recorded, 'Burgenses de Dunfermelyn: Johanni le bayllif, burgensi de Dunfermelyn, et aliis burgensibus et probis hominibus ejusdem villa'. The bailie, or bailiff, John is clearly a burgese; and this form of address might encourage a view of the Dunfermline bailie being now 'of the people' rather than 'of the superior'.

One royal appointee from which Dunfermline was free was the 'constable'. Aberdeen, Dundee, Perth, Clackmannan, Irvine and Kinghorn had their 'constables'. The origin of this office is uncertain, but may have developed from the constable of the castle. Even though this office may have outlived the existence of a castle, it might survive by hereditary tenure. Hereditary or no, in Dunfermline this office is unknown.

The Laws of the Four Burghs laid down that each burgh should have a court. 'Certainly in the reign of William (the Lion) the burgh (of Aberdeen) had a court'; but how much jurisdiction these courts possessed must be doubtful. The early burgh charters are disquietingly silent on this matter. Purely

123. CDS, iv, 473.
burghal dealings, such as law and custom, and any matters dealing with burgh 'lands' came within their scope. But even this may well have been of restricted force. There is little to indicate how far the superior's appointed bailie or the burgesses' officials held sway in the twelfth and thirteenth centuries. More specifically, in the case of Dunfermline, there is no primary source that shows the existence of a twelfth- or thirteenth-century burgh court, but it may be reasonably presumed that there was. The limitations of such courts must have been determined by the chamberlain and justice ayres, and in the case of Dunfermline by the abbot's court. The great charter to Dunfermline Abbey, 1154 x 1159, which repeated David I's charter of 1128, granted that the abbey should hold its property freely, 'saving royal justice, should the abbot, by some neglect, default in justice in his own court'.\(^{125}\) There is no evidence that the crown ever exerted this authority, and from this date the abbot's court increased considerably in power.\(^{126}\)

Perhaps the ultimate expression of autonomy was the possession of a council or assize. The word 'council' does not appear either in the Burgh Laws or in early charters, but the head courts of the Burgh Laws were the early form of legislative assembly. It was laid down by the Burgh Lawe that each burgh was to have a body of discreet burgesses to preserve the laws and customs of the burgh,\(^{127}\) whereas the Statuta Gilde specified twenty-four of the better burgesses to be elected, along with the mayor and praepositus.\(^{128}\)

\(^{125}\) Reg. Dunf., no. 118.

\(^{126}\) See below, pp. 60–61. For a discussion of the crown's delegation of the exercise of part of royal justice to favoured tenants-in-chief see Anderson, A.H., 'The Burgh of the Canongate and its Court', chapter 2.

\(^{127}\) Leges Burgorum, c. lxx.

\(^{128}\) Statuta Gilde, c. xxxvii and APS i, 436, c. xxxvii and c. xxxvii.
This number points once more to a continental origin. Dunfermline, with other royal and abbatial burghs, must slowly have evolved its own legislative assembly. The powers of its 'council' may well have fluctuated, but the progress made since the days of the formulation of *Leges Quatuor Burrorum* to 1433 indicates that this 'evolution' had been taking place, slow though it may have been. The assertion of the right to autonomy was a gradual development. The Count of Flanders in 1227 bestowed on the burgesses of Bruges the right 'ut de die in diem consuetudinarias leges suas corrigerent';[^129] a realistic comment on burgh customs, rights and organisation.

This growth in the powers of the burgesses through their legislative organ is difficult to trace through the twelfth and thirteenth centuries in any royal burgh. The situation in Dunfermline is even more complicated by the fact that it ceased to be a royal burgh; and was considered an abbot's burgh by the end of the thirteenth century.[^130] (The first documentary evidence, however, is 1312 x 1328.[^131]) As a burgh 'of regality' (as it later became called, although the term was not in common use until the sixteenth century)[^132] the liberties, and expression of the same, of the burgesses depended largely on the superior. With the right to deal with the four pleas of the crown in its court, a regality could in theory be almost an independent state, with the superior virtually tantamount to a monarch.

It has already been noted that the burgh of Dunfermline appeared to lose favour after the reign of David I,[^133] but it

[^130]: For a further discussion of this transition, see below, p. 40.
[^133]: See above, p. 20.
was during the reign of William I that a significant decline in Dunfermline as a royal centre is to be seen. This would support the view of G.S. Pryde that Dunfermline as a royal burgh 'probably decayed early'.\textsuperscript{134} The reasons for this may never be completely certain, but it is quite probable that the suburb developing around the abbey gradually acquired dominance; and there was a decline in the royal burgh, the faubourg became the bourg, and the Dunfermline of the early fourteenth century onwards was topographically and legally, a new Dunfermline.\textsuperscript{135} Such decay and resurgence is not unknown elsewhere. Peebles and Selkirk might be considered in the same category with an 'old' and a 'new' town.\textsuperscript{136} There is also for Dunfermline abbey a certain parallel with the abbeys of Arbroath and Lindores which were granted the pre-existing burghs of Arbroath and Newburgh respectively.\textsuperscript{137} 

As an abbot's burgh the prepositus and bailies would initially be the abbot's appointees; the right to appoint being one that presumably the abbot would guard jealously. The fourteenth century did, however, see a gradual transference of authority, and these officials became more truly representatives of the burgh.\textsuperscript{138} In 1395 an indenture was made between Abbot John and his convent on the one part and the alderman and the community of the burgh of Dunfermline on the other.\textsuperscript{139} 

\begin{thebibliography}{99}
\bibitem{134} Pryde, G.S., \textit{The Burghs of Scotland}, 43.
\bibitem{135} For a further discussion of this, see below, pp. 111 and 125.
\bibitem{136} Duncan, A.A.I7!, \textit{Scotland; the Waking of the Kingdom}, 473.
\bibitem{137} Houston, J.M., 'The Scottish burgh', \textit{Town Planning Review}, xxv, 116.
\bibitem{138} Mackenzie, \textit{Scottish Burghs}, 98.
\bibitem{139} Reg. Dunf., no. 396.
\end{thebibliography}
juxtaposition of the alderman alongside the community of the burgh, rather than abbot and convent, would suggest that by now in Dunfermline the alderman was more 'of the burgh' than 'of the abbot'. There is a cautionary note, however. While in this indenture assuring to the burgesses of Dunfermline certain liberties, reservations are made, including

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salvis dictis dominis abbati et conventui terris
in dicto burgo ... correccione ballivorum quociens
contingerit eos ... delinquere,
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a 'correction' of the magistrate was to be reserved to the superior authority of the church. Total autonomy had not yet, even in 1395, been gained. The abbot, ultimately, might still bring his 'superiority' to bear on the community.

The term 'community' must be used advisedly when speaking of these early Scottish burgesses. The twentieth century mind might well comprehend the implications of 'community'; but its relevance to medieval man must be a moot point. It should be questioned how far the burgh had a corporate personality. The early charters are in favour of 'the burgesses' or 'the burgesses and their heirs', not 'the burgh'. Some would hold that for this reason alone 'every inference of corporate right or succession is altogether negatived'.\(^\text{140}\) There is very little extant from the twelfth century from which to infer a corporate right. William I's agreement with the burgesses of Inverness that they should build and, more important, maintain a palisade, might be taken as proof that the king believed that he was dealing with a group which would have an existence for an

indefinite future. Whether or not this is acceptable, the evidence of burgh seals from early in the thirteenth century shows some definite progress towards 'corporateness', since this implied a responsibility that was both collective and permanent. The idea of the burgh as a legal entity, rather than a group of individuals, developed, albeit slowly. Speaking of early burgh charters Ballard argues,

These ambiguities show that the draftsmen had scarcely begun to perceive that there was a difference between gifts to individuals and gifts to the respective bodies of burgesses, but their attempts to use the word 'borough' to signify the body of burgesses show that they were beginning to perceive this difference.  

The first known charter from the abbey to the burgh of Dunfermline is undated, but during the abbotship of Robert of Crail, 1313-28, a common was granted. It is perfectly clear that here was being given a corporate right. The charter is addressed specifically to 'the community of our burgh of Dunfermllyn, and the burgesses thereof'. In exchange the community was to give one pair of white Paris gloves or six pence, and this was to be an on-going commitment. There is little sign here of the ambiguities of earlier draftsmen.

Certainly by the fourteenth century the burghs, as organisations of groups of people, were attaining that peculiar state that might be called corporate. No public act by king or feudal superior had actually brought into existence this legal entity called a 'corporation', but the symptoms were there.

141. _CDS_, iv, 459.
143. _Rec. Dunf._, no. 596*. 
It has been suggested that by this time the Scottish burgesses possessed the five 'classic incidents' of the English incorporation. The first was the power to hold landed property. This right the burgesses enjoyed of old. The second was the use of a common seal. Dunfermline used a seal at least by 1395. To the indenture above mentioned between Abbot John and the convent and the alderman and community of Dunfermline were affixed not only the chapter seal of the monastery, but also the common seal of the burgh. The third classic incident was the perpetual succession of office-holders. By the fourteenth century this facet of burgh life was well-established, and, although there may not have been any legal ruling on this, the right and duties of office-holders were handed on from generation to generation of burgesses. Paragraph 10A of Erskine's Principles of the Law of Scotland sums up the fourteenth-century situation.

The institution known to the Romans as 'universitas' and to us as a corporation ... was managed by office-bearers under the control of its members; it lived on as a separate persona in spite of changes in its members.145

Fourthly, as a body the burgh held the right to make bye-laws, a right exercised increasingly from the establishment of head courts and continued through the assize or council. The fifth classic incident was the 'power to sue and liability to be sued as a body'. That the burgh could sue and be sued in the fifteenth century at least, is known; and it is interesting to note that there

tended to be an identification of the burgh with its official members. Magistrates were made personally liable to fulfil the obligations of their burgh. An action against 'the provest and bailzeis of the burgh of Edinburgh' by the provost of St. Giles Church in 1482 for payment of his pension was 'an obligacione of the said burgh of Edinburgh', but the Lords Auditors found that payment should be made by 'the sade provest and bailzeis ... under the pane of warding of their persons in the blacnes'. 147 This need not, however, necessarily be an argument against the burgh's possession of the status of 'incorporation', for in Scotland until the eighteenth century the practice was enforced of imprisoning magistrates for the debts of the burgh.

It may be argued then, that, by the end of the fourteenth and the beginning of the fifteenth centuries the burgh, although not endowed by charter, largely possessed de facto what has been called the 'naturalia of corporations'. 148

Whatever might have been the origin of its enfranchisement, the city of the Middle Ages did not consist of a simple collection of individuals; it was itself an individual, but a collective individual, a legal person. 149

This slow progress to a fully-fledged legal entity, a true community, could not be completely achieved, however, without two further factors. The first of these was representation in parliament. Such representation had perhaps been a little difficult as long as each individual burgess per se was a crown


149. Pirenne, Medieval Cities, 187.
tenant, but once a burgh was in feu the relationship between it and the king was of a more corporate character and parliamentary representation was thus made easier. A foretaste of self-expression had been gained early at the Court or 'Parliament' of the Four Burghs and by the participation on 23 February 1296 of certain burghs in the treaty with Philip IV of France, which was sealed at Dunfermline by a number of Scots representatives, including six *communitates villarum*. Burgh representation in the reign of Robert I; burghal financial contributions to central funds from 1341; and the co-operation of the burgess 'third estate' in the reign of David II, were all of vital significance, not merely at the national and constitutional, but at the local, burghal level as well. It is clear that by 1366 the presence of burgess representatives at parliament was becoming accepted, if not commonplace. Burgesses, as well as prelates, earls, barons and freeholders were summoned to attend parliament in the 'accustomed manner'. Equally clear is that the attraction of the burgess representation was the taxable capacity of burghs. The financial requirements of the crown gave the burghs a voice in national deliberations. Self-expression bred self-confidence, and an even greater awareness of the notion of 'community'.

Probably, however, the one factor in a burgh's life that had most impact was the achievement of feu-ferme status. There appears to be no evidence of this in Scotland prior to the reign

150. *APS*, i, 453.
151. *APS*, i, 498 a.; i, 507b.
152. Duncan, A.A.M., 'The Early Parliaments of Scotland', *SHR* xlv, 51. This point is discussed at some length.
of Robert I; and whether it was an importation with Edward I cannot now be proved; but for Scottish burghs it was a vital innovation. In 1319 Robert I transferred to the community of Aberdeen the revenues of the burgh (apart from the Great Customs), and the community, as a tenant-in-chief of the crown, was to pay a fixed annual ferme in perpetuity. Aberdeen was the first of many burghs to achieve this.

For the first time, a burgh was required to act as an individual in relationship to its superior; it had the sole responsibility of raising its own revenues; and the duty of transferring to the superior a set sum annually. The ability of the burgh to actually attend to the management of the feu-ferme system indicates a certain measure of municipal organisation. In thus gaining control of its own fiscal arrangements the essential basis for self-government had been totally achieved. This step came for Dunfermline in 1395 on 10 October when Abbot John and his convent conferred

in perpetuum prefatis aldirmanno et communitati omnes redditus dicti burgi ad eorum scacarium pertinentes cum parvis custumis stallaglis et exitibus curiarum ac totum burgum in plena libertate ... adeo libere in omnibus et per omnia sicut aliqui burgenses domini regis aliquem burgum in regno de dicto domino regis ad feodi firmam tenant habent aut possident.

153. By the twelfth century a number of English towns were gaining the concession of answering for their own ferme, London and Lincoln being the first, before 1130 (Reynolds, Medieval Towns, 104).
CHAPTER II

THE MUNICIPAL ORGANISATION OF DUNFERMLINE: AND THE GILD’S ROLE THEREIN

It has already been argued that before 1433 the burgh of Dunfermline had developed into a municipal unit with the theoretical right of independent action in legislative, judicial and fiscal matters. In practice there were several avenues through which inroads might be made on the privileges of the Scottish burgess populations and care must be taken to not overemphasize their scope. It would be only too easy to exaggerate the liberties of fifteenth-century burghs into such proportions that the picture becomes one of totally free, unencumbered self-determination. While recognizing the increasing degree of independence displayed by many Scottish burghs, one must question how far in practice Dunfermline did exercise total control over its municipal organization.

Royal authority over the kingdom of necessity impinged on all the Scottish burghs. It was from the crown that ultimately burghal power emanated. Burghs had certain far-reaching privileges precisely because these had been granted by the royal feudal overlord, and a burgh of barony just as much as a royal burgh owed allegiance to the crown. One of the first rulings laid down in Regiam Majestatem is ‘of him that is made new burges, he acht to swears first fewtie to the King’, and then to ‘the baillies of that town where he is made burges’. In 1490 Paisley was erected into a free burgh of barony by its abbot’s charter. It was specifically stated that burgesses on being

1. See above, p. 46.
2. Warden, A.J., Burgh Laws of Dundee, 68.
received should swear to be faithful to

our sovereign lord the King and his successors,
Kings of Scotland, as also to the Steward of
Scotland and his heirs and successors, and to
us the Abbot and convent and our successors, and
to the said bailies and community, and common
utility of the said burgh, in the same manner as
burgesses in other burghs do, or have been wont
to do.  

'Free burghs' Paisley and Dunfermline may have been, but
their rights fell far short of full autonomy, and privileges
bestowed could be withdrawn. Legally, there was nothing to
prevent the Scottish crown following the English example.
London suffered on several occasions from a suspension of its
liberties. Four times Henry III took the city directly under
his authority. After the death of Simon de Montfort it lost
control of its own affairs, and had its liberties restored by
Edward I only with an increased farm. Southampton also was
to feel the brunt of royal displeasure by the removal of its
burghal liberties. Although central power was not used in
Scotland in such a dramatic fashion, a withdrawal of privileges
was an ultimate weapon, as available to the Scottish crown
as to the English.

Burghs of barony, just as much as royal burghs, were
committed to support of central authority. It is clear that
wealth, not status, was the deciding factor as to which burghs

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4. Free transcription from the original Latin.
5. For discussion of the reasons for this, see Reynolds, *Medieval Towns*, 131-132.
contributed to national levies. Of the forty-two places thus categorised between 1366 and 1374, \(^8\) eleven were dependent burghs: Dunfermline, with St. Andrews, Brechin, Glasgow, Canongate, Arbroath, Kirkcaldy, Musselburgh, Dunbar, Irvine and North Berwick. In 1366 £6. 18. 8 was raised by Dunfermline, and three years later £6. 18. 0; and in 1373, £7. 3. 0 was the burgh's quota. Greater church burghs were, moreover, throughout the fifteenth century expected to join the royal burghs in the financial support of the crown; \(^9\) and this included Dunfermline. There is no evidence, however, that the burgh enjoyed the right to send representatives to either the Court of the Parliament of the Four Burghs nor even to parliament, although St. Andrews and Brechin gained representation in 1456 and 1478 respectively. \(^10\) The potential of ecclesiastical burghs as sources of income, however, soon gave the wealthier identical rights with royal burghs. St. Andrews was represented at the Convention of Burghs by 1533, Glasgow by 1552 at least, and Dunfermline, Brechin and Arbroath by 1555. \(^11\)

A burgh's obligation to fulfil the feudal duty of defence of the kingdom applied equally to royal and free burghs of barony, although in some cases a physical presence could be transmuted to a financial settlement. \(^12\) The king's influence

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8. *ER*, ii, 257; 341-2; 353-4; 431-2; 457.
11. *ACRB*, i, 513, 515; i, 2; i, 10; and see Keith, T., 'The trading privileges of the royal burghs of Scotland', *English Historical Review*, xxviii, 463.
12. See below, p. 274.
could, moreover, be felt at a more personal, local level within both royal and non-royal burghs when he acted in his role as feudal superior of lands within the burgh; or, for example, as in 1435, when Will of Annand was admitted into the gild of Dunfermline 'at the instans of the King'.

In the final resort, the peace of Scotland was the king's peace. As far as burghs were concerned royal power was traditionally personified in the lord chamberlain. Although it has been argued that the chamberlain's influence extended solely to royal burghs, in practice five of the largest non-royal burghs were treated very much in the same category, mainly due again to the fact that wealth and size could overcome any slight disadvantage of tenurial status. To the chamberlain fell the role of overseeing the bailies' administration, the supervision of burgh courts, the settling of disputes between burghs and presiding over the Court of the Four Burghs, where judgements made and gainsaid at burgh courts were determined. In a law attributed to Robert III it is stated that such matters were to be dealt with at Haddington. In 1454 the venue was laid down as Edinburgh, and in the Drummond manuscript of these laws, it was specifically laid down that 'domys yt ar falayt in ony burgh of ye kyngs or in ony other burgh of regale sal be discussit be foir ye gryt chameralin off Scotland or his deputs in ye court of ye four burrovis'. Clearly the crown

15. Leges Burgorum c.56; Item Camerarii c.28; Fragmenta Collecta c.34.
16. APS, i, 742.
18. Ibid., 12.
intended to keep some authority even within ecclesiastical burghs. Apart from attending to these latter matters the chamberlain functioned on circuit or ayre in annual visits to the burghs. Such sweeping powers, as laid down in Articuli inquirendi in Itinere Camerarii and in the apparently fourteenth-century capitulary known as Iter Camerarii could not but diminish the total independence of burghal administration, even within a non-royal burgh.

Care must be taken when reading of the chamberlain ayre in local primary sources. The abbot of Dunfermline had a chamberlain, whose main function was to collect rents, and he travelled on ayre. It is possible then, for example, that when the gild brethren convened at John Bothwell's on the occasion of the ayre visiting Dunfermline that this was a visit of the abbot's chamberlain, not the king's. Matters not dealing specifically with finance when mention is made of the chamberlain's ayre were more probably, however, being dealt with by the royal functionary.

In a parliament held in 1458 complaint was made of the chamberlain ayres 'be the quhilkis all the estates, and specially the pure commounis, ar fairly grevyt'. In practice, however, evidence from the latter half of the fifteenth century does not confirm this statement. Records of later meetings of the ayres detail more prominently its working as a financial instrument. The last chamberlain ayre was held in Edinburgh in 1517, but in fact there had been very few in the previous decades, the last having

21. APS, ii, 50.
been assumed to be in Dundee, Perth and Cupar in 1511 x 12.\(^{23}\)

On 23 November 1480, the Dunfermline alderman and bailies 'gart call Will Blakburne to follow John Browne as it was dereckyt furtht of the chawmyrlen ayr';\(^{24}\) and on 22 May 1493 judgement was made in the tolbooth of Dunfermline 'in itinere camerarie'.\(^{25}\) These two records of proceedings and reference to the chamberlain ayr at Crail on 3 February 1490/1\(^{26}\) and at Cupar four days later,\(^{27}\) are among the few mentions made of the chamberlain ayr in matters other than financial in the last decades of the fifteenth century. The picture then is not one of an oppressive overruling by the chamberlain's authority. Even royal burghs in the earlier part of the century, such as Peebles, did not receive the statutory annual visitation from the chamberlain ayr;\(^{28}\) and by the latter decades the Lords Auditors were dealing with burghal cases which might have been expected to go before the ayr.\(^{29}\)

There is recorded in the Gild Book of Dunfermline for the year 1490, 'Thir ar the excess of the ayris vj lib xiiij s.iiij d.' and underneath 'Llythtgwhow (sic.) iiiij lib. Invirkethyn iiij lib. xiiij s. iiiij d. Kyngorne iiiij mark Cowpir v lib. vj s.iiij d. Pert vj lib.xiiij s.iiij d.'\(^{30}\) thus indicating the importance of

\(^{23}\) Murray, A., 'The last chamberlain ayr', SHR, 39, 85.
\(^{24}\) Dunf. Recs., 24.
\(^{25}\) Dunf. Recs., 42.
\(^{26}\) Cupar Burgh Records, February 1490 (B. 13/22/11)
\(^{27}\) Cupar Burgh, Records, February 1490 (B. 13/22/12). I am indebted to Dr. A. Murray for drawing my attention to this minute.
\(^{28}\) ER, v, 78.
\(^{29}\) ADA (1466-94), 176.
\(^{30}\) MsGB, 18.
the chamberlain as a receiver of issues of the ayre. The paucity of evidence in the Exchequer Rolls does suggest, however, a progressive decline in revenue from this source, and by 1535 the Lords Auditors of Exchequer assumed the final vestige of the chamberlain's power in burghs, the control and supervision of finances.

It is probably fair to say that the burgh did feel the occasional weight of royal power in its daily municipal routine, through the chamberlain ayre, but this was by no means an oppressive one, and, in spite of such acts as that of 1503-4 stating that appeals from burgh court decisions should be presented to the chamberlain, the ayre became more and more a dead letter in the course of the fifteenth century.

One can sense the assurance that was already maturing in Dunfermline in the Gild Book minute dated 24 December 1585. One Robert Dewgart and his wife Katherin Porteon appeared desyring licence and privilege to use handling within this brucht be vertew of ane licence grantit to thame be our soverane lord for using of handling in all burrows within this realme the provest dane of gild and hails gild brethren all in ane vocffindis that na privilege are to be grantit to thame be rassoun of the said licence because of their privileges and liberties grantit to the said brugh of befoir and that the samin is erectit ane frie brucht of regalite quharupon the kingis may nocht justlie intrude any persoun upoun thame for hurting of thair liberties.

Dunfermline, being no longer a royal burgh, may have been spared overdue interference from the crown. The area from which pressure on internal policies might be felt was much nearer home,

31. If this be a reference to the royal chamberlain ayre, not the abbot's chamberlain ayre.
32. APS, ii, 349.
33. APS, ii, 246.
34. MaGB, 92.
in the person of the burgh’s immediate superior, the abbot of Dunfermline. The case of Dunfermline is somewhat obscure, for its metamorphosis into an abbot’s burgh is not documented, but it is clear that by the fourteenth century Dunfermline received its liberties by charter from the abbot not the crown.\textsuperscript{35} The crown’s permission may have been bestowed and royal guidance given, but it was from the immediate superior that the burgh’s privileges normally emanated.\textsuperscript{36} The indenture of 10 October 1395 which set the seal on the future of Dunfermline as an independent, self-determining unit, contrarily contained the seeds from which abbatial domination might flourish.\textsuperscript{37} While on the one hand bestowing on the ‘alderman and community’ feu-ferme status, Abbot John, on the other, reserved to himself and his successors a forceful weapon: the right of check over the burgh bailies, ‘ac correccione ballivorum quocis contigerit eos ... delinquere’.\textsuperscript{38}

This was by no means an unusual right for a feudal superior to retain to himself. It was for him to give as much or as little as he wanted. The royal charter issued on 19 August 1480 granting the right to the abbot to erect a burgh of barony at Paisley cited as examples,

\begin{center}
sicut burgi de Dunfermleyn (sic.), Newburgh et Abirbrothok aut aliquis alius burgus in baronia in regno nostro quibuscunque temporebus retroactis liberius infeodatur seu tenetur.\textsuperscript{39}
\end{center}

\textsuperscript{35.} For a discussion of this transition, see below, p. 111.

\textsuperscript{36.} \textit{Pais. Chrs.}, 33.

\textsuperscript{37.} See above, p. 46.

\textsuperscript{38.} \textit{Dunf. Reg.}, no. 396.

\textsuperscript{39.} \textit{Pais. Reg.}, 263.
The abbots were then specifically entitled to retain to themselves far-reaching burghal domination,

Ac insuper concessimus et tenore presentis carte nostre concedimus dicto venerabili patri et successoribus suis abbatibus de Pasleto, facultatem et potestatem ad eligendum annuatim prepositum, bailivos, et alios officiarioris dicti burgi, et eosdem totiens quotiens opus fuerit removendi, et alios in eorum locis de novo eligendi et imponendi, prout sibi Abbati et successoribus suis melius videbitur expediens, conveniens et opportunum, absque aliqua alia electione burgensium seu communitatis predicti burgi et sine aliqua revocatione aut contradictione nostra aut successorum nostrorum super premissis quovis modo facienda in futurum.

In the event the abbot's charter of 1490 transferred this right of appointment of lesser officials (but not bailies and provost) to the burgesses, as presumably had happened in Dunfermline, and Newburgh and Arbroath. All burghs of barony, however, were not as favoured. At Kelso, for example, the Earl of Roxburgh and his heirs were granted the right by James VI to appoint all burgh officials, including bailies.

The early ecclesiastical burghs of Scotland were probably in a more favourable position than their English counterparts, however. Mesne boroughs often failed to gain the rights bestowed on their royal neighbours, and, it has been argued, 'the most restrictive lord of all tended to be the church'. Tavistock, Abingdon and Bury St. Edmunds, for example, had lengthy struggles throughout the thirteenth and fourteenth centuries to gain any true measure of municipal independence. And in Wales also, to cite only one case, the burgesses of Swansea, not an ecclesiastical

41. Mackenzie, Scottish Burghs, 81.  
42. Reynolds, Medieval Towns, 115.  
43. Hoskins, W.G. and Finberg, H.P.R., Devonshire Studies, 189.
borough, found themselves totally subordinate to the lord of Gower and his steward and the final selection of the portreeve was in the hands of the feudal superior. 44

In comparison, the correction of bailies reserved to themselves by the Dunfermline abbots was not repressive nor illiberal. Moreover, there is not a single recorded instance of a fifteenth-century abbot of Dunfermline asserting this right. To infer from this that the abbots never did so would, however, be foolhardy. If there was an occasional disciplining of bailies it is understandable that the local clerk did not find either the burgh court records nor the gild court records the appropriate place to minute such misdemeanours. Hence possibly the silence. But had this correction been at all oppressive or abused the silence doubtless would have been broken.

More generally, there is no evidence in Scotland of the type of vituperative in-fighting between town overlord and burgh hierarchy as witnessed so often in England. 45 The picture is much more one of superior and townspeople pursuing a common interest, the welfare of the burgh. Just as Wulfric Rebel (1072-1083) saw how self-interest could best be served by permitting the gild of St. Omer to attend to burghal matters, 46 so the abbots of Dunfermline must have appreciated the many virtues of peaceful co-existence with their increasingly self-determining burghs.

45. Gross, Gild Merchant, i, 91. See also Trenholme, N.M., The English Monastic Boroughs, passim, where he details the struggles of later medieval English monastic boroughs to gain greater liberties.
46. Pirenne, Villes, i, 406.
The abbot's influence was felt in the daily running of the burgh; but one may not agree with Murray's view that, 'the provosts and bailies of ... Dunfermline ... were chosen by their feudal superior(s), the abbot(s) of the monastery to which they belonged'. There is no evidence as to exactly how the alderman and bailies came to be appointed to office. The Burgh Records indicate that on 5 October 1490, 'David Cowpir was maid alderman Wilyam Cokburne and Alan Walled balyeis'; and on 2 October 1492 'John of Mentatht was maid aldermane David Lytstar and Wilyame of Spittell balyeis'. This act of 'making' the alderman and bailies may have followed upon a Michaelmas election, either totally free at the discretion of the burgesses, or perhaps with the advice and consent of the abbot, as may have been the case in Glasgow in the fifteenth century. Nor is there any evidence that one of the bailies was a town nominee and the other the abbot's as was the case in Arbroath. It should, however, be noted, that on 30 August 1501, the alderman David Coupir and one of the bailies, John of Walled, were brought to court for breach of the peace by disagreeing with each other. Their judges were an assize of twenty—three of their peers. There was apparently no correction by the abbot or abbot's representative. The indications are, therefore, that the Dunfermline bailies and alderman were 'of the burgh', a privilege

47. Murray, Burgh Organisation, i, 165.
49. Dunf. Recs., 39.
51. Murray, Burgh Organisation, i, 172.
52. Hay, G., Arbroath, 115.
53. Dunf. Recs., 118.
not granted to many abbots' burghs.

Specific information as to how bailies and alderman came to their offices in Dunfermline is not available until 1573. On 13 October of that year Gilbert Kennedy was 'chosen bailzie be the craftis for ane yair'. A week later

Robert Pantoun Dean of Gyld in name of the gyld brethren and Laurence Stevinsoun in name of the craftis protestit that nether baillie nor officer be chosin in tymes cumyng without the commoun consent of the consala gyldis craftis and communitye.

Two years later John Wemyss of Pittencrieff 'be commoun consent of the haill nychtbouris was electit and chosein provest for ane yair to cum' and on the same day two bailies, one by the 'provest and gildis' and another by the 'craftis'.

It is clear that a hardening of the definition of respective rights of gild and crafts had by now taken place, but the allusions to the 'commoun consent of the consala gyldis craftis and communitye' and 'commoun consent of the haile nychtbouris' are probably reminiscent of fifteenth-century thinking and practice.

It would appear, then, that the burgh was permitted a relatively high degree of independent action in its choice of officers; and compared with many fifteenth-century burghs of barony Dunfermline's relations with its superior seemed particularly harmonious. Evidence of the abbot's interest in burghal affairs can be most readily found when he occupied his role as superior of many tenements in Dunfermline, his representatives pursuing such normal routines as those of escheat,

55. Ibid.
56. Ibid., 12.
subinfeudation, and rent collection. The abbot may be considered very much as an interested, involved by-stander, concerned not only to pursue his own interests, but also those of his burgh. A fine example of this overlapping of interest is shown on 23 December 1448 when the abbot of Dunfermline, Richard de Bothwell, as superior, and his council arbitrated between the burgesses of Dunfermline and Kirkcaldy as to whom should have the greater economic influence in the shire of Gatmilk. The gild accounts indicate the pleasure of the burgh at the decision, 'Inprimis in win giffin to the abbot at the deliverans of the decret of our freedom of Gaytmylk betwyx us and Kircaldy xjs'.

There are references throughout the gild and burgh court records to minor involvement on the abbot's part in matters such as the entrance of gild brothers to the freedom 'at the instanis and request of our lord the abbot'. Such references are to be expected, but the interest displayed at the burgh court by the abbot in the 'clanging' of the Tower Burn and the decision that one Thomas Fyn should 'big mend and flag' the same on 24 November 1518 is more readily understood after a full reading of the entry shows that the blocking of conduits and haphazard siting of middens was fouling the functioning of the abbey's mill wheel.

Markets were of prime economic importance in burghal life and not only would the feudal superior be involved in the authorisation of such matters, but his seal of approval was

58. MsGB, 104v.
59. See below, p. 161.
60. Dunf. Recs., 297.
actively sought by the burgesses. A memorandum of 5 February 1464 aptly shows the working together of community and abbot.

It is appoyntit and accordit and fullely deliverit be the aldirman balyeis and communite of the burgh of Dunfermlyn and apprevit confirmit and ratifiit be a venerable fadir in Crist Richard be Goddis tholing abbot of Dunfermlyn ... that in tym cuming for evir that marcate day to be on the Setterday and that na marcate be haldin within the said burgh upone Sunday na yet on na festivalle day na bothis be oppynit na yete na merchandis be made.

One area where there was the potential for an impinging on the rights of the burgesses of Dunfermline was in the abbot's dealings with the regality court. The Abbot of Dunfermline, as such, held three courts of regality to control his extensive jurisdictions. The court in Fife, to deal with landward territory, citra aquam, that was, land outwith the burgh of Dunfermline, was held in the tolbooth of Dunfermline, the meeting place also for the burgh court and for the gild court.

The earliest surviving records of the regality court dealings commence in 1531 with the 'Court Book of the Regality of Dunfermline'. If for the earlier period conclusions may be drawn from these sixteenth-century records, it might be inferred that this court did not threaten to intrude on the rightful scope of burgh or gild court dealings. There is no reference to the regality court in the gild court records of the fifteenth century. In the burgh court records on 3 May 1499 are details of Alan Cant being granted £6. 5s. 5d. annual rent of a land on the north side of Causagait.

be the vertew of ane precept direct to the sade Allan be the abbot of the abbay of Dunfermlyne,

61. MsGB, 9v.
quhilk lands was Sande Westoutis and his wiffis and opentit fra thaim in jugement in the court of the regalty of Dunfermlyn in the defalt of payment of xj lib.64

There may be here an example of intrusion by the regality court, but more probably it was a case of a land held by the abbey which although lying within the burgh of Dunfermline and therefore obliged to obey the local custom and bye-laws, came within the jurisdiction of the abbey, and therefore within the remit of the regality court. Dunfermline would not be unusual in this, and similar examples are encountered in Aberdeen, Renfrew and Berwick.65 When it is noted that the only other two references (dated 1490 and 1493) to the regality court are on the parchment fly-leaf of the 'Burgh Court Book of Dunfermline',66 it is not unreasonable to surmise that the regality court encroached very little upon the privileges of the Dunfermline burgesses.

This by no means however suggests that the regality court of Dunfermline was ineffectual, and it may well have been that the regality court was more powerful than the surviving fifteenth-century evidence indicates. A 'part of the convent' might be called to appear at the burgh court when issues to be solved fell within the remit of the latter;67 and likewise the abbot's instructions to remove a ward from the tolbooth were obeyed on occasions when his disciplinary authority was more appropriate.68

There is one example only of a successful removal of a case from

64. Dunf. Recs., 333.
67. Dunf. Recs., 53.
68. Dunf. Recs., 82.
the burgh court to a 'spreitwall juge' in the fifteenth century.\(^{69}\)

There is no evidence of regality and burgh personnel acting in a dual capacity simultaneously, as in the Canongate in the sixteenth century;\(^{70}\) and the supervising of the two courts in Dunfermline was quite distinct. The regality court was a powerful force and one which the burgh respected. A fine example of this is seen on 21 June 1491,

\[
\text{the alderman balyes and communite forgaderit}
\]
\[
\text{in the tolbutht of Dunfermlyn and intendit}
\]
\[
\text{till haff haldyn a burow court and becaus the stewartis court was nocht haldyn the burow court mycht nocht proced and delayit it qhuil that day xv dais.}\(^{71}\)

Taking care not to exaggerate the independence of the burgh, it may be concluded that on the evidence available there was in Dunfermline an amicable *laissez-faire* relationship between abbot and burgh.\(^{72}\) The aims of the two were so clearly and frequently identical that the occasion for clashes rarely if ever presented itself. It is incorrect to speak in terms of 'interference' by the superior, as there is no evidence that intervention on his part was resented. Indeed, the support, if not almost patronage of the abbot as well as local lords was tolerated, it would seem, provided that the welfare of the burgh was thereby enhanced.

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\(^{69}\) Dunf. Recs., 101.

\(^{70}\) Court Book of the Regality of Broughton and the Burch of the Canongate, 1569-1573, passim.

\(^{71}\) Dunf. Recs., 28. This 'stewartis court' has been understood to be the Regality Court; and not to be referring to the court of the laird of Rosyth, as evidenced in Dunf. Recs., 63, which was held in Rosyth.

\(^{72}\) Dunfermline's relationship with the abbey compares most favourably with many other monastic towns. See, for example, the extent of the power of St. Edmund's Abbey in Gottfried, R.S., Bury St. Edmunds and the Urban Crisis: 1290-1539, 167-172.
It is, however, well known that burgh privileges often became a prey to the greed of influential local lords like the Menzies family in Aberdeen. By 1555 at a meeting of the Convention of Royal Burghs 'heavy complaint (was) made by some burghs that they were oppressed and greatly defrauded of their privileges by great men of the country, tending to put them to utter decay'. Dunfermline was potentially as vulnerable to such pressures as other Scottish burghs. The most important local family was that of the Stewarts of Rosyth, and the gild and burgh records throughout the fifteenth century reveal their influence. Their attentions seem not to have been resented by the burgh, which appears to have been happy to accede to their wishes wherever possible.

In 1438 Sir David Stewart together with the abbot was instrumental in ensuring the free entry to the gild of one Alexander Boys. Two years later a newcomer to the fraternity had twenty shillings of his forty shillings entrance fee returned to him at the request of Sir David. It is doubly significant that on the same day not only was a ruling reiterated that admission should be granted only on the payment of the usual forty shillings or through heirship, but also that the scribe should specifically note that the gild brethren made this decision 'with hale commoun consent', 'in the presens of Schir David Stewart and Henre Stewart aldirman'. Sir David Stewart held no official position in the

73. Lynch, M., Edinburgh and the Reformation, 4; Lynch, M., 'Whatever happened to the medieval burgh?' in Scottish Economic and Social History, 1v, 19.
74. RCRB, 1, 12.
75. MGGB, 2v.
76. MGGB, 4v.
In 1444 Robert Stewart 'was made gild brother fre'; in 1453 'William Stewart was mad gild brother in favouris of hys awn request and for the wyn'; and in 1489 'Archibald Stewart was maid gild brother for his gud meratis and for Schir Davy Stewartis request'.

Exact relationships of all the Stewarts cannot be precisely defined; but it is not unreasonable to surmise family links between most, if not all, of these gild brothers and the Stewarts of Rosyth.

It would, however, be unfair to imply that this interest in the burgh's affairs was usually distasteful to the townspeople. A ruling on 7 May 1449 at the gild court 'in the presense of Wylyham Stewart John Wricht aldirman Schir John Wylyhemsone den with the laft of the consal of the ton', virtually conferred an honorary position of authority on the laird of Rosyth; as does the minute of 26 January 1500 it is statute and ordanit be the alderman and balyeis and all the communite of this burgh with consent of the laird of Rossyth that quhatsumeir burges withitin the burgh forstallis the markat he sail tyne his fredome at the will of the aldermane balyeis and communite of the burgh.

At that same meeting of the burgh court Michel Johnsons and Johne Symson, having offended against burgh laws, 'war restorit to thar fredome that (sic.) the raquest of the lard of Rossitht'. These are not the records of a burgh struggling unwillingly under the oppression of an overweening

77. MsGB, 4v.
78. MsGB, 6.
79. MsGB, 8.
80. MsGB, 18.
81. MsGB, 7v.
82. Dunf. Recs., 64.
local lord.

Nor is there any suggestion of unwanted interference by Wilyam Stewart of Rosyth in the dealings of the burgh court when he temporarily halted proceedings in a case against Robyn of Borthwyk on 18 June 1493:

Robyn of Borthwyk comperit in jugiment, wyth a letter of suplicacione of the lard of Dundas and prayt Wilyam Stewart lard of Rossith to superced the action betwix hym and Wil Scot the whilk he supercadit but prejudc till hym in tym to cum. 83

The indications are that in Dunfermline, as in Arbroath, whatever outside interference from great or noble families there may have been, it was not excessive; nor did the burgh feel so dominated by the Stewarts of Rosyth that they became subservient. On 28 May 1499 at the burgh court

it was fynde be ane assis that the borch that Wilyame Stewart of Rosstith fande upon Johne Jhonson tweching the vranquis withthaldin of ane quy wes of na availl quhar for the sade Wilyame wes amerciat and dome gevin tharapone. 85

The Wemyss of Pittencriff and the Halketts of Pitferrane although notable families, did not apparently abuse their position, and it was not until the sixteenth century that they often held office in the burgh, and even then such positions were bestowed by the burgesses, and not taken forcibly by themselves. 86 The act of parliament ordering the chamberlain to ascertain whether anyone had gained the backing of 'a lord dwelling to landward to come to the courts of the burgh in prejudice or scath of his

83. Dunf. Recs.. 43. To 'supercede' or 'sist' an action was to bring temporarily to a halt. See Bute ms. No. 96, in The Register of Brevies 1286-1386, 19.
84. Hay, Arbroath, 106.
85. Dunf. Recs.. 96.
86. Dunf. Recs.. 117, 152, 224, for example.
neighbours' was repeated in 1458 and 1491. This would suggest that an abuse of privilege by local gentry and nobility was more prevalent in other parts of the country than appears to have been the case in Dunfermline.

Dunfermline in the fifteenth century accordingly seems to have been a community that enjoyed many liberties, which enabled it to achieve a fair measure of self-determination. This did not mean that it was constitutionally an 'island'; the burgh owed responsibilities at the national level and was aware of the authoritative position of the abbot and landed families at the local level. The leaders of the community were probably wisely aware that their hard-won privileges could best be protected and enhanced by recognising and utilising the influence of others. This attitude was instanced on 12 October 1515 when it was once more ordained that Saturday should be the market day of the burgh. It was considered politic that this important ruling should be made in the presence of 'James postulant of the abbay of Dunfermlyn wytht the aldirmane balyeis the comunite of the toune, and otheris reverend nobil and wordy mene thar present'.

A clear picture of how any individual burgh conducted its routine municipal administration can be gained only by a close study of its own records, and an assessment of Dunfermline's

87. APS, i, 702.
88. APS, ii, 50 c 24 and ii, 227 c 17.
89. Compare, for example, with Aberdeen, in Dickinson, W.C., 'Burgh life from burgh records', Aberdeen University Review (1945-46), 217.
fifteenth-century municipal administration must be limited by the surviving fifteenth-century local source material. The picture will of necessity be incomplete. But it would be unwise to exaggerate the uniqueness of any one burgh. There is a measure of conformity between Scottish burghs, and parallels with burgh organisation throughout western Europe are also notable.\(^91\) Inference from other records is perhaps not unjustified, as long as exact replicas are not sought. Within these circumscribed parameters it is still possible to gain a relatively clear view of the constitutional functioning of the fifteenth-century burgh, and the role that the gild played there.

The administrative head of the burgh was the 'alderman' or prepositus, both titles being used in Dunfermline synonymously in this period; the former used in the vernacular and the latter in some Latin records. How this official was chosen is not documented, but it was at the Michaelmas Head Court, which, traditionally, all burgesses attended, that the alderman took office. In 1492 John of Mentatht, for example, 'was maid aldermane'.\(^92\) Whether he was selected from a list of the more notable men of the town, or whether the election was totally open is not clear. The Burgh Laws provided for an election of aldermen and bailies 'thruch the consails of the gud men of the toune',\(^93\) but, as has been noted, the bailies were in some burghs the nominees of the superior,\(^94\) and 'the gud men of the toune' is by no means a precise definition. Even

\(^91.\) See above, p. 12.
\(^92.\) Dunf. Recs., 192.
\(^93.\) Leges Burgorum, Ancient laws and customs of the Burghs of Scotland, ed. C. Innes, 34.
\(^94.\) See above, p. 57.
a superficial assessment of the roll of aldermen, however, reveals the sparse number of surnames, and it must be suspected that even if elections were technically open, only a certain small group of families was considered worthy or able for the position. The term 'alderman', it has been argued, is one that was originally used for a gild official, but later adopted by the burgh. There is nothing in Dunfermline to indicate that this is the case, although the alderman does feature often in the gild records as an official with some standing within the fraternity. Certainly by the fifteenth century, his role was primarily that of constitutional head of the burgh as a whole.

There is, however, little evidence of the alderman functioning in a sole capacity. Although in theory the principal office bearer, he is normally seen acting along with the bailies or the community, but as head of the burgh his personal approval and sanction could carry great weight, as, for example, in the case of Agnes and David Tulchit who found it politic to place a final stamp of approval on an agreement and 'procurit the aldermannis seel tharapone'. But his presence was apparently not essential at the routine burgh courts; nor even, it would seem, at the head courts. However, the fact that there is no record of his presence does not mean that he was necessarily absent. A burgh court, for example, was held on 5 February 1499 by the

95. Appendix IV.
97. See discussion, below, p. 186.
bailies Alan Walloq and Robert Scharp, and yet at this sitting a decision was made 'be the alderman and balyes'.

The alderman is seen more frequently holding the gild courts in the tolbooth with the dean of gild. From 1464 onwards he fulfilled this function apart from only five isolated years (or less, as for four of these there are no records). Although customary, his presence seems not to have been essential, but, equally, neither was that of the dean of gild.

Clearly the alderman was more than a figurehead. He had a function within the routine administration of the town, but it was not a vital one. Indeed several burghs did not appoint this office. Linlithgow had its first alderman only in 1540; Lanark's first is mentioned in 1542; and Kirkcaldy's in 1588; and some remained without this magistrate until the eighteenth century.

In Dunfermline two bailies were appointed. A close examination of the transcribed burgh records of Dunfermline would suggest that there were at times three or even four bailies. It is clear, however, that on some occasions bailies did not complete a full municipal year and a substitute was made. An interim appointment might also occur. For example, Andrew Litster was bailie at only two courts in March 1490, since one of the regular bailies, David

100. 1467 - 8; 1474 - 5; 1477 - 8; 1479 - 81.
101. See below, p. 186.
102. R.M.S., no. 2196.
103. Lanark Recs., p. xxvii.
105. 'Setts of the royal burghs of Scotland' in Miscellany of The Scottish Burgh Records Society, 203.
106. Dunf. Recs.
Litster, was appearing before the court and could not consequently fulfil his duties as magistrate. A clerical error, dating '1479' instead of '1489', explains the supposed appearance of four bailies that year; as possibly was the case also when it was stated that John Orrok was bailie in '1487', instead of '1497'. A study of the manuscript volume reveals also an error in the transcription of the Dunfermline Court Book by John MacLeod for Erskine Beveridge. Page 61 of the transcript would suggest that Andrew Litster and John Wallo were bailies in 1499. In fact this date is applicable only to the last entry on page 61. Andrew Litster and John Wallo were in fact bailies in 1495. And there were not four bailies in 1499 as this incorrect transcription would suggest.

The number of bailies varied from burgh to burgh: Edinburgh and Stirling had three until Edinburgh gained a fourth in 1492, and Aberdeen four throughout the period. But, for all, apart from interim appointments, it was at the Michaelmas head court that they took office. In Dunfermline there is no evidence as to how exactly they were chosen. Since burgesses were expected to attend en masse at this court, the entire community possibly had the right of election. In smaller burghs it was still feasible for a head court to function in this traditional manner as an assembly of all the burgesses of the town. Dunfermline had probably no more than 150 burgesses; and a group of this size was still a

110. Edin. Recs., i, 18, for example. Edin. Recs., i, 269 (1492).
111. Stirling Recs., 5.
113. See below, p. 159.
viable working number able to take corporate decisions en masse.

In 1530, for example,

the haill comonis of Dunfermling gadderit in the
tolbutht ... and ther ... all in ane wote (vote)
ratifiit and affermit the first gift of ony
altaraige or service that thai gaif to Schir Andro
Qhuit undir the comone seill of the burgh of
Dunfermlyn.114

However, even a cursory glance at the list of bailies in the
fifteenth century reveals that, democratic though election may have
been, this honour did not fall to many families.115 Eighteen
surnames only appear throughout the fifteenth century. If the
last twenty-five years of the century are considered, when the
records offer more information, an even closer grouping of
potential magistrate families appears. John Orrok was bailie
for three years, 1495/98, and as a secular (as opposed to regular)
cleric could bring educated expertise to this office;116 as
could David Bra, who was bailie on two separate occasions, 1478/79
and 1480/91, and became common clerk.117 Archibald Stewart was
a confidant of Sir David Stewart of Rosyth,118 and probably
related, and was bailie for one term, 1493/94; Andrew Butler
who held office for one year only in 1479/80 was the brother
of John of Coupir,119 alderman from 1464/67 and clearly from a
notable family in the town; as was William of Cokburn, who was
bailie for only one year, 1490/91, and was son120 of Sir John

115. Appendix V.
118. Dunf. Recs., 78 and MsGB, 18.
119. MsGB, 9.
120. Dunf. Recs., 34.
of Cokburn, alderman 1479/80 and from 1481 to 1487. Family connection and clerical ability may explain all these appointments, brief though they were. Of William of Ballune, who held office for only part of a year, John Baxter, in a similar position, and Robert Scharp, there is no such evidence. The latter appears to have been a man of some ability for throughout the 1490s he featured in minor administrative positions in the burgh regularly every year.121 Perhaps here was a man who entered burgh life on his own merits (he bought his entry to the gild in 1482122), who might have established a line of burghal administrators, but he appears to have had no male heirs.123 The tendency for families to monopolise burghal appointments is clearly seen. These above-named office holders account for only ten annual terms of service. For eight years, or sixteen terms of potential office-holding, there is no evidence; but for the remaining twenty-four annual terms of office only three families held the office of bailie: the Spittells, Walloids and Litsters.

How close-knit was this small group of magistrates is further shown by a comparison of the bailie and dean of gild lists.124 All the bailies in the latter half of the fifteenth century at some stage were also deans of gild, apart from only seven. John Drok, Archibald Stewart, William of Ballune, Robert Scharp and John Baxter did not achieve this position, and this is not particularly surprising, since they entered the magistrature

121. Dunf. Recs., 22, 30, 33, 35, for example.
122. MsGB, 13.
124. Appendix V and Appendix VI.
only briefly. More interesting is the absence of David Litster and Andrew Litster, possibly cousins, from the dean of gild list.

Most of the bailies served for one year terms. This is not unexpected. The burgh records show clearly that the office was an onerous, time-consuming task, and may well have been conducted at the expense of a bailie's livelihood. David Litster is prominent as a man of excessive zeal, holding the position of bailie for no less than five out of six years between 1486 and 1492. It may be purely coincidence that one of the two mentions of what might be termed 'bankruptcy' is that of David Litster on 18 December 1495.\footnote{Dunf. Recs., 63.} By this date he had accumulated various debts but 'had nocht in gudis movable nor unmovable to pay the said dettis wytht'. His appeal to his son Richard to settle these for him could be achieved only by the sale of his son's lands, since he, too, was devoid of movable goods. This factor may explain his failure to become dean. It could be argued that he was over-occupied as bailie, but clearly a man falling deeper and deeper into debt was not a suitable candidate for head of the gild. His namesake, Andrew Litster, was active in town affairs and held the office of bailie on three occasions. Likewise he never became dean of gild. Interestingly, he, too, became destitute and was threatened with excommunication in 1497.\footnote{Dunf. Recs., 72.}

These two cases are the only documented fifteenth-century 'bankruptcies'; and it does not seem unreasonable to seek some correlation between this and their failure to become deans

\footnote{Dunf. Recs., 63.} \footnote{Dunf. Recs., 72.}
of gild. Not only would the office of bailie be time-consuming, but probably costly. It is understandable that on 27 November 1498 the two bailies Alan Walled and Robert Scharp were 'content and weill appeisit for to tak twa markis of fe betwix thaim'.

This is a not uncommon feature in burghal administration in western Europe. Fees and expenses were often paid. Ninian Lyell received four shillings of the common goods mails to cover his expenses when travelling from Arbroath to Edinburgh to pay taxes. One Georges was given sixteen shillings for his costs in attending parliament, by the rentmaster of Lanark.

And in the same account there are details of the bailies of Lanark receiving thirty-four shillings for attendance at the 'Court of Four Burghs'. The Dunfermline records do not make it clear whether the fee being granted to the two bailies was a regular occurrence. Certainly, in Edinburgh, from 1478 or perhaps 1481, the provost received a regular fee of £20 per annum as did the bailies and councillors by 1552. It would be not unreasonable to presume that financial assistance to the leading office-holders was a regular item of municipal expenditure in fifteenth-century Scotland as was the case in England, for example in Salisbury, Hull and York.

The deans of gild of Dunfermline were doubtless elected from amongst the gild members. There are no fifteenth-century instances on record of leets for this position; nor is there anything to suggest that the head of the gild was considered specifically

129. Lanark Recs., 7.
132. Edin. Accts., i, 70. Such payments were probably routine before 1552. As soon as the Edinburgh Accounts are extant, (1552/3), so too are references to such fees.
as a municipal magistrate, and appointed as such, as was the case in Edinburgh by 1456, although clearly he had a role to play in burghal administration.

The alderman and bailies were assisted by a dempster who pronounced the sentence of the court. The office of dempster in some burghs was hereditary. In Dunfermline this would appear not to be the case. Adam Man held this position in 1488; to be succeeded by William Robertson in 1492; and he in his turn by William Blackburne in 1495. The two serjeants were officers on whom fell many of the lesser administrative tasks, such as warding in the tolbooth or accompanying plaintiffs to land and tenements to adjudicate whether rental should be paid. The main task of recording the routine dealings of the burgh was the duty of the common clerk. He might be a layman or a cleric, although in Dunfermline the former was more usual. David Wer held this position in 1479, to be followed by David Bra and John Wricht. It was possible, however, to make an interim appointment, for only one court, as was the case with Sir John Moffat and David Litater in 1493. Sir Thomas Karnis was common clerk for the last two years of the century. It is clear that the clerks of the

136. Dunf. Recs., 39, for example.
139. Dunf. Recs., p.d.
140 Dunf. Recs., 50, for example.
144. Dunf. Recs., 43.
146. Dunf. Recs., 331 and 332.
gild records and burgh records are identical. The variance of handwriting on occasion, however, indicates assistance in record keeping from elsewhere; and in an abbatial burgh, this assistance may probably have come from clerics.

Various lesser officials were also appointed. Five to nine men were chosen as 'fles prissouris' or *appreciatorum carnium* to control the quality of meat;\(^{147}\) between three to five tasters of ale, *gustatorem cervisie*, sometimes called 'cunnarrys';\(^{148}\) who may also have kept a check on the standard of wine sold; five to seven *liniatorum* or liners\(^{149}\) who defined the burgh boundaries and whose evidence helped settle any relevant disputes.\(^{150}\) The 'gangand assise'\(^{151}\) consisted of four to seven men and possibly their task was to perambulate the burgh marches,\(^{152}\) probably 'the walkyn of bawkis' referred to in the Lanark Burgh Records;\(^{153}\) finally to the three or four 'birlawmen' fell the duty of ensuring that bye-laws were maintained.\(^{154}\)

The alderman and bailies with the assistance of these lesser officers and others fulfilled their basic administrative and legislative function at the three head courts - Michaelmas, Christmas and Easter, which all burgesses were expected to attend, supplemented by, generally, a fortnightly meeting of the burgh court. The 'others' are very difficult to define. Beveridge

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147. *Dunf. Recs.*, 4, 86, for example.
148. *Dunf. Recs.*, 75, for example.
149. *Dunf. Recs.*, 7, for example.
150. These men may have been the 'land burges' referred to only once. (*Dunf. Recs.*, 87).
152. Dickinson, W.C., in *Abdn. Recs.*, p. lxxxv, however, argues that the role of the gangand assize was to ratify the statutes of the burghs.
argues that an 'assize' of burgesses, which was selected annually, aided the magistrates with their general administration. There is, however, nothing in the burgh records to suggest that this assize had legislative or fiscal powers, although absence of information does not exclude the possibility. It certainly functioned as a judicial body.

It has been suggested that as this assize declined so a 'council' emerged and superseded the assize within ten years; and Mackenzie and Webster and Duncan perpetuate the error of Beveridge that the first reference to a council in Dunfermline was in 1515. In fact, the Gild Book refers on three occasions, in 1449, 1466 and 1476, to the 'council' of the town, but this source material was not available to them. The Burgh Records edited by Beveridge, however, also, quite specifically speak on 27 November 1498, of a matter that should 'be understandin and seyne be the nychtbouris and consall of the towne'. Such an oversight is surprising; and this ignored evidence vitiates the argument for a development from an assize to a council. The two existed alongside each other.

Clearly, a burgh council of sorts did exist in the fifteenth century. It is perhaps unwise to draw conclusions from such little evidence, but the lack of references to leets, elections, or any other such formalities which one would normally expect, as in the case of Edinburgh, prior to the formation of a council may

156. Dunf. Recs., pp. xvi, xvii.
157. Mackenzie, Scottish Burghs, 111.
159. MsGB, 7v, 10 and 107.
be significant. One might surmise, therefore, that the term 'council' is used somewhat informally, meaning a group of burgesses. The term 'council' is used in both gildry and burgh court records in very much the same way as 'community', 'neighbours', 'the toune'.

This lack of formality might explain why there is no evidence in fifteenth-century Dunfermline of any fighting between craftsmen and merchants over rights to hold political power. Deacons of crafts are not even mentioned in the fifteenth-century records of the burgh court which would immediately suggest that crafts were not yet highly organised in Dunfermline. Most certainly if there had been strife between these two groups some record of such would be expected. And yet, the deacons may not be dismissed as total nonentities within the burghal hierarchy, for on 29 September 1488 the gild court was held 'wytht a part of the dekynis of the toune'.\textsuperscript{161} There seems little suggestion here of any great animosity between two factions, but since this is an isolated reference clearly deacons of the crafts, as such, had little official status in the municipal organisation of Dunfermline. The 'neighbours' participated closely in burghal business, and the 'neighbours' would include craft members as well as merchant members. There is no sign of exclusion of any one group by another, though doubtless the wealthier and thereby often the more important burgesses were those who held office in the burgh; and the wealthier would tend to be, but not necessarily always be, the merchants. Warwick argued that much of the municipal records of the early burghs in the fifteenth and subsequent

\textsuperscript{161} MsGB, 17v.
centuries is occupied with details of the struggles of the various orders of crafts to obtain a larger share of burghal administration. 162

This was most certainly not true of Dunfermline. 163

Indeed, a study of these fifteenth-century records gives a very clear impression of a close association of a large body of burgesses in municipal affairs. In a gild court of 1486 a ruling 'was statut and ordanit be the gildbredir and the hale commonite'. 164 At a burgh court of 3 February 1494 Robert Lam was 'schaisyne be the maist part of the communite to gadir the lycht'. 165 Later that year, on 3 November, and not at a head court, a decision was 'statut and ordanit be the universall toune'; 166 and, again, 'the hale toun' thought it expedient and 'ordanit that thar salbe na victuallis said out of the town induryne the tyme of the plague' on 9 July 1499. 167 These are merely examples of many instances that do suggest a wide participation by the community as a whole in burghal administration. (There is, of course, no suggestion that 'the community' embraced non-burgesses. Burghal privileges were, as ever, for the privileged)

The increasing complexity of burghal matters must, however, have necessitated some delegation to a smaller body, who acted on behalf of the whole community. This was probably the 'council' already referred to above. However, and despite the parliamentary

162. Marwick, J.D., 'The municipal institutions of Scotland', SHR, i, 133-4.
163. See below, pp. 179-182.
164. MaGB, 14v.
166. Dunf. Recs., 55.
ruling of 1469 that, 'throw multitud and clamour of common sympil personis' elections should take place yearly, and that the old council should choose the new, and both together should choose the magistrates, it was quite possible that Dunfermline pursued a considerably less formal, even casual mode of selection of this smaller, representative body. Moreover, Dunfermline would not be at all unusual in ignoring this act. Until the end of the sixteenth century, for example, Aberdeen elected its provost, four bailies and four common serjeands by the votes of the burgesses or the community and Kirkcaldy did not specifically model its constitution on the 1469 act until 1662.

The 'council' and the 'assize' might have been one and the same institution, or, more probably, two separate bodies existing side by side with overlapping functions. It is known that the assize was 'chesine', but no details are given as to exactly how. The number sitting varied from fifteen to twenty-five, and, unlike the magistrates, came from a wide selection of burgesses. Personalities changed regularly, as is clear from even a cursory analysis of the sederunts. The years 1489/90 serve as adequate example. Of the sixteen sitting on 1 December 1489, six sat on the assize of 2 March 1490 and five on the assize of 19 October 1490, but only one sat at all three; and of the twenty-three at the assize of 2 March 1490, six sat on 19 October 1490. It seems from the sederunts of the asaizes that the honour, or duty, of

168. APS, ii, 95.
169. Keith, T., 'Municipal elections in the royal burghs of Scotland prior to the Union', SHR, xiii, 112.
performing this official function in the burgh was distributed widely.

There were many aspects of daily life that the community had to oversee as a routine function. The burgh administration was according to that body of rules known as 'the statutis of the toune'. Dunfermline, as all burghs, had its own local rules. But the general similarity of burgh customs should once more be noted. Not only were all of common origin, but an attempt was made to standardise practice. One of the more important questions to be decided was who had the right of entry to the privileged status of burgess, or 'netboryt'. This could be claimed through inheritance by 'resone of fadir', or 'by reason of wife'; but there was no automatic assumption of entry: the claimant had still to be received by the body of the community, 'be the qustuome of the burcht'. Others might make a special plea for acceptance. William Lambert on 18 March 1494 requested of the bailies and community that he might enter to the freedom, and 'thai gaf an inquisition of hous and thai fand him sufficiand and he than enterit burges for half a mark at the commoniteis will'. This assessment of whether a potential burgess was 'biggit', had its origins in early burgh life. To have an adequate dwelling on one's toft was not merely desirable for comfort, but, more important, was a primary duty of a burgess. Or, one might 'tane one hand to wyrk to the common work', as did Georgs Grant, and thereby be accepted. This letter
practice was common in many Scottish burghs. Peebles received a Burgess in 1420 for the sum of ten shillings 'to the brygwarck of Tweed'; and ten years later another entered the community 'for twa treis gevin to the brig at the Tolboith ande'. 181 Rights to Burgess-ship might be transferred. The daughters of John of Cleis gave consent that Alan Mowthrar adopt their rights to entry, and this to be inherited by his heirs. Their consent was not, however, sufficient. Ratification had still to be sought in the burgh court. 182

Burgess-ship was an honour closely guarded. A ruling was passed in the gild court on 5 November 1491 that 'na on fre [ = unfree] man or woman sall occupy burges fredome ondir the payn of vijm on forgiffyn'. 183 Occasionally the freedom was given for one year for a payment of twelve pence; 184 and failure to live by the burgh statutes might bring confiscation of Burgess-ship as, for example, in the ruling, 'quhatsumevir burges within the burgh forstallis the merkat he sall tyne his fredome at the will of the alderman balyeis and comunite of this burgh'. 185 Dunfermline was typical of all Scottish burghs in this jealous watch kept over membership, and there are several examples of loss of freedom, and reappllication and restoration, but always at the discretion of the magistrates and the neighbours. For this very same reason questions of heirship and inheritance were matters carefully supervised by the burgh court. 186 Almost as important, and certainly as time-consuming,

181. Peebles Recs., p. xvi.
183. MaGB, 19.
185. Dunf. Recs., 64.
186. Dunf. Recs., 38, 52 and 62, for example.
was the maintenance of the traditional toft boundaries within
the burgh. This and the supervision of building on the
tofts were within the remit of the liners. In Edinburgh,
it is clear that lining decisions and the settling of related
disputes were very much gild court issues. In Dunfermline,
there is no such clear distinction.

Liners were chosen at the burgh court, but it is not
clear to whom they were responsible. In 1498 on 11 August,
for example, a lining judgement was made by the alderman and
dean of gild 'be avis of the hale court', and that court was the
gild court, and yet, in December 1499 a dispute over a lining
decision was brought before the burgh court. It is interesting,
moreover, that the only reference to perambulating the burgh
boundaries is made in the gild court records, in 1441 - 'Item
lent to the said balyeis vs iiijd the qhilk the nychbouris
drank quhen thai ... marchis of the comon muir'. Whether
here 'nychbouris' means 'burgesses' or 'gild brothers' is not
clear.

Where the gild court did act more precisely as a municipal
department was in its supervision of the maintenance of what might
loosely be termed the 'fabric of the town'. In 1445 46s. 8d. was
given to 'the balyheis and the commonis in the tym of the pestines
for dikyn of the toun'. Two years later the gild court
records include a lengthy list of expenses not only for the
purchase of stones, sand, and guttering stones for paving,
probably of the main thoroughfare, but also for the fees of

Club, xxiii, 85-86.
188. MsGB, 21v.
190. MsGB, 100v.
191. MsGB, 103.
the 'causamaker'. Repairs to the tolbooth were financed from gild funds, and in 1499 the dean of gild made money available to the alderman specifically for the 'portismakyn' and for the construction of bands for the burgh gates. The only lists of expenditure for repair of roads and buildings in the burgh court records are for the years 1499 and 1508, and these are, in fact, gild court records added at the bottom of the burgh court records. Again, there are detailed sums of money for such things as 'stanis', 'the mandyne of the tolbutht' and 'the biging of the foull vennall'.

The provision of adequate food supplies, and at the right price, was one of the primary functions of any burghal authority; and here again, in Dunfermline, can be seen an overlapping of responsibility in the burgh and gild courts. The 'stallanger row' or list of those entitled to hold stalls in the town was in the safe-keeping of the bailies, and at the burgh court, decisions were made on issues dealing with these lesser stall holders, such as, for illustration, a fine of 8s. being imposed for forestalling. It was, however, at the gild court that questions pertaining to gild members and their booths were brought. On 9 October 1484 in the gild court, for example, it was enacted 'be the aldirman balyeis and the gild brethir

193. MsGB, 104v.
194. MsGB, 21v.
197. The insertion of this record in the wrong book is not an isolated example. An analysis of the handwriting in the Gild Book and Burgh Court Book shows that the majority of record-keeping was effected by the same clerks, who occasionally inserted entries in the wrong books.
198. See below, pp. 211-212.
200. Dunf. Recs., 64.
201. MsGB, 13v.
that na marchand sal be well [= wool] hid na skynnis an the halyday on to the tym of xii houris', and again on 7 December 1495 'na boithe sal be opynnit na yit na windo na nane merchandise maid opone the Sunday undir the payne of halfa mark unforgiffin'.

It is clear from the records that there was no sole arbiter, or single ultimate responsible authority in matters of price-fixing and maintenance of standards of quality, even though ale and meat tasters were, as indicated, appointed at the Michaelmas head court. On 15 October 1493 at the burgh court it was ruled that 'Jhone Schethow and David Jonsone were bundyn to serve the towne one the Friday with twa laid of fisch', and the prices of wheat and ale were fixed by the same body on the same day. The following year on 3 November:

it was statut and ordanit be the universall toune and withe consent of all the caggeris of the samyn that thai sall oukly find the toune vj ladis of fisch, that is to say ij ladis on Wedinsday ij ladis on Friday and ij ladis Setterday, and that thai sall present the mercat as god sendis the fer withe the sade fischa and stryk thar ladis at the mercat cross of this burch and thar to remane ij houris at the lest, and falyeing hereof to pay ane unlaw of viijs, and secondly ane unlaw siclyk, and the thrid tym thar ladis to be eschetit and the ferd tym to be banyat this touen for yer and daye and this statut and act was made dome be thar awne avis and ar oblist herto the gretht athis gangand betuen hands.

It was at the burgh court also that in 1497 the weight of a loaf of bread was fixed at fifteen ounces, and it was to be thus stamped on pain of eight shilling forfeiture. Likewise, it was an assize decision in the burgh court on 14 January 1500 that ale
should be sold for no more than 8d the gallon under pain of 8s fine, just as it was determined by

the aldermane and balyeis of this burgh and be the hail communitie that nane brew all derruer than viijd the gallone under the pane of the takyne furth of their caldronis and veschallis and dinging out of the bodomis at the Mercat Cross.

The burgh court's interest in such rulings of importance to the whole town is clear. And yet, it was at the gild court in 1485 that decisions were made by the 'aldirman balyeis and dene and the communite of the toune' on the price of wheat, meat, meal and ale. A specific procedure was laid down to deal with complaints about the quality of ale, whereby the bailies and 'a part of the nychtburris' should judge whether fault lay with the malt or the brewers. In 1491, it was at the gild court again that there was an insistence on a sufficient sale of malt, and a forbidding of dry tapstaries in the burgh on threat of a fine of eight shillings. A final example of this particular overlapping of public function by gild and burgh court, is that it was in a gild court in 1464 that it was enacted that Saturday should be the market day. But when repeated in 1515 it was recorded as business pertinent to the burgh court.

In an abbot's burgh, dominated by the monastic buildings and conventual and parish churches, it was not surprising to find the

208. Dunf. Recs., 104.
209. MsGB, 14v.
210. MsGB, 14v.
211. MsGB, 19.
212. MsGB, 9v.
ties of town and church very close. The gild supported various altars in the abbey while the burgh specifically maintained the altar dedicated to the Rood and Our Lady.\textsuperscript{214} The burgh as a whole 'upheld' a morning service\textsuperscript{215} and paid the chaplain of the morning service from the common purse.\textsuperscript{216} The town also maintained the lighting of candles in the parish church, by the collection of 'licht sylver'. Again there is some uncertainty as to who was ultimately responsible for the light silver. The light silver gatherers were appointed in the burgh court and in 1492, for example, eighteen persons were 'fundin expedient' by the neighbours for this task.\textsuperscript{217} The following year Robert Ram was 'schaisyne be the maist part of the communitie to gadir the lycht and till uphalde the licht in siklik forme as it is now';\textsuperscript{218} and yet, from the Gild Book it is clear that it was to the gildry that the collectors of the 'lycht sylver' were answerable and submitted their accounts.\textsuperscript{219}

A detailed picture may not survive of the burgh administration in the fifteenth century; but the basic framework is clear. The alderman or \textit{propositus} was chief magistrate in all municipal affairs, his seal legitimising any decision or ruling. He was supported by the two bailies who likewise could bring authorisation with their seals,\textsuperscript{220} and also the dean of gild acting in many respects as a burghal official, rather than a member of the gild \textit{per se}. The community or 'neighbours' clearly took an active part in the

\textsuperscript{214} See below, p. 205. \textsuperscript{215} Dunf. Recs., 38. \textsuperscript{216} Dunf. Recs., 53. \textsuperscript{217} Dunf. Recs., 38. \textsuperscript{218} Dunf. Recs., 48. \textsuperscript{219} MsGB, \textit{passim}. \textsuperscript{220} Dunf. Recs., 53, 54.
municipal organisation of their burgh, in spite of the fact that there were obvious oligarchic tendencies in the magistracy. But none of this administration and burghal legislation could function without one vital factor, solvency. It was the mark of a truly self-determining unit that it had not only the opportunity and willingness but, more important, the ability to control its own fiscal arrangements.

It is clear that not only did the town so organise its finances that it was economically self-supporting; but also that the gild had a vital role to play in this. An analysis of this role is essential; and is discussed at length below.\textsuperscript{221}

Once again burgh and gild are so closely intertwined that at times they become inseparable.

The machinery of municipal administration and legislation and the efficient husbanding of financial resources were impossible without maintenance of order. The peace of the burgh was maintained at the burgh court, either at the head court or at the fortnightly meetings of the lesser court held in the tolbooth, and at the gild court. One of the basic rights of a liber burqus was that of holding its own court and ensuring its own peace. This privilege, stated in the Newcastle borough liberties as 'Pleas which arise in the borough shall there be held and concluded except those which belong to the King's crown', was implicit in the municipal constitution of all Scottish burghs.\textsuperscript{222}

\textsuperscript{221} See Chapter V.

\textsuperscript{222} The customs of Newcastle were drawn up in the reign of Henry II to record the practice in the time of his grandfather, Henry I. Douglas, D.C. and Greenaway, G.W. (edd.), \textit{English Historical Documents} \textit{1042-1189}, 970-971.
The burgesses of Dunfermline had control over all civil and also some criminal cases falling within its region. These criminal cases, however, tended to be confined to such relatively minor matters as 'strublance'. Burghs took care to assert their judicial rights and prevent infringement. The laird of Barnbougall attempted to remove a case from the Dunfermline burgh court to the freedom of Inverkeithing, but was successfully stalled by the laird of Rosyth who argued for the case to be dealt with in Dunfermline.223

When the same group of men was responsible in many cases for gild and municipal matters it is not surprising that an absolutely precise delineation of areas of responsibility is not in evidence since it might be convenient to hear a specific case in a gild court, rather than in a burgh court sitting. In general, however, the area of jurisdiction of the two courts was fairly clearly defined.

Each sitting of the burgh court would be 'fensit',224 or legally constituted, and at this 'court affensit'225 municipal disputes from strublance to major misdemeanours against the public weal were settled. It fell to the lot of the assize to provide justice at the burgh court. This duty was not always gratefully received, for there are instances of members of the assize being fined for failure to attend.226 It is more than probable that the reference at the head court of Easter 1489 to the fact that the magistrates 'delayt the dome for febilnes of court'227 implies the lack of an adequate sederunt on the assize.

223. Dunf. Recs., 125 and 126.
224. Dunf. Recs., 38, 75.
The assize might be modified in various ways, as a 'great assis', for highly important matters, as 'ane worthes assisse' or as 'ane conding assis', the suggestion being that for certain matters of lesser importance a worthy or suitable smaller sederunt than the 'gret assis' might suffice.

Suits would be brought to three consecutive courts, and at the third there was a final warning to the defendant 'to entir at the next as peremtour'. Failure to compear on this fourth occasion resulted in amercement. On many occasions two burgesses stood surety for the defendant's attendance; and even a claim that 'the party was beyond the se' could not necessarily slow a proceeding.

A defendant or he who brought the charge might name a 'forspekar' or spokesman, or be represented by a 'procurator' or proxy, and both parties were at liberty to call whatever witnesses they deemed necessary. Evidence having been given by both or all parties, the assize passed 'furtht in jugisment and enterand againe' and, ultimately, 'jugis arbitouris decretis

228. Dunf. Recs., 46.
236. Dunf. Recs., 7. A similar practice was followed in Aberdeen (Abdn. Recs., p. cxxix), and very probably in most other burghs.
238. Dunf. Recs., 56.
deliveris and finily endis be thair grut aitht', thus indicating that the decision be taken as final. Attempts to reopen a case are occasionally found, as, for example, in the suit between Anne Mawar and Wills Purrock (over a disputed gown) which was quashed at the Easter head court of 1496. 

There is another noteworthy case documented in 1501.

Wilyam Cristisone allegit in jugement that Thomas Scharp wes maist ane common fechter and j strublar and aucht nocht to wundyly na jugement forthir in this court, the said Thomas denyit allutterly and askit ane generall inquisicione of his nychtbouris tharof, the sade Thomas removit and agane enterit, It wes funde be the hale court that the forsad allegians (sic.) was of na avale; a successful appeal from the assize of thirteen men to the judgement of the whole court. 

The competence of the jurisdiction of the burgh covered many matters. The most usual was that of 'strublance' or disturbance of the peace, sometimes 'in langagis'. Lining decisions and property cases were frequently on the agenda, as were questions of heirship, the pricing of goods and disagreements over debts. Misdemeanours could range from minor recalcitrance, such as breaking the serjeand's wand, or sheep-worrying by a dog, to the more serious question of

239. Dunf. Recs., 27.
244. Dunf. Recs., 1.
245. Dunf. Recs., 68.
249. Dunf. Recs., 74.
forestalling and price-breaking. Theft was also discouraged whether it were of a leg of beef or of cattle by night. Punishment varied from 8d. to loss of freedom for serious offences, such as leaving the tolbooth without permission.

This latter was an interesting phenomenon in Dunfermline as other Scottish burghs. A guilty party might be warded in the tolbooth. He was expected to enter himself, even on occasion being given the key to effect entry and trusted to stay there of his own volition until given permission to leave. Other forms of physical punishment in Dunfermline were 'to be put on the gowe' or pillory, or to be placed in the stocks, which seemed to have been situated in the tolbooth. There is also a reference to a 'lear stane' which may have been similar to the pillory. Debt might bring the penalty of excommunication, 'haldin undir the sentens of cursing', which Andrew Litster faced in 1496. This, and banishment from the town were the two most feared penalties.

Cash penalties could be modified, and were regularly so, at the instigation of the 'layaris'. These 'layaris' might be the 'balyeis and a part of the nychtburis'; or the alderman

associated with this latter group; or the alderman, dean of gild and 'a part of the commonis'; four men 'wytht part of the best of the gild bredir'; or even solely 'the nychtburis'; a reminder yet again that in spite of the increasing sophistication of the judicial formalities this was essentially still a primitive, close-knit society where all could participate.

The notion of assumed innocence till guilt was proven was fostered by penalising false accusers with an amercement. Failure to appear in court to follow a suit resulted also in fine, since the risk to the community was that the party that did compear might claim against the court for the expense of providing witnesses that were not then called. To gainsay the assize without proof was also an offence; but, once again, to dissuade trouble-makers, in January 1489 it was enacted 'that qwha that alegis that ony revelis the assis and connocht appreft it he sal be punist as he had done it hymself and tyn thar fredom'. A cautionary note indeed.

In the final resort, the guilty party had a right of appeal. The decision could be questioned, the 'doom falsed'. John of Murray, for example, on 16 December 1488

falsit the doym sayand that o this wis I Johne of Murra sais to ye Adam Man dempstar that the doym that ye has gyffyn is ewyl fals and rottyn in the self and to alegis resonis thar opon wythtin lauchtful tym.

266. Dunf. Recs., 35.
There were, occasionally, mutual agreements made at the burgh court, to leave arbitration to a small group of 'iugis arbitouris and amycabill compositouris'. In the case of John Wallo and Katherine Bra his wife against David Bra on 1 October 1493, none of the arbitrators were members of the assize for that Michaelmas court, but all were well respected members of the community: Master Henry Kirkcaldy, David Coupir, Alan Wallo, Andrew Litster and John Baxter. In these instances judgement was pronounced not in the tolbooth, but before the altar of St. Margaret in the parish church. This meeting place was not without precedent in medieval times, the church or churchyard often functioning as a 'town house'. The Lady Chapel of Arbroath, for example, was from time to time used as a court house by the bailies, and in 1430 the gild court of Ayr was held in church. It would not be unreasonable to surmise that these few cases were an attempt to spare the great assize undue effort, for the burgh records do portray a most hard-worked court, which had to adjudicate on such paltry matters as the illegal felling of one tree, and yet cope with the multitude of decisions as to whether a land was 'strenyeable', one of the primary functions of the burgh court being the supervision of all aspects of burghal tenure and burgh lands.

272. Hay, Arbroath, 125.
273. 'The Ayr Manuscript', folio 9v.
275. Dunf. Recs., 27, for example.
Service to the community could render a man liable to prosecution himself. It was claimed that Alexander Aittone owed William of Cokburn nine bolls of oats. The accused was warded in the tolbooth, but left, and on 8 May 1498 the burgh officers found themselves before the court on a charge of payment of the debt to William of Cokburn. There was however reprieve.

Thareftir the saide court wardit tharapone and fande the saide officiaris quit and innocent tharof becaus the terrar and Thome Buchqane tuke the saide Alexander furtht at the commande of the abbot out of the tolbutht unborrowit at the officiaris.276

As ever, burgess-ship brought with its privileges its attendant obligations.

The gild court had a much smaller part to play in the maintenance of the common peace, but it was an important part. There is no evidence as to which personnel sat; at times the 'mair part' of the gild brethren were present; 277 at others all; 278 in one instance 'all the nochbouris' 279 though this may mean only gildsmen, sat in judgement; and on 5 November 1491 the gild court was held by the 'alderman, dene, gildbrether and a part of the communite'. 280 Once again, there seemed to have been no following of a formal ruling; in spite of the fact that on 11 February 1440 it was ordained at the gild court that

frathinfurtht all actionis debatabill betuyx gildbrethir that are gret actionis of dettis or sic elis thyngis that be a sworn assis of

276. Dunf. Recs., 82.
277. MsGB, passim.
278. MsGB, passim.
279. MsGB, 21v.
280. MsGB, 19.
the said brother unsuspeckit the actoun sall be determynit.\textsuperscript{281}

Internal gildry disagrements were dealt with at this court, and, also, as in the burgh court, punishment of forestalling,\textsuperscript{282} 'wrangus barkyn of hyd',\textsuperscript{283} 'wrangyss selling of a dak of hydis to outmen' and 'failure to offer them to the neighbours for sale'.\textsuperscript{284} Such matters were clearly within the remit of a gild court; but other cases might appear to be more suitable to be dealt with at the burgh court. Two examples will suffice. In 1458 an argument between the two bailies resulted in a fine imposed by the gild court. John Wricht was put under 'the den and the brethrens wil for the defaut and myspersonyn of our balye Alan Littistar',\textsuperscript{285} but in such cases the defendants were gildbrethren. Likewise, the placing of John of Wallow, Rob of Wallow, John Anderton and David Litster 'in the aldermanis wyll and the denyes of thar ganging furth of the toune and left it desolate in the tym of the pestilence' occurred at the gild court, not the burgh court, perhaps as these burgesses were all gild members.\textsuperscript{286}

Fines were imposed for lesser offences, but for consistent or serious misdemeanour against gild rules, loss of gild freedom was the penalty. The gild court could also banish from the town. A decision was made on 3 July 1434 that Jonet of Guthrie 'had done syc trespass agaynis Wilyam of Banyn and his wif Jonet for the quhilk scho was nocht worthy to remayn in the town'.\textsuperscript{287}

\textsuperscript{281} MaGB, 5.
\textsuperscript{282} MaGB, 2v.
\textsuperscript{283} MaGB, 3.
\textsuperscript{284} MaGB, 11.
\textsuperscript{285} MaGB, 4.
\textsuperscript{286} MaGB, 11v.
\textsuperscript{287} MaGB, 1.
The gild court clearly had a role to play in the maintenance of the common peace, admittedly a subsidiary one to that of the burgh court; but the gildry had a very precise notion that its rights should not be whittled away. On 10 March 1442 a case against John Goslyn having been found proven the same man was 'fundyn in amerciamento for his complanyt makyn to the abbot apoun the said action quil he had falyeit the law at the said brethir'. Twenty years later the gild still defended its judicial rights as jealously as ever.

Andro Gudswane put him in the aldirmannis wyll and the denis of the disobaying of the dene and complimenting to the abbot for the quihiks actiones the said Andro was chargit to entirgane at the nex sytting.

These two examples perhaps encapsulate the latent assurance of this fifteenth-century burgh. Clearly the burgesses not only understood and exercised to the full their municipal privileges, but were at considerable pains to protect them from encroachment. But it would be wrong to over-estimate the degree of sophistication of its municipal organisation. The medieval practice of proclaiming information for the populace at the tolbooth door continued successfully in this small town. Failure to not be fully apprised of this news could mean the loss of claim to heirship or the imposition of a fine for failure to appear at the tolbooth when summoned.

In concluding this account of fifteenth-century constitutional practices in Dunfermline there are two factors to be stressed. The

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288. MzGB, 5.
289. MzGB, 9.
first is, that merely an attempt to define the respective roles of gild and burgh encourages a view of the constitution from too modern a stand-point. There was an overlapping of functions precisely because it did not, in the final resort, matter whether a specific burghal issue was attended to at any particular court, as long as it was attended to. The same people acted in several capacities; and there was a distinct, and possibly appealing, lack of formality in their dealings.

Secondly, the feature that perhaps is most vividly revealed by the burgh and gild records is the participation of the burgesses as a whole in the running of their burgh. The magistrates did emerge from a relatively small group, and, it is true, that these were the important men of the town. But the gild and burgh records indicate clearly the association of these men with sometimes a large body of the burgesses, and sometimes all the burgesses, in the general running of the burghal administration. The common seal kept safely in two halves by two separate individuals was the sign of authorisation by all the burgesses, not merely the magistrates. It symbolised the sense of oneness of the burgh.

Dunfermline in the fifteenth century was very much a medieval burgh. The notion of the burgh as a community could continue only as long as that burgh remained small; and within a small community, the in-fighting between craftsmen and merchants, deacons of crafts and merchant magistrates, rich merchant and poor merchant, or rich craftsman and poor craftsman did not emerge. It was only as the burgh became large that social strata within the burgess population became evident. In a town

such as Dunfermline burgh society on the whole still, in the fifteenth century, remained one.

It is this final notion that must be stressed in any attempt to even begin to understand the burgesses of Dunfermline and their town. The spheres of influence of gild officials and burgh magistrates, although interesting, are not the core of burgh life. The basis of the municipal organisation of Dunfermline is stated clearly throughout the fifteenth-century records, and that is, the ability of this group of people to function as a unit, and in their routine administration display their sense of oneness, their feeling of community.
CHAPTER III

THE URBAN SETTING

Theories of community and corporation and evidence of accumulation of burghal rights and of the steady development of self-determination may be significant facts in a study of a group of burgesses; but a fifteenth-century Dunfermline man would find of more personal relevance such questions as whether his roof was water-tight; whether his neighbour was blocking the entry to his back-yard; or whether the shutting of the town gates to all outsiders would effectively keep the plague away from his home. Such matters would be his prime concern; and an impression of his physical surroundings produces a closer understanding of medieval man than notions of theoretical law and constitutional order.

Contemporary descriptions of early Dunfermline are regrettably few. Andrew of Wyntoun when he speaks of 'a fayre brade land and a plesand, A lytill hill of nobill ayre, All wode about bathe thyk and fayre'\(^1\) is probably referring only to a small piece of land which, by tradition, supported the so-called 'Malcolm Canmore's Tower'.\(^2\) The writer stresses the prestige of a royal seat at Dunfermline. This would be appreciated by the burgesses, but of more importance still to them would be the protection that such an establishment brought, and also the potential that it offered as an outlet for merchandise and service. Whether the beauty of the surrounding woods, on which he comments, held much interest for the locals must be less

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2. See map, p. 108.
certain, but as an immediate source of building material it would be invaluable. The Dunfermline in which French lords and knights were lodged in 1385 according to Froissart was no more than a village; and more precise topographically, if somewhat prosaic, is the description that Robert Sibbald gave in 1710: 'In the town is one long street, which runs from the east to the southwest'. In John Leslie's account, however, in 1578, Dunfermline was one of Fife's commodious ports, along with Crail, Pittenweem, Kirkcaldy, Dysart, Kinghorn and Culross; and its abbey of the most opulent.

It scarcely needs comment that contemporary cartographical evidence is totally lacking. The earliest map of the parish is that of Timothy Pont, 'Fifae Pars Occidentalis, the West Part of Fife' included in Blaeu's Atlas of Scotland which was published in 1654, although Pont was working earlier, around 1600. While recognising the accepted failings of this early essay into map-making, it is interesting to note the attempts made by Pont to

3. Froissart, J., Chronicles, ii, 7. The description of Stirling here is probably more correctly that of Dunfermline when visited by Richard II: 'The Kyng departed from Edenborowe, and rode towards Estruleyn, a good town, wherein there was a great abbey of blacke monkes, and moost comenly the Kynges of Scotland are there buryed'. (ii, 28).


7. See map, p. 103.

8. Dr. J.C. Stone argued in 1981 that 'Fifae Occidentalis' was possibly the work of Robert Gordon (Stone, J.C., 'Robert Gordon of Straloch: Cartographer or Choreographer?', Northern Studies, iv, 18-19). Further work has, however, proved that both 'Fifae Occidentalis' and 'Fifae Orientalis' were engraved directly from Pont's work with no alteration by the Gordons (Stevenson, D., 'Cartography and the Kirk: Aspects of the Making of the First Atlas of Scotland', Scottish Studies, xxvi, 10).
indicate the steepness of ascent to the town from both the south and the west. There seems also to his mind to be a clear distinction between 'Dunfermelin' and 'Neithertounne'. Constitutionally the two were a single unit and topographically there were close links; and yet to the seventeenth-century observer there is a difference. Slezer's two prints of Dunfermline in Theatrum Scotiae (1690) are the earliest known artist's impressions of Dunfermline. Whilst portraying a town which appears primarily stone-built, and is obviously considerably more developed than that which is under consideration, there are clearly visible several residual medieval features. The entrance to the West Port, the abbey buildings, the Tower Burn mill, perhaps the two kilns and even the use of pack-horses had probably changed little over two hundred years.

It would be satisfying to be able to substantiate any of these early impressions with archaeological evidence, but there is at present very little. Medieval pottery remains have been found in the vicinity of Malcolm Canmore's Tower and a potsherd (possibly thirteenth century) in Collier Row (now Bruce Street). The 1975 excavations of Dunfermline Abbey by Robertson and others revealed medieval drainage and some pottery remains. Amongst the latter a white to pale grey, hard fabric was probably of fourteenth to fifteenth century origin, and local, which was perhaps superseded by the thick, smooth, dark grey reduced ware with an external green glaze, found throughout Scotland. A recent development of property at

11. See below, p. 130.
FIFAE PARS OCCIDENTALIS, THE WEST PART OF FIFE (T. PONT)
Prospectus Cenoby FERMELODUNENSI. The Prospect of the Abby of Dumfermling.

This Plate is Most Humbly Inscribed to the Right Hon. John Lord.. July 1731.
95-99 High Street revealed a lintel of 1607 running parallel to the main street, and situated as it is, it is clearly an example of 'backfilling' behind the primary front building line of the High Street. The latest area to have been studied archaeologically is the opera house site in 1981/2, situated on the present Carnegie Drive. Searches here were fruitless and documentary evidence indicates no medieval development in this region. It is necessary, therefore, to attempt a portrayal of the appearance of medieval Dunfermline by consideration of the primary documentary source material, aided by a measure of reasoned conjecture.

The town of Dunfermline, as already indicated, was on a prime site on the main route from Lowlands to Highlands, along the Edinburgh-Perthshire road, the Via Regia. Just as Nîmes with its access to the Cévennes and Perpignan to the Pyrenees, along with many west European towns, so Dunfermline developed rapidly, precisely because it was on an important route. Throughout medieval times Dunfermline constantly revealed its strategic value as a transitory home for many, be they royalty (Scottish or English), ambassadors, or billeted French troops. The ties of Dunfermline Abbey, and consequently, if to a lesser extent, of the burgh with the Queensferry Passage are well-known. Apart from inclement weather, there were few obstacles to direct communication between Dunfermline and

13. See above, p. 15.
14. Nicholson, R., Scotland, the later Middle Ages, 2.
15. Houston, J.M., A Social Geography of Europe, 166.
Edinburgh or Lothian. The burgesses certainly considered it worthwhile to seek advice from 'across the water' when renovating the High Street and it would be reasonable to assume that by the fifteenth century, Edinburgh would be considered a relatively accessible metropolis.

Not only did the town develop on a main route but, with the protective atmosphere that prevailed around any royal residence and monastic establishment, and situated as the town was in the agriculturally fertile region of south-west Fife, it was well placed to become the market outlet for the surrounding rural areas. Dunfermline's one big deficiency was that it was not on a water thoroughfare. Although its port of Gellat at Limekilns was less than three miles away, with a well-trodden, relatively flat and easily maintained route, these miles must have been an inconvenience in the overland transference of goods. Certainly in 1436, the gild court records state that William of Gelland was entered to the gildry with a ten shilling reduction to his forty shilling entry fee for 'his gud dedis doand till the makyin of a casway betwiyx the lym kill and our ton of Dunfermlyn'; but it must remain doubtful how advanced was the road paving, and indeed, if it was truly fully paved must be highly questionable. And yet, the thoroughfare was clearly sufficiently vital to be at least partially paved. Overland routes were not considered major

17. Henderson, Annals, 135. The strict watch over the Queensferry crossing is exemplified in 1341 when Sir James de Dundas was excommunicated by the abbot for molesting abbey boatmen at the landing rock at North Queensferry.
19. See map, p. 238.
DUNFERMLINE circa 1480 (conjectural)
suggesting dominant morphological features. Ringed numbers 51 indicate approximate height in metres above sea level at given points.
obstacles to medieval man, and there is evidence of Dunfermline having vital trading links with the Low Countries and the Baltic via the south-east Fife coastal ports, such as Dysart and Inverkeithing. The burghs of Edinburgh, Haddington and Linlithgow flourished economically even though at some distance from their respective ports of Leith, Aberlady and Blackness.

The main thoroughfare of the town ran along an east-west south-west axis. Glacial drifts in pre-historic times determined a surface pattern of a series of low ridges with, between them, clay soil that tended to be water retentive and peaty. These natural features probably influenced the position of what later became called the High Street on the south facing slope of one such ridge which offered it not only protection from the northerly winds, but possibly coincided with the spring-line from the high-water level peat muirs situated to the north. The marshy qualities of land could themselves be put to use by any early settlement. Such was the terrain to the north of Dunfermline and, as in Aberdeen, could offer protection from unfriendly neighbours; Dunfermline's Abbey Mill Dam was sited in the boggy region to the north of Collier Row; throughout the Middle Ages peat was cut from the Peat Muir to the north-east of the town as was typical of many Scottish burghs, (Linlithgow's 'Boghall' region, for example, recalls the medieval nature of the site); by the sixteenth century a small lochan to the north-east

21. See below, p. 259.
22. For a discussion of this see the paper by Masterton, J., 'A Study of Growth Patterns and the Changing Cultural Landscape of a Scottish town'. See map p. 108.
23. See map, p. 108.
24. Idem. The Peat Muir was also called the Peel Muir.
of the town was used as a witches dub; and the Town Loch, sometimes called 'Moncur'\textsuperscript{25} fed the water supply which was harnessed to power several mills throughout the period. Such morphological factors meant, moreover, good drainage to the south of the main thoroughfare, and, as a result, particularly in the abbey grounds and in the southern regions of the town, especially the Netherton, good agricultural land.

The ready supply of wood was supplemented by two geological advantages: coal and stone. These were first mentioned in a charter of 1291 (though doubtless workings were considerably earlier), when William de Obervill granted the abbot and monks the free use of a coal-pit and stone quarry on his lands.\textsuperscript{26} From this Pittencrieff quarrying came much of the material for the construction of the extensive monastery buildings, still visible in the old nave of the abbey. 'Collier Row', a name already commonly used in the fifteenth century would suggest a fair fraternity of colliers by this date, possibly benefiting still from this early grant to the abbey.

The urban geography of the town was not, however, moulded solely by natural phenomena. Certain urban nuclei came into being. Obviously, these were the royal residence and the Benedictine abbey and monastery buildings; and, as so often throughout western Europe, in Dunfermline a trading suburb developed alongside these nuclei. The word 'alongside' is used advisedly. There is nothing in the town plan of Dunfermline to support the theory of a Scottish pattern described by

\textsuperscript{25} Dunf. Rec., no. 596 and Dunf. Recs., 126. The name 'Moncur' embodies the Gaelic \textit{moine} meaning a peat moss.

\textsuperscript{26} Dunf. Rec., no. 323.
Mackenzie,

Where the burgh is articulated with a castle or an ecclesiastical building the result in plan is relatively simple, like a backbone the axial main street, usually signified as the High Street, stretches from the castle at one pole to the burgh enclosure at the other.27

One explanation for this could be the morphology of the town. Another possibility should be considered, however. The early settlement may have clustered around the royal residence and nearby church to the south-west of the present High Street, perhaps along St. Catherine's Wynd, as is suspected could have been the case in Aberdeen, St. Andrews and Linlithgow. It even might be suggested, somewhat tentatively, as a further possibility, that since Dunfermline did not become an abbatial burgh until after settlement was already well established, the town's focal point was not the Benedictine buildings; rather, the axial market street formed its own nucleus, albeit under the shelter of the abbey walls; and from this trading focal point, developed the urban accretions.

In the absence of contemporary description, cartographical work or archaeological evidence it is necessary to deduce a possible town plan and assessment of the urban setting in the fifteenth century by relying on other documentary primary sources: the Gild Book and Burgh Court Book in particular.

The salient features of the town reveal the occasional royal, but primarily ecclesiastical function of Dunfermline. The royal residence or hunting lodge, by custom called 'Malcolm Canmore's Tower' was by now, as the early fortified lodge in Linlithgow, unused. Archaeological evidence has not been able to confirm

whether the ruins on the site traditionally accepted are those of the royal residence as all vital facing stones have been removed. But before the fifteenth century the abbey buildings, particularly the guest chambers, offered a more satisfactory royal dwelling. These guest chambers became known as the royal palace because of their many kingly visitors.

It was, however, the main ecclesiastical buildings which dominated the town. The abbey and monastery land and buildings formed a vast complex. This included the conventual church, with the shrine of St. Margaret already a centre of pilgrimage, the Lady Chapel, chapter house, and all the dormitories, fraternity, cloister court, guest chambers, bee gardens, orchards, fish pool, vegetable gardens and cemetery suitable for sustaining the order. Detailed descriptions of these buildings are not here necessary. Although a dominating form on the townscape, these areas were closed to the burgesses. The religious life of the townspeople centred on their parish church, which was the 'wtyr' church, to the west of the conventual church in the nave of the original 1150 abbey church. It was here that several altars and chaplains were supported by rentals and 'lycht sylver'; and in this churchyard that occasionally the small 'conding' assize would

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28. The shrine of St. Margaret would at times be open to permit access to pilgrims.

29. It was a common practice in Benedictine establishments for the parish church to be situated in one aisle of the conventual church. This may have been the case in Dunfermline after the 1150 consecration. It would appear, however, that by the fifteenth century the two churches had a close, but separate existence, which may well date from the 1216-26 extensions of the monastic church (Reg. Dunf., no. 130). This new building may have become more truly the conventual church, and the entire westerly building, the parish church, the two divided perhaps by a permanent screening. Only such an interpretation makes sense of references to 'Sant Margretis Kirk Wytir' (Dunf. Recs., 45) suggesting that the parish church was outwith the abbey precincts proper, while the conventual church was described as the 'inner kirk' by 1490 ('Huttons Collections', vi, folio 258) and again in 1519 (Dunf. Recs., 293). I have benefited from discussion of this matter with Professor I.B. Cowan.
meet to settle minor disputes;30 here also that the burgesses buried their dead.31

Impressive as must have been these royal and ecclesiastical buildings, the more mundane architectural features of the town bore greater witness to the life of the burgesses themselves.32 Symbolically, the town ports stressed the individuality and independence of the burgh. They were open or shut at the direction of the freemen of the town and for their benefit and safety. The basic function however of all Scottish ports was as a collecting post for tolls. All outsiders who came to benefit from the economic trading advantages within the burgh had to pay for the privilege before entering to sell goods.

The gates could be put to other uses. Very probably, for example, the port at Cross Wynd, built in 1499, a plague year, was done so specifically to keep out the unwanted;33 and in 1585 on the instruction of the provost, the gates of the town were shut against a convention of presbyterian clergy.34 There are references to a number of town ports or gates: the 'east yett', first mentioned in 1488 at the east end of the High Street;35 the 'west port' at St. Catherine's Wynd, documented as early as 1328;36 a port at Collier Row,37 often called the 'mill port'; a 'new yett' documented in 1490 which lay to the north of Causagait;38 and also in 1499 the 'new port of the Cross Wynde'.39

30. See above, p. 90.
32. See map, p.114.
33. Dunf. Recs., 98.
34. Calderwood, D., The History of the Kirk of Scotland, iv, 448.
37. Dunf. Recs., 157. This was certainly reconstructed by 1507; but very probably existed before this date.
DUNFERMLINE circa 1500 (conjectural):
street plan and salient urban features.
Two ports at least were built this year. Both the burgh⁴⁰ and gild records confirm this and the gild 'deliverit xxij to the portis makyn and to the aldirman for irn xxij to the makyn of the bandis of the yettsis'.⁴¹

These ports were placed at the head of the main arteries leading to and from Dunfermline.⁴² The East Port gave access southwards down the New Row past St. Leonard's Chapel to the Queensferry Passage and eastwards past the Witches Dub and beyond to the east Fife ports. From St. Catherine’s Port travellers moved south past the 'nether yet' of the abbey⁴³ and the Netherton, Lady’s Mill on the west and Perdieus Knowe on the east, to Rosyth and, more important, to the town’s port at Gallet. The access to the town from the north was from Mill Port, through Collier Row, but probably more used in the fifteenth century was the access from Stirling and the west up the steep path illustrated by Slezer,⁴⁴ crossing the Tower Burn bridge and entering the burgh at the West Port. This latter was possibly sometimes named Gyrth Bow,⁴⁵ although the Gyrth Bow may have been further south near Lady’s Mill.

According to Chalmers 'these ports confirm the belief that the town was once inclosed with a wall, and in some measure fortified'.⁴⁶ This in itself is not a reasonable assumption.

⁴⁰ Dunf. Recs., 98.
⁴¹ WsGB, 21v.
⁴² See map, p. 114.
⁴³ Dunf. Recs., no. 120, and see map, p. 114.
⁴⁴ See illustration, p. 105.
⁴⁵ Reg. Dunf., no. 370.
⁴⁶ Chalmers, Dunfermline, i, 111.
A typical Scottish burgh with ports did not need to be walled. The town gates were not intended to be truly defensible. Burgesses had ready access to and exit from the town through their own backlands, where the rigs abutted on to the burgh boundary, and it was a common feature as, for example, in St. Andrews, for each rig to have its own small back gate out of the town. 47

That the town of Dunfermline had at one stage been 'surrounded' is certain. During his sojourn at the abbey in 1303/4, Edward I of England gave instructions for the burgh to be surrounded by a ditch:

Burgenses de Dunfermelyn:- Johanni le bayllyf, burgensi de Dunfermalin, et aliis burgensibus et probis hominibus ejusdem ville, invenientibus regi xl homines de eadem villa ad operacione fossati quod rex fieri fecit circa dictam villam, de dono et curialitate ipsius regis, per manus Willemi de Monte acuto deferentis denarios eisdem per preceptum regis ibidem xj die Decembris. xls. 48

This ditch was presumably completed, but there is neither documentary nor archaeological confirmation. In 1444/5 the gild decided to donate, 'of lent sylvir to the balyhais and the commounis in the tym of the pestines for dikyn of the town xlvjs viijd.; 49 and on 7 November 1503 seven burgesses shouldered the task of taking down the 'dyke of the Rattonrow'. This they would replace in stone when requested. 50 That the town had some sort of wall is accordingly certain; but one should not look for evidence of the type of fortification that is found,

49. MsGB, 103.
for example, at York or Southampton, Carcassonne, or Siena. The traditional Scottish fortification was such as that at Linlithgow: a dyke and wooden palisade that was not always secure enough to withstand a strong wind.\textsuperscript{51} Stone walls did not apparently become common in Scotland until the sixteenth century. In 1503 parliament decreed that the Fife ports were to protect their coasts with walling.\textsuperscript{52} Stirling, Edinburgh and Peebles, for example, had substantial stone walls,\textsuperscript{53} and the South Port at St. Andrews is a fine example of stonework still extant, but there is little or no evidence of the majority of burghs following their continental contemporaries, nor indeed their English and Welsh counterparts.\textsuperscript{54} What was doubtless to be found in Dunfermline was something more in the nature of a glorified 'heid dyke' at the end of each burgage holding, maintained by the burgesses. The importance of the heid dykes, as the ports, was more symbolic than defensive.

The siting of the ports does, however, give a clear indication of where the fifteenth-century burgh boundary was. Another factor which may indicate the line of encirclement is a street named 'In Below the Wa's' or 'Foul Vennel'.\textsuperscript{55} This was a continuation of Maygate to the east, and immediately to the north of the twelve

\textsuperscript{51} Cal. Docs. Scot., iv, 459. For a comparison with the often more substantial English and Welsh defences, see Turner, H.L., Town Defences in England and Wales.

\textsuperscript{52} APS, ii, 243.


\textsuperscript{54} Platt, C., The English Medieval Town, 41.

\textsuperscript{55} See map, p. 114.
foot wall surrounding the abbey precincts. It is possible that the southern 'walled' boundary of the burgh once stood immediately to the north of this street. No further documentary evidence has been found to confirm this possibility.56

Topographically, this was a relatively small town.57 The population of the burgh is more difficult to assess. According to Henderson there was at this time a population of 1300,58 while Chalmers argues that the numbers were somewhere between 500 in 1400 (as does Stewart),59 and 1,000 in 1600.60 The burgh records of Aberdeen state,

Anno 1624. Dunfermline the town of, destroyed by accidental fire 25th. May, consumed 220 tenements, occupied by 287 families, their whole plenishing, with 500 bolls of grain in barns. The town containing 700 communicants, and 320 children under six years of age, said to completely ruined.61

If the multiplier of 4½ members per family is used, with 287 families this would give a population of almost 1300 by 1624. The population figure of 1,020 (700 communicants and 320 children under 6) needs to be increased to include a group of children and adolescents. In the fifteenth century youngsters did not become communicants till mid-teens, so there is a middle group

56. Archaeological excavations on the site of St. Pauls Church, burned down in 1977, and now totally demolished, on the north side of Canmore Street ('In Below the Wa's'), and in the street itself might provide some fruitful evidence. Reference to a toft leading right down from the south side of the High Street to the abbey wall would suggest that the vennel was only very small, and, therefore, a second, town, wall unlikely to exist (Dunf. Recs., 163). The normal holding south of High Street went, however, to the common vennel (e.g. Dunf. Recs., 295) so this former, isolated, reference may be factually incorrect.
57. See map, p. 114.
60. Chalmers, Dunfermline, ii, 327.
61. Henderson, Annals, 285. See also p. 287 for his assessment of population figures. Seven hundred communicants from 287 families would mean an average of 2.44 communicants per family, which is rather less but not inconsistent with the 1592 figure for Edinburgh, which averaged 3.57 communicants per household. I am indebted to Dr. M. Lynch for this information on Edinburgh.
missing. This could be taken to suggest that a population of very roughly around 1300 could be correct for 1624. Further, if the figure of 700 (communicants) is multiplied by 1.7 (that is, an additional .7 population of age group 0 to 14,) the resulting 1,190 is not entirely inconsistent with these other totals. Since 320 aged between 0 and 6 survived, this calculation would account for 170 between 6 and 14 years, which may be a somewhat conservative figure, although it is not so low as to negate the figures in the Aberdeen records. However, these figures are based on the presumed veracity of the Aberdeen records; and Dunfermline, in appealing to other burghs for help, may well have exaggerated its plight.

One must qualify these suggestions, however, with information from the Burial Register of Dunfermline, begun in 1561. Deaths in 1620 were twenty-eight; in 1621, fifty-seven; in 1622, 123; and in 1623 a total of 442 deaths was recorded. Dunfermline was, together with Dumfries and Kelso, one of the worst hit towns in what virtually amounted to a Scottish catastrophe when plague struck in 1623. Even though the proportion of burgesses and unfreemen in these 442 deaths cannot be calculated, this abnormal death rate must be borne in mind when considering the population figures calculated for 1624. Presumably numbers were then well below the norm. It is quite possible that without this disaster the population of the burgh would have been more like 1600 or 1700.

The seventeenth-century hearth tax assessments also give some indication of population. There were about 490 hearths in

63. For a fuller discussion of this point see Flinn, M. (ed.), Scottish Population History, 117.
the burgh in 1691. The normally accepted multiplier for this figure is 3\frac{1}{2}, which gives a population of approximately 1,715. Taking into account this figure and the 1624 figure, and allowing for the probable population increase in the sixteenth century, the population of Dunfermline in 1500 may have been something a little over 1,000, perhaps around 1,100.

It is interesting to compare this hearth tax figure with that of Perth - 984\textsuperscript{65} and Linlithgow - 933\textsuperscript{66}. Dunfermline might accordingly be seen to be approximately half the size of Perth and just over half the size of Linlithgow. This same pattern appears in the stent rolls for the period 1535/1556, where Dunfermline paid under 1.5\% (1\% in actual fact before 1557) of the total, Linlithgow between 1.5\% and 3\%, and Perth contributed between 3\% and 10\%.\textsuperscript{67} If a sample is taken from stents from the Extracts of the Records of the Burgh of Edinburgh 1528/57, a clear picture appears of the taxable wealth of Dunfermline (which to a certain extent would be related to population) compared with other burghs. On 23 March 1536 Dunfermline's assessment was £33.15s.0d., the same as Wigton and Jedburgh; that for Linlithgow £50.12s.6d; for Perth £247.10s.0d; for Dysart £39.7s.6d; and for Dunbar £22.10s.0d.\textsuperscript{68}

The assessment for 25 August 1550 places Dunfermline at only nineteen crowns compared with Jedburgh's thirty-six, Wigton's twenty-four, Dysart's twenty-six, Linlithgow's thirty-six and Dunbar's sixteen crowns. In fact, in this latter assessment

\textsuperscript{64} Adamson, D., 'West Lothian Hearth Tax 1691', \textit{SRS}, New series, ix, 92.
\textsuperscript{65} Ibid., 112.
\textsuperscript{66} Ibid., 126.
\textsuperscript{68} Edin. Recs., ii, 75.
only North Berwick (eight crowns), Lauder (sixteen crowns), Banff (sixteen crowns) and Cullen (eight crowns) joined Dunbar in being assessed at a lower rate than Dunfermline. Assessments of 5 June 1556 and 2 September in the same year place Dunfermline yet again consistently on a par with Jedburgh, considerably lower than Linlithgow, and still trailing behind Dysart. The relationship of population and taxable wealth is a complex one. These figures in a very broad, imprecise way, however, do indicate that Dunfermline was by no means wealthy; nor was it, which is more important for the moment, a heavily populated burgh, when considered alongside most of the royal burghs. And yet it should not be dismissed; although not a royal burgh it was, at least, worth stenting.

Dunfermline cannot be compared with large English and continental cities. By the latter sixteenth century Edinburgh had a population of around 15,000 and estimates of Aberdeen's population vary from 4,000 to over 7,000. Murray supposes that Glasgow had a population of about 1,500 by as early as 1450; and it has been suggested that the total population of York was around 10,000 and Durham and Carlisle around 2,000 in the fifteenth century. Dunfermline was not a large burgh by any standard.

Consequently, considering the limited geographical size and population of the burgh, it is not surprising that in fifteenth-century Dunfermline, the town plan is one of few

70. Edin. Recs., 15247.
73. Murray, Burgh Organisation, i, 51.
streets. The kernel of the burgh was the High Street. Throughout the fifteenth century it was commonly called the 'Causagait'; occasionally 'Mercatgait', for obvious reasons, or 'Hiegate'. The name 'Causagait' is on one occasion given to the New Row, and twice in the 1520s the road now called Kirkgate was termed 'Causagait' also. The name 'calsay', however, is often used merely to mean 'street'. The New Row was termed 'calsay', a 'caussay' led to the Ratton Row, there was a 'common calsay called the Sculgait' and the Netherton on occasions was termed the 'common calsaygait'. It would be presumptuous to take from this term 'calsay' the meaning of 'paved'. Small pathways and vennels may still have been surfaced in wattle and timber, such as is coming to light in the current Perth excavations. That minor roads, such as the Sculgait were paved would seem very unlikely. But it would appear that the High Street was paved. On 11 October 1477, the accounts of the gild court show expenses paid to various individuals for stone and sand for the 'causa', in all three shillings and forty pence; and another nine shillings unspecified; and thirty pence for gutter stones. If this was merely for repairs they were substantial, for one Michael, 'causamaker' came to

75. Dunf. Recs., 5, 8 and passim.
76. Dunf. Recs., 305, 308.
77. Dunf. Recs., 323, 2.
78. Dunf. Recs., 333.
79. Dunf. Recs., 281, 278.
80. Dunf. Recs., 335.
advise. His fee was forty shillings; twenty shillings was
'delyverit to the causamakers childer' and he was given a
further two shillings for 'costis quhen he com cur the wattir to commoun'
with the neighbours 'anens the said causay'. There was one final
expense: 'drynk silvyr at the bigynning of the causa vjd'. 84 If
actually fully paved this modernisation is impressive when even
the capital did not have a paved High Street till 1532. 85 Probably
the surfacing was very similar to the cobbling under the Tron
Church, Edinburgh, excavated in 1974 by Nicholas Holmes.

Often considered a residual feature of medieval Dunfermline,
the High Street, and apparently all the central area of the town,
was destroyed by fire in 1624. However it would seem most
unlikely that the same basic line was not followed in rebuilding.
Indeed, even though there is no direct evidence, it might be
stated categorically that after 1624 the High Street followed
its previous course, and the central area would doubtless follow
its traditional pattern. Wooden dwellings might be inflammable
and transitory; much less so were a paved roadway, possible
stone ground floor constructions, and man's memory for precise
delineation of his personal property. It may be possible,
however, that the main street was somewhat wider in the
fifteenth century than in the twentieth. There is no
conclusive evidence to support this in primary sources at
either local or national level. Encroachment was a serious
offence and kept liners fully occupied; but the mere fact that
liners were a normal, integral part of burghal administration
indicates that encroachment was not unknown. It could happen

84. MsGB, 108v.
unofficially, sometimes by the replacement of temporary wooden
booths with more permanent structures at the front of buildings,
as at Inverkeithing; or officially, as in Edinburgh in 1508
when seven feet was lost at each side of the High Street.
Whether originally bigger or not, the lack of any appreciable
widening of the street, apart from the slightly more open area
in front of the fifteenth-century tolbooth is striking.
Dunfermline did not have a market centre of the type seen in
Inverkeithing, Haddington or Kelso, with their wide open space;
nor indeed does it follow the more simple street market plan,
widening in the middle for market-cross and tolbooth as, for
example, in Elgin and Linlithgow. Rather, this is an example
of a relatively straight, linear, single street market town,
supported by parallel vennels at the ends of the High Street
burgage plots, which became known as 'Ratton Row', 'Sculgait'
and 'The Backside' to the north, and 'Maygate' and 'In Below
The Wa's' to the south.

At right angles to Causagait at its west end was a section
of street leading to St. Catherine's Wynd, and then to the West
Port. In secondary sources this is consistently called
'Kyrkgate', but no fifteenth-century primary documentation
supports this, and even in the 1560s, this roadway was at
times called 'the common road leading to the cemetery'.

88. See map, p. 114.
89. Ibid.
90. Dunf. Recs., 355. The first reference to 'Kyrkgate' is in 1508.
91. 'Protocol Book of John Cunningham', 107.
or 'the common gate leading to the church'. It is a not unreasonable conjecture that this with St. Catherine's Wynd was the original High Street of the early burgh, leading as it did not only from the royal residence, but also from the ecclesiastical settlement. In Linlithgow there is a very similar picture of an emerging urban settlement alongside a royal hunting lodge and early church, and in all probability archaeological evidence would prove for both burghs that the original High Streets ran not along their fifteenth century positions, but at right-angles, leading from the royal and ecclesiastical nuclei.

Whatever the original status of this vennel, by the fifteenth century it was a secondary street. Possibly the name 'Maygata' was given to this road as well as the street that turned east from it. There is precise information in the burgh records that some burgages in the Maygate ran east-west, not north-south as would be expected; for example, David Litster's toft in 1479 was 'on the west side of Maygata'. The only specific fifteenth-century reference in the Burgh Records to this 'gait', other than when named Flaygate, occurs in 1496 when Wilyame Scot of Balweary resigned the annual rent of two tenements 'in the gait extant fra the kirkyard to the tolbutht'.

Continuing north, Collier Row was showing signs of becoming more than a mere wynd, the west side in particular being well developed. The other main gaits and vennels in the central

92. 'Protocol Book of John Cunningham', 249.
94. Dunf. Recs., 323.
95. See below, p. 140.
area are delineated in the map on p. 114, indicating that Dunfermline by c.1500 had developed considerably from its presumed single street origin. The New Row, technically without the original burgh boundaries, directing the traveller south by Spittal Bridge to Queensferry, led to a small suburb, the Netherton or 'Villa Inferior'. Whether or not this was the original burgh of regality is unimportant, as by the late fifteenth century this single street was an expanding suburb with burgage holdings being taken up, and subject to the same lining rules and burghal regulations as elsewhere in the town.

Such was the topographical framework for the daily life of the fifteenth-century Dunfermline burgess. But, although not complete, the burgh and gild records do make possible a more detailed analysis; and the preceding outline can be given a little more substance.

As is to be expected, the three important physical features of corporate burgh life, the tolbooth, the market cross and the tron, were all situated in the Causagait. The tolbooth, at the west end facing up the street, was partially or entirely stone-built and slated. The gild court records reveal on 21 March 1448:

'Expenses: Item gyffin for stanis to the tolbooth xiijs iiijd.
Item gyffin for skla to Robin Skalattaris to the tolbutht


97. Some local tradition supports the notion that the nether 'toun' was the ancient burgh of regality, largely because many of its lands were ecclesiastical endowments. Any attempt to reinforce this is based on the fact that records of the burgh of regality were found in 1790 in a house in the Netherton. Neither of these arguments would seem to be adequate.
It must have been a relatively substantial building for it had to fulfil the multiple function of a meeting house for the burgh court and council, the gild court, and the Dunfermline regality court, as well as acting as town jail. Being built largely of stone, it is quite possible that the tolbooth was able to escape the worst damages of 1624, but it is possible that it was at least partially a wooden structure. Repair to the tolbooth was a regular occurrence. Considerable construction work was afoot in 1448 including the 'theking' of the tolbooth. On 7 May 1449 'Rob Patounsoun was made gylde brothir for xxs the quhilk was gevin to the theking of the tolbuth'. In 1479 three shillings was spent on 'lym and sand to the tolbuth'; in 1499 there was 'mending' of the tolbooth; again in 1508 and in 1526; and in 1549 the gild lent money to the 'biggyn of the towbuth'. 'Theking' should not be given the meaning of 'thatching' as suggested by some, but, rather, the more general use of 'roofed' with an appropriate material, as defined in the Scottish National Dictionary. Being the burgh jail, it was here that the 'stokis' were kept. Perhaps also the 'lear stane' was nearby. In 1499

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98. MsGB, 104v.
99. MsGB, 7v.
100. MsGB, 108v.
104. MsGB, 44.
106. Since slated houses were known in Dunfermline, the 'appropriate material' was probably slates. Another fifteenth-century roofing material was tiles, but there is no evidence of such in Dunfermline.
the burgh 'set it again in the place where it was wont'.

However its situation is not defined; and neither is that of
the 'gowe'.

The tron may have been close by the tolbooth. The burgh
records indicate that on 15 February 1550, 'Mastir John Spens
gaf in his compt for the expensis maid apone the troune settis
of the tolbuthe'.

The inference is that the burghal weights
for the tron were in the tolbooth for safe-keeping. That the
tron itself was nearby seems more than likely as tolbooth and tron
were customarily closely located for obvious reasons of convenience.
And yet, the traditional placing of market cross, tron and tolbooth
was not followed in Dunfermline. The market cross was placed
further east up the Causagait, probably at the foot of Cross
Wynd. The name 'Cross Wynd' gives some indication, but
details in the burgh sasines give sufficient information to
locate the cross with almost complete certainty.

It was
probably not acceptable for tron and cross to be placed
together, because of possible congestion in this relatively
narrow linear market centre.

There is no evidence of market specialisation before 1500.
This is not to say that it did not exist. The seventeenth-century
Fish Market Close to the south of Causagait and the slightly later
Fleshmarket Close to the north could have their origins in the
fifteenth century; but there are several references to cadgers
of fish selling at the market cross itself in the fifteenth century.
It would be expected that Causagait was lined with 'buths', and the Burgh Records throughout confirm this. On 27 November 1498, for example,

the aldermane and balyeis of the burcht of Dunfermelyn with the maior part of the communis has set in assedacoune to Walter Caldwellis the westmest botht saffand ane wydirnaith the tolbutht of the sade burcht for all the dayis and termes of his lif tyme payand yerly tharfor to the chaplaine of the Rude and our Lady situat within the parich kyrk of Dunfermlyn viij schillings of maill. And the sade Walter sail gude and wair one the sade botht of his oawn expens to the walour of halfa mark and that to be undirstandin and seyne be the nychtbouris and consall of the townes. 115

It is interesting to note that even before the end of the fifteenth century buths had extended into the Maygate116 and out beyond the East Port.117 This is a comment not only on the topographical situation of Dunfermline where any market expansion had to be linear; but also indicates a fair measure of economic vitality at that time.

The town must have been supplied with wells. Situated as the Causagait was, along a spring line, there would have been several suitable positions for wells, but neither the burgh nor the gild records give any indication of their siting, or even of their existence. Chalmers speaks of the Tron Well, near to the tolbooth.118 It is quite possible that the Tron Well is of medieval origin. There is a tradition of an early well at the west end of Maygate, later sometimes called 'Water Gate'.119

115. Dunf. Recs., 90.
118. Chalmers, Dunfermline, ii, 196.
119. Chalmers, Dunfermline, ii, 196, quotes Historiae Scotiae Nomenclatura (1682), that 'mea', 'me' signifies 'water'.
This tradition cannot be proved with documentary evidence, but what is known for certain is that a burn passed underground at the west end of the Maygate. This was part of an exceptionally efficient system of water-power in Dunfermline. To the north west of the town was the Abbey Mill dam, supplied with water from the Town Loch, and by a series of connecting channels the burgesses harnessed this water to give a cheap and efficient source of power. A mill laid brought the water from the dam to a mill at the top of Collier Row. At this point, the supply was flagged, and supplemented from the conduits and sewers or drains of Collier Row and Ratton Row as it passed to the west of the Collier Row buildings to the rear of the tolbooth.

It was this same water supply or burn that in October 1497 'the community of Dunfermlyn has consented to open ... at the west gait of the tolbuth'. From here it passed to the Maygate to the 'nuk' beside the abbey, entering the abbey lands, possibly supplying a fish pond, before passing to the east of the monastery buildings. As the townspeople were using this burn as a means of removal of rainwater and effluence, it is quite possible it served the same purpose for the monastery. This same burn was the

120. See map, p. 131.
126. The excavations of T.M. Robertson and others in 1975 ('Recent excavations at Dunfermline Abbey, Fife', PSAS cxi, 1981) have revealed a drain from the monastery buildings, namely the fraternity at the north wall of the pends(p.391), which connected with an underlying drainage system. To the south of the fraternity was discovered a lead pipe, approximately 7 metres long and 0.08 metre in diameter running east-west. This may have formed part of the drainage system portrayed in the conjectural plan, p.131.
THE USE OF WATER POWER IN DUNFERMLINE circa 1500.
source of the mill lade, clearly shown on Slezer's view coming down from the abbey walls;\textsuperscript{127} and it is this 'lead' which is referred to in 1494 when the community enacted 'that quhatsumevir he be that brekis the burne betwyx the myll and the abbay sal pay ane unlay of viij\textsuperscript{s}'.\textsuperscript{128} From this mill, the water appears to have been conveyed along the east side of Tower Burn to Lady's Mill.\textsuperscript{129}

Three hundred years later, the burgh still enjoyed this cheap source of power, for Thomas Pennant wrote in 1772,

> The town wants the advantage of a river but has a small stream for economical uses which is conducted through the street in a flagged channel. At its discharge it joins another rivulet then, arriving at a fall into a wooded dell of a hundred feet in depth, becomes again useful in turning five mills, placed one below the other with room for as many more.\textsuperscript{130}

Just to the north of Lady's Mill, in an open space to the east of the Tower Burn, were the town's bow butts.\textsuperscript{131} These had been established in 1432 and, according to \textit{Registrum de Dunfermalyn}, were sited immediately 'to the west of the croft of St. Lawrence near the lower gate of the abbey in the lower or nether toun of the burgh of Dunfermline'.\textsuperscript{132} As in other towns, their purpose was for shooting practice, though it might be put to other uses and Richard Thomson was fined for cutting turf there in 1498.\textsuperscript{133}

\footnotesize
\begin{itemize}
\item \textsuperscript{127} See illustration, p.104.
\item \textsuperscript{128} \textit{Dunf. Recs.}, 56.
\item \textsuperscript{129} Skinner, B., 'The heugh mills at Dunfermline', \textit{Scottish Studies}, ix-x, 188.
\item \textsuperscript{130} \textit{Ibid.}
\item \textsuperscript{131} See map, p.114.
\item \textsuperscript{132} \textit{Dunf. Recs.}, no. 443.
\item \textsuperscript{133} \textit{Dunf. Recs.}, 88. Also see below, p. 268.
\end{itemize}
On the outskirts of the town proper many, if not all, burgesses had rigs of communal arable land, terra campestris, to supplement the produce grown on the toft. Many of these were towards the north-east, by the burgh muir. There is a reference among the burgh sasines to a Margret Houtoune resigning her conjunct infeftment of a barn and yard, 'on the northt part extending to the riggis of arabil land and the braid of the yard efferant to the barne lyand in the Rattounrow ... extendand to the foresaid riggis on the northt part';\(^{134}\) and in 1492 the gild records speak of the 'north croft' and arable 'acres to the north'.\(^{135}\) Although it is clear that the terra campestris was by now to a certain extent divided into rigs, there is no evidence as to the extent of the land, nor of the number of rigs thereon. Such information, as that for Paisley, which made fifty-six feus in the terra campestris in 1490 and a further 128 in 1520,\(^{136}\) is lacking for Dunfermline. To the west of the burgh was the Tower Burn and the wooded policies of Pittencrieff. To the east of New Row there was some building development,\(^{137}\) but there is indication of land here also being divided into rigs\(^{138}\) although much was held as privately controlled crofts, such as Cluttis Croft,\(^{139}\) Philippis Croft,\(^{140}\) part of Braid Yards,\(^{141}\) Mony Roodis\(^{142}\) and part of Halbank.\(^{143}\)

134. Dunf. Recs., 298.
135. MsGB, 19.
137. Dunf. Recs., 303, 314 for example.
To the south of Netherton the 'Netherton crofts' may have been divided for use by burgesses, but in general these good agricultural lands were divided up into large tracts held as a unit, such as Maison Dieu lands and Haly Bluid Acres, and the much greater Haughs, Spittal Lands, Grange Lands and Gild Lands.

To the north east of the town the burgh muir, Terra Communis, served not only as pasture for animals, but as a source of both fodder, and turf and heather for roofing. All burgesses had the right to enjoy the common muir, a right assiduously protected from the encroachments of unfreemen. In 1549, for example, one Edward Elder was to 'tak tent to the common muir and se gif the nolt hyrd kelp the samyn fra a\' unfremen without the burgh and to schaw the balyeis gif any takis haddir turf or paits of the samyn and girs'.

The annual event of perambulating or riding the marches of the muir served not only to ensure the burgh land boundaries, but also offered a fine excuse for physical expression of community spirit. The gild court minutes for 28 January 1442, show that 6s.4d. was lent by the gild to the bailies, 'the quhilk the nychbouris drank quhen thai ... the marchis of the comon mur'.

There was more than one school in the town, the most noted being the grammar school. A burgh sasine of 1496 sites it specifically at the north-east corner of the extension of Ratton Row, and the top of 'the commone gait extendand to the Gramour Scull'.

144. Dunf. Recs., 103.
145. See map, p. 203.
147. The practice of perambulating or riding the marches was common to most burghs, for example Selkirk (Burgh Court Book of Selkirk, 1503–45, 7) and Kirkintilloch (Court Book of the Burgh of Kirkintilloch, 84).
148. MsGB, 100v.
149. See below, p. 320.
150. Dunf. Recs., 323.
By 1500 this is named 'the sculgait'. The abbot supported a house for the schoolmaster, which was perhaps near to the tolbooth, for in 1519 there is a resignation of a 'bakhous lyand behind the tolbutht betwix the landis of Schir Johnne Moffat mastir of the grammar scoule on the northt part David Colstone on the west part'.

The town had two almshouses, one just outside the East Port. In 1488 Robyn and Marione Nesbyt were infeft of a 'loft house one the northt sid of the causay'. Who supported this almshouse is unknown. The abbey's almonry was at the opposite end of the town, outwith the monastery precincts. The first mention of St. Catherine's Chapel and Eleemosynary house occurs in 1327 in a charter of the abbey of Dunfermline but the chapel itself was demolished by 23 December 1420. There is ample evidence that the almshouse itself remained; it features often in fifteenth-century documentary sources. Being abbey property and, although marginally removed, part of the Benedictine complex, it would probably be of stone construction.

To the south of the town on the main route to North Queensferry,

152. See below p. 321.
153. *Dunf. Recs.*, 298. A reference to the 'skulhous' in Ratton Row the following year (*Dunf. Recs.*, 287) might be to the master's dwelling; in which case the property beside the tolbooth would be a private possession of Sir John Moffat. It is presumed, however, that 'skulhous' means 'school'.
154. *Dunf. Recs.*, 2. The reading of contemporary sources suggests that this almshouse was on the east corner of Walled Wynd, one reference (*Dunf. Recs.*, 300) sites it on the west corner. If this is not a clerical error, the East Port could not have been at the very end of Causagait, which would seem unlikely.
was the hospital and chapel of St. Leonard. Early references to this hospital are few, but it was of medieval origin, if not of Queen Margaret and Malcolm Canmore's time as tradition might like to suggest. A more probable hypothesis is that it was a foundation of the time of Queen Margaret, the wife of Alexander III, when many other St. Leonard hospitals were founded.\textsuperscript{157} The wider ecclesiastical function of this abbey town was also emphasised by the presence of other chapels in the vicinity. A mile to the east of the burgh at Garvock was St. John’s chapel,\textsuperscript{158} and probably at the south-west of Netherton was St. Mary’s Chapel;\textsuperscript{159} the distinctive garb of churchmen and monks must have been a common sight in Dunfermline.

Such were the outstanding urban landmarks for the fifteenth-century Dunfermline man; the physical setting for the common corporate policies and more intimate moments of the members of the gild. But daily lives were regulated as much by the confines of personal territory, as by the grander expressions of community existence. It is, however, precisely when entering into this more detailed analysis of the urban scene that surmise must at times substitute for verifiable fact. Although it is hazardous to attempt a highly conjectural picture, the occasional glimpses into fifteenth-century Dunfermline offered by the burgh and gild records and the later 'Protocol book of John Cunningham' present an opportunity not to be missed. Nevertheless it must be recognised that many questions can never be answered.

\textsuperscript{157} Henderson, \textit{Annals}, 95.
\textsuperscript{158} \textit{Reg. Mag. Sig.}, v, 226.
\textsuperscript{159} Henderson, \textit{Annals}, 512, and \textit{Dunf. Recs.}, p.xxix. St. Ninian’s chapel to the east of Collier Row (\textit{Dunf. Recs.}, 267) was endowed in the early years of the sixteenth century. There is no specific evidence of its existence in the latter fifteenth century; although this is possible.
Information about burgages and building thereon can be gained primarily from two main sources. In the first instance carto-
ographical evidence has been used whenever possible, and in the second, details from burgh sasines of the fifteenth century proved fruitful, but for the last two decades only.

The earliest map that can be found showing buildings is a plan, apparently unknown to nineteenth-century historians, in the archives of the Earl of Elgin. This 'General plan of the Estate of Broomhall' dates from 1771 and shows clearly building in the Netherton, but since even the lie of the main street there is incorrect, it was decided not to use this map for detailed analysis in the initial stages of a study of burgages. Ebenezer Henderson, the author of Annals of Dunfermline produced a plan in 1823, which is available at the Dunfermline Central library, Abbot Street, Dunfermline, but although clearly much early documentary evidence was taken into account in its compilation and although giving a good general view of building in Dunfermline, it is not sufficiently accurate to use as a basis for study. More reliable is John Wood's map of 1823; and this, along with the ordnance survey maps of 1851 onwards give more precise details. Modern plot boundaries are shown clearly on the latter, and bearing in mind that street layout and plot boundaries are considerably less mutable than other urban features, the assumption is made that there is at least a correlation between these and medieval burgages, remembering always that subdivisions and amalgamations continually occur.

A close examination of the burgh sasines of the last twenty

160. In 1873 Henderson added a note to his 1823 plan, 'done ... 50 years ago, was accomplished by pacing the streets and ... observing the direction of shadows projected by them at 12 o'clock noon. E.H. in looking over it finds several mistakes'.
years of the fifteenth century yields much valuable, if not definitive information. It is possible to mark out along all the streets with buildings a conjectural plan of occupants and their neighbours. From this, one may postulate the areas of high-density building and the less popular areas of development. These details, along with the cartographic evidence, support a number of tentative conclusions.

The most striking feature is the highly developed nucleus of the town, Causagait. This is, of course, to be expected. Market frontage in Dunfermline, as in any west European burgh, was the most desirable. Infilling of the open market centre at Haddington and Dumfries and the building upwards and backwards of the tenements in Edinburgh are merely two examples of attempts to enjoy full advantage of a prime site. The earliest fifteenth-century documentary sources in Dunfermline show that this process had started there also, and the subdividing of tenements on Causagait had begun. The Burgh Records give many specific examples, such as the case of Elizabeth Coupir who in 1480 was infeft in a tenement on the north side of Causagait

\[\text{betuix the landis of David Bray one the est part and the landis of Mastir Henry Kyrkcaldy one the west part the landis of Margaret Coupir one the soutth part extendand to the gait callit the Ratonraw one the northt part witht fre ische and entra to and fra baiht within and without.}\]

There are several instances of infeftment in 'backlands' with 'fre ische and entra of the forlände', thus giving rise to the many

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161. See map, p. 139.
162. Dunf. Recs., 304.
CONJECTURAL PLAN OF DUNFERMLINE

to indicate “bigging” and lie of burgage plots in the late fifteenth century.
closes typical of the medieval burgh. In approximately 28\% of the infeftments in Causagait prior to 1500 there is specific information that the burgage was divided. This does not mean that the remaining 72\% were still necessarily present in their entirety. Specific documentary evidence for one third of the tofts developed in the backlands suggests that a fair proportion more could have been infilled.\footnote{163} It is suspected that the townspeople of Dunfermline appreciated the value of market street frontage as much as the burgesses of Scarborough. To gain maximum use of the High Street building line, the practice there, as elsewhere, had arisen of placing gables to the street, a more economic use of space; and a factor noted moreover by the crown. In determining the tariffs at Scarborough Henry II decreed that 'they shall pay to me yearly, for each house whose gable is turned towards the street four pence, and for those whose sides are turned towards the street, six pence'.\footnote{164}

Collier Row on the west, particularly near to the tolbooth, appears to have been virtually entirely developed. If the fifteenth-century burgages correspond even remotely to those indicated by John Wood and if the number of infeftments made between 1480 and 1500 is noted there is a clear picture of a highly developed frontage as well as to the rear, with buildings and yards.\footnote{165} The east side, however, is totally different. This might, of course, merely mean that burgages here remained

\footnote{163}{Such a practice was familiar throughout Scottish burghs. W.A. Dodds' argument that in Dumfries 'the long plots were always subdivided lengthwise', is consistent with the norm. Any ambiguity arises over the terminology 'lengthwise', for he continues, 'As late as 1444 the plot along the north side of Bank Street was subdivided lengthwise by its owner who then sold off the half fronting Bank Street' (Dodds, W.A., 'The Medieval Town Plan of Dumfries', 198-199.)}

\footnote{164}{Ballard, A., British Borough Charters, 1042-1216, 47.}

\footnote{165}{Dunf. Recs., 2, for example.}
in the same hands for a long time; but there is a singular lack of infoemts even in the sixteenth century. The conclusion must be that there were fewer burgages on this side. This is admittedly not confirmed by Wood's map. However, by the nineteenth century, St. Ninian's chapel was non-existent, and it is quite possible that the lands of the chapel had occupied some of the Collier Row street frontage in the fifteenth century. It is clear from John Cunningham's protocol book, however, that by 1560 it was possible for a toft to be held on the east side of Collier Row, with the lands of St. Ninian lying still further to the east. But even so the chapel with two rigs of land would prevent some building here. Secondly, the backlands of Causagait obviously ran south-north from the main thoroughfare. These would be more important burgages than east-west burgages running from a secondary street and may be the more likely explanation for lack of development on the east of the road. Presumably in the two centuries or so following 1500 a gradual encroachment was made from Collier Row to form burgage plots, and these were taken at the expense of some of the Causagait backlands. Hence might have emerged a different lay out in the more modern plan of 1823.

Ratton Row, moving east from Collier Row and running more or less parallel to Causagait, was close to the commercial centre. It was divided into burgages, but should be looked on mainly as backlands to the Causagait frontages. This would be supported

166. 'Protocol Book of John Cunningham', 8.
167. Dunf. Recs., 270. Even though the building of St. Ninian's chapel may not have commenced until the early years of the sixteenth century, the possession of this block of land by the Bothwells would have prevented development.
by the rights, stated during infeftment to a backland on the
north side of Causagait, to 'fre ishe and entra at the yeit
and the bak yeit'. 168 This is a relatively important feature
of Scottish burghe, and typical of vennels in Stirling, Forres,
Elgin and Lauder. Being a back vennel, there does not seem to
have been a great deal of development along this frontage, although
there are references to a number of barns 169 and perhaps one
dwelling house had been built there. 170

Cross Wynd ran northwards from the market cross. That
there is mention of only one 'house' on the east side 171 and
only a little development on the west 172 is not surprising
however. Again, Causagait rigs ran north-south, and probably
originally right up to the edge of Cross Wynd, leaving no room
for development in the subsidiary wynd. The wynd would, at
the outset, be intended to be merely a passage to allow movement
between tofts and crofts. By the late fifteenth century, however,
there were yet again further examples, here, of attempts to
capitalise on the market centre space.

The Maygate, once again a street of some importance, close to
the tolbooth and the tron, near St. Catherine's West Port, and,
moreover, beside the abbey appears to have been well-developed
along its west, east and north frontages. There was not much
building along its southern frontage, and this may have been the
boundary line of the abbey precincts and burgh burial ground.

169. Dunf. Recs., 324, for example and see below, p. 153.
Since the only person known to have inhabited the south side of Maygate was John Orok, bailie, who was perhaps related to John Orok chaplain in the parish church, and whose father, David, entered the gild in 1460 at a reduced fee at the request of the abbey, it is possible that the abbey controlled any building along this south side. This impression is encouraged by the fact that John Orok's home was one of very few, if not of only two, private dwellings in the town that were slated. 

There are specific references to tenements in St. Catherine's gait, John of Wallod Wynd, the Common Vennel and the vennel to the east of the East Port, but there is no impression of extensive building in these regions.

The other two areas of relatively high development were New Row and Netherton. Even in John Wood's cartographical days, however, there were still gap sites to the east of the New Row, but the west side, as far south as the Common Vennel was obviously highly desirable, and the indications are that there was a fair density of building, although the records state specifically that a 'yarde and forlände' here were 'unbiggit' in 1499, and in 1492

Mordo Pacok present erd and stane of a waist land land in the newraw in the west syd Thome Morse one the northt syd and Johne Androstone on the south syd.  

And yet there is evidence on the west side of subdivisions of property. In 1496 Thomas Bennis resigned

a loft and seller ... one the west sid off the newraw the land of the said Thomas Bennis one the northt and

174. MsGB, 8v.
175. Dunf. Recs., 328.
176. Dunf. Recs., 139.
the common wernall on the souht and freedom
of the stair witht fra ische and entra without
any impediment.177

There also appears to have been a considerable degree of
building on both sides of the Netherton, perhaps because it was
blessed with far greater burgages than elsewhere in the town,
for example, in one, and maybe many cases, extending from the
north side of the street right back to the abbey wall. John of Rous resigned a

tenement of lande and one rig witht the pertenens
liand in the Nethirtone and one the northt side of
the samyn ... the common caisay on the souht part
and the Abbey Wall on the northt part.178

There is no indication of the depth of burgage plots on the south
side; but it is stated in the burgh records that David Kynglassy
was infeft of a 'tenement a yard and two riggis', which was
not a small holding.179

To attempt to assess the size of burgage plots in
Dunfermline is not easy. Not only have subdivisions and
amalgamations left their mark, but also the 'great fire'
wrought havoc with much of the evidence in the centre of
the town. Even assuming that in rebuilding, the ancient
burgage delineations were followed, and that there was a
regular herringbone pattern,180 the depths of burgages are
not always possible to calculate. That they varied is
irrefutable. In the New Row, south of 'Below the Wa's'

177. Dunf. Recs., 335.
180. See Conzen, M.R.S., 'A study in town plan analysis', The
Transactions of the Institute of British Geographers, xxvii-
xxviii.
the back boundary appears to have been the abbey wall. This wall was not parallel to the New Row, and depths of plots consequently varied. The lengths of the burgages in Collier Row, for example, and Netherton bear no resemblance to one another. Even on the north side of Causagait the depths of burgage holdings could not have been of standard measurement, as, in most cases, the rigs extended to Ratton Row, Sculgait and 'the backside' (the extension to Ratton Row and Sculgait to the east), and these did not run parallel to the main street, thus giving variations in length of 156 ft. to 221 ft., smaller than the Scottish average of 267 ft.;¹⁸¹ and, on the south side, the southern boundaries abutted on to holdings in Maygate (a relatively short depth of rig), and in some cases, right down to 'Below the Wa's', which was an exceptionally great depth, of 390 ft. approximately.

An attempt to assess the length of the frontage of the burgages is even more problematic. On the evidence of the nineteenth-century ordnance survey maps, there is a relatively consistent pattern in Causagait, Maygate and Netherton, always bearing in mind later amalgamations and subdivisions. The lie of burgages in New Row appears to have changed radically between 1500 and 1800, so these have been ignored. One may be fairly precise and say that burgage plot frontages tended to be between 20ft. 10ins. and 25ft., and at one section in the middle of Causagait, a regular 26ft. ½in., which patently does not fit into the supposedly common standard width of burgage frontages of between 28 feet and 32 feet of Britain and Europe quoted by

Brooks and Whittington;\(^{182}\) nor indeed to the standard of three metres specified by J. Adams.\(^{183}\) Excavations at Perth in the middle of South Street suggest a burgage frontage of 20ft., which is more in line with the Dunfermline pattern. It is worth noting that in 1514 when Sir Thomas Carnys was granting a piece of land for building, the dimensions given tie up closely with these surmised burgage plot measurements for Dunfermline.\(^{184}\)

He had set for ane certane annuel rent yeirly ane peis of the said forfront to Johne Symson to big upoun contenand within the gavillis twenty fut and of sik widnes as the barne of Wilyem Hartis besid wytht tua fut be north the sid wall to mak ane gutter lyand an the northt sid of the Rattounrow.\(^{185}\)

It would appear that the last half of the fifteenth century was a time of building expansion in Dunfermline. Whether or not this was as a result of natural population explosion or due to migration into the town is not, from the records, clear. What is known is that there was clearly a policy of building encouragement by the authorities. As early as 7 January 1444 gild court records minute, 'Item forgevin to the brint men of thair entrie of thaim that begouth to byg thear land within a yher thereftir'.\(^{186}\) In the same year John Sym 'wes resavit nychbour for caus he biggit and wes brint', as were Will of Dunlop, Law of Furmornis and John Baxtar.\(^{187}\) In 1448 a gild

\(^{184}\) Dunf. Recs., 360.
\(^{185}\) For a discussion on the size of burgage frontages in Aberdeen and elsewhere, see Abdn. Recs., p. lvi.
\(^{186}\) MsGB, 102v.
\(^{187}\) MsGB, 5v.
brother was forgiven ten shillings of his entry fee to assist towards the cost of his house building.  

Throughout the Burgh Records there are instances of 'recognition' or forfeiture of property owing to non-payment of rentals. If land remained undeveloped, there was little to forfeit, consequently Dunfermline people were constantly prodded to make their plots 'strainable by bigging'. There is, for example, the case of John and Janet Johnstone in 1489. John and Christiane Wrecht resigned 'by erde and stane' to one of the bailies 'the fe of twa rudis of for front of land liand in the Cors Wynd on the west syd'. John and Janet Johnstone were then infeft, but with the proviso that, 

the said Johne and Janet sall byg apon the ground within an yer and mak it strynyeable for the annuell falyeand that of the saide grounde cumand agane to the said John Wrecht and his airris but proces of law.

So there was not only a policy of building encouragement, in some aspects similar to the allurement of 'kirset', but also a further barb of penalisation for failing to build in the burgh. In spite of the attempts of the authorities, however, there were always some who would not comply. There are many instances of land not being 'strynyeable'. As late as 1494 four lands failing in such a manner were sited in Causagait; and these were clearly not isolated instances. So, even with the repletion along the main street, there is still evidence of rigs marked out, but not even developed, or perhaps in an impossible state of disrepair.

188. MsGB, 7.
191. Dunf. Recs., 73 for example.
Pedro de Ayala after a visit to Scotland in 1496 reported that, 'the houses are good, all built of hewn stone and provided with excellent doors, glass windows and a great number of chimneys'. He was, most assuredly, not speaking of Dunfermline. The evidence is certainly somewhat exiguous, but a partial picture can be gained of the domestic architecture at this time. The fact that the central area of Dunfermline could be so devastated in 1624 indicates that the majority of buildings even in the seventeenth century were of wood, or stone ground floor with wooden upper storeys. The burning down of whole areas of towns was a normal hazard of medieval life; and the gild records of 1449 refer to the 'toun', no less, being 'brint'. This is a reminder of the assessment that Scots found no great problem in rebuilding of their houses in 1385 since, 'with four or five stakes and plenty green boughs to cover them' they were remade almost as soon as they were destroyed. Replacement rapidly after attack or fire would not suggest over-sophisticated buildings. And yet, houses were more than primitive hut structures, if they were capable of subdivision in some cases. This is supported by specific references to lofts, cellars, vaults, foresairs and forshouses. The wealthier members of the gild would, moreover, probably have had more elaborate

194. Dunf. Recs., 317, 78, 80, for example.
198. Dunf. Recs., 172, 276, 278.
properties, perhaps extending a fair distance back from the building line. One such as that described in 1519 as 'contenand a hall and chalmer above ane volt beneith and a bakhous of two hous lying behind the tolbuth' would not be considered an over-expansive residence.

There are references in the Burgh Records to a licence given to one Thomas Smyth to 'fryst and pan in a foirhous in Crosswynd', to 'first, pane and regaling' in 1505, and in 1520, it was noted that

William Christisone sal rest in the sydwal of pane and first and ane sufficient rest to his ribbis in the sydwal gif he the said William makes ane lest and sal vattertable the sad Villiem haffand na other aislamentis than the forsaid sidwal.

The 'first' or 'frist' was the ridge-pole of the roof. This term is also used in the Stirling burgh records in 1548. The 'pans' were 'purlins' or horizontal timbers, running parallel to the ridge-pole, and it seems that this form of roof construction bears some resemblance to 'post and pan' or 'post and tie', where the upright 'posts' were held in place by the horizontal 'pans' and perhaps the framework then infilled with stones, clay or mud.

The term 'regaling' is similar to 'vegaling', but it is clear from the manuscript that the notary public, John de Monte Fixo (Moffat), intended the former. These might, however, be words of common origin. Vegaling refers to the small spars fixed on a

199. Dunf. Recs., 298.
201. Dunf. Recs., 149.
203. Stirling Recs., 52.
204. 'Burgh Court Book of Dunfermline', 149.
roof to act as a bed for the turf or thatch that went on top. This is supported by the Shetland name 'vaggel' meaning a small spar fixed cross-wise in a roof from which meat and fish were hung to dry. There is a further name 'vaigle', applied to a wooden spar fixed on a wall in a byre for tying cows. These parallels offer a reasonable basis for interpreting the meaning as vertical spars to a roof. But whatever the precise definition, it can at least be affirmed that even though building was still largely in wood, there had been considerable development in construction methods from those mentioned by Tytler. Merely the fact that permission or 'licence' was given indicates a more formal approach to house construction.

By 1497, moreover, Dunfermline had one John Cally, 'a sklater'. There had also been a 'Robin Sklatter' who had worked on the tolbooth. It is unlikely that the sole task of these men was to upkeep the tolbooth, but since the Burgh Records of 12 May 1490 offer the information that there was a 'sklat house' on the 'kyrkyard dik' and feel it worthy of mention, it may be assumed that slated roofs were not common. The only other reference is to a slated house in 1506, when a 'sclait' house, west of the tolbooth is documented. The normal roofing material was, of course, heather or turf thatch, often collected from the burgh muir.

The windows of the abbey buildings and doubtless the tolbooth

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205. I am indebted to Dr. A. Fenton for his views on this subject.
207. MsGB, 104v.
would be glazed, at least partially. This would not necessarily be the case elsewhere in the town, and yet references survive to window construction that might suggest something more advanced than the early medieval standard of unprotected gaps. 211

There are no references in Dunfermline to larger dwellings, the town houses of local lairds, as one has in many burghs. The laird of Rosyth might, however, have had a personal dwelling in the town. 212 If not, this may be because the two dominant landed families, the Halketts of Pitferrane and the Stewarts of Rosyth lived no more than three miles out of Dunfermline, and both on main routes out of the town, Pitferrane being on the west road to Stirling, and Rosyth off the Limekilns road. The specific details of house construction which indicate that gables of some houses were of stone, with plaster chimneys that interconnected with neighbours, and with roofs that were designed to displace water efficiently, would suggest, however, a fair degree of sophistication. 213 The concern over protection of one's gable 214 and complaints that neighbours were not keeping their property watertight 215 reveal a caring attitude. Added to this the many references to matters that came within the remit of liners such as the wrongful moving of 'lining stakes,' 216 the

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211. See below, p. 302.
214. MsGB, 21v.
making of half a hedge a lining demarcation; even the defining of lands as extending from a midden to clothes posts; along with the marking of tenements with 'lynyn stanis and a cors' once they were measured; does not give the impression of simple burgesses in primitive wooden dwellings.

The frontages of the dwellings, notably along Causagait (although all building was hard on the front building line with no open 'garden' space in front), would be faced with small wooden booths, where the retailers displayed their wares. Sometimes these would be of temporary structure protruding into the street, and on other occasions intended to be more permanent, with a solar or living room above, such as that on the west side of St. Catherine's gate which had a 'chalmer with forestair aboun ane forbooth'.

Alongside the dwellinghouses, as in all Scottish burghs at this time, as well as the 'buths' of the retailers were the business premises of the tradesmen, mainly situated in the backlands of the rigs. The burgh records offer some examples. In 1479 Robert Blacot was infeft of 'ane bark pot lyand ... betwix the alemoseneris yard on the est part and Johne Flamyns land on the northt part and Touir burne on the west part'.

Johne Malcolmse and Kathrine Blacot his wife in 1492 received enfeftments of a 'barne' on the south side of Netherton, aftir the forme of that condicione, that is to say that the said Johne and Katrine sal have lauchfull entra on the west syd throwt (the

220. Dunf. Recs., 308.
221. Dunf. Recs., 172.
said) John Qwariouris land till his kyll with tane dur one the est syd till we within him self withoutin passagis out sepper the said JQ. sal nocht stop the wynd one the est syd fra him and the said JQ land liand about the beane one all partis.223

This was one of at least four kilns within the town, there being one north of Causagait,224 one on probably the north side of the Netherton,225 and one at Mony Roodis.226

There were several more barns, at the top of Cross Wynd,227 two in Ratton Row,228 two on backlands of tofts on Causagait,229 and another was sited at the head of Collier Row again on a backland,230 and one perhaps on the north side of Maygate,231 but barns were quite a common feature within the medieval town.

To the south of Causagait was a bakehouse, ('baikhous');232 the town had at least two or three smithies, one at the East Port, and one in the Netherton.233 There are references to 'brevhosis',234 and also to 'lyme pots',235 and in 1521 to a forge to the north of Causagait.236

228. Dunf. Recs., 324, 331.
231. Dunf. Recs., 137.
232. Dunf. Recs., 334. This might more correctly mean 'back house'.
233. Dunf. Recs., 86, 235 and 208. The siting of smithies close to the gate or gates of the burgh has obvious advantages; and seems to have been practised in Ayr also. (Dickson, T., 'Proceedings of the Gild Court of Ayr, from Ayr manuscripts', Archaeological and Historical Collections relating to the Counties of Ayr and Wigton, 1, 226).
However much the craftsmen plied their trades within the burgh, the rural atmosphere of the town cannot be exaggerated. Contemporary sources throughout give a picture of greenness, gardens and orchards. The siting of barns so near to the commercial centre gives at least one clue to this; and as in all medieval burghs, livestock would be free to wander through the streets. There was a stable in Crosswynd in 1507, and probably earlier, and several more even though not specifically cited here. It is clear, reading any of the contemporary sources, that open spaces would be the dominant visual impact. In 1496 Thomas Bennis resigned, 'a loft and sellar with a mekel of the yard liand thatro as a pek of lynget will saw'. In the same year Esbel Gerwes was 'in amerciament for the wrangus waytakings of thak timber stains and treis of a ground liand in the Netherton'. Backyards were cultivated, no matter how small, and one of the burgages on the north side of Netherton 'at the common road leading to the nethergate of the monastery' is specified to be a tenement with its pertinents and, very important, 'one rig of arable land'. To the south of Netherton, even a half tenement of land had two arable rigs, and others as much as two acres of land.

These burgage tenements and rigs, crofts, burgh muir, orchards and meadows all added to the rural atmosphere. Perhaps the case of Jonet Kynglassy makes one of the most

239. Dunf. Recs., 93.
242. Dunf. Recs., 359, for example.
243. Dunf. Recs., 103 and 513 for example.
pertinent comments on the state of many fifteenth-century burgesses. For all his urban sophistication the burgess was still very much a man of the soil. The ability to produce and support oneself with the basic foodstuffs from one's own land was fundamental for many. Unless a member of the very wealthiest burgess class, one's livelihood continued to derive at least partly from the land. The daughter and heir of the deceased David Kynglassy at the turn of the century

\[\text{declarit that acho hade nocht to leif upon bot ane forande and ij riggis tharto followande quhilk indegens wes sufficientlie previt be the ... assis.}^{244}\]

The town of Dunfermline was still very much of the country.

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244. Dunf. Recs., 146.
CHAPTER IV

THE GILD FRATERNITY

The gild has been seen as a facet of the municipal organisation of the burgh;¹ but to stress this role overmuch would be to misunderstand the full nature of the gild. It was not simply an inanimate burgh department, but a body of men co-operating in the daily routine of their fraternity.

Before this daily routine can be considered, there are questions to be asked about the members of the gild. It must be known whether they were a select few, an oligarchic clique; a small group of wealthy merchants; or a larger one of less wealthy merchants; or perhaps not even all merchants. Once the membership of the gild is comprehended, some attempt must be made to understand the rules laid down for entry to this society; and from the contemporary sources ascertain who was excluded from the brotherhood, and why. It might even be questioned whether, contrary to traditional opinion, any particular class was excluded.

It has been suggested that there may have been approximately 1,100 inhabitants in Dunfermline in the fifteenth century.² Even such a rough estimate leaves no doubt that this was a small town. By no means the majority of these inhabitants would achieve burgess status; and of those who did only a proportion would probably enter the gild. How many, then, were in the gild?

The total lack of gild lists in the fifteenth- and sixteenth-century records necessitates a somewhat tortuous

1. See above, Chapter II.
2. See above, p. 120.
answer to a straight question. The suggested figures which follow are conservative for several reasons. Unless there is irrefutable evidence of membership of the gild, the name of a possible member is not included. Therefore there are certainly omissions. A burgess, for example, acting as surety for the payment of the gild entry-fee by another in all probability was a gild member; in most cases he was, but not always. In such cases, however, unless there is other precise evidence of membership, these names are omitted, even though a high proportion will have been gild brothers. Occasionally certain members of the gild are never mentioned in the Gild Book; and yet there is evidence of their existence from the Burgh Records. These members may, therefore, be added to the tally, but there must be several more who are never mentioned either in gild or burgh records, and consequently no account can be taken of this group.

The numbers that may be ascertained for the 1430s are not at all complete. Information is almost solely derived from the gild records; and the totals of five members in 1433 increasing to thirty-one in 1439 do not reflect increasing membership during these seven years, but, rather, increasingly available information. The 1440s supply a fuller picture. Again, the numbers of thirty-eight in 1440 increasing to forty-four in 1444 are indicative of more plentiful evidence rather than new entrants; but are, even so, a more realistic figure. The gild records of 1445 give the clearest indication of total membership. In this year the clerk listed all members still owing part of their entry-fee. This list does not necessarily, of course,
include all brethren, but for the first and only time in the fifteenth and sixteenth centuries the less active gild members are named. All such qualifications duly made, it seems that the Dunfermline gild had a membership of about fifty-two.

This number seems to have been maintained fairly consistently throughout the fifteenth century. In the 1490s, for example, when calculations are facilitated by evidence in the Burgh Records, gild membership varied between forty-seven (1491), fifty (1492), forty-four (1493), forty-five (1494), forty-nine (1495), forty-seven (1496), forty-eight (1497), forty-six (1498) and forty-eight (1499). (Again, these are conservative figures) This was perhaps not a particularly large membership. Fifteenth-century comparisons are, however, hard to find: the folio manuscripts detailing proceedings of the gild court at Ayr suggest numbers of members there were very similar to Dunfermline; but Stirling gild records have neither gild lists nor adequate information to ascertain the number of gild members. Perth had between 100 and 110 members in 1459, and such gild membership figures reflect the greater town population.

Entries to the gild from year to year seem to have varied little in Dunfermline. From one to four entrants per annum was the norm. Such figures may be compared with entries in Edinburgh. There, 1487 saw eleven new gild members; 1488, fifteen;

3. These figures are gained by totalling all known gild members alive at a given date. The information comes largely from the Gild Book. The burgh sasines, however, contained in 'The Burgh Court Book' can in many cases give indications of date of death of gild members.
4. 'The Ayr Manuscript', fol. 9v and 10.
5. 'Perth Guildrie Book'. I am indebted to Mrs. M. Stavert for information to support these figures.
1489, seven; 1490, nil; 1491, nil; 1492, thirty-seven; 1493, one; 1494, two; 1495-8, nil; and 1499-1500, forty-five; an average of eight per annum. In Stirling the picture is similar with an average of nearly seven new entrants a year. The entrance figures for the years 1460/1475 show that the highest number of admissions in any one year was twelve, (1472), and in no single year was there not at least one entry.

Burgess lists for Dunfermline are likewise totally lacking. The undated Burgh Roll inserted at the end of the Burgh Records, from names listed, might be of early sixteenth-century origin. From this list of money owed or already paid on property, tenements, land and trading premises, it would appear that there were eight female burgesses holding in their own right, as opposed to conjunct infeftment, and between 138 and 202 male burgesses. The smaller figure is calculated on the assumption that no two burgesses had the same name, which is not valid, since, for example, probably five John Wallods were burgesses at this date. The higher figure, gained by totalling all names, however, would suggest that there were, for example, twelve Henry Bothwells, which is not the case. Henry Bothwell was a major property owner in Dunfermline, and the occurrence of his name twelve times in the burgess roll reflects this. It is a reasonable calculated guess, and no more, that around 1500 there were approximately 150 male burgesses. In a population of approximately 1100, this accounts for about thirteen or fourteen percent. This relatively high figure also confirms the impression that in this small town, there was a fairly high

6. 'Edinburgh Guild Register, 1487-1588', Anno. 1487-1500.
7. 'Stirling Gild Records'. 1460-75.
9. See Appendix VII.
degree of co-operation in municipal business by a large number of people.

A gild membership of approximately fifty presumably means that about a third of the male burgesses of Dunfermline achieved the status of gild brethren. This also is a significantly large proportion, which on superficial first glance would seem to vitiate any argument that the gild was synonymous with a small merchant élite.

There are specific references to only 152 entries to the gild in fifteenth-century Dunfermline, discounting the six occasions on which membership was given for one year only. Of these, forty-two claimed by right of inheritance, paying only the 'spice and wine';

\[\text{Spice and wine.}\]

thirty-four claimed by right of their fathers, two by right of wives, two through heritage (unspecified), two through grandfathers and two through great-grandfathers. John Johnson was one of the latter who, in 1499, claimed through his great-grandfather Wilyam Dunlop, with the caveat that if a nearer heir should claim John Johnson would pay for his entry, as did all others.\[\text{11}\]

Eighty-three members paid (or committed themselves to pay) the full entry money which was normally forty shillings, as well as the spice and wine. These were clearly either total newcomers to the gild with no family connection, or were younger brothers to gild members and right of inheritance had already passed to the oldest son. A further nine

\[\text{Spice and wine were donated in kind, or a cash value was substituted. The wine was for the benefit of the gild members, and the spice probably to improve its flavour. Medieval wine-producing methods meant that it did not keep well, and spice was often added to mask the resultant taste. This also was the practice in Perth ('Guildrie Book', 2), and Edinburgh (Marwick, J.D., Edinburgh Guilds and Crafts, 42). In Stirling, however, this entrance fee was wine and wax. ('Stirling Gild Records', October 1461, for example).}\]

\[\text{MsGB, 22.}\]
(three of whom were churchmen) entered as a result of good
deeds or services to the gild; and sixteen gained admission
through influence (for example, seven at the instance of the
abbot, one of the king, and five by the intervention of the
Stewarts of Rosyth). The remaining two who became gild
brethren did so for unknown reasons.

In Dunfermline it was usual for no more than one or two
per annum to pay for entry. These entrants were men who had
no claim to join the brotherhood through inheritance. There
were, however, exceptions. In 1449, seven new brethren entered,
four paying for the privilege, and in 1499 again seven entered,
with, on this occasion, five paying the entry fee. These
figures may reflect a cash-flow problem, since the introduction
of new, paying members could boost funds. The 1490s, if one
accepts this argument, may well have been a time of somewhat
straitened circumstances. In 1491 three men paid for the
privilege of gild for one year only; in 1495, four new
members paid for full entry; in 1497 four more; and in
1499 five. When the gild finances are considered, this
theory may be corroborated.12 There would appear to be in
Dunfermline from the slight evidence available a significant
correlation between lack of funds and the introduction of new
members by payment.13 Stirling, also, would appear to have been

12. See below, pp. 209-221.

13. There is insufficient evidence to adequately consider the other
possibility, that is a correlation between untimely deaths and
entrance of new members by payment. Plague hit Dunfermline in
1499, and possibly had resultant side-effects (see below, p.
221). For a consideration of the patterns of freemen
registration in York, see Dobson, R.B., 'Admissions to the freedom
of the city of York in the later middle ages', Economic History
Review, 2nd Series, xxvi, 17-18. For a general discussion see
Thrupp, S., 'The problem of replacement rates in late medieval
English population', Economic History Review, 2nd Series, xviii,
117.
maintaining its numbers by the introduction of newcomers. Since, however, the parchment roll that contains Stirling's fifteenth-century gild records, offers very little information it is possible that Stirling might have been increasing rather than maintaining its membership. However, of the 108 admissions documented between 1460 and 1475, nineteen entered by right of their wives and sixty-six paid for entrance.\footnote{14} The remaining twenty-three did not necessarily have a right of admission through inheritance. The situation in Aberdeen, however, in the thirty years from 1450 to 1480 was somewhat different. Of the 402 who received the best trading privileges, 62\% gained by inheritance, and only 13.7\% were totally new men.\footnote{15}

It is clear that the Dunfermline gild relied for survival on new blood. All newcomers, however, would have to fulfil the basic requirement of being a burgess. In many cases this prior qualification preceded entry to the gild by several years. John Carnys, cordiner, for example, became a burgess on 10 February 1489\footnote{16} and entered the gild ten years later;\footnote{17} and David Kyngowin became a burgess on 5 July 1489\footnote{18} and was made a gild member nine years later by reason of his wife.\footnote{19} There is only one case between 1488 and 1500 of burgess and gild membership being given on the same day.\footnote{20} This contrasts with Edinburgh, which in the same twelve years created a minimum of forty-one such members.\footnote{21}

\footnote{14} 'Stirling Gild Records', 1460-75.
\footnote{15} I am indebted to Mr. H. Booton for this assessment.
\footnote{16} Dunf. Recs., 7.
\footnote{17} MsGB, 22.
\footnote{18} Dunf. Recs., 15.
\footnote{19} MsGB, 21.
\footnote{20} Dunf. Recs., 75.
\footnote{21} 'Edinburgh Guild Register, 1487-1588', Anno. 1488-1500.
The origins of fifteenth-century urban families are not easy to ascertain. Surnames were by now for the most part hereditary. (There were notable exceptions; for example, Alexander of Yrland was the son of John Wilson; and Andrew Butler and John of Coupir were brothers) Consequently, surnames such as 'Kinglassie' are not necessarily an indication of geographic mobility. It would be reasonable to assume that the name Kinglassie, along with Bothwell, Guthrie, Nairn, Ochterlownie, Cokburn, Kinghorn, Lathrisk, Tulliellan, Monteuith, Culross, Coupir, Kyngowin, Orok, Annand, Falsid, Wemyss, Balmanoch, Balluny and Lochquhors had their origins in the locality of the same name, but it is not permissible to assume a necessarily recent exodus from there to Dunfermline.

The Gallalds (Gellet), Mastirtounes and Tulchs (Touch) were families of even closer geographical proximity to Dunfermline; and it is quite possible that the Spittells, Hills and Bras (Brae) took their names from purely local landmarks.

It is not surprising that, in so far as one may make any inference at all, the origins of gild members tended to be highly localised, incomers to the town being in the main from the Fife region and areas to the north-east. Dunfermline might

22. It is possible that exceptions had taken their mothers' names but there is no specific evidence. Elspeth Patonsone (Dunf. Recs., 147) is the only certain case in fifteenth-century Dunfermline. Her father, William Grant, sold indulgences and if he was a regular cleric, would not be married to the mother, Marjory Patonsone, which would explain the use of the latter's name for the child. The other normal reason for assumption of mother's name was in the case of her being a wealthy heiress when she thereby brought considerable property to the marriage.

23. MsGB, 5v.

24. Similar evidence is found throughout urban history. See, for example, Martin, G.H., 'The Borough and Merchant Community of Ipswich', 178.
readily attract immigrants from Kinglassy, Kinghorn, Ochterlonie, Culross or the like; but it did not have the attractive power that Edinburgh, Dundee or Aberdeen had for their neighbours. Nor is there much evidence of cross-fertilisation between the Dunfermline Abbey regality burghs. The Kirkcaldy family, however, may be one exception as possibly recent immigrants to Dunfermline, related to John of Kirkcaldy, bailie there in 1448 at the time of the arbitration between Dunfermline and Kirkcaldy anent the shire of Gatmilk made by Abbot Richard Bothwell. Adam Mussilburchtg would appear to have come from the town of that name, but he had only a daughter, Madde, to succeed him. She married David Colyar; and the name 'Mussilburchtg' died out. The only other obvious connection was the placing of one of Sir John of Cokburn's sons, Richard, as vicar of Musselburgh. Between Queensferry and Dunfermline there appear to be no ties. It is possible that Michale, the 'causamaker' who 'came over the water' was of South Queensferry origin, and was persuaded to advise the Dunfermline burgesses through abbatial intervention. But it is more likely that such a calling would find more scope for talent in the capital, and he was in all probability an Edinburgh man.

The origins of burgesses are virtually impossible to define. Robert Wrych(t) who built a byre and barn for his sister's son and

29. See above, pp. 122-123.
heir, Philip Halkett, and also a byre for Davy, Philip's son, on the lands of Pitfirrane sometime before 1435, is one of the few about whom there is any information. Apart from establishing this relationship with the Halketts, one learns only that he was born in 1365. This Philip Halkett may have been the son of Robert, the collector of thirds of benefices in Fife in 1360, and by March 1372/3 sheriff of Kinross. By 1393 Philip was designated Lord of Balnagal and Lord of Lumphanan. In 1400 he was granted one third of Pitfirrane by William Scot of Balwearie; and from the deposition in 1435 it is clear that he already held a further one third from his mother, the sister of Constantine of Lochore. He died sometime before 1432, and was succeeded by his son David Halkett as laird of Pitfirrane, who subsequently became dean of gild. The Gudswanes were prominent in Dunfermline in the fifteenth century. Two became chaplains, most notably James, tutour of the Holy Blood Altar in the parish church, also acted as dean of gild for two sessions, and John. They may have been descendants of the Andrew Gudswane bailie, noted

30. N.L.S. Ch. 6021.
31. ER, ii, 36.
33. N.L.S. Ch. 6021.
34. N.L.S. Ch. 6021.
37. See Appendix VI.
in a precept of sasine from the abbot of Dunfermline in respect of land near Coupar Angus, in March 1403.38 The Gudswane family certainly considered itself to be in a position of some favour with the abbots of Dunfermline, and it was one Andrew Gudswane (possibly son of the above-named Andrew) who complained to the abbot about the dean of gild, and was summoned to the gild court for his troubles.39

Of the 107 members about whom there is any information in the period 1433/1493, only thirty-three have documented successors within the gild; and of these thirty-three, fifteen families disappear from the records after two generations. Evidence for survival of gild families or even urban families in the fifteenth century is, therefore, slight; but this lack of evidence must not be taken to imply that only eighteen 'gild families' perpetuated themselves. It is clear that gild families did survive. At least seven entered their fourth generation by the early sixteenth century. It does mean, however, that any of the following tentative inferences are based on numerically inadequate source material.

The span of life in the gild from entry (on, or soon after, father's death) till death (and entry of son) varied between thirty and thirty-seven years (with one exception of twenty-three years). Davy Wer, however, who entered the gild in 1490 by patrimony40 could be taken to be the son of the David Wer who entered in 1442,41 a time lapse of fifty years. The latter became bailie in

38. Precept of sasine from Abbot of Dunfermline in respect of the lands of Couttie near Coupar Angus; pennes, Dept. of Scottish History, Edinburgh University.
39. MsGB, 9 and see above, p. 97.
40. MsGB, 19v.
41. MsGB, 5v.
1450/51. A David Wer was dean of gild in 1462 and 1474, which does suggest a somewhat prolonged active municipal life if this was the same man. It is possible that a son/father David Wer should be included between the 1442 and 1492 members. A span of fifty years would be indicative rather of two generations, as, for example, in the case of John Johnson who entered the gild in 1499 by reason of his great-grandfather Will of Dunlop, who became a member before 1445.

There was clearly a relatively rapid inheritance from one generation to the next. Andro Anderson's son John entered the gild in 1450, his son John in 1484, and he in his turn was dead by 1517. In this case three generations died in sixty-seven years. In 1479 David Bothwell entered the gild on the death of his father John. He in turn was dead by 1494, and the Burgh Records in 1499 refer to his son and heir Henry, who by 1505 was holding a gild court as dean of gild or alderman. By 1530 his son David was patron of St. Ninians Chapel, but was in turn dead by 1551. Four generations had died in less than seventy-one years, although the Bothwell line continued in David's son John. The Bothwells would, however,

42. See bailie list (Appendix V).
43. See dean of gild list (Appendix VI).
44. MsGB, 22.
45. MsGB, 103v.
46. MsGB, 9v.
47. MsGB, 14.
49. MsGB, 12v.
52. MsGB, 25.
appear not to be typical of the other gild families. A generation gap of thirty to thirty-seven years as noted in Dunfermline would be expected. There is no evidence of ages of entry to the gild; but a man probably did not reach a position of standing within the burgh until his thirties, which would be when he entered the gild, unless his father had died early. For his son to succeed him thirty to thirty-seven years later would suggest death somewhere in the late sixties or early seventies.

It should however be noted that very rarely father and son were members of the gild at the same time. The 'Perth Guildrie Book' would suggest that the same occurred there but on several occasions. For example, John Anderson, flesher, entered the Perth gild on 12 January 1458, the gild records stating 'Johannis Andersone carnifex factus fuit frater gilde iure hereditario patris sui (vivente) [sic.] pro vino et specibus'. And again, in 1521, John Ramsay was admitted as 'heres apparens Ricardi Ramsay viventi'. In Dunfermline Law Fox received the gild freedom for one year only at his father's request on 22 January 1435. He was fully admitted on 3 November 1436, perhaps after his father's death since the records refer to his 'succeeding his father'. The only other specific example is that of William and Sir John of Cokburn, the latter a member of the gild and alderman through much of the 1480s. His son William entered the gild on 19 January 1488.

55. 'Perth Guildrie Book', 32.
56. 'Perth Guildrie Book', 180.
57. MsGB, 1v.
58. MsGB, 2v.
'for gold and silver', during the lifetime of his father, even though also a younger son. Perhaps this exception was made because Sir John was an alderman and of elevated social status. He was not acting as a regular member of gild, and the fraternity would consider it an honour to include his son in their numbers; and 'gold and silver' would always be a welcome boost to gild funds.

The Gild Book and Burgh Records do not supply sufficient information to enable a full assessment of entrance and departure from the gild. It would appear, however, that no one retired from the fraternity for reasons of old age or poverty. It is not possible to define life-spans accurately; but these above examples suggest that perhaps longevity was not the norm. Some gild families did, however, establish themselves, the most notable being the Litsters, Andersons, Wallops, Cupirs, Blacots, Bothwells, Stewarts and Wrichts. The Bra family is a fine example of members of fifteenth-century Dunfermline. Thom of Bra was a member of the gild before 1435, bailie in 1449, and holding gild courts, as either alderman or dean of gild in 1454 and 1455. David of Bra (a member in 1435) and Law of Bra (a member before 1445) were doubtless related. Thom's son John was probably the father of David who entered the gild in 1460. By 1477 the latter was dean of gild, as well as in other sessions holding

59. MsGB, 16.
60. Dunf. Recs., 303. The heir of Sir John was his namesake. Richard, vicar of Musselburgh, and William were younger brothers.
61. MsGB, 2.
62. MsGB, 7v.
63. MsGB, 8.
64. MsGB, 2.
65. MsGB, 102.
66. MsGB, 7v.
67. MsGB, 8v.
68. MsGB, 11v.
office as bailie and common clerk to the town. He died by 1496. So ended the male line of Bras. David's sister, Katherine, however, married into another well-established Dunfermline family, the Wollods of Touch. Her son, John Wollod, named after his father, in 1503 entered the gild by right of his grandfather. David Bra's only named offspring was a granddaughter, Elspeth Cuk, who was illegitimate, and consequently could not inherit from her grandfather. The family thus continued through the female line, but the surname Bra is not met again in Dunfermline.

It might be profitable to consider what kind of men were members of these gild families and also the qualities of the other brethren whose links either died out, or of whom there is inadequate record. Great detail is not available, but it is clear that, as might be expected in a group forming approximately a third of the male burgess population of Dunfermline, a relatively wide cross-section of society was represented.

A small, but significant proportion of members, perhaps understandably in an abbatial burgh, was clerical, whether secular or regular. Such brethren featured throughout the century. In 1440, for example, John Blayk (almoner) and

69. See bailie and dean of gild lists (Appendices V and VI).
70. Dunf. Recs., 1, for example.
71. Dunf. Recs., 69.
73. MsGB, 24v.
74. Dunf. Recs., 69.
75. This may be a reflection of the demand within the gild for professional services; but also of a desire on the part of clerics to enter the fraternity. Compare, for example, with York and its freemen clerics (Dobson, R.B., 'Admissions to the freedom of the city of York in the late middle ages', Economic History Review, xxvi, 14-15).
Richard Bothwell (sacristan) were admitted free to the gild,\textsuperscript{76} and the following year John Chayn (sacristan) is noted as an already existing member,\textsuperscript{77} a minimum of three clerics in a group of approximately thirty-eight. (Both of these figures are conservative for reasons already stated) If Sir Alexander of Kinglassy and Sir John Williamson, also members of the gild at this date,\textsuperscript{78} were secular clerics not knights, the proportion increases significantly. At the end of the century the picture is similar. In 1497, for example, in a known membership of fifty, three clerics were included: Sir John Alanson,\textsuperscript{79} Master John Cristison,\textsuperscript{80} and Sir James Gudswane.\textsuperscript{81} The following year, with a known membership of forty-eight, clerical members were Master John Cristison,\textsuperscript{82} Sir James Gudswane,\textsuperscript{83} Dene Robert Swynton\textsuperscript{84} (and perhaps also Sir John Alanson if he was still alive).

The church influence in the town was further exhibited by the teaching of the grammar-school. Sir John Williamson, dean of gild in 1449, was also master of the school;\textsuperscript{85} and it is not surprising to find lay graduates among the gild members. All gained their masters' degrees at St. Andrews. In 1460 Henry of Kirkcaldy graduated.\textsuperscript{86} He was received into the congregation of

\begin{thebibliography}{99}
\item[76.] MsGB, 4.
\item[77.] MsGB, 5.
\item[78.] MsGB, 4v.
\item[79.] MsGB, 21.
\item[80.] Dunf. Recs., 343, indicate he was alive at this date. He entered the gild in 1485 (MsGB, 14).
\item[81.] MsGB, 21.
\item[82.] Dunf. Recs., 343.
\item[83.] Dunf. Recs., 125, indicate he was still alive in 1498.
\item[84.] MsGB, 21v.
\item[85.] MsGB, 104v.
\item[86.] Dunlop, A.I., Acta Facultatis artium Universitatis Sancti Andree 1413-1588, 140.
\end{thebibliography}
the university on 24 July 1465, but within a couple of years his views prompted a complaint by the dean, and he not only left the congregation, but withdrew students from the Faculty. He entered the Dunfermline gild in 1473.

More typical perhaps of the graduate members of the gild was John Patonsone who entered the university in session 1469-70 as a 'pauper', and graduated as such in 1471. He became a gild brother free, however, in 1486, paying only the spice and wine, since he claimed by right of his father. Master David Bardner who graduated in 1475, also a pauper, did not have the same family connections, but was admitted to the gild at the instigation of the prior and Sir Robert Grant in 1485 for only the spice and the wine.

Master John Cristison who entered the gild in 1485 had commenced his studies in St. Andrews in 1450-51 as a pauper. When he graduated in 1451 his financial state would appear to have changed little, for he and another were received magistri recepti ad facultatem per supplicationem. By 4 December 1452 he was still noted to be a debtor to William Goldsmith of twenty shillings.

87. Dunlop, A.I., Acta Facultatis artium Universitatis Sancti Andree 1413-1588, 156.
88. Ibid., 161.
89. Ibid., 166-7.
90. Ibid., 178.
91. MsGB, 11.
93. Ibid., 180.
94. MsGB, 15.
96. MsGB, 14.
97. MsGB, 14.
98. Dunlop, A.I., Acta Facultatis artium Universitatis Sancti Andree 1413-1588, 89.
99. Ibid., 91.
100. Ibid., 94.
but had managed to reduce this sum to ten shillings by 4
February 1455.  

His appointment as vicar of Cleish would doubtless have aided his financial position, but he was
admitted to the fraternity for only spice and wine, 'of devotion'.
Another future gild member was to graduate seven years after
John Cristison, John Frog. Master John Frog was able to
pay his entry money on 21 October 1475, although twenty
shillings was returned to him by the gild.

Very occasionally, a knight entered the brotherhood. Sir
Davy Stewart was probably a member in 1437, as was his
successor of the same name in 1486.  

In 1470 John of
Cockburn, a gild member, is referred to as 'sir'; and by
1488 he is specifically called Knight of the Tretonne; and in 1497 Sir Thomas Hume of Langschaw joined the fraternity.

These members, are, however, the only evidence of interest in
the Dunfermline gild by the higher échelons of society. The
Halketts of Pitfarrane and Stewarts of Rosyth were the only
noted landed families nearby who supplied members of the gild.
The Stewarts in particular took a prominent part in burgh life,
as has been seen.  
The Halketts, featuring in the gild in
the 1430s and 1440s in the persons of brothers Davy and

103. Dunlop, A.I., Acta Facultatis artium Universitatis Sancti Andrei 1413-1588, 125.
104. MsGB, llv.
105. MsGB, 2v.
106. MsGB, 15v.
107. MsGB, 10v.
108. Dunf. Recs., 3, 10, for example.
110. See above, pp. 63-65.
111. MsGB, 2.
Robert, were represented by James when he entered the brotherhood in 1454, by right of his father David or Davy, but are not again noted in gild records until 1501. On this occasion Henry Halkett of Pitferrane, presumably the grandson of James (if William, the son of the latter, was the father of Henry) entered, but paid for the right (although the sum was returned to him). In 1518 Andrew Halkett, possibly the brother of Henry, was admitted, but he, too, paid the full entry-fee. He was doubtless related to John Halkett, alderman at this time. William Grant, a member of the gild in the 1490s, and active on burgh assizes is sometimes referred to as 'larde'; but with what connections, is never specified.

Clearly the Dunfermline gild was not such as that of Aberdeen which attracted members from the surrounding gentry classes. Apart from clerical interest, there would appear to have been little kudos in membership. The two most notable families, the Stewarts and Halketts, kept themselves, even when participating in gild and burgh affairs, very much apart from burgh society. The Wemyss of Pittencrief are mentioned only once in gild records, in 1445, even if the John Wemyss referred to was of that family; and the Halketts did not appear to hold tenements or property within

112. MsGB, 2v.
113. MsGB, 8.
114. MsGB, 23v.
115. MsGB, 30v.
116. MsGB, 30v.
117. Dunf. Recs., 106, for example.
118. MsGB, 103v.
the burgh bounds. There is no evidence of inter-marriage with other gild families, even those of relatively high standing, such as the Wallods of Touch. Social mobility for the Dunfermline gild did not extend to gentry doors.

It is even more difficult to assess the general standing of the rank and file of gild members. It would seem however that burgess society was fairly accurately reflected in miniature within gild society, with one notable exception. Women were never admitted to the Dunfermline gild.119 A right to membership could be transferred through a woman, but she could not take up the option herself. On 27 January 1501, for example, the alderman, dean of gild and gild brethren gave permission for Cristiane Wrecht to marry whomsoever she pleased.120 Her husband was to occupy the gild freedom, but only for her lifetime. A woman might not even deal in merchandise on behalf of her husband without special permission. On 7 May 1446 Elspeth of Ochterlowny fell foul of the authorities by doing just that and selling Alexander of Yrland’s merchandise.121 While on the one hand denying women membership, the gild tradition on the other hand deemed them to come within their sphere of authority as wives of members; and as such they were expected to conduct themselves in a manner approved by the gild. Jonet of Guthre, for example, in 1434 was spared banishment from the town by the dean of gild and gild brethren only because of goodwill to her husband

119. Women were occasionally in the early fifteenth century admitted to the Edinburgh gild (Edin. Recs., i, 2). Dickson argues in 'Proceedings of the Gild Court of Ayr, From the Ayr manuscript', Archaeological and Historical Collections relating to the Counties of Ayr and Winton, i, 225, that women were admitted to the Ayr gild. There are, however, no women named in the list of members of Ayr Gild.

120. MsGB, 23.

121. MsGB, s.v.
presumably a gild member.122

Apart from this one major exception it would appear that anyone eligible for burgess membership was eligible for gild membership. In general the Gild Book does not state the profession or trade of a member unless more than one member had the same name. In such cases, to avoid confusion, that member was designated with his occupation after his name. It is clear, even from this, that gild members made their livings from assorted employments. John Bothwell, for example, dean of gild from 1444 to 1449, was a fuller's merchant,123 and John Chapman, bailie for much of the 1440s, was a tavern-keeper,124 as was John of Coupir.125 John Wilson, who entered the gild in 1436, was a cordiner,126 as were John Carnys and John of Wallow who became gild brothers in 1499.127 Adam Blacot entered the fraternity as a weaver in 1502,128 John Persone as a mason in 1492,129 John Carnys as a plumber in 1512,130 and John of Wallow as a skinner in 1499.131 Rob Blacot, a gild member in 1478,132 possessed a tanning works;133 and David Bra, dean of gild in 1477, was the town's common clerk.134

Clearly, a fairly representative cross-section of trades, or crafts, was to be found within the gild. Equally clearly, the gild was not a stronghold of merchants. Indeed, there are

122. MsGB, 1.
123. MsGB, 3v.
124. MsGB, 102v.
125. MsGB, 104.
126. MsGB, 1v.
127. MsGB, 22.
129. MsGB, 19v.
130. MsGB, 29.
131. MsGB, 22.
132. MsGB, 12.
rarely specific reference to 'merchants' in the Dunfermline gild records. On 30 December 1447 Alan Litster and John Chapman (the tavern-owner) were designated as 'marchandis', as was John Bothwell. These two references, and the use of the term in a gild statute of 1484 that

\[
\text{na marchand sal by will hid na skynnis on the haly day on to the tym of xii houris and ij marchandis sall haff thar owk about to by thar marchandis and nane otheris to prevent thaim at samyn hour,}^{137}
\]

are the only examples of its use in the fifteenth-century texts. There may be two implications. It might have been that in Dunfermline there were not so very many 'merchants' in the traditionally accepted use, of wealthy men involved in specifically mercantile interests, since the economy of fifteenth-century Dunfermline was based largely on small-scale industry and local trade. The second implication of the rare use of the word 'merchant' in contemporary sources is not that merchant representation within the gild was virtually non-existent, but that, just as with other occupations which are also rarely denoted, such designations did not appear to be a matter of prime importance to the fifteenth-century Dunfermline gild brother. It is clear that categorisation according to craft or employment was irrelevant. A gild member was admitted to, and participated in, gild life as an individual for personal attributes, not as a representative of an occupation.

135. MsGB, 7.
136. See above, p. 176.
137. MsGB, 13v.
138. See below, chapter V.
The argument for the gild as an exclusive merchant club clearly holds no validity in Dunfermline. *Leges Burrorum* and the burgh charters of Perth, Stirling and Aberdeen quite specifically excluded weavers from gild membership. Not only did this ruling have no place in Dunfermline, but even within Perth itself weavers were admitted to the gild. The 'Perth Guildrie Book' also indicates a high proportion of other crafts within their gild, such as baxters, dyers, furriers and skinners. There are two instances, but only two, of strictures laid down by the Dunfermline gild to regulate craft entry to its numbers. John Walled, skinner, who became a brother in 1499 was specifically ordered to ply only his own business and not to work for others; and three years later in 1502 on 10 October, 'Adam Blacot enterit brodir for xl the silver tane and lent agan he bond to labour nane of his webstar craft excep his awn'. At no stage in the fifteenth century is there even a hint of exclusion of any craft from gild membership; and apart from the two cases cited above, no recorded attempt to place any restriction on a craft member of the gild. Indeed, John Persons, mason, was admitted to the fraternity quite specifically in order that he might ply his craft and maintain the stonework in the parish church.

Misconceptions about merchant domination have arisen largely through a failure to understand the term 'merchant'. Too often, such a man has been considered to be solely a grand entrepreneur,

140. *'Perth Guildrie Book', passim.*
141. See above, p.176.
142. MsGB, 24.
143. MsGB, 19v.
travelling overseas with his wares. He might well be such, but not necessarily so. In Dunfermline, and many of the smaller burghs, the 'merchant' was more often a small shop- or booth-keeper, probably never moving out of Scotland and rarely far from his home town. A ruling of the Dunfermline gild court of 7 December 1495, delineated nicely how a man might sell his merchandise, the primary occupation of a 'merchant'.

There was to be 'nane merchandice maid opone the sonday undir payne of half a markwn forgiffin', so consequently, 'na bothte sal be opynnit na yit na windo'.\textsuperscript{144} Clearly the gild court did not have a class of wealthy elitist overseas traders in mind when it made this ruling.

This would suggest that it is advisable to question the perennially quoted view that craftsman and merchant were in a state of constant struggle for power. In Dunfermline, relations between these two groups were apparently entirely cordial in the fifteenth century, even to the point of a gild court being held on 29 September 1488 by David Coupir alderman, Alan Wallod, dean, and the gild brethren 'wyht a part of the dekynis of the toune'.\textsuperscript{145} Acts such as that of 1469,\textsuperscript{146} even with a pro-merchant bias, did give craftsmen some say in the election of burgh officials; but the inclusion of craft deacons at a gild court displays a considerable degree of amity. In fact, to speak of 'two groups' in the case of Dunfermline seems entirely erroneous. It would appear that no Burgess, per se, was barred entry to the gild. Service, family connection and funds were three vital factors. Any of these could open the gild door. A man's occupation as

\textsuperscript{144} MsGB, 20v.
\textsuperscript{145} MsGB, 17v.
\textsuperscript{146} APS, ii, 95.
such was apparently irrelevant.

It has been fashionable to argue that there was a 'cleavage in the ranks of the burgesses', with craftsmen and merchants perpetually opposed to one another.147 C. Gross has quite specifically stated, 'The contests between the merchants or Gildry and the crafts were not confined to Edinburgh, Aberdeen and Glasgow. Other examples are found in the history of ... Dunfermline'.148 He cites as a reference Records of Convention, i, 448. This evidence, however, is dated 3 July 1594. It must be suspected that the in-fighting that most certainly existed between craft and gild in the seventeenth and eighteenth centuries (and sometimes in the sixteenth) is presumed to have an earlier origin. Manuscripts exist that display clearly the resentment felt by craft corporations at their exclusion by the gild from certain privileges.149 The case of the craftsmen as stated by them on 5 December 1740, was:

The craftsmen are allowed freely to trade in all Scotch ware and to handle books for that effect and two the Decreet seems only to intent to restrict the crafts from foreign trade, such as export and import, or wholesale, or what deserves the name of trading in foreign or staple goods, which the crafts humbly think their tapping or retailling of a bottle of wine or other staple goods in small quantity when bought from the gildry of this burgh (who thereby have their first profit thereof) deserves not that name.

Clearly animosity did develop between craftsman and merchant, but it has yet to be adequately proved that this was the case in the fifteenth century.

In fact, if an analysis is made of the evidence offered by Gross, namely Records of Convention, i, 448, it has to be accepted that there was some ill-feeling between gild and

147. Mackenzie, Scottish Burghs, 114.
149. Dunfermline Public Library, Catalogue nos: D/MUN (letters from crafts to gild).
craftsmen. There clearly was a certain objection to the demeaning of the gild by the handling of merchandise by such as 'cadgeares' and 'kairteris of fulzie'; but equally, if not more important, was that these privileges were being adopted without the usual responsibility, that is, the craftsmen ought to be 'payand their entres according to the act of burrowes'. The prime point of contention for the gild was not the dealing in merchandise by craftsmen, but the dealing in merchandise by craftsmen who had not paid for the privilege. It was a financial issue, not a matter of principle as regards merchant or craft status. The decision of the Convention that the dean of gild should admit and receive craftsmen into the gild on the payment of the £20 entry fee, failing which he was liable to a fine of 500 merks; and that craftsmen on their part would be liable to a fine of £20 payable to the dean for every encroachment on gild privileges, confirms this. The gild, in fact, went further, and when the dean of gild, bailies and 'haill brethane convenit', laid down penalties for its own members who acted against this 'apporntment maid betwix the gildbrethir and craftismene of this toune tuiching the inter- tainment of mutual love'.

In 1930 Grant was arguing that the Burgh Laws which excluded dyers, shoemakers and butchers unless they gave up practising their craft, and burgh charters which totally excluded fullers and weavers, revealed a 'demarcation ... that developed and became formalized as the organisation of the burghal communities proceeded'. This view of burgh society in schism is still prevalent today. To speak as does J. Wormald

150. MaGB, 88.
151. Grant, Scotland before 1603, 135-6.
of merchants being 'the unchallenged ruling oligarchy', may be to misread the evidence of the fifteenth century. Tension and argument did develop when bodies became formalised. Edinburgh was exceptional. By 1499 there were six incorporated crafts. Dunfermline was probably more typical, with no incorporated crafts in the fifteenth century. Only two groups received seals of cause in the sixteenth century; the hammermen in 1570, and the weavers sometime before 1596. As incorporations of crafts came about there did develop an exclusiveness to burgh politics that had little place within the old framework of the merchant gild. This was not for Dunfermline and probably other smaller burghs a fifteenth-century phenomenon. A ruling oligarchy there may have been, and it was indeed composed of men of influence, but this influence was rooted in finance or family. To repeat, occupation as such was not the determining factor.

The fact that there were not many brewsters or cadgers, for example, in the gild is not that they were barred by profession, but that their occupation would presumably not afford them the financial standing nor social status necessary

152. Wormald, J., Court, Kirk and Community, 48.
153. Martick, J.D., Edinburgh Guilds and Crafts, 47; 47-48; 48; 48; 51 and 53.
156. Small burghs had, in this respect, probably little in common with the larger. Compare, for example, with York, where it could be argued that 'most craftsmen were effectively barred from commerce because of the very thorough control which the merchant class had established over the commercial and industrial life of the city in the later middle ages', Swanson, H.C., 'Craftsmen and Industry in late medieval York', 351.
to support an application for gild membership.  

It would be for this reason that exception was taken to the 'cheppmen that ocupiis gild freedome' in 1507.  

Not only were they invading gild privileges, but also, as chapmen they were not of the social standing to merit entry to the fraternity. Indeed, the fact that men of such humble status as chapmen could actually abrogate gild privileges confirms that these freedoms were not the sole preserve of an élitist oligarchy far removed by station from the ordinary burgess, but rather the well-guarded rights of a gild whose membership included burgesses of much more lowly standing.

So the familiarly argued dichotomy between craft and merchant was not a feature of the Dunfermline gild. The term 'merchant gild' is unused in the fifteenth century. The brethren were merely 'the gild'. It may have been conceived as a 'merchant gild'; and references to the gild up to the end of the fourteenth century speak of it as such. But the gild was not an inanimate vehicle; it was a living corporation, and, as such, there was evolution and change.

It is perhaps worth repetition, that the term 'merchant' implies someone who 'traded', even within the confines of the town. A merchant was not necessarily a grand entrepreneur. By this latter definition, it could be argued, the Dunfermline 'merchant gild' was not a 'merchant' gild at all.

157.  Brewsters may well have been women; and in Dunfermline they were not eligible for gild membership.
158.  MsGB, 26.
159.  See Appendix III.
Within the gild there were a number of office-bearers. The most noted position was that of dean of gild. Fifteenth-century gild records offer no evidence of how this status was achieved. Burgh records, however, give some information on the appointment of bailies, serjeants of the burgh, and the lesser town officials. The total silence on the position of dean of gild leads to a presumption that this was not a town, but a gild appointment. Inference from the practice of other Scottish burghs in the fifteenth century is not appropriate, as there was no common policy. In Stirling, for example, the dean of gild was elected at the gild court, the appointment of Jacobus de Radhuch in October 1461 and William Duncan a year later being two such instances. Aberdeens, however, in 1437 elected the dean of gild with the consent of the town council of the burgh and brethren of the gild. But thirteen years later the election was by the whole community at the Michaelmas head court, and then developed into an appointment sometimes by curia gildae and on other occasions by curia ballivorum.

In the Dunfermline gild records it is specifically stated that in 1521 Adam Blakkat was chosen dean of gild by the "haldirmane bailyeis and the laif of the gild brethir". The earliest precise election leets are documented in 1536, and it is clear that the dean was elected by the members at a gild court. This practice continued throughout the sixteenth century; and was very probably following a fifteenth-century practice. An attempt on 20 November 1469 by parliament to

160. 'Stirling Gild Records', 1460-75. 9 October 1461 and 8 October 1462.
162. Ibid.
163. MsGB, 32.
164. MsGB, 36v.
165. MsGB, 50v and 70.
regulate appointments of burgh officials decreeing that
the new counsell and the aulde of the yere before
shall chase all officiaries pertenying to the toune,
as alderman, bailys deene of gild and vteris
officiaries went unnoticed by Dunfermline.\(^{167}\)

The deans of gild at Dunfermline are known for most
of the sixty-eight years from 1432 to 1500.\(^{168}\) Appointment
appears to have run from around Michaelmas. John Wright, for
example, was dean of gild on 30 September 1469,\(^{169}\) but by 28
October Thomas of Coupir occupied this position.\(^{170}\) However,
there is no specific evidence of annual appointment at a
meeting such as the Michaelmas head court when municipal
officials were appointed. Deviations from the general ruling
of taking authority around Michaelmas time could, however, occur.
John Wilson held the position of dean of gild for the year
1510/11;\(^{171}\) but William Spittell had succeeded him by 27
September 1511,\(^{172}\) a few weeks earlier than Michaelmas.
This cannot be explained by the death of the former, for on
20 December of that year he presented the gild silver accounts.\(^{173}\)
But, in spite of the occasional exception, the rule appears to have
been of appointment sometime in early October.

The primary function of the dean was to preside over the
gild court. Few courts were held without the dean present;
and major decisions on gild policy were rarely made without his

\(^{166}\) APS, ii, 95.
\(^{167}\) Dunfermline was not alone in this. In Aberdeen and Peebles
this act was not enforced until into the sixteenth century.
See Lynch, M., 'Whatever happened to the medieval burgh?
Some guidelines for sixteenth-and seventeenth-century historians',
Scottish Economic and Social History, iv, 12.
\(^{168}\) Appendix VI.
\(^{169}\) MsGB, 10.
\(^{170}\) MsGB, 10.
\(^{171}\) MsGB, 27.
\(^{172}\) MsGB, 28v.
\(^{173}\) MsGB, 28v.
precise ratification. Such a prestigious position, not only within the gild itself, but also within the town, came only to the most respected members of burgh society; and the appearance of the same individuals in dean of gild and bailie lists should once more be noted.\textsuperscript{174} Clearly those families who provided the burgh hierarchy were the mainstay of the higher échelons of gild society.

The role of the alderman within the gild is difficult to delineate precisely. He was the primary official within the burghal organisation;\textsuperscript{175} but the gild records show that he had a dominant position within the gild also. An analysis of gild meetings, (usually as a gild court), reveals that of 143 known occasions, the dean of gild officiated solely on thirty-eight and the alderman and dean together on 102. After 1462 there were six occasions on which a dean of gild acted in a sole capacity, and on three occasions the alderman held a gild court without the presence of the dean of gild. It is clear, however, that the dean of gild when acting as head of the gild court could dictate to the alderman. John Anderson in 1486 complained that the alderman and John of Walled, as sureties for his heirship, were preventing his inheritance by delaying; and the dean instructed that the latter should fulfil their duties within the fortnight.\textsuperscript{176} There is no suggestion, however, that, as is argued for Aberdeen after 1359, the alderman or \textit{propositus} was the principal officer of the gild.\textsuperscript{177} It has

\begin{footnotes}
\item[174] See above, p. 72, and Appendices V and VI.
\item[175] See above, p. 67.
\item[176] MsGB, 15.
\item[177] Abdn. Recs., p. cii.
\end{footnotes}
been argued that, 'the alderman, dean and farthingman presided over the gild, the mayor and bailiffs presided over the borough as such'.\textsuperscript{178} Such precise delineation is not only inappropriate in Dunfermline, but also inaccurate. For this town there is no indication to support the notion proffered by such as Mackenzie that the term 'alderman' was a 'title taken over from the gild',\textsuperscript{179} or Toulmin Smith that 'alderman was the title given to the head or warden of a gild of merchants or craftsmen'.\textsuperscript{180}

In Dunfermline, the alderman was clearly primarily a burghal appointment, and it was at the head court of Michaelmas that he was invested.\textsuperscript{181} His position was such, however, that in a town with the overlapping of power, responsibility and remit between the burgh \textit{per se} and the gild, he adopted a position of authority within the smaller confines of the gild.

This fundamental duality of function of burgh and gild organisations has already been considered, burgh and gild officials on many occasions occupying positions outwith what might theoretically be considered their remit.\textsuperscript{182} However, there were two office-bearers who supported the dean of gild and alderman, who were quite specifically gild officials. The first of these was the serjeand. In 1445 Moris Blak is defined precisely as 'sergeand of the gild',\textsuperscript{183} thus precluding confusion with the two serjeands of the burgh\textsuperscript{184} and the serjeand

\textsuperscript{178} Gross, \textit{Gild Merchant}, i, 212.
\textsuperscript{179} Mackenzie, \textit{Scottish Burchs}, 103.
\textsuperscript{180} Smith, J.T. (ed.), \textit{Early Gilds}, pp. xxxviii, 31, 55, 73, 188.
\textsuperscript{181} Dunf. Recs., 22, 39, for example.
\textsuperscript{182} See above, chapter II.
\textsuperscript{183} MsGB, 6v.
\textsuperscript{184} See above, p. 75.
of the regality.\textsuperscript{185} Lowry Foular in 1460,\textsuperscript{186} Andro Litster in 1466,\textsuperscript{187} John Wallod of the Wynd in 1488,\textsuperscript{188} and Riche Patteson in 1497\textsuperscript{189} were to succeed to this post. Their task was to attend to minor gild functions, thus sparing the alderman and dean. Dues would be received from members;\textsuperscript{190} brethren summoned to attend funerals;\textsuperscript{191} and the punishment of recalcitrants meted out. This latter function could hold problems for the serjeand himself. On 7 May 1446, Morris Blak serjeand was 'in amerciamentis because he dyd nocht his office in the pounding of Wyll of Annand'.\textsuperscript{192} One of the most important tasks of the serjeands, as in Stirling,\textsuperscript{193} was that of calling the brethren to gild meetings, which had to be performed in person. In 1511 the gild purchased a bell,\textsuperscript{194} and two years later £14. 13s. 8d. was spent by the fraternity on a bell-house for the same.\textsuperscript{195} In yet a further two years, the 'haill gild brethir' appointed Wille Danyel as a bell-ringer for fourteen shillings and agreed to provide a suitable bell-ringer in the future.\textsuperscript{196} This may have been a specifically gild bell, or an example of gild munificence towards the town as a whole.

\begin{itemize}
\item \textsuperscript{185} Dunf. Recs., 105 and MsGB, 21v.
\item \textsuperscript{186} MsGB, 8v.
\item \textsuperscript{187} MsGB, 10.
\item \textsuperscript{188} MsGB, 17v.
\item \textsuperscript{189} MsGB, 21.
\item \textsuperscript{190} MsGB, 8v.
\item \textsuperscript{191} MsGB, 8v.
\item \textsuperscript{192} MsGB, 6v.
\item \textsuperscript{193} 'Stirling Gild Records', 1460-75; 1 December 1469.
\item \textsuperscript{194} MsGB, 28v.
\item \textsuperscript{195} MsGB, 29.
\item \textsuperscript{196} MsGB, 29v.
\end{itemize}
From 1477 there is evidence of a second functionary within the gild: the bursar. Laurens Fowlar is the only incumbent named; and his task was to act as purse-keeper for the gild. The 'harrald' who is recorded in the Gild Book in the person of John of Spens may not be presumed to be a gild official, for it was as herald already that John of Spens was 'mad gyld brothir' in 1440. Such were the positions of responsibility within the gild, but clearly all members participated in the life of the brotherhood. With numbers of only around fifty, it was possible for most members to fulfil an active role in their group.

Too often, however, theorisings on questions such as the origins of gilds, their role in burgh society and relative spheres of responsibility within the town organisation are assumed to be the most relevant analysis of gild life, or, worse, the only necessary analysis. Such an approach does not even begin to comprehend the real nature of the gild. Sparse though documentation may be, an attempt at the very least, should be made to see the gild in its daily routine existence.

Full participation in the life of the gild meant basically three things. Trade was one vital aspect and this body of men had a crucial part to play in the burgh economy. This function

197. MsGB, 108v and 12.
198. MsGB, 4v.
199. John of Spens may well have been a royal herald; as was the Snowdon herald who received money from the gild in 1448 (MsGB, 104v).
can not be neglected, and will be considered in detail below. Secondly, the gild had a place in the municipal organisation. But there was far more to the fraternity than this. For the 'fraternity' of the gild was precisely that: a 'fraternity' which came together for conviviality, feasting, drinking and comradeship; members committed themselves to a life of mutual self-help, maintenance of their gild and its possessions; and the support of the church and the participation in religious functions that membership of this body entailed. It is possible that this third role of the gild has been too often neglected, in studies of gilds, perhaps because it is not so immediately obvious in available sources. There is however, adequate evidence of this further equally important facet of the life of the fraternity.

It is impossible to read the Dunfermline Gild Book without being constantly reminded of the enthusiastic taste of its members for ale and wine. Any happening, whether a cause for celebration or condolence, levity or grief, was the occasion for drinking at the very least, and preferably, feasting as well. Dunfermline men were a sociable group. Admission to the gild was by inheritance or by payment of an entry fee; but whichever method made a man eligible, another entrance due was usually imposed, normally the payment of money for spice and wine. Even those admitted free for special reasons were more often than not required to pay this particular entrance fee. On rare, happy occasions a new gild brother offered

200. See below, chapter V.
201. See above, chapter II.
202. MsGB, 9v, for example.
more than spice and wine. On 7 May 1449, for example, John of Cokburn gave a dinner as well. 203

The routine business of the gild was sustained by alcoholic refreshments and eating. A few examples will suffice. In 1438 a journey to Masterton, perhaps to discuss the purchase of hides, an expedition of approximately only three and a half miles, nevertheless necessitated a dinner costing 19s. 8d. 204 The collection of these same hides was the occasion for another dinner, this time costing ten shillings. 205 The gild records of 1441 indicate that an attempt was made to list in writing all gild goods. A full assembly participated in discussion, and consequently expenses for drink were 10s. 8d. 206 A committee of seven was then authorised to make a written record. Their expenses on drink for the day were 4s. 1d. 207

Misdemeanours within the gild led to a monetary fine or, what perhaps suited better the innocent members of the fraternity, a fine in the form of alcohol. 208 On 3 February 1448 Wyll of Kirkcaldy paid for his unseemly language with a gallon of wine, Wil Jacson with a gallon of wine and John Jacson with half a gallon. The ultimate destination for this wine can only be guessed; probably as that of 10 December 1446 when John and Will Jacson had been already in trouble. Their unlaws were modified to five pints of malmsey, 'John one quart and Wyl iiij pyntis that ilk day drunkyn ther said amerciamentis'. 209

203. MsGB, 7v.
204. MsGB, 100.
205. Ibid.
206. MsGB, 100v.
207. Ibid.
208. MsGB, 7.
209. MsGB, 6v.
The normal venue for ale and wine drinking was one of the several town taverns, such as John Bothwells, John of Coupirs or John Chapmans. Drinking and eating might have taken place in a private house also, such as John Wrichts or Andro Hogg. The latter provided a supper in 1441 for 23s 9d. when the gild brethren had travelled home from a visit to Kinglassie. There are several instances also of drinking in the tolbooth. Clearly, the Dunfermline gild was happy to quench its thirst wherever it met.

To serve as merely one example of the importance of casual celebration in the lives of the gild, the expense accounts of John of Coupir for one year, 1443, as dean of gild might be considered. They read as follows:


Of a total of £1. 9s. 6d., burgh mail was 7d, paper and fee to writer 1s., expenses (unspecified) 6s. 5d, and the remainder of £1. 1s. 5d. was spent on drink.

Nor can such a ratio be explained by the claim that approximately fifty men had to quench their thirsts. In 1446 16d was raised, 'at the selling of the hydis', which was then 'drunkyn be the balyheis'. Similarly, when the

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211. MsGB, 104.
212. MsGB, 102v.
215. MsGB, 10v, 101, for example.
216. MsGB, 104.
alderman and dean submitted a claim for expenses on 7
December 1495, they had consumed drink and possibly food
at John Wallow's house to the value of 32s.218

By the end of the century gild conviviality was also
manifesting itself in an annual gild feast.219 The records
for 29 January 1501 indicate that the cost on this occasion
was £2. 6s. 7d. Two years later, a breakdown of the expenses
for a gild feast give a fine example of relative importance of
its necessities. Firstly, coal was purchased for the event
at a cost of 6d. Then were itemised the essentials: wine 14s.;
a barrel of beer £1. 10s. 0d.; ale 3s. The food requirements
were: bread 1s. 6d.220

Such jollifications were the more exhibitionist aspect of
the true nature of the gild: fraternity. Brotherhood brought
the camaraderie of closeness, but also the responsibilities that
came with such a relationship. Once entered into the 'freedom'
of the gild,221 a brother was tied by its moral obligations.
Right of inheritance, or 40s., and spice and wine alone could
not buy entry. It was 'statut that their suld nan be rasavit
na mad gild brothir in thair fraternite but or evir he suer
the ath to that fraternite'.222

It is clear that the Dunfermline gild modelled its internal
rulings on those of Berwick, as laid down in Statuta Gilde.
A number are copied into the back of the Gild Book.223 So
precisely has this been effected that 'our toune' on
occasions is specified as 'Berwick', and the dating of the rulings

218. MsGB, 20v.
219. MsGB, 23.
220. MsGB, 24v.
221. MsGB, 11, for example.
222. MsGB, 4v.
223. In the present form of the Gild Book the rules are placed not at
the end, but before the gild accounts. Folio numbers 95 to 97.
recorded as 1284, 1293 and 1294. The member's first allegiance was to the gild and the gild secrets were to be preserved. Heavy penalties awaited those who broke this rule. On 10 December 1446 it was ordained that 'Wil Jacon suld nevir in word na in langage muss the matiris gan befor to the lord of Ogalvy undir payn of deperiling of his fredoum for evir mar'.

Anyone, like Andro Gudswane in 1462 who attempted to over-ride a gild decision by, for example, complaining to the abbot, received a firm reprimand.

Self-interest was to be subordinated to the general good. John of Wallo, Rob of Wallod, John Anderstone and David Litster, perhaps understandably, fled when plague hit the town in 1475. They were judged, however, to have acted against the common good, by 'thar ganging furth of the toune and left it desolate in the tym of the pestilence'.

Disagreements amongst its members did inevitably arise; and one of the primary functions of the gild court was to maintain the gild peace. The constant attempts to settle disputes indicate not so much that the Dunfermline gild brothers were a quarrelsome group, but rather stress the importance the fraternity placed on internal good-will. Ill-humour, one with another, expressed itself largely verbally, and there is only one instance of a fine for drawing a knife upon another, though several for 'striking' each other, presumably with the hand or with a staff. Dunfermline, in common with many other burghs,
forbad the bringing of two-handled weapons or swords into the
court, for obvious reasons. 229 Moreover, a fine of 4d. would
be imposed if a gild brother disturbed the court by loud
talking or shouting. 230 Attendance at the court was
 compulsory, theoretically, as long as due warning had been
given, or a fine of 4d. was imposed. In practice, there is
no specific evidence that such fines were imposed, nor the
4d. fine laid down for leaving the court without permission of
the dean, 231 though such misdemeanours may be concealed within
the unspecified offences that merited amercements.

The gild’s authority was clearly presumed to go further than
its actual members. Servants and families of brethren were to
remain on good terms within the gild peace. On 22 January 1441
'Schir Alexander of Kynglassy and hys servandis and Will of
Kynglassy (were) put in frendship with Will the Ramsay hys
wyf and hys servandis of all the debatis movit betwyx tham to
that day'. 232 Wives could be troublesome and disturb the peace.
The spouses of Thom of Bra and John Chapman the two bailies
entered into what appears to be an inter-family dispute so
fulsomely that the gild standing was endangered, and their
disagreement had to be settled at the gild court. 233 The gild
court at Ayr would seem to have conducted itself in a similar
manner between 1428 and 1432. The wives of Hugo Buthman and
Thomas Carric were instructed to keep the peace by the gild
authorities there. 234

229. MsGB, 97.
230. Ibid.
231. Ibid.
232. MsGB, 4v.
233. MsGB, 7v.
234. 'The Ayr Manuscript', fol. 9.
Fines might be imposed immediately on the settlement of disputes, or a sum of money fixed, which would be paid by the first defaulter thereafter. On 23 December 1486, for example, "David Bra and Patrik Flemyn wer put in frenchip and qwhe that ofandis til othiris sal pay at the wil of the gild brethren xl and ilk an a galon of ail at the wil of the dene".235 A more serious punishment was warding in the tolbooth as in some other Scottish burghs.236 It was the practice in Dunfermline for the recalcitrant to put himself in gaol, and remain there of his own free will until excused. In 1487 Andro Gerves abused with foul language the alderman, dean and gild court in general, thus breaking his gild oath.237 He was ordered to apologise under threat of losing his gild freedom. Clearly the gild authorities were reluctant to impose this ultimate penalty, for when Andro Gerves refused, he was not immediately banned from the gild, but ordered to remain in the tolbooth. His boldness went further, however, for he left the tolbooth without permission. The outcome of such behaviour is unrecorded; but his name is not mentioned again in the Gild Book. Andro Gerves seems to have tried the patience of the fraternity too far. In a record of infeftment in the Burgh Records of 10 October 1488 the heirs of Andro Gerves are referred to, though he is not stated to be deceased.238 There are similar references on 19 October 1489239 and again on 12 March 1492.240 It was not until sometime after 12 March 1492

235. MsGB, 16.
237. MsGB, 16.
239. Dunf. Recs., 305.
that Andro Gerovs died. The silence of the Gild Book may possibly be taken to suggest, although this is conjectural only, that Andro Gerovs had had little alternative but to leave the town, and his heirs inherited his burghal lands. Forfeiture, however, probably operated against the heirs as well as the forfeitor.

Obligations to fellow members also continued beyond death in Dunfermline. On 27 October 1459 it was enacted that all members of the gild should accompany a deceased brother's coffin to the grave; and have a mass said for his soul within eight days of his death. If a gild member failed in this he would be fined 12d. which would be used for the purchase of further masses for the departed's soul. Widows and orphans were to be protected by the gild, though the gild records instance precisely only one occasion of such charity.

On 9 May 1467 Finlay Broustaris wife and possibly orphaned child received two shillings from gild funds. The Statuta Gilde quite clearly demonstrate that a dominant facet of the gild was that it was a charitable body. Although there is no specific evidence, it would be reasonable to assume that some of the gild 'expenses' and gild cross silver, a gild account, covered these, and that care of indigent members, those that fallis crukyt in the gyld, was taken, as in other burghs.

241. The first mention of 'umquhill' Andro Gerovs was 18 March 1494 (Dunf. Recs., 50).
242. Dickson, T., 'Proceedings of the Gild Court of Ayr, from the Ayr Manuscript', Archaeological and Historical Collections relating to the Counties of Ayr and Wigton, i, 229, for example.
243. MsGB, 8v.
244. MsGB, 107v.
245. Statuta Gilde, cl. xii.
246. For further discussion, see below, p. 213.
247. Statuta Gilde, cl. xii.
As a body in a small town, the gild brothers held relatively extensive possessions. Unfortunately, the list of gild 'guddis' which was authorised in 1441\(^{249}\) has not survived. What does remain is the Gild Book, which was made sometime between 1433 and 1435.\(^{250}\) The gild had existed for some considerable time prior to this, but there is no reference to an earlier book. It may be presumed that some sort of record existed before this date. The list of debts owed to the gild by its members in 1445\(^{251}\) is of sufficient magnitude to suggest that these had been accruing for some years prior to 1433, and were doubtless noted down, perhaps on parchment. Clearly around 1433, for reasons unknown, a decision was taken to formalise the gild dealings by, if not starting to record, at least recommencing in a new form. Hence the origins of the Gild Book and also the, now lost, inventory of gild goods. The book cost 2s. 4d. to make, plus possibly a further 2s. for paper.\(^{252}\)

It is clear from its cover of oak boards and fine leather held together by thongs, that it was of good quality. In its now renovated form there is an addition of two folios to the original 108. Some gild accounts may have been originally recorded within the body of the book, but all now are gathered together at the end; folio 108 may have been reversed during recent repair work; and folio twenty-six may be out of order. Preservation work has been essential, but it is a

\(^{249}\) See above, p. 191.
\(^{250}\) MsGB, 99.
\(^{251}\) See below, p. 218.
\(^{252}\) MsGB, 99.
rare example of an early Scottish fifteenth-century source in a form little changed from its original.

By 1446 the gild had procured a 'common kist to the gild brethren' for 12s.253 A lock for the same cost a further 18d.254 This was doubtless for the safekeeping not only of the gild book and titles to land, but also costly possessions. There is definite evidence of only one such item, a gild cross, which was precious enough for the dean of gild to take into his personal safe-keeping in 1497,255 and merited 6s. 8d. spent on repairs in 1502.256 The gild owned a quarrying mallet, also, it would seem, which it hired out to its members.257

It is also clear that the gild was a not inconsiderable property-owner. In 1395 Abbot John by charter, while confirming to the fraternity its privileges of a free merchant gildry, refers to its 'houses belonging of old' to it.258 It may be that one house was kept as a gild house; for the Gild Book refers to the purchase of ale, bread and coal 'in the hous' in the annual count of John Baxter on 11 January 1500.259 Less formal meetings and celebrations could, as has been indicated, take place in any member's house or tavern, and formal gild courts were held in the tolbooth. It is clear that occasions such as a gild feast, which would doubtless attract all the fraternity, would not be held in the former and although drinking was quite permissible in the tolbooth,260 feasting and revelries would

254. Ibid.
255. MsGB, 20v.
256. MsGB, 24.
257. MsGB, 6.
258. See Appendix III.
259. MsGB, 23.
260. See above, p. 192.
probably require alternative premises. It would not be too
tenuous a supposition that the gild retained a property
specifically for its own use; and it may have been for this
house that wax and window cloth was bought for 5s. 4d. in
1437,\textsuperscript{261} and on which 22s. 10d. was spent for doors and
windows in 1445;\textsuperscript{262} although it is surprising that there
is not more reference to it in the Gild Book.

That the gild possessed other property in the fifteenth
century is indicated by the rents it received. A regular
income was gained from these sources;\textsuperscript{263} but it should be
noted that some rents were diverted to the support of alters,
such as St. Salvators\textsuperscript{264} or the Holy Blood,\textsuperscript{265} in the parish
church. Where exactly all these properties were situated
is now impossible to pinpoint. There was one tenement beside
the cross rented to John Wricht who paid one shilling a year
to the gild;\textsuperscript{266} and at least one tenement belonging to the
gild at the south side of the Netherton, with lands pertaining
to St. Michael's Altar on the east and John Purrok's lands on
the south and west. Walter Cristy became a tenant of the
gild here in 1511, for which he paid 20s. annual rent, plus
the burgh maill.\textsuperscript{267}

The gild owned land as well as houses. The 'gildlands'
were rated at 7d. a year burgh maill,\textsuperscript{268} and according to the

\textsuperscript{261.} MsGB, 99v.
\textsuperscript{262.} MsGB, 102 - It should be noted, however, that John Wricht who
owed the gild these funds for house improvement, rented a land
from the gild and it is possible that the gild undertook
renovation work, and then pursued the tenant for repayment, in
which case such expenses were not for the gild house.
\textsuperscript{263.} See below, p. 216.
\textsuperscript{264.} See below, p. 207.
\textsuperscript{265.} See below, p. 207.
\textsuperscript{266.} MsGB, 100.
\textsuperscript{267.} MsGB, 28v.
\textsuperscript{268.} MsGB, 100.
Gild Book received careful maintenance. 19s. 2d. was spent on them in the two years before 1438, and in 1440 the mending of the slope and planting of hedging on the same cost 2s. 3d. Malis Leche in 1440 was forgiven 30s. of his entry money to the gild for 'hurtis that he tuk of the gild land'. Perhaps he was one of those involved in maintenance work. It is also possible that the gild lands were used for grazing. The reference to a sum of 9s. 8d. being paid to Henry Lystor for 'herdying' of the same, would suggest that he was occupied as a herder of cattle or sheep on the gild lands.

The account in 1435 by Thom Cristyson for the previous two years indicates the 14d. burgh maill was paid on the gild lands; Will of Kirkaldy's account in 1442 states 'firma burgi terre de gilde vij'; John of Coupir's account given in 1444 refers to 'borwmale of the gyld vii'; on 7 January 1445 there is reference again to the burgh maill having been paid; but on 21 March 1448 John of Bothwell's accounts are presented for the previous two years and there is no mention of the gild lands and burgh maill. The gild lands are not heard of again in the gild records.

The ultimate fate of the gild lands is, however, known, if not entirely explicable. A charter dated 4 May 1632 in the muniments of the Earl of Elgin and Kincardine indicates that John Bothwell in 1474 granted 'the gild lands' in memory of

269. MsGB, 100.
270. MsGB, 100v.
271. MsGB, 5v.
272. MsGB, 100.
274. MsGB, 101v.
275. MsGB, 104v.
276. MsGB, 102v.
277. MsGB, 104v.
278. The archives of the Earl of Elgin and Kincardine are in the process of being catalogued. Temporary reference: 45/278.
279. I would like to acknowledge my gratitude to Mr. D. McNaughton for assistance in locating relevant material.
his brother for the support of an altar beside the first tomb of Queen Margaret, the altar of the Blessed Mary the Virgin. Whether this is the same John Bothwell who presented his dean of gild count in March 1448 cannot be certain. What is clear is that around 1445, and certainly before 1474, the gild lands passed out of the hands of the gild into the Bothwell family. Why or how is not explained. By 1445 Richard Bothwell, sacristan of Dunfermline and member of the gild since 1440 'for favours done and to be done in time come' was abbot of Dunfermline. He came from a local family. His coat of arms, to be seen both within and without the nave of Dunfermline Abbey, was that of the family of Bothwell of Halbank, to the south-east of the town. It is quite probable that Abbot Richard and Dean of Gild John Bothwell were related, possibly as brothers, since it would appear that John Bothwell also was of the Halbank branch of the family. In the Register of the Great Seal on 13 February 1575/6 there is confirmation of a grant, made on 20 March 1565/6, of certain elimsinary lands in Halbank, beside the lands of the late David Bothwell. This David Bothwell was the direct descendant, probably great-grandson, of Dean of Gild John Bothwell. It may be that there is some explanation in this family link for the diversion of gild lands to the Bothwells, for,
SKETCH TO INDICATE APPROXIMATE LIE OF GILD LANDS IN THE FIFTEENTH CENTURY.
ultimately, the support of an altar. The Bothwells were certainly a family noted for patronage of the church. Henry Bothwell, the son and heir to David Bothwell, who in turn was heir and probably son of Dean of Gild John Bothwell, became a patron of St. Nicholas altar in the parish church of Dunfermline, and his son David a patron of St. Ninian's chapel. Although there is no fifteenth-century evidence, it is clear that the lands thus alienated were extensive. In the early part of the century the gild was one of the greatest land-owners in the burgh.

The gild's concern went beyond its own property and possessions. The parish church, its altars and priests were all supported by gild funds. The fabric of the buildings required constant repair, and altars were to be supplied with material trappings, such as candles and candelabra, and the spiritual support of priests or chaplains. The latter needed some means of subsistence. Medieval burgh administrations adopted a responsible attitude towards the maintenance of parish church and chapels, but it is clear that, within the burgh, the gild also had a major role to play.

The parish and conventual churches of Dunfermline were apparently distinct, the former being to the west of the conventual. Little now remains of the conventual church, but the parish church now functions as the old nave of Dunfermline Abbey Kirk. It was this parish church and yard that witnessed gatherings of
burgesses, meetings to settle disputes, burials, some marriages and town jollifications and merry-making. The townsmen would have no regular access to the conventual church. 289 This was for the use of the Benedictine monks alone.

Both the parish church and the abbey contained several altars. Contemporary sources show that in the later fifteenth century within the parish church there was a high altar, 290 and six others dedicated to the Rood and Our Lady, 291 St. Margaret, 292 St. Nicholas, 293 St. Ninian, 294 St. Salvator 295 and the Holy Blood. 296 There were doubtless several others undocumented. The altars of the Holy Blood, St. Salvator and St. Ninian were supported to a greater or lesser degree by the gild. That dedicated to the Rood and Our Lady, was maintained specifically by the burgh. 297

There were, however, two occasions on which it might appear that the gild was supporting the abbey. On 13 January 1492 John Menteth, Sir James Gudswane and Sir Andro Person were appointed by the gild to uphold the lights on St. John's Altar, which was within the conventual church. 298 There is no evidence of

289. Apart, possibly, for occasions of pilgrimage to St. Margaret's Shrine.
293. Dunf. Recs., 105.
298. MsGB, 19.
an altar so dedicated in the parish church, but this does not mean that one did not exist. The inference of this entry is that there was. In 1510 there was granted a yearly rental of 6s. 8d. to 'Sanct Margratis bassyne in the abbay', which must refer to the conventual church; although an altar dedicated to St. Margaret existed in the parish church.

There were several alternative ways in which altars could be sustained. The gathering of light silver brought revenue to St. Ninians, the Holy Blood and St. Salvators Altars.

Cash payment might be given directly, as, for example, to the almoner, or service provided to the church by permitting, for example, Sir Andro Pacok to be excused 20s. of his gild entry fee in exchange for a year's singing of mass at the Holy Blood Altar. An 'instrument', probably notarial, for St. Salvator's Altar cost 6d. There are many instances of wax being bought for candles. On 28 September 1487 Sir John of Hill, probably chaplain of St. Leonards, received as much as six and a half stones of wax for this purpose. On 20 December 1511 William Spittell gave his account of St. Salvator's Altar. 14s. had been spent on repairs to the altar and the maintaining of a lighted lamp with oil. The remaining 10s. was used to purchase a chalice for the altar, since the last had been lost.

299. It must, however, be accepted that all other references to St. John's altar indicate that its tutour was a monk (e.g. Dunf. Recs., 120), which would suggest that there was a St. John's altar only in the conventual church.

300. MsGB, 27v.
301. Dunf. Recs., 45.
302. MsGB, 19v.
303. MsGB, 6.
304. MsGB, 28v.
305. MsGB, 108v.
306. MsGB, 24, for example.
308. MsGB, 17.
309. MsGB, 29v.
One of the commonest ways of upholding an altar was by diverting the rental due from gild property directly to it. On 9 June 1491, for example, St. Salvator's Altar received 8d. from Katherine Coupir's land in the west of Collier Row; a house below that paid 4s. 6d. to the same for the upholding of prayers for the soul of William Logan; 12d. of Cristel Cristison's land went to the repair of the altar; a further 12d. came from Rob Murray's land; and Sir James Gudswane owed a rental of 9 crowns for three years on his house, which was destined for this altar. Two years later, the rental of St. Salvator's was, Sir James Gudswane 5s., Katherine Coupir 3s., Cristel Cristison 12d. and Rob Murray 12d. The gild appointed two tutors to uphold the trappings of the altar. In 1491 these were Wilyam of Spittell and John Baxter. They were to ensure that the host was maintained, and that prayers were said for the soul of William Logan, and were to keep the accounts of St. Salvator's Altar.

The Holy Blood Altar also benefited from gild good-will. On 12 January 1493, for example, 27s. 7d. of the annual rent of Sir James Gudswane's house was diverted to this altar. It is clear that along with St. Salvator's, the Holy Blood Altar was considered a special responsibility of the gild. A chaplain was appointed by it to conduct divine service and to act as administrator of all the lands, rentals, annual offerings and other possessions of the altar, 'quhilk chaplan sal answer to the communte tharapon as accordis be the law'.

310. MsGB, 18v.
311. MsGB, 19v.
312. MsGB, 18v.
313. MsGB, 20.
314. MsGB, 22v.
The religious side to gild life would not, however, be solely one of fund-raising, gild masses and the providing of votive masses for the dead. Processions on religious feast days were not considered only as a spiritual obligation, but also as occasions for fun, feasting and merriment. It is possible that the gild processed with a cross-bearer, which probably accounts for the purchase of a 'cowell' or protective covering for the gild cross, at the cost of 3s. sometime in the two years before 1446. There is, however, no evidence of when processions took place in Dunfermline. Most burghs favoured Corpus Christi and Candlemas; and it is known that there were impressive festivities in both Edinburgh and Aberdeen. Pageants and miracle plays were often associated with processions, and may well have taken place in Dunfermline.

This assessment of gild life gleaned basically from the Gild Book does not give a complete picture, but the inference is very much that there was far more to the gild than mere functioning as a municipal department. The fraternity clearly had an active existence as a socio-religious organisation.

There was, however, another crucial role that this group of men played, for their own funds were the backbone of the burgh financial system. Gild accounts do not exist in full, but seemingly chance references throughout the fifteenth century do provide a relatively clear picture. A number of financial statements are now bound together at the end of the Gild Book. These are the accounts presented by the

315. MsGB, 104.
deans of gild for the period covering their deanship. Some are annual, others cover a two year period and on one occasion, the accounts for the previous eight years are submitted. The majority were presented in November or December, and a few in January. Occasionally the accounts were not ready for presentation until well into the following calendar year; but it does appear that the financial year was intended to run from October to October, to coincide with the term of office of dean of gild. Some of the financial statements offer very little information, but a number are carefully detailed. There is as a result, for several years, a satisfactorily adequate basis, from which to draw some conclusions. These accounts, moreover, illustrate the several facets of gild life.

When a close examination of the gild funds is undertaken, the inter-relation of burgh and gild is highlighted; and there comes to prominence a vital source of income for the burgh, that is the funding of the burgh by the gild. This financial backing was achieved not only by the gild undertaking direct responsibility for burghal causes, such as maintenance and repair of public property; or more indirectly aiding the balance of the town coffers by its involvement in internal and external trade; but also clearly by a quite specific funding by cash donations to the burgh from the gild.

In 1441, for example, £1.15s.8d. was lent to the commons, plus a further 5s. 4d. to the bailies 'the quhilk the nychbouris

319. MsGB, 100v.
drank quhen thai (rad?) the marchis of the comon mur'.

Under the accounts for the year stated to be William of Kirkcaldy's deanship in 1445, are references to two sums 40s. and 6s. 8d. being transferred, the former to the bailies and the latter to the bailies and commons. It would appear from a later entry that the destination of these sums may be known. 'Item of lent sylvir to the balyheis and the commonis in the tym of pestines for dikyn of the toun 46s. 8d.' The town's finances clearly depended on the gild back-up not only in an emergency. In 1479 the common clerk's fee of 10s., a not unexpected expenditure, was paid by the gild, since 10s. 'was nocht in the common purs'. Entries in the Gild Book indicate specific sums owed by the burgh to the gild in 1487 and 1492. The dean of gild transferred funds in 1499 to assist with the major building projects afoot in the town. 22s. went 'to the portis makyn and to the aldirman for irn 44s. to the makyn of the bandis of the yettis'.

Such assistance as was given in 1499 was not uncommon, for, as well as financial aid by cash payment, specific projects were funded directly by the gild, cash probably probably

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320. MsGB, 100v.
321. See below, p. 218 for a discussion of the 1445 gild accounts.
322. MsGB, 103.
323. MsGB, 106.
324. MsGB, 17.
325. MsGB, 19v.
326. MsGB, 22v. Such a transference of gild funds to the burgh was not uncommon. See, for example, the payment of salaries to public officials by the fifteenth century Coventry guild of the Trinity (Green, J.R., *Town life in the Fifteenth Century*, ii, 206), or the financial support of their towns by the crafts of Winchester and Nottingham (Green, J.R., *Town life in the Fifteenth Century*, ii, 153-154).
never entering the common box. When Rob Patounsoun was made a gild brother in 1449, for example, his entry fee of 20s. went directly to the 'theking of the tolbooth'. In 1448 and 1449 £26.3s.4d. was spent, of which £21.18s.6d. came directly from the gild brethren and £4.4s.10d. from the common purse, on improvements to the tolbooth. Road maintenance and upgrading was a matter for major concern to an inland burgh, which had to rely so heavily on overland transport. In 1433 Will of Gelland was admitted to the gildry at a reduced rate for his 'gud dedis doand till the makyn of a calsay betyx the lymkill and our ton of Dunfermdyn'. On 6 May 1464 the gild records indicate that 13s. was 'payit to Michale causamaker' and twelve years later this same man returned to the town to supervise extensive road improvements. Amongst the entries of expenses for the year ending October 1477 are detailed sums raised for the making of a 'calsay'. Expenses are shown paid to various individuals for stone and sand, in all three shillings and forty pence; another 9s. unspecified; and 30d. for gutter stones. The fee to the causamaker was 40s, and 20s. more was 'delyverit to the causa makers childer'; and he was given a further 2s. for 'costis quhen he cam our the wattir to commoun' with the neighbours 'anens the said causay'. It should be noted that these burgh expenses were financed totally by the gild.

Two years later £10.4s., plus an extra 3s. 5d. went to the

327. MsGB, 7v.
328. MsGB, 105.
329. MsGB, 4.
330. MsGB, 9v.
331. MsGB, 108v.
same purpose. It is perhaps significant that in the two years when extensive material improvements were made to the burgh's roads and property, the serjeants should give their accounts not at a burgh court, but in the gild court. In 1499 the new port at Cross Wynd was built, and the approach to it upgraded, the foul vennel was built or improved, and the east vennel closed. Details of expenses for these ventures were made before the alderman, bailies and dean of gild in the gild court, rather suggesting some particularly gild interest in the material fabric of the town. Similarly in 1508, mending or improvements to the tolbooth, gates, burn, stocks and common kist, and the accounting for consequent expenses at the gild court, are suggestive of some notion of gild responsibility.

As well as such financial support given to the town, the gild had various expenses specifically its own: burgh mail, maintenance of gild property and lands, and charitable works had all to be covered. Relief for Finlay Broustar's wife and the donation of bread to the value of 2s. to 'poor people' on 11 January 1500 are the only two examples of the latter. One must suspect that aid to those in need was conducted at a more personal level within the gild. There are a number of references to payments of money to individuals, the reason being unspecified; and these entries could conceal a multitude of good works and other minor items of expenditure:

335. MsGB, 9v.
336. MsGB, 23.
for the gild. There was, moreover, a specific gild account, called the 'gild cross silver', an account not noted in other burghs. It is possible that this was some form of charitable fund to be used, perhaps, for the benefit of indigent brethren or destitute widows and orphans. If so, this may explain the paucity of information given on good works.

The gild expenses are most readily compared when all 'accounts' are drawn together and tabulated (see Table I). Clearly these figures are incomplete. For example, the gild spent £21.18s.6d. on the tolbooth in the two years preceding October 1449, but only £21.5s.5d. (i.e. £4.5s.4d. and £17.0s.1d) appears in the table. They may, however, serve to indicate the relative importance of various aspects of gild life, remembering always that some charitable works may be concealed within 'sundries'. The true value of these sums is appreciated only when compared with the accounts of bailies and serjeants.

It must be questioned how a gild who could expend so much in the 1460s and 1470s on material improvement in the town, gained its revenues. One obvious source was entry fees. The normal charge, for those who could not claim by inheritance, was forty shillings plus the cost of spice and wine. This was considerably higher than a burgess fee. There is evidence throughout the gild records, however, that the gild entrance was not necessarily paid all in a lump sum. There

337. MsGB, 25v.
338. See below, p. 282.
339. MsGB, 10v, for example.
340. See below, p. 264.
<table>
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<th>Date</th>
<th>Burgh</th>
<th>Funds to Town</th>
<th>Funds to Church</th>
<th>Charitable Ventures</th>
<th>Upkeep of gild property and goods</th>
<th>Sundries</th>
<th>Food (including collations)</th>
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<td>30 Oct 35</td>
<td>Is.2d</td>
<td>£1.1.6</td>
<td>£10s.0d.</td>
<td>£4s.4d.</td>
<td>5s.4d.</td>
<td></td>
<td>£4s.9d.</td>
</tr>
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<td>18 Oct 37</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>£1s.4d.</td>
</tr>
<tr>
<td>12 Oct 38</td>
<td>Is.9d.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>19s.2d.</td>
<td>-</td>
<td>£1l.8.0</td>
</tr>
<tr>
<td>28 Jan 41</td>
<td>-</td>
<td>£2.0.0</td>
<td>-</td>
<td>2s.3d.</td>
<td>-</td>
<td>-</td>
<td>£1l.7.5</td>
</tr>
<tr>
<td>18 Nov 41</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>13s.6d.</td>
<td>£1l.2.5</td>
<td>£1l.3.9</td>
</tr>
<tr>
<td>1 Dec 42</td>
<td>7d.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5s.0d</td>
</tr>
<tr>
<td>7 Jan 45</td>
<td>7d.</td>
<td>£2.5.8</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9s.0d</td>
</tr>
<tr>
<td>8 Jan 45</td>
<td>7d.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>£1l.5</td>
</tr>
<tr>
<td>7 Jan 47</td>
<td>-</td>
<td>-</td>
<td>17s.6d(?)-</td>
<td>3s.0d.</td>
<td>£2l.11.0</td>
<td>£1l.8.7</td>
<td>£1l.1</td>
</tr>
<tr>
<td>21 Mar 49</td>
<td>-</td>
<td>£4.5.4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>£7l.10d.</td>
</tr>
<tr>
<td>25 Oct 49</td>
<td>-</td>
<td>£17.0.1</td>
<td>-</td>
<td>-</td>
<td>19s.9d.</td>
<td>-</td>
<td>8s.8d.</td>
</tr>
<tr>
<td>20 Jan 50</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>£7l.4d.</td>
</tr>
<tr>
<td>16 Dec 51</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6s.4d.</td>
</tr>
<tr>
<td>17 Dec 52</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1s.0d.</td>
</tr>
<tr>
<td>24 Nov 53</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>15 Dec 54</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1s.0d.</td>
</tr>
<tr>
<td>13 Dec 55</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2s.0d.</td>
</tr>
<tr>
<td>15 May 58</td>
<td>-</td>
<td>6s.8d.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1s.0d.</td>
</tr>
<tr>
<td>(sic.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>16 Aug 58</td>
<td>-</td>
<td>£1.8.5</td>
<td>5s.0d(?)-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>4s.0d.</td>
</tr>
<tr>
<td>1 Dec 59</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2s.0d.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>30 Oct 60</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7 Aug 62</td>
<td>-</td>
<td>£1.14.0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>1462</td>
<td>-</td>
<td>£3.4.9</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>1463</td>
<td>-</td>
<td>£11.9.4</td>
<td>-</td>
<td>2s.0d.</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>1464</td>
<td>-</td>
<td>13s.0d.</td>
<td>-</td>
<td>2s.0d.</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>1465</td>
<td>-</td>
<td>£1.0.2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>29 Nov 78</td>
<td>-</td>
<td>£9.4.4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>8d.</td>
<td>6d.</td>
</tr>
<tr>
<td>31 Oct 79</td>
<td>-</td>
<td>£10.10.5</td>
<td>-</td>
<td>-</td>
<td>5s.4d.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>8 Nov 79</td>
<td>-</td>
<td>16s.8d.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>(sic.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>
are many instances of the entry fee being laid down, but
a proportion being loaned back again, \textsuperscript{341} and also on a
number of occasions of the entry fee being reduced at
the request of the abbot, the king, or a member of an
influential family. \textsuperscript{342} An income could also be made
by selling the gild privileges for a year only. For full
privileges for a year, 10s. Od. was paid. \textsuperscript{343} In 1434 the
freedom to buy hides for one year cost 6s. 8d., \textsuperscript{344} but the
following year 5s. only was paid by John Wilson for the 'gild
freedom of hidis bying and barkyn for a yer', \textsuperscript{345} which was
the sum paid by Willy Logane in 1447 to 'tap merchandise' for
one year, \textsuperscript{346} though Jon of Burn paid only 3s. 4d. for the
same rights. \textsuperscript{347} Two shillings only was asked, however, if a
man wanted merely to ply the gild freedom of barking. \textsuperscript{348}

Those who attempted to enjoy the benefits of the gild
monopolies without entering the fraternity by any of the
official methods risked fining by the gild court. John
Broune, for example, on 3 November 1475 paid 10s. Od. to occupy
full freedom for one year. \textsuperscript{349} Three years later, however, he
was still enjoying these privileges. He was, therefore, fined
5s. Od., \textsuperscript{350} but permitted into full membership three weeks later
on 29 November 1478 on the payment of the full 40s. entrance
fee. \textsuperscript{351}

\textsuperscript{341} MsGB, 10v.
\textsuperscript{342} See above, p. 161.
\textsuperscript{343} MsGB, 11v.
\textsuperscript{344} MsGB, 1v.
\textsuperscript{345} MsGB, 2.
\textsuperscript{346} MsGB, 7.
\textsuperscript{347} MsGB, 7.
\textsuperscript{348} MsGB, 8.
\textsuperscript{349} MsGB, 11v.
\textsuperscript{350} MsGB, 12.
\textsuperscript{351} MsGB, 12.
More usual, however, were the fines imposed at the gild courts on members for internal misdemeanours. These fell basically into two categories: offences against the trading regulations of the gild; and offences against the peace and order of the fraternity. Forestalling, for example, buying 'without the town', or failure to offer hides, skins or wool for sale in the first instance to the members of the gild, brought reprimand from the gild court. Internal squabbling or disturbance of the peace was heavily penalised. 40s., for example, was imposed on John Wricht for striking John of Coupir and he in turn 40s. for abusing John Wricht and then striking Thomas Cristyson.

From the gild accounts available it is clear that the fraternity received an annual income also from rental of lands and property. In the two years prior to October 1438, 11s.8d. was raised from three pieces of land. Rentals in 1440 raised 5s. 10d.; but by the 1450s produced only 4s. 4d. In 1477 6s. 5d. was raised and in 1479 6s. 10d. Rentals were consequently not a major source of income, but, it should be remembered, a fair proportion was diverted to support altars.

It is not possible to give a complete picture of income and expenditure of the gild, but the information to be gained is best summarised, as in Table 2 and Table 3. Table 2 shows the balances for 1435 to 1442. At the beginning of his term

---

352. MsGB, 11v and 12.
353. MsGB, 2v, for example.
354. MsGB, 3, for example.
355. MsGB, 2v. The severity of these fines is clear when compared with burgh court unlaws (see below, pp. 269 and 270.)
356. MsGB, 100.
357. MsGB, 100v.
358. MsGB, 106.
360. MsGB, 108.
### TABLE 2

**INCOME AND EXPENDITURE 1433/42**

<table>
<thead>
<tr>
<th>Date (and period covered)</th>
<th>Dean (Gild)</th>
<th>Charge (hired charge)</th>
<th>Income</th>
<th>Expenditure</th>
<th>Balance</th>
<th>Total Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 Oct 35 (for 2 years)</td>
<td>Thomas Cristyson (£36.11.4)</td>
<td>£40.1.8</td>
<td>£3.5.8</td>
<td>£1.7.1</td>
<td>18s.7d</td>
<td>nil</td>
</tr>
<tr>
<td>18 Oct 37 (for 1 year)</td>
<td>Huchon Mason (£37.14.7)</td>
<td>£38.11.5</td>
<td>9s.4d</td>
<td>6s.8d</td>
<td>2s.8d</td>
<td>nil</td>
</tr>
<tr>
<td>12 Oct 38 (for 2 years)</td>
<td>Davy Halkett (£53.9.0)</td>
<td>£54.5.5</td>
<td>£5.17.11</td>
<td>£4.11.7</td>
<td>£1.6.4</td>
<td>nil</td>
</tr>
<tr>
<td>28 Jan 41 (for 1 year)</td>
<td>John of Coupir (£49.13.10)</td>
<td>£54.9.8</td>
<td>£2.9.8</td>
<td>£3.19.6</td>
<td>nil</td>
<td>10s</td>
</tr>
<tr>
<td>18 Nov 41 (for 1 year)</td>
<td>Alan Litster (£51.0.0)</td>
<td>£52.18.10</td>
<td>£3.12.6</td>
<td>£4.14.2</td>
<td>nil</td>
<td>£1.2.6</td>
</tr>
<tr>
<td>1 Dec 42 (for 1 year)</td>
<td>William of Kirkcaldy (£49.7.0)</td>
<td>£50.2.10</td>
<td>£2.12.10</td>
<td>£2.4.11</td>
<td>7s.11d</td>
<td>nil</td>
</tr>
</tbody>
</table>
of office the dean of gild inherited certain assets, and to this inherited charge were added various items of income, often rentals, which had accrued since the balance sheet of the previous dean had been drawn up. These sums together formed the new dean of gild's charge. After 1442, the next full financial entry is for 7 January 1445. This gives not only a clearer picture of how the gild funds were organised, but offers evidence of an interesting financial manoeuvre.

William of Kirkcaldy was presenting his accounts for the previous year. His charge was £49.19s.10d., that is the potential assets of the gild funds, but that this sum was not physically in the gild purse is clear. As can be seen in Table 2 the sums of money actually handled were significantly smaller than the charge. This account of William of Kirkcaldy states precisely who were the debtors of the 'charge'. It becomes clear not only that entry fees, fines and rentals were paid only partly, but also that lending to individual members from the central fund was considerable. In this year the actual sum realised was £2.6s.0d., and the expenses were 9s. 7d, which meant a balance of £1.16s.5d. in cash, with £49.10s.2d. owed to the 'charge'. Some of the latter would have been difficult if not impossible to realise, and, on this occasion, numerous debts were wiped out by merely 'forgiving' the debtors their owed entry fees, fines and rentals.

361. A broadly similar system of civic accounting was used in York (see York City Chamberlains' Account Rolls 1396-1500, ed. R.B. Dobson, pp. xxiv-xxv) and Bristol (see Bristol City Chamberlains' Accounts, ed. D.M. Livock, pp. xiv-xv).

362. The records state William of Kirkcaldy, but this may be a clerical error. It is possible that John Bothwell presented these accounts.
total £32.12s.2d. of the charge, in effect bad debts, was erased, leaving £16.18s.0d., either in the hands of William of Kirkcaldy, or still owed. Over the next few years of John Bothwell's term of office until October 1448, when he handed over to Sir John Williamson, it is clear that attempts were made to record exactly who owed money to the gild; the gild book-keeping became more precise; and Table 3, which shows income and expenditure from October 1448 till 1461/62, indicates that in 1445 to 1448 the gild made an attempt to commence dealing in realistic financial terms, and the accounts thereafter indicate charges something nearer their true, realisable value. This was also a time when not only was income and expenditure lower than that of the 1430s and 1440s, but the gild was not involved in any major building nor road making projects.

The proportionately vast amounts expended by the gild either directly or indirectly on public works in the 1460s and 1470s should, however, once more be noted. In 1462, for example, David Wer's charge was £3.4s.8d. This entire sum went on road-making. The following two years £11.10s.6d. was the charge; and all of this, apart from 1s. 2d. was diverted to the same cause. There is no information in the Gild Book to explain the source of such increased funds to enable the gild to give such firm financial backing to town projects. Personal funding by members of the gild might have been the solution, whether it was voluntarily given or stented. It is more likely

363. MaGB, 107v.
364. Ibid.
### TABLE 3

**INCOME AND EXPENDITURE 1448–1461/2**

<table>
<thead>
<tr>
<th>Date</th>
<th>Dean of Gild</th>
<th>Charge</th>
<th>Income</th>
<th>Expenditure</th>
<th>Balance</th>
<th>Balance in Gild funds</th>
<th>Balance in hands of others</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 Oct 49</td>
<td>John Williamson</td>
<td>£11.3.3</td>
<td>£8.13.2</td>
<td>£18.6.6</td>
<td>£1.7.11</td>
<td>nil</td>
<td>£1.7.11</td>
</tr>
<tr>
<td>20 Jan 51</td>
<td>John of Bothwell</td>
<td>£1.7.11</td>
<td>7s.10d</td>
<td>£1.9.0</td>
<td>6s.9d</td>
<td>3s.9d</td>
<td>3s.</td>
</tr>
<tr>
<td>16 Dec 51</td>
<td>John Williamson</td>
<td>6s.9d</td>
<td>4s.4d</td>
<td>6s.4d</td>
<td>4s.9d</td>
<td>nil</td>
<td>4s.9d</td>
</tr>
<tr>
<td>17 Dec 52</td>
<td>David Wricht</td>
<td>4s.9d</td>
<td>4s.4d</td>
<td>4s.4d</td>
<td>4s.9d</td>
<td>nil</td>
<td>4s.9d</td>
</tr>
<tr>
<td>24 Nov 53</td>
<td>John of Cockburn (sic.)</td>
<td>4s.9d</td>
<td>4s.4d</td>
<td>nil</td>
<td>9s.1d</td>
<td>9s.1d</td>
<td>nil</td>
</tr>
<tr>
<td>15 Dec 54</td>
<td>John Chapman</td>
<td>9s.1d</td>
<td>4s.4d</td>
<td>8s.9d</td>
<td>4s.9d</td>
<td>4s.9d</td>
<td>nil</td>
</tr>
<tr>
<td>13 Dec 55</td>
<td>Thom (of Bra)</td>
<td>4s.3d</td>
<td>16s.4d</td>
<td>2s.0d</td>
<td>19s.2d</td>
<td>19s.2d (sic.)</td>
<td>nil</td>
</tr>
<tr>
<td>15 May 56</td>
<td>Alan Litster</td>
<td>19s.1d</td>
<td>4s.4d</td>
<td>?</td>
<td>£1.0.1</td>
<td>£1.0.1</td>
<td>nil</td>
</tr>
<tr>
<td>16 Aug 58</td>
<td>John Fleming</td>
<td>£1.0.1</td>
<td>£1.13.6</td>
<td>£1.17.5</td>
<td>16s.2d</td>
<td>16s.2d</td>
<td>nil</td>
</tr>
<tr>
<td>1 Dec 59</td>
<td>Thomas of Couplur</td>
<td>16s.2d</td>
<td>8s.10d</td>
<td>(2s. loan £1.3.0 given)</td>
<td>£1.3.0</td>
<td>nil</td>
<td></td>
</tr>
<tr>
<td>31 Oct 60</td>
<td>Alan Litster</td>
<td>£1.3.0</td>
<td>£3.0.2</td>
<td>?</td>
<td>?</td>
<td>?</td>
<td>?</td>
</tr>
<tr>
<td>7 Aug 62</td>
<td>Thom of Couplur</td>
<td>£4.3.2</td>
<td>6s.10d</td>
<td>£1.6.8</td>
<td>12s.6d</td>
<td>?</td>
<td>?</td>
</tr>
</tbody>
</table>
that road repairs necessitated a sudden rise in funds, rather than that funds inexplicably became enlarged, and, therefore, common work was undertaken. A fair potential of wealth amongst the gild members compared with the average burgess may be inferred from this.

Nowhere else in the fifteenth-century gild records are the accounts as full as up to 1462. From what information there is afterwards, it would appear that the gild funds on no occasion experienced a deficit. John Baxter's account given on 11 January 1500 does, however, show a total of £4.19s.6d. income, and an expenditure of £4.19s.2d., leaving a balance of 4d. It is interesting that this year, 1499, which saw the smallest balance for the gild funds was also the year in which the burgh experienced a deficit for the first time. Presumably an active building programme, and possibly also the plague and trade recession was taking its toll on the burgh economy.

A closer examination of the Dunfermline gild fraternity has been restricted of necessity by the limitations of the source material. The Gild Book is mainly a record of the gild court dealings and, as such, it gives clear details of its internal organisation and of its function within the municipal administration; but throughout, there emerges a basic facet of gild life: its existence as a socio-religious group. It is now not possible to judge accurately the thinking of medieval man, but it would

365. MsGB, 22v and 23.
366. See below, p. 282.
367. See above, pp. 276-277, and 212-213.
368. See below, p. 287.
369. Nicholson, R.G., Scotland, the later Middle Ages, 525.
probably not be unreasonable to assume that for many Dunfermline brethren this was one of the most important and re-assuring aspects of life in the gild. Within the town, however, it had a further function: the gild was most clearly the financial backbone of the burgh and had a crucial role to play in the economy of Dunfermline.
CHAPTER V

THE GILD: ITS ROLE IN THE ECONOMY AND FINANCES OF THE BURGH

Primitive economies are usually based on agriculture; and in fifteenth-century Dunfermline there were many residual features of such a state. It has already been indicated that the atmosphere of the town was very much of a rural character; and contemporary sources throughout give a picture of greenness, gardens and orchards. 1 The survival of open spaces within the town was indicative of the continuing underlying base of the economy: agriculture. In theory each toft provided enough land to give a basis for self-sufficiency. In practice, by the fifteenth century, because of infilling, some tofts, particularly along the High Street, could no longer fulfil this requirement, but it is clear that such holdings were in the minority. Even in the highly developed urban area there was sufficient space, and the requirement for barns in the rear of tofts backing on to Ratton Row, 2 for example, and possibly one in the north of Maygats, 3 a region where building land was at a premium. It is quite probable that even in these areas backyards were cultivated, no matter how small.

It is clear, however, that many of the burgage holdings contained much more land than a mere backyard. They were large enough not only to support a family with fresh produce, but also to grow flax, fruit trees and timber; and in the Netherton tofts of arable land of one or two rigs might even supply surplus produce. 4 Most, if not all, burgesses would supplement this

1. See above, p. 154.
2. See above, p. 153.
3. Dunf. Recs., 137.
4. See above, p. 154.
agricultural potential by taking up their rights to hold some of the rigs of communal arable land, the terra campestris. Rigs for burgess use were laid out to the north-east of the town, to the east of New Row and possibly also to the south of Netherton. The larger units, such as Cluttis Croft, Halbank, Phillippis Croft, Braid Yards, Mony Roddis, all to the east of New Row, and Maison Dieu lands, Haly Bluid Acres, Haughs, Spittal lands, Grange lands and Gild lands to the south of Netherton, and St Lawrence Croft to the west were privately controlled; but there is evidence that some, such as Halbank and Braid Yards were subdivided for arable cultivation by more than one burgess. It is not possible to quantify the terra campestris, but the indications are that the town had enough land to achieve a fair measure of arable self-sufficiency.

Grazing for animals was also a basic element of the burgh economy. As in all medieval towns, livestock would be free to wander the streets, and the siting of stables in the town centre demonstrates clearly that animal husbandry was not confined to the pastures outwith the town. Private lands, such as the Gild Lands, might support cattle or sheep, but the majority of the town grazing was on the extensive common lands to the north of the town. The common moor had been granted to the burgh by the abbot of Dunfermline probably in 1332, and stretched usque ad ripam de Moncur. It is clear, however, that by 1502, the burgesses considered their common moor to extend beyond, and to the north, of

5. See above, p. 133.
8. See above, p. 201.
the loch of Moncur.10

These common lands, crofts, orchards and burgh tofts and
rigs not only stress the rural atmosphere of the town, but are
a reminder that the basis of the economy was still essentially
agricultural. For all his urban sophistication, the burgess was
very much a man of the soil. John Wricht, for example, one of
the more notable members of the gild in the 1490s, who featured
frequently in burgh life and acted as common clerk,11 was also
a man of substance with property in the High Street12 and Collier
Row;13 but he still felt the requirement to graze his own sheep.14
Dunfermline was by no means alone in this. As assessment of the
commissariot of Dumfries testaments between 1600 and 1665 leads
to the conclusion that merchants and burgesses found their
'livelihoods depended on their mercantile activities or their
crafts, though most of these depended ultimately on the produce
of the farms'.15

Not only did Dunfermline benefit from relatively rich
agricultural land;16 but the town was endowed with further
natural advantages, and there is evidence of the exploitation of
two local raw materials, limestone and coal. Limestone could be
extracted in various localities around the burgh, and came
basically from the mountain limestone formation of marine origin.17
Apart from its obvious use as building material extracted lime was

15. Coutts, W.K., 'Social and Economic History of the Commissariot of
Dumfries from 1600 and 1665, as disclosed by the Registers of
Testaments', 76.
17. Chalmers, Dunfermline, i, 53-54.
of particular benefit in the burgh tanning pits. Coal also abounded around the town. As early as 1291 the Abbey had been granted the right to work a coal pit by William de Obervill on his estate of Pittencrieff, and when that was exhausted, to open another. Essentially a luxury commodity in the earlier Middle Ages, there are indications that by the fifteenth century the burgh was seeing the benefits of this natural asset. The gild house was heated by coal, though it is clear that peat was still also in use as a fuel. Sufficient open-cast mining was under way, however, for Collier Row to be so named after its residents; though there is nothing to suggest that the burgh itself owned any mining rights nor extracted coal from its own burgh lands. These latter were still more urgently required for agriculture or pasture.

By the fifteenth century, the economy had, however, patently developed beyond a purely primitive state; and burghs by their very nature were economically distinctive. Two factors that set them apart from the rest of Scotland were the pursuits of their merchants and of their craftsmen. The conversion of raw materials and agricultural produce into manufactured articles could be witnessed throughout Dunfermline. Alongside the dwelling houses were the business premises of the craftsmen, mainly situated in the backlands of the rigs.

Of first importance was the supply of food and drink for the town. Although some bread would be made at home, from flour milled at the abbey mill, baxters found a ready market, and their products

19. See above, p. 199.
were a subject of frequent legislation which controlled not only
the price, but also the weight and quality of a loaf. 21 Ale
was an almost equally important commodity. Malt was to be
purchased only from free maltmen, 22 not from the landward
parts, and once brewed in 'maskyne fats', 23 a certain quality
was to be maintained. This was checked on by the appressiatores
cervicie, and brewers were to sell their wares at only specified
prices. 24 'Dry tapsteris', who retailed ale but did not
themselves brew, were to conform to the same standards. 25

The gild, as well as the burgh authorities, considered
itself in a position to set standards for ale-making and selling.
In 1491 it was decreed that malt-makers who did not produce
sufficient supplies would be paid only in ale, with no cash
payment. 26 On the same occasion the gild laid down an even
 harsher ruling, 'that thar sail be na dry tapsteris of aill
wythtin the burchtg (sic.) and giff thar be ony that ma be tantit
tharwyht the aill sail be echeit the brostir sal tyn the aill
and the tapster amerciat of viijs'. Fish was one of the basics
of the diet. Carted or carried from the Forth, it was sold at
the market cross by the cadgers, who had specific contracts with
the burgh officials to supply fish. 27 Butchers or flashers 28
of the town likewise found themselves under the surveillance of
the appressiatores carnium, appointed regularly at the Michaelmas
head courts. 29 How many burgesses and indwellers made a living
out of the food industry it is impossible to say; but a significantly

21. See above, p. 85.
22. Dunf. Recs., 103.
24. See above, p. 86.
27. See below, p. 242.
high proportion of men and women, from maltmen, brewers, millers and brassiers, to ale sellers, often women, and tavern owners, had a vested interest in this trade.

It is clear that the producing and purchase of hides and its allied skills was one of the mainstays in the town; and equally clear that just as the gild felt it within its jurisdiction to take a part in the control of food quality and supply, even more so was this area considered its prerogative. Hides were to be purchased only by members of the gild, and that often in rota. Skinners and cordiners were admitted to the gild throughout the fifteenth century. Far from forbidding the pursuit of their crafts by craft members of the gild, the gild considered not only the purchase of hides, but also the tanning and treating of hides quite specific gild rights. In 1435, for example, five shillings was the annual fee for the gild freedom of hide buying and barking or tanning. The freedom to tan only, with no right to buy, cost less. Henry Fowler in 1454 was asked for two shillings only for a year's freedom 'of barkyn of hid and hors hidis and lappis and not to by hidis'. A year later he paid 3s. 4d. 'to berk hors hydis and huddrownis'.

It was not, however, a purely fifteenth-century phenomenon for the gild to permit such craftsmen to their numbers, and to maintain a surveillance over their activities. In 1550 all the cordiners of

32. Dunf. Recs., 114.
34. Dunf. Recs., 23.
35. MaGB, 104.
36. MaGB, 5.
37. MaGB, 13v.
38. See above, p. 176.
40. MaGB, 8.
41. MaGB, 106.
is no evidence, however, of how far this organisation went in
the fifteenth century. Deacons of crafts did exist, 65 but of which
crafts is not specified. By 1526 there was at least one head
deacon and four deacons, 66 and by 1554 ten deacons of crafts. 67
The earliest surviving minute of the Craft or Incorporation of
the Weavers of Dunfermline is dated 2 April 1596. 68 It is impossible
to assess how far they functioned as an independent group; or were
under the control of the gild. Certainly in 1454 the freedom to
pursue dyeing within the town was considered a gild privilege. In
that year Andrew Litster was admitted for one year to the 'freedom
of lyttyn' for five shillings; 69 but this chance reference in the
Gild Book is an insufficient basis for any comment on the independent
status of the weaver class. It must yet again be stressed, however,
that fifteenth-century records offer no evidence of rancour between
gild and craft or merchant and craftsman.

The building crafts were represented by masons, 70 carpenters, 71
plumbers, 72 slaters 73 and quarriers. 74 The gild even possessed a
quarrying mallet 75 which it hired out to members. 76 The building
details which illustrate chimney construction 77 and roofs designed
to efficiently discharge rain-water, 78 the culverting of the Tower
Burn, 79 the drainage system in the north-west of the burgh, 80 and
the road paving, 81 might suggest that the building crafts were, for

65. MsGB, 17v.
68. Thomson, D., The Weavers Craft being a history of the Weavers
Incorporation of Dunfermline, 72.
69. MsGB, 8.
70. Dunf. Recs., 132.
71. Dunf. Recs., 255.
72. Dunf. Recs., 99, 105, for example.
73. Dunf. Recs., 75.
74. Dunf. Recs., 189.
75. MsGB, 7.
76. MsGB, 7.
77. See above, p. 151.
78. See above, p. 151.
79. See above, pp. 130-132.
80. See above, p. 294.
81. See above, p. 122.
their time, in a relatively small town, well advanced. Master
masons from England and further afield may have supervised
the exterior work on the abbey 82 but routine maintenance would
doubtless be performed by local labour.

There were three smithies at least in the town 83 where
smiths, Wrights, 84 and possibly the lorimers 85 and pewterers 86
plied their trade. The fifteenth-century records offer no
further evidence; but as a group the hammerman craft had
emerged as an influential body in the sixteenth century, and
received their seal of cause in 1570. 87 The occasional
cooper, 88 forester, 89 tailor 90 and possibly hatmaker 91
and barber 92 provided further essential services.

Significantly lacking, however, were members of the
wealthier, more sophisticated crafts such as goldsmiths and
silversmiths. Not only would essential raw materials have to
be imported, but a demand for items produced by such craftsmen
would presuppose people wealthy enough to purchase. Some could
afford to buy, but there was not a market for such goods among
the general populace.

Although most burgesses would attain a fair level of self-
sufficiency from their tofts and share of common lands and grazings,
it was as a market town that Dunfermline most set itself apart from
its rural neighbours. Not only did the town need customers for
its surplus goods and services, but also what could not be produced

82. Register of the Privy Council (13 Sept. 1563), i, 246.
84. Dunf. Recs., 98.
85. Dunf. Recs., 344.
86. Dunf. Recs., p.f. This reference is possibly, however, to be
dated 1616.
87. See above, p. 182.
89. Dunf. Recs., 89.
90. Dunf. Recs., 125.
by the burgh had to be efficiently and economically imported from the surrounding rural areas or beyond. These rural neighbours were vital to the status of Dunfermline as a burgh. Without them its market was valueless. "The town only exists as a town in relation to a form of life lower than its own."93

The burgh had a weekly market. The claims sometimes made that the monopoly of fairs and markets was confined to royal burghs are incorrect.94 From 1464 Saturday was fixed as the market day for Dunfermline.95 This regular event afforded the town the opportunity not only to attract trade, purchase the burgh needs, and off-load the burgh surplus, but also to gain extra revenue by the collection of tolls at the burgh ports and tolbooth and, possibly, of fees for the use of the burgh's tron and official weights and measures by strangers visiting the market. Of the sums thus realised there is no evidence; but what is certain is that the burgesses would safeguard their privileges assiduously. Non-burgesses permitted to hold stalls at the markets and fairs had to pay for the right, and only those entered on the 'Stallanger Roll'96 could benefit from this privilege. On 4 December 1510 the 'borow roll' and 'stallangis roll' together raised £8. 2s. 6d.97 Four pages at the end of the 'Burgh Court Book' are undated, but the names listed would suggest they refer to sometime soon after the turn of the century.98 They contain details of the 'Burrow Roll of Dunfermlyn'. According to these lists the sum raised from

94. For example, Grant, Scotland before 1603, 367.
95. See above, p. 86.
98. Appendix VII.
THE ECONOMY OF FIFTEENTH-CENTURY DUNFERMLINE.
the Burgh Roll was £6. 2s. 2½d, so something in the region of £2. 0s. 3½d.
was raised from the Stallanger Roll for the burgh revenue annually.
Its true value is best judged when compared with the income
from unlaws and burgh rentals. The extension of burgh
building beyond the traditional market centre and the
evidence of infilling along the High Street should once
more be noted as evidence of economic vitality.

Dunfermline, like other burghs, usually royal, held an
annual fair or fairs. There was certainly one held during
the week around 2 December and another called the Rood fair.
The most likely date for this latter would have been 3 May, on
the occasion of the Invention of the Holy Cross; or during
Cross week or Rogation week, perhaps the Thursday before
Whitsunday. If there were only two fairs it is unlikely
that the second was held on a third possible date, the occasion
of the Exaltation of the Holy Cross, 14 September, as it would
be likely that the burgh would prefer a time more distant from
the December fair. There were in all probability only two
annual fairs. In 1686 a warrant was issued to the town for two
annual fairs and a weekly market to be held. It is unlikely
that on this occasion the traditional number of fairs would
be altered. Apart, however, from these two isolated references
noted above, the fifteenth-century burgh and gild records are
surprisingly taciturn on this issue.

99. See below, pp. 269-270 and 265-266.
100. See above, p. 129.
101. See above, p. 138.
102. Dunf. Recs., 5. This same reference is also the only indication
in gild or burgh records that Dunfermline practised the 'peace of
the fair'. A case was brought against Master Henre Winside, but
his forspeaker Henre Spittell argued that since 'the bref was
proclamit wythin the octavis of the fair ... it had na stranht'.
103. Dunf. Recs., 121.
105. APS, viii, 652.
The extent of the burgh's hinterland or trading region is difficult to assess. It was the practice for the Scottish crown to delineate specific areas over which specific burghs had total freedom of trading, to the exclusion of all others. Perth, for example, had such a monopoly over the entire sheriffdom of Perth, and Inverness over that of Inverness. By 1363 Dunfermline, along with Kirkcaldy, Queensferry and Musselburgh had the right to enjoy an extensive trading area. In this year David II confirmed that in the confines of the burghs

in regard to any goods whatsoever, coming from any place whatsoever, and within all the limits, confines and boundaries of the whole regality, they may justly exercise their trades, as well regarding wool, hides, and skins as regarding other merchandise whatsoever, without impediment from our servants or our burgesses whatsoever.107

What is not laid down in this confirmation is whether the regality was divided up into four separate monopoly areas for the burghs concerned. With a certain justification, Webster and Duncan have argued that, 'in the absence of evidence this seems unlikely'; but from the Registrum de Dunfermelyn it is clear that dispute had been open between Kirkcaldy and Dunfermline as to which should have greater economic influence in the shire of Gatmilk. The gild records throw a further light. In 1448 the abbot was called to decide between Dunfermline and Kirkcaldy as to which had trading rights in Gatmilk. The decision was given for the former. It is clear that some apportionment of the regality was made; and also that Dunfermline's sphere of influence was considerable. Gatmilk was geographically closer to Kirkcaldy, but it was to Dunfermline that all Gatmilk

106. Keith, T., 'The trading privileges of the royal burghs of Scotland', English Historical Review, xxviii, 455.
110. MsGB, 100 and Dunf. Reg., No. 424.
profits from trade in future were to come.\textsuperscript{111} It could be expected that the immediate environs of Kirkcaldy and Dunfermline would form their respective hinterlands. Reference in the Gild Book would appear to confirm this supposition. Masterton is mentioned on a number of occasions, and hides were purchased there and brought to the town.\textsuperscript{112} Kinglassie, too, came within Dunfermline's hinterland. Thom Cady attempted to deal in goods there on 18 February 1441,\textsuperscript{113} while not a member of the gild,\textsuperscript{114} and was punished. The list of offences against gild privileges also gives an impression of the territorial extent of gild authority. There were forestallers named in 'Drumcapyl, Westir Luscour, Cavil, Petfirran and Gellat', and chapmen were abrogating gild rights in 'Cragdukye, Codanbeith, Baith, Randill Craggis, Gellat and Prumros'.\textsuperscript{115} This represented a large catchment area, which could only benefit the burgh economically.\textsuperscript{116} Apart from a reference to Leith,\textsuperscript{117} there is no mention of trading south of the Forth; and it would be reasonable to presume that the regality there was divided between Queensferry and Musselburgh.

\textsuperscript{111} By 1583, however, Gatmilk was considered to be within Kirkcaldy's trading area. 'Greit hurt and dampnage' came to Kirkcaldy 'be the awaye byding off the personis in Gatmilk schyrs, Kinglassie, Newburne, and utheris partis addictit to repair to the merkattis heir of with ther cornis and utheris geir' (Macbean, L., \textit{The Kirkcaldy Burgh Records}, 82). Possibly Gatmilk residents were favouring the Dunfermline market.

\textsuperscript{112} MsGB, 5.

\textsuperscript{113} MsGB, 5. Kinglassie, however, along with Gatmilk was considered by Kirkcaldy in 1583 to be within its hinterland. (Macbean, L., \textit{The Kirkcaldy Burgh Records}, 82). See above, note 111.

\textsuperscript{114} He did not enter the fraternity until 1463. MsGB, 9v.

\textsuperscript{115} MsGB, 26.

\textsuperscript{116} See map, p. 238.

\textsuperscript{117} MsGB, 100.
SUGGESTED TRADING PRECINCTS OF THE REGALITY BURGHS OF DUNFERMLINE, NORTH OF THE FORTH

Areas of Regality within Dunfermline Trading Precincts (conjectural)

Areas of Regality within Kirkcaldy Trading Precincts (conjectural)

Areas of Regality within either Dunfermline or Kirkcaldy Precincts (conjectural)

- EAST COAST PORTS

BURGHS OF THE REGALITY OF DUNFERMLINE

- DUNFERMLINE
- KIRKCALDY
- QUEEN'S FERRY
- MUSSELBURGH
Disagreements over trading zones were a common feature of the fourteenth and fifteenth century; and none fought more fiercely than the attempts by royal burghs to exclude non-royal from their economic privileges. Cupar found the supposed encroachments of St. Andrews excessive and litigated in 1369 and 1498. Brechin, which had the right to a market, was a thorn in the flesh of Forfar, Dundee and, particularly, Montrose; and attempts were made by these three to stifle Brechin as a trading community. In 1376, for example, the burgesses of Montrose and Forfar engaged in an agreement to enter the others' burgh and their trading zones with free licence to sell and buy all things pertaining to the gild.

In Brechin, however, in the bounds of Forfar, all who dealt in merchandise would be treated as forestallers. Montrose's aggressively protective attitude continued into the fifteenth century, and was typical of many a burgh, anxious to preserve its rights. Glasgow took issue with Rutherglen and Dumbarton, and Dundee with Perth; Ayr forbade dealing in hides with Irvine in 1432; and Dunfermline's ruling that no dealings were to be had with Inverkeithing men may well have been rooted in similar jealousies. Dunfermline and Kirkcaldy's argument over Gatmilk, however, is a rare example of regality burgh versus regality burgh.

118. Keith, T., 'The trading privileges of the royal burghs of Scotland', English Historical Review, xxvii, 463.
119. Ms. Indenture burgesses Montrose and Forfar, 1 Sept, 1376. (I am indebted to Miss E. Ewan for drawing my attention to the manuscript). M/Wl/1/1 Montrose Burgh Archives.
120. It is not necessary here to detail disputes, largely between Montrose and Dundee. See 2nd report of The Royal Commission on Historical Manuscripts (1871), 206.
121. Keith, T., 'The trading privileges of the royal burghs of Scotland'. English Historical Review, xxviii, 463.
122. 'The Ayr Manuscript', fol. 85v.
123. MsGB, 31.
Both the burgh and the gild imposed firm rules on those permitted to trade within their precincts, and strict penalties were meted out for deviation from the regulations. Fines or, on occasion, loss of freedom resulted from trading without permission or for dealing out of the town to the detriment of the burgesses. In general, the gild court concerned itself with infringement of its monopoly: the dealing in wool, hides, furs and skins and its related skills, such as barking; and the sale in the town of imports, mainly foreign, such as spices, fine cloths, wine and other specialised commodities. To preserve these monopolies fines were imposed on non-gild members for encroaching, by, for example, buying hides; and gild members, too, had to obey the gild rules. In 1435 'for bying of skins utouth the toun' a fine was imposed, but misdemeanours could result even in the loss of gild freedom. Unfreemen's hides placed for tanning in the burgh were declared forfeit, in order to maintain the gild monopoly. The protection of the gild interest was all-important and the case of Thom Cady is typical. In 1474 he was brought before the gild court for 'wrangwys selling of a dak of hydis to outmen and proofferit theim nocht to thar nychtburis'.

Foodstuffs could be sold by anyone at the official market, as long as toll was paid. Maltmen, however, appeared to fall foul of the authorities on numerous occasions by the purchase and use of unfreemen's malt, so much so that 'seekers' of

124. MsGB, 5v.
125. MsGB, 2.
126. MsGB, 5.
127. MsGB, 5v.
128. MsGB, 11.
129. Dunf. Recs., 31, 103, 125, for example.
unfreeman's malt were instituted in 1500. This would seem to have been an ongoing problem, however. In 1503 maltmen were again reprimanded. Their offence on this occasion was the selling of malt 'furth of the toune fra the nychtbouris'.

To protect the public good, strict rules were imposed to prevent both forestalling and regrating. The former, the purchase of goods before they reached market, thus avoiding the payment of toll, warranted a heavy penalty. On 26 January 1497 it was decreed that 'quhatsumeuir burges withtin the burgh forstallis the merkat he sall tyne his fredome at the will of the aldermane bailyes and comunite of this burgh and a stallanger sall pay viijs'; and there is evidence that the town was prepared to act upon this ruling. The gild also expected its members to conform to the medieval ethic of fair trading and in 1438 and 1439 members were brought before its court for forestalling in the buying of skins.

This ethic also precluded regrating, the purchase in bulk and possible hoarding of goods in order to sell at an advantageous time when prices were high. It is possible that when the brewsters were forgiven their 'fait of Yul' in 1491, and the cadgers were fined for 'breaking the acts and statutes of the toun', there had been attempts at forestalling or regrate. Measures to prevent forestalling and regrating were common to all burghs. When the chamberlains accounts were detailed in 1436, for example, the crown gained £342. 9s. 0d. as a result of punishment of these

130. Dunf. Recs., 103.
132. Dunf. Recs., 64.
133. Dunf. Recs., 81.
134. MsGB, 2v.
135. MsGB, 3v.
offences in royal burghs.\textsuperscript{138}

The aim of all these measures and penalties was, firstly, the adequate supply of commodities in the interests of the consumer, the burgh. On 20 August 1440 the gild members were reminded of 'the auld statut' that wool, hides and skin were to be exported or sold to the neighbours in the first instance.\textsuperscript{139} 1493 saw the appointment by the burgh court of Jhone Schethow and David Jonsone to supply two laids of fish to the town every Friday.\textsuperscript{140} This was increased the following year when it was agreed by all cadgers that six laids of fish would be supplied, two on a Wednesday, and the same on Fridays and Saturdays; and that they would ply their wares openly at the market cross for at least two hours on each day, thus giving all townsman an opportunity to purchase. Failure to do so would result in a fine of eight shillings for a first offence and the same for a second; for a third offence the fish would be forfeit and for a fourth the culprit would be banished from the town for a year and a day.\textsuperscript{141} Again with the same intention, adequate provision of foodstuffs for the town, the baxters in 1503 'undertuk to mak sufficient stuf to the nychtbouris'.\textsuperscript{142}

Such were typical of any careful burgh, but there were occasions when drastic measures had to be taken. On 9 July 1499 it was thocht expedient be the hale town and ordanit that that salbe na victallis sald out of the town induryne the tyme of this plage and quhatsumeuir thai be fundyne doend the contrar herof and thai

\begin{thebibliography}{9}
\bibitem{138} Grant, \textit{Scotland before 1603}, 400.
\bibitem{139} \textit{MeGB}, 4v.
\bibitem{140} \textit{Dunf. Recs.}, 46.
\bibitem{141} \textit{Dunf. Recs.}, 55.
\bibitem{142} \textit{Dunf. Recs.}, 136.
\end{thebibliography}
can be apprehendit the alderman and balyes
sail mak escbet of it bot allanerly bred and
aill in small quantite.143

The second purpose of the town authorities, after ensuring
an adequate supply of commodities, was to gain them at a
reasonable market price. To these ends on 21 October 1485 the
gild court laid down that ale was to be sold for 8d. a gallon,
and (quantities were not specified) the best wheat for 7s., the
best malt for half a merk, the best meal 4s. 8d. and poor wheat,
salt and meal was to be cheaper.144 Quality, as well as price,
control was in operation. By 1493 the great assize had decided
that wheat (again, quantities were not specified) should be 9s.
and ale that was not worth 12d. was to be sold for 8d.145 On
18 February 1499 the town made certain that no ale was dearer
than 8d. a gallon. If anyone was found contravening this rule,
the punishment was severe: 'the takyne furth of thar caldronis
and veschallis and dinging out of the bodumis at the Mercat Cros'.146
The turn of the century found ale still 8d. per gallon, but by 1514
it had risen to 12d. the gallon, and wheat was now 11s. the boll.147

A further measure to protect the consumer laid down that a
loaf was to be 15 ounces and each loaf was to be weighed at sale.
Weights and measures were, as in all burghs, under the surveillance
of the burgh authorities.148 It had been laid down as early as

144. MsGB, 14v.
146. Dunf. Recs., 104.
147. Dunf. Recs., 192. A boll throughout the middle ages was
commonly regarded as any vessel capable of holding 164 pounds
of the clear water of the Tay (Zupko, R.F., 'The weights and
measures of Scotland before the Union', SHR, lvi, 124).
the *Leges Burgorum* that

Ilke burges may hafe in his boys a mesure to
mat his corne, ane elnewand, a stane and pund
wecht for til way. And al thir measuris and
wechtis sal be selyn wyth the seele of the burgh.
And it is for to wyt that whasa is fundyn with fals
mesure or wecht, sal pay a full amercement.  

The public tron was, with the market cross, the focal point
of burgh life, and its removal in the reign of Robert II was
disastrous for the burgh. Its return meant that the burgesses
could 'enjoy the customs due to them'.

That all transactions should be seen to be open and fair,
selling took place at the market cross, or in the booths lining
the High Street and just off the main thoroughfare, at specified
times. There was as yet in Dunfermline no visible evidence of
market specialisation, as was found in Edinburgh by the fifteenth
century although it is possible that the booths of traders in
the same commodities were by natural selection alongside each
other. The gild court in 1495 ordered that 'na bothte sal be opynnit
na yit na windo na nane merchandise maid opone the Sunday wndir pane
of half a merk unforgiffin'. In 1484 it had
already been enacted at the gild court that 'na merchand
sall by woll hyd na skynnis on the haly day on to the tym of
xii houris'.

Rules of course are always broken. For price-breaking in the
sale of meal, a fine of 4s. was imposed. In 1500 the burgh

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149. An elnewand or ell was normally 37 ins. length, although Fife,
and therefore presumably Dunfermline, was an exception in
assessing this measure to be 37 1/8 ins (see Zupko, R.F., 'The
weights and measures of Scotland before the Union', *SHR*, lvi, 128).
151. See below, p. 247.
152. See March, M.C., 'The trade regulations of Edinburgh during the
fifteenth and sixteenth centuries', *Scottish Geographical Magazine*,
xxx, 483–485.
153. MaGB, 20v.
154. MaGB, 13v.
court laid down that anyone selling ale dearer than 8d. a
gallon would be liable to an 8s. fine. But price and
quality control could work two ways. In 1504 Janet Coupir
was found guilty of price-breaking by selling ale of 12d.
quality for 8d. By such methods the burgh and the gild attempted to keep
a firm control of the local economy. It was clearly not a
far-thinking policy, and totally medieval in outlook; but
in so far as it set itself limited aims, it was successful.
The burgh government's main concern was the burgh and its
members, and, within this group, the gild's main concern
was the gild and its members. Such laws as were laid down
were not entirely altruistic. They were the result also of
vested interests seeking to maintain the benefits of monopoly.
The protection of the trader was ensured by preventing
transactions below the market price, which would threaten his
profits, as well as the protection of the public good. Whatever
were the underlying motives, however, the public good was in
general maintained.

It is now well established that overseas trade was a minor
facet of the Scottish economy. It should, however, not be
dismissed. Mercantile links abroad provided not only a market
for home-produced hides, skins, wool and wool-fells, fish and
coarse salt, but also furnished Scotland with such essentials
as timber, pitch, flax, iron and rock salt, and commodities to
suit the luxury and of the home market such as quality
manufactured goods, spices and fine wine.

158. Grant, Scotland before 1603, 328.
It is also a well known fact that Scotland was very much the poorer relation in this trade with the Baltic regions, Low Countries, France and England. As late as 1598 Fynes Moryson could write, 'Since the Scots are very daring, I cannot see why their mariners should not be bold and courageous, howsoever they have not hitherto made any long voyages, rather for want of riches than for slothfulness or want of courage.' This 'want of riches' was reflected in the various attempts by successive kings to improve the Scottish economy by such self-defeating measures as debasement of the coinage, forbidding the export of bullion and the imposition of export duties to make the foreign purchaser pay more for home-produced goods.

What is apparently not so self-evident is which Scots engaged in this overseas trade. Numerous writers have made such comments as, 'from the Middle Ages, overseas trade had been restricted to the royal burghs'; and it has only recently been argued that a privileged number 'succeeded in keeping the merchants of the non-royal burghs out of foreign trade'. In fact the greater ecclesiastical burghs were not excluded and Dunfermline along with St. Andrews, Glasgow and Arbroath were involved in foreign trade.

During the reign of Robert I the abbey of Dunfermline was granted the great customs, normally reserved for the crown. The king also advised Bruges of his intention to furnish the regality with a cocket, which would suggest a

162. Worland, J., Court, Kirk and Community, 49.
fair degree of trade between the regality and the Low Countries.\textsuperscript{165} There was, however, no question of this grant applying to goods bought outwith the regality with the intention of custom-free export.\textsuperscript{166} This restriction was reaffirmed in 1363 by David II,\textsuperscript{167} but by 1384 Robert II decreed that the monastery had abused this privilege and stretched the bounds of the concession too far. Crown officers entered the regality lands, and arrested the trons and customs. This was in effect a total embargo on the export of all the merchandise of the craftsmen, merchants, and tenants in general, of the abbey. This embargo was lifted, 'to the end that they may hold and enjoy the customs due to them granted by our predecessors and confirmed by us'.\textsuperscript{168}

Apart from this incident it would appear that Dunfermline abbey was permitted to enjoy its trading privilege unmolested. Arbroath abbey, on the other hand, had been granted in 1358 the great customs of goods in the burgh and regality of Arbroath;\textsuperscript{169} but between 1472 and 1523 benefitted financially by only one quarter of the receipts of the custumar.\textsuperscript{170} The indications are that in the regality of Dunfermline any encroachment came more from the abbey than the crown. In August 1540 the auditors of the exchequer required an explanation from George, Abbot of Dunfermline, of his right 'to mak impediment to the Inglismen cumand in at the port of Kirkcaldy to pay thar custumes of sic Inglis gudis as cummys to the said port to our soverane lordis custumaris'.

\textsuperscript{165} Dunf. Reg., No. 361.
\textsuperscript{166} Dunf. Reg., No. 362.
\textsuperscript{167} Dunf. Reg., No. 390.
\textsuperscript{168} Dunf. Reg., No. 394.
\textsuperscript{169} APS, xii, supp. 11.
\textsuperscript{170} ER, vii, 384; xiv, 50 and 439; and Murray, A.L., 'The Exchequer and Crown Revenue in Scotland', 158.
His explanation was inadequate; the abbey was confirmed in its rights granted by Robert I; but no more. The abbey was to 'desist and ceis fra all intrometting with ony custumes pertanyng to our soverane lord of his rialte, and siclike of all strangearis resortand to any port or part within this realme' since 'thai have no rycht to na custumes bot within the saidis foure burrowis and propir landis of their regality forsaid'.

The abbot would doubtless appoint a custumar to collect his great customs; and he probably functioned with the same remit as customars of royal burghs. In the 1490s from information in the Burgh Records it appears that this may have been Alan Cant, who became a gild brother in 1486. The fact that his entry fee was returned to him at the request of the abbot reinforces the evidence of the Burgh Records, and he was doubtless a favoured employee of the abbot. He appeared also on a number of occasions on assizes in the town, and was clearly a burgess closely involved with Dunfermline. It is possible, therefore, that, if he was custumar, his jurisdiction was over only the Dunfermline burgh trading precinct, not the regality as a whole.

The ideal trading partner for Scotland was England. Geographically so close, the normal modes of trafficking within Scotland, by land or coastal shipping, could be merely enlarged to include trade with England. In practice, however, political

174. MsGB, 15.
175. Dunf. Recs., 66, for example.
animosity too often overcame the more natural geographical links, and trade between the two countries was spasmodic although never permanently disrupted. 176 There are many instances of mercantile contact and trading licences being granted to Scotsmen in the fifteenth century. 177 But not only is it impossible to quantify this trade, neither is there information of what part the Dunfermline merchants played in it. It may be guessed that they did play some part. Men who were prepared to sail to the continent would not flinch at travelling into England when the political climate was right. The 'Customs Book of Edinburgh' specifies that on 17 December 1510 a ship bound for London contained goods licensed under the Dunfermline cocket. 178 Six chalders of salt 179 were being exported by Henry Scott and Robert Bell. 180 Such trading was probably under way in the fifteenth century, but no customs nor cocket books exist to confirm this.

Nor is there fifteenth-century evidence of Dunfermline participation in French or Spanish trade. If it did not exist the burgh demand for French goods such as wine could be satisfied by purchase from one of the greater importers, possibly those based at Leith, or by dealing with the Low Countries. But the ports of northern France, particularly Rouen and Dieppe were outlet centres for international fairs and areas of rich


177. Grant, Scotland before 1603, 336.

178. The Dunfermline cocket was that of the Regality of Dunfermline, not Dunfermline burgh.

179. A chalder of salt was 16 bolls of 4 firlots each or 256 pecks. Zupko, R.E., 'The weights and measures of Scotland before the Union', SHR, lvi, 127.

180. 'Customs Book of Edinburgh' (1511-12), 5.
agriculture. To travel there was only a little more hazardous
than to the Low Countries. By the early sixteenth century at
least there was some commercial activity with France. On 17 March
1511 James Kennedy despatched merchandise to Dieppe, as did
Archibald Preston a month later. But there is no record
of merchants trading under the Dunfermline cocket further
south.

Dunfermline merchants seem to have been actively engaged in
trade with Flanders specifically and the Low Countries in general. The
passage from the east coast of Scotland over the North Sea to
the north-west of Europe was a natural one; and between these
two areas there had been contact, whether commercial or cultural,
for centuries. The developing Flemish cloth industry had looked
to Scotland for wool supplies; and the gradual urbanisation of
Flanders brought a correlated demand for the products of Scotland's
pastoral economy, in the form of hides, sheepskins and woolfells.
It is clear from the earliest surviving records of customs dues
on exports, from 1328 onwards, that these were in the fourteenth
century virtually the only commodities sent abroad. One of
the main benefits for Scottish trade in this region was in the Low
Countries' status as an international mercantile centre. Merchants
from north and south Europe found Flanders an ideal exchange point
for sea-borne goods; but it would be wrong to consider the Low
Countries a world market. Yet smaller merchants, such as
those from Dunfermline, had the opportunity to purchase commodities
produced not only in the Low Countries, but also from foreign

181. 'Customs Book of Edinburgh' (1511-12), 11.
182. The Low Countries, for this purpose, includes the medieval provinces
of Flanders, Artois, Zealand and Holland, and the duchy of Brabant.
183. Duncan, A.A.M., 'Foreign Trade and the Burghs, 1327-1331, 1362-1366'
in An Historical Atlas of Scotland c.400-c.1600, ed. P. McNeill and
R. Nicholson, 63.
184. Van Houtte, J.A., 'The rise and decline of the market of Bruges',
Economic History Review, xix, 36.
markets further afield, without having to undertake the more expensive and dangerous journeys that would otherwise be required. The establishment of a Scots staple in the Low Countries is clear indication of the importance of this contact. By 1407 it was settled at Bruges, having previously been in Middelburg. It has been mooted that Scottish traders felt themselves somewhat outclassed in such a great centre, and preferred to deal in a smaller port. What is sure is that the carriage of goods to Bruges was becoming increasingly difficult because of the silting up of the waterway between Sluis and Bruges and transportation had to be made by cart. Large ships had from the end of the fourteenth century not managed to enter the harbour of Sluis itself. How far this latter factor affected the decline of Bruges is uncertain. Internal problems also beset Bruges at this time. Middelburg and Bruges vied with each other for Scottish favour. Veere, too, entered the competition, but it was Middelburg that won the day, and where Andrew Haliburton acted as conservator from 1492 to 1503, being appointed from Scotland to oversee all matters affecting the Scottish community there. In the latter years of the century trading contacts not only with Middelburg, but also Veere, Bruges, and other towns continued, however, enabling Scottish merchants to ascertain and use the best markets for their goods. What is relevant in this chequered fifteenth-century career of the staple is the clear indication that is given of the importance placed by the Scots on this trading contact with Flanders and the rest of the Low

Countries. But more than this, the competition to gain Scots favour, and house the staple, shows likewise the relevance of Scots trade to those regions.

So favoured by Scotland was this trade that 'merchants were tempted to risque their goods in the winter season, when the art of sailing was not so well understood, and consequently the danger at sea much greater, than in the ages following, when navigation is so much improved'.\textsuperscript{188} The last two decades of the century witnessed the meeting together of burgh representatives, to discuss the 'welefare of merchandis the gude Rewle and statutis for the common profit of burrouis'.\textsuperscript{189} The burghs' decision to, for example, send an embassy to the Archduke of Austria in 1498 to encourage a better trading relationship,\textsuperscript{190} was indicative of the concern of all burghs, which would include Dunfermline, to maintain this trading link.

How great was the Dunfermline trade in these regions is impossible to quantify. The gild court and burgh court records offer only a very little evidence. John of Kirkcaldy and Lowrens Foular were given money by the gild court on 16 January 1473, 'to the drynk in flanderis'.\textsuperscript{191} Whether this implied the purchase or the consumption of drink in Flanders is not clear. But obviously Dunfermline merchants had some business in these regions. The Gild Book, however, makes no further reference until in 15 February 1550 a case was brought before the burgh court. John Pattoun appeared and put a claim against Robert Fergusone for 'certane hydis to the nomer of viij daikar hydis'.\textsuperscript{192} The latter agreed that he was indeed the merchant

\textsuperscript{188} Yair, J., An Account of the Scotch Trade in the Netherlands, and of the Staple Port in Campegre, 85.
\textsuperscript{189} APS, ii, 179.
\textsuperscript{190} Rooseboom, M.P., The Scottish Staple in the Netherlands, 29.
\textsuperscript{191} MsGB, 11.
\textsuperscript{192} A dacker or deker was a quantity consisting of ten (numbers, pairs or bundles) of any item. (Zupko, R.E., 'The weights and measures of Scotland before the Union', SHR lvi, 127).
to the former, and that he did ship and sell wares in Flanders, in the town of Antwerp; and that while he personally was in Flanders 'the empriour Dovanis intromittit whith the said gair and roupit the same in the toune of Handwerp to the us and profit of the empriour quhilk thai disponit thara pone'. Moreover, he attested, he also shipped five dakirs of hides for William Wilson; and these, too, were 'roupit and dysponit in Handwerp to the empriour uss and thair markis wes upon the samyn qudis and gayr'.

The 'Customs Books' of Edinburgh give some information about trading in this area in the early sixteenth century. It is probable that the activities of the Dunfermline regality merchants at this time were not too dissimilar to those of the fifteenth century. The Barge of Dysart sailed for Vre on 24 April 1511, and under the Dunfermline cocket were listed David Flukage and Thomas Anderson. On 14 May 1513 William Anderson under the Dunfermline cocket was exporting to 'Le Vre', and a month later James Preston likewise.

Trading was also underway further north. The Bremen State Archives hold evidence of an armed Bremen ship making an arrest at sea on 15 July 1445 of two ships sailing from Germany which had merchandise and Scotsmen aboard. The merchants are identified and amongst their number were 'Johannes Burne of Dunfermline' and 'Johannes Harcars of Dunfermline', travelling on the 'Bargia'.

193. MsGB, 46v.
194. 'Customs Book of Edinburgh', (1511-12), 14.
196. 'Ms. 1-8c, 1445 (Juli 15) Staatsarchiv Bremen.' I would like to record my thanks to the chief archivist for his assistance in providing me with a microfilm of this entry.
Unfortunately the Staatsarchiv Greifswald, Stadtarchiv Stralsund, Gemeentearchief Middelburg and Stadsarchief Brugge, appear to have no references to trade with Dunfermline. Lack of documentation does not, however, negate its existence. There is no Scottish state record of Dunfermline trade with the continent in the fifteenth century; and yet clearly Dunfermline burgesses were travelling overseas for commercial purposes.

The 'Customs Book of Edinburgh' indicates that Richard Riche travelled with merchandise to Copenhagen in 1511 under the Dunfermline cockat.\(^{197}\) Lack of documentation of Scoto-Danish trade again causes difficulty in assessment; but of the three Sound Toll Registers existing before 1536 one does mention a skipper of Dunfermline, a Robert Punt who passed twice through the Sound in 1528,\(^{198}\) in probably the same ship documented earlier in the records.\(^{199}\) The Gild Book also details that in 1558 John Boswell paid Robert Fyllane's toll at Elsinore,\(^{200}\) so contact here was developing.

It must be certain, however, that commercial contact between Norway, Sweden, Denmark and Scotland, let alone Dunfermline, in the earlier fifteenth century was slight. By the later decades of the century, diplomatic relations between Denmark and Scotland were cordial,\(^{201}\) and since Denmark at this point controlled Scania, it is not surprising that by the early years of the sixteenth century there is evidence of increasing mercantile contact throughout these four countries.

\(^{197}\) 'Customs Book of Edinburgh' (1511-12), 9v.
\(^{199}\) Ibid., 4.
\(^{200}\) MsGB, 58.
\(^{201}\) Dow, J., 'Skotter in sixteenth-century Scania', SHR,xliv, 34.
Scotsmen were, of course, well acquainted with the seas around the Sound, but Scania and Denmark were not their prime destination. It is quite probable that Robert Punt, like so many hundreds of other skippers, was en route to a more easterly post - Danzig. Trade with the eastern Baltic was well established in the fifteenth century. Mercenaries and money had been lent to the Teutonic Order by Scotland, and even after defeat by Poland, trade between these two areas expanded. Danzig and Königsberg were the towns of greatest importance to Scotland, and Scots merchants were settling in the former as early as 1400. But this was not a one-way contact. Ships from Poland were entering east coast harbours in Scotland increasingly in this century. Interaction both ways was such that at the proposal of a union between England and Scotland in 1606 the outraged English opposition argued that,

> If we admit them into our liberties, we shall be overrun with them, as cattle pent up by a slight hedg will over it into a better soyl, and a tree taken from a barren place will thrive to excessive and exuberant branches in a better, witness the multiplicities of Scots in Polonia.

The Sound Toll Registers indicate a flourishing trade between these two regions. Scottish boats were a common sight, whether they achieved two trips a year to the Baltic or three.

203. Grant, Scotland before 1603, 339.
204. Wilson, A., The History of Great Britain, being the life and Reign of King James the First, relating to what passed from his first access to the Crown till his death, 34.
206. Professor T. Riis feels that the belief that two trips only per year to the Baltic is unduly conservative. He argues that three such trips were a possibility even in the early sixteenth century.
There are, however, apparently, no specific references to Dunfermline merchants in either the Danzig or the Konigsberg State Archives in the fifteenth century. By 1536, the gild court was called upon to adjudicate between various parties, and it was concluded that one John Hutoune had left nineteen Prussian marks in Danzig. William Nicholl was commissioned to retrieve this when he travelled to Danzig. Should William Nicholl fail in this the obligation (whether it be debt, or payment for services is not clear) due to him by John Hutoune would be paid in Scots money, and 'for ilk markis Spruce x Scotis'. 207 This rate of exchange was still applicable in 1543, for on 10 June the gild court concluded that the loan that Alex Stewart gave to Andrew Reid in Danzig should be repaid in Dunfermline at the same rate. 208 In 1548 William Wilson was also trading in the Baltic, again in Danzig; 209 and by the last decade of the sixteenth century Dunfermline men are known to have been resident in Prussian and Polish towns. 210

There is further evidence of Baltic contact, by reference, for example, to voyages 'in the sister seyis'; 211 but specific fifteenth-century comments are fewer. 'Danskyn Toll'; 212 a 'Spruce mark' loaned by one Dunfermline merchant to another in Dundee; 213 and the inheritance of Symon Cleavy's children of, amongst other things, 'a Sprus comptir of the myddil bynd' 214

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207. MsGB, 36v.
208. MsGB, 38.
209. MsGB, 42.
210. Tack of Stany Acres, lying to south of Netherton granted by John Black, citizen of Swiecin in Prussia, and Dunfermline, in favour of Simon Hair and his wife, who may also have been resident in Prussia. Certified under the seal of the town of Lancirian(?) before the clerk of the town. Dated 23 July 1593. Muniments of the Earl of Elgin (no catalogue number). I am indebted to Mr. D. Ditchburn for drawing my attention to this.
211. MsGB, 46v.
do, however, indicate at least some commercial contact, direct or indirect.

It is clearly, then, incorrect to argue that overseas trade was confined to royal burghs; although admittedly the evidence is not prolific. Dunfermline merchants were travelling abroad. The many references to 'ham-cuming',215 and 'absence' of husbands216 could, obviously, cover a multitude of legitimate departures from the burgh; but may also conceal evidence of voyages overseas. The abrupt disappearance and reappearance of bailies from duty217 might also be explained by personal voyages abroad.

It would appear from the little evidence there is, that goods in which Dunfermline traded were as would be expected.218 Export goods are not detailed in the fifteenth century; but if one may accept the evidence of the early sixteenth century, the main commodities were plaiding,219 hides,220 skins,221 salt,222 wool and salmon.223 By 1538 when nine merchants were exporting under the Dunfermline cocket,224 the same commodities are still indicated: skins, salt, hides, cloth and lambskins.

Exports were mainly the staple goods. The only manufactured goods, clearly, were the plaiding and a rough cloth, possibly manufactured within the burgh of Dunfermline itself. Salt came from the shores of the Forth. The coarse salt produced in Scotland could not be compared with the rock salt suitable for fish curing, either in quality or in price. From Caspar

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215. For example, Dunf. Recs., 162.
217. See above, p. 69.
219. 'Customs Book of Edinburgh' (1513), 10.
220. 'Customs Book of Edinburgh' (1523-28), 13.
221. 'Customs Book of Edinburgh' (1527-28), 25v.
222. 'Customs Book of Edinburgh' (17 Dec. 1510), 5.
223. 'Customs Book of Edinburgh' (2 Apr. 1511), 11.
224. 'Edinburgh Entry Book of Cockets', 1538.
Weinrich's chronicle, 1470-86, is learned, '1485 ... A Brouage le sel valait 10 couronnes le cent, si bien qu'on payait a Danzig le sel de la Baie 40 marks le last, celui de la Trave 38 marks, celui d'Écosse 22'.

It is impossible to calculate the value of these fifteenth-century exports, but what must be stressed yet again is the clear inter-dependence of the burgh and its rural hinterland. Hides, skins, even perhaps cloth, were products of the countryside around Dunfermline. Salt, too, would be coming from the foreshore anywhere between Culross and Dalgety, apart from Inverkeithing, and salmon, too is listed as being exported, even though it has been argued that this was 'part of the monopoly of the merchants of the royal burghs'.

Isolated references must suffice to give clues to imports; but it would be reasonable to presume that Dunfermline fitted the pattern of other Scottish burghs. Stakes were imported to the burgh perhaps from Danzig, oil, wine and malmsey were all being used, and clearly imported. Flax, too, was brought in to Dunfermline, as other Scots burghs, from Danzig as early as 1548. 'Danskyn toll' or rope was a further, not unexpected, import. Many of the raw products for Dunfermline craftsmen would have to be imported. Iron and tin for smiths and pewterers, potash and alum for fullers, dyes, soap, and

225. Dollinger, P., La Hanse, XIIe - XVIIe Siècles, 482.
226. Grant, Scotland before 1603, 316.
229. MsGB, 22v.
230. MsGB, 32v.
231. MsGB, 104.
232. MsGB, 6v.
233. MsGB, 42.
teasels for wool and textile trades, and oak bark for tanners all came from abroad. Luxury manufactured goods, and foods had all to be imported.

What would appear unusual, however, was the inbringing to the burgh on 12 October 1438 of hides from Leith, which cost the gild brethren 2s.4d. in transport. 235 Leith, as a staging post, would suggest that these hides had arrived by water. Given the bounds of regality, it would be expected that Dunfermline was self-supporting in hides, but on this occasion, either for lack of supply, or excess in hide demand, it apparently was not; and extra supplies had to be imported.

The term 'import' here must be used advisedly. The docking of goods at a Scottish port did not necessarily mean importation from overseas. The via regia was little more than well-trodden pathways through the countryside, with the nominal protection of the king's peace. In practice, overland transportation of goods, heavy or not, was no simple task over a long distance. Coastal portage by water offered a more satisfactory alternative; and Dunfermline merchants would use any ports between Dysart and Leith. 236 The Edinburgh 'Customs Books' would appear to confirm this. Merchants sailing under the cockets of Dundee, Dysart and Dunfermline would board a ship en route to Leith before it entered to pick up what was normally the main cargo from the major port. 237

What is totally lacking is any specific reference to the port of Gellat which is at least surprising. By the seventeenth century

235. MsGB, 100.
236. MsGB, 36.
there were ships plying from Limekilns, as is evidenced in, for example, the 'Compt of Edward Little' of shore dues collected in Leith in 1638/39; and it may be presumed that this was the case in the fifteenth century. The paving or at least upgrading of the roadway from Limekilns to Dunfermline is evidence of a fair traffic to the burgh from this port. Limekilns was, of course, off the main coastal route, and there would be occasions when ships were unwilling to move too far up the Forth. This might explain, for example, the necessity to transport boards from Inverkeithing to Dunfermline. Too much, however, should not be based on this argument. Ships that could reach Blackness could as readily reach Limekilns, but acts such as that of 1488 which laid down that no ship could enter the country save at a royal burgh were clearly not in Dunfermline's interest. Doubtless Dunfermline's port was used more specifically for solely Dunfermline burgh and hinterland imports and exports, trafficking only locally, and not exporting overseas. An attempt must not be made to compare Limekilns with the ports of Edinburgh or Aberdeen. To these ports came foreign merchants and factors. Nor is there evidence of alien merchants settling in Dunfermline in the fifteenth century.

Being in the smaller league of merchants, it follows that the Dunfermline gild when involved in overseas trade would rely on placing a part-load with other merchants from other burghs. This was not unusual. Scotland's ratio of exports to imports

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238. Ms., 'Compt of Edward Little' (Shore Dues collected in Leith, Martinmas 1638–Martinmas 1639). I am indebted to Mr. James Brown for drawing my attention to these records.

239. See above, p. 107.

240. Dunf. Recs., 98.

241. APS, ii, 209, c.12.

242. Dollinger, P., La Hanse, XIIe – XVIIe Siècles, 305.
was not always sound, and that Scottish ships sailed overseas in ballast in order to bring home imports is common knowledge. There is no indication of ownership, or even part-ownership of ships; nor of fifteenth-century partnerships. It would seem that the Dunfermline merchant travelled with his part-load, occasionally relying on another merchant to deal for him,\textsuperscript{243} or on a factor.\textsuperscript{244} Commercial disagreements over such issues as unpaid loans,\textsuperscript{245} undelivered goods\textsuperscript{246} or dealing with unfreemen's gear,\textsuperscript{247} whether the alleged offence was committed in Scotland\textsuperscript{248} or abroad,\textsuperscript{249} were settled at the gild court on the return of the Dunfermline merchants to their home town.

The efforts of any fifteenth-century trader overseas, from Dunfermline or elsewhere, should not be underestimated. Goods might at any time fall prey to others. Witness the attack of the armed Bremen ship,\textsuperscript{250} which may have been pure piracy; and Robert Fergusone's misfortunes while acting as merchant for Thome Pattoun in Flanders,\textsuperscript{251} which could have been as recompense for another Scotsman's debts. Scottish ships could hold their own when piracy was afoot; and it was this that caused such a deterioration in the relationship of the Hanse and Scotland between 1412 and 1436.\textsuperscript{252} Such dangers, poor navigational aids and the natural obstacles that threatened all sea journeys were insufficient, however, to stifle these essential commercial contacts.

\textsuperscript{243} MsGB, 3v.
\textsuperscript{244} Dunf. Recs., 138.
\textsuperscript{245} MsGB, 5.
\textsuperscript{246} MsGB, 8.
\textsuperscript{247} MsGB, 24.
\textsuperscript{248} MsGB, 71v.
\textsuperscript{249} MsGB, 11 and 21v.
\textsuperscript{250} See above, p. 253.
\textsuperscript{251} See above, p. 253.
Such was the overseas trade of Dunfermline; admittedly a minor part of the burgh economy, but significant nevertheless, not because it fulfilled an essential role, but because it was indicative of the healthy economy of the town. Dunfermline, with its hinterland, could well have existed without personal involvement in overseas trade, and essential imports from abroad could have been gained from the greater Scottish entrepôts. It is not true that after the early years of the fourteenth century 'the gilds merchant became bodies dedicated almost entirely to international trade'. For Dunfermline, this was a very minor facet, but the desire of its merchants to travel overseas reflected not only their personal energy, but also the commercial motivation of the burgh.

Such an account of the economy of Dunfermline is of necessity imprecise. An impression may be gained, but no more. What is clear is that the gild's role was a crucial one in the economy, but how healthy was this economy cannot be finely judged. An indication might be sought by an assessment of the burgh finances. A favourable balance of income and expenditure would suggest a firm economic base; and a burgh too often in deficit would seem to be unstable.

There are, however, severe limitations to such an approach. Burgh accounts are partial and spasmodic and for only the last eleven years of the fifteenth century. Even with sixteenth-century evidence this is no basis for a fair assessment of a

253. Stevenson, A.W.K., 'Trade between Scotland and the Low Countries in the later Middle Ages', 274.
century. The gild financial statements are, therefore, vital pieces of information; not only because they serve as the sole evidence prior to 1488; but also because the gild and burgh remained so closely interwoven that much of the financial history of the gild is that of the burgh. It is, moreover, essential in order to ascertain the true value of all figures when considering the burgh finances to recall the gild accounts and financial activities. 254

The relative value of £1 Scots to present currency is difficult to assess. There is no indication, for example, of what the average daily wage of a Dunfermline labourer was in the fifteenth century. Wages were not always in cash. The abbey might supplement wages by grant of land as did Cupar Abbey; and the burgh by ale. 255 Rents, likewise, might take the form of a partial payment in kind; and Dunfermline rentals offer no point of reference for the 1480s. The real value of the town’s income and expenditure may best be assessed when it is remembered that the price of a 15 ounce loaf of bread was traditionally 4d.; and in Dunfermline a pint of ale cost 1d. in January 1500.

There is a further reservation. The main value of price records is in comparison. There is insufficient evidence, however, to indicate changes, for example, in the price of wheat at different periods in the fifteenth century. Likewise comparisons between Dunfermline and elsewhere are not possible. 257

One may not therefore extract from the figures of the burgh

254. See Chapter IV.
255. Grant, Scotland before 1603, 299.
256. Dunf. Recs., 98.
257. In 1456 in Perth, for example, a cow hide was valued at 32d., and an ox hide at 42d. ('Perth Guildrie Book', 25); but there are no comparative prices for these commodities in Dunfermline.
finances the information that would ideally be sought; but this is not an argument for ignoring them. The income and expenditure of the town is at least some reflection of its economic state.

There were several avenues open to the fifteenth-century burgh which could lead to a sound income. Anyone wishing to enjoy fully the benefits of burgh freedom, and who could not claim through inheritance, had to pay for the privilege. The normal sum was 6s. 8d. Scots, considerably lower than the 40s. gild entrance fee. There were exceptions to this. 5s. 4d. was asked on 18 May 1489 when John Grenchell was made a burgess and 5s. in April 1491. There is one instance of entry for one year only, that of Jonet Wallace in November 1498 who paid 12d. for this privilege. It is possible that some evidence could be lacking, but what is clear is that this was an important source of revenue. In 1495, for example, fourteen new burgesses entered, an exceptional year, which raised £4. 13s. 4d. 1499 was more typical, when 17s. 10d. was raised. Money payment could, of course, be transmuted to kind, and in January 1506 'Richart Pottar was made burges for ane new firlot and a new pek and a pynt and sall upholde thaim quhill he leiffis'. The town thus not only gained new measures, but adeptly solved the problem of maintaining them in good order, which was much better value than half a merk.

262. Dunf. Recs., 98. No details are given of how this total was reached.
Rentals of various types on burgh property, tofts and land were a further item of income for most burghs. Burgh mails were a part of this. By the latter part of the fifteenth century, however, they would appear to be set at an uneconomic rate, doubtless because these had been fixed for a long time. In an attempt to avoid increase of burgh mail an appeal could be made to tradition, and on 23 March 1514 an assize was 'weill and riply avisit wyght comone buk and Davy Atyine evidentis' and it was 'fand determinit and be thar chanslar pronuncit that the said David suld pay for his land yairlye xijd of burrow mail and namair'. In fact 12d. burgh mail was high. 3d.5d. as late as 1521 and 7d. were much more the order of the day. If a tenement in Collier Row is considered, the records show paid annually a rental of 10s. to John Ferguson and his heirs, to the elemosiner of the abbey 6s. 8d., and to the burgh in mail 7d.; and a fair reflection of the relative worth of burgh mail is seen. As well as this 'common buk' the burgh possessed a 'book of possessions', in which were kept details of property; and further documentary evidence of ownership was kept in the 'common kist'.

Annuals and rentals of burgh property receive little mention in the fifteenth century. The only two specific references are to the leasing of a booth under the tolbooth; and the receipt of

266. Dunf. Recs., 175.
269. Dunf. Recs., 112.
8d. rental for a kiln on 21 May 1493.\textsuperscript{\textit{272}} By 1521 an annual of 2s. was paid on the new yet, 18d. was raised on the smithy in the Natherton, and on the kiln at the Mony Roddis 8d.\textsuperscript{\textit{273}}

Perhaps all three, or only the latter two, were in existence in the fifteenth century. Whether or not, rentals on property were no great supplement to the burgh mails.

Where the burgh did begin to gain significant benefits was in its recognition of the economic potential of its common lands. Such a potential, however, presented problems. Common lands were traditionally for the common use of all. Their split-up into units, to be let out on short- or long-term leases to individuals at an economic rate, could, however, be argued to be for the common good, since common funds were thus supplemented and common burdens alleviated. By 1461 Homyldoun Common was let out by the bailies of Peebles to one Thomas Hay for five years;\textsuperscript{\textit{274}} and eight years later the Common Haugh was leased out for 19 years for 'a certane som' in lieu of rental.\textsuperscript{\textit{275}} The earliest reference to letting out of Dunfermline burgh land in either gild or burgh court records is in 1492 when David Bra offered to produce evidence of his right to two acres in the west side of the north croft and to another two, one at the side of Lady Wynd, the other at the town hillock, all of which he had 'of the commonis' for ten shillings.\textsuperscript{\textit{276}} A note is made in 1498 that a rental from Kingseathill of 60d. was still in the bailies' hands,\textsuperscript{\textit{277}} so clearly here, too, common land was being leased out. And the following year this is confirmed

\textsuperscript{\textit{272}} Dunf. Recs., 42.  
\textsuperscript{\textit{273}} Dunf. Recs., 195.  
\textsuperscript{\textit{274}} Peebles Recs., i, 138-9.  
\textsuperscript{\textit{275}} Peebles Recs., i, 159.  
\textsuperscript{\textit{276}} MsGB, 5.  
\textsuperscript{\textit{277}} Dunf. Recs., 88.
with a specific reference that there had been received from
the serjeand 'of the maillis of the kings set hill xiijs
iiijd of the terme of Witsonday next precedent this compt'.

In 1502 David Coupir was confirmed 'as before', in fifteen
acres with grazing for four cows on the common muir. Division
of common lands for rental may have begun here also.

The early years of the sixteenth century witnessed an
increasingly commercial attitude in the burgh. Not only were
more common lands put out to lease and tack, but the rentals
demanded increased significantly. When David Coupir was
confirmed in his portion of the common muir, William Spittell
received a tack for nineteen years of twenty-four acres with
grazing for six cows on the common muir at Kyllebone on the
north side of 'monkis myr'. The first two years were given
rent free, but thereafter he was to pay 12d. for each acre annually.
The following year Jhon Jhonsone was given a nineteen year tack
of sixteen acres of the common muir with grazing for six cows,
again the first two years being free, but thereafter at 12d. an
acre annually. In the next years the rental of the
common muir increased from 12d. an acre in 1503, to 30d. an
acre in 1516 on the east side of Davis Dene on the common muir.
Land to the west of Davis Dene was let out a month later at an
even greater rate of 3s. an acre. Similar inflation was seen
elsewhere. By 1515 the term's rental of Kingseathill had become

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279. *Dunf. Recs.*, 125. The grazing of four cows was a typical soum;
and if the fifteen acres were on the arable common lands, this
grant need not necessarily imply an innovatory division.
280. *Ibid*.
30s., 285 compared with a maximum of 13s. 4d. in 1499. 286

Burgh land could also bring in revenue by other methods. In 1498 the fee was 40d. for 'peling and diffat casting apone the greyne basyd the buttis'. 287 Apart from this isolated entry there is no other Dunfermline evidence for income from such use of burgh lands for peat collection for fuel or thatching for roofs. Neither is there mention of leasing out of the common rights of fishing, Dunfermline not being beside a river stocked with fish. Normal practice though it may have been for burghal superiors to grant multures to the burgh, this seems not to have been the case in Dunfermline. It would appear that mills and their concomitant monopoly remained with the abbey and it leased out these rights. 288 The lessee in the 1490s may have been one John Scot 'myller'. His son of the same name was admitted Burgess by right of his father in 1501. 289

Common mills, and their revenues, were a significant part of the income of many burghs. 290 In Ayr, for example, in 1539/40 income from mills accounted for approximately 20% of the total, and in Edinburgh in 1552/53, almost half the revenue came from this source. This potential income was a major loss for Dunfermline.

A further form of 'lost' revenue to the burgh was the 'licht silver'. The rentals of five properties went directly to the 'Rud and Lady licht silvir', which was a potential income of 14s. 6d., and from another property was diverted the cost of ½ lb.

286. Dunf. Recs., 98. The 13s. 4d. may in fact have been the rental of more than one allotment of land, which makes the 1515 price of 30s. even more highly inflated.
287. Dunf. Recs., 88. It is however possible to read this entry as a fine rather than as a fee. See above, p. 132.
288. See below, p. 271.
290. Pryde, G.S., 'Scots Burgh Finances prior to 1707', 100-101.
wax annually to St. Margaret's altar. As well as this there were the regular sums collected by the appointed light gatherers. The basis for this levy is not totally clear. The gild court records suggest that it may have been on land-tenure or land-rental. The light gatherers, although appointed by the town, seem to have been answerable to the gild where it was reported on 5 May 1487 the 'licht stok' had a surplus of 2s. 3d. By November of that year sufficient had been collected to raise this account to £2. 5s. 10d. (although 6s. 6d. was still in the hands of David Litster). By 1516 the fund was large enough to make a loan of £6. 6s. 0d. to the common box, in order to pay taxes. How great was this potential source of income to the burgh, diverted to the parish church, is best assessed when compared with annual income and expenditure as a whole.

What did very clearly, however, raise a significant income for the burgh were fines at the burgh courts. If the years from September 1488 till 31 August 1491 only are considered the records indicate that here was a great financial potential. This potential was minimised, however, by the reducing of the unlaws, and occasional total remissions. Fines varied from 6d. to 3s., the most usual being between 8d. and 16d.

The income is best summarised as on p.270; but it should be noted that these are not necessarily the total of all unlaws paid, merely those cited in the burgh records.

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292. MSGB, 16v.
293. MSGB, 17.
294. MSGB, 30.
296. Dunf. Recs., 87, for example.
298. Dunf. Recs., 37. Compare with the 40s. fines laid down by the gild court (see above, p.216).
<table>
<thead>
<tr>
<th>DATE</th>
<th>TOTAL of UNLAWS on that DAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 Sep. 88</td>
<td>11s. 6d. (+ perhaps 3s.) 299</td>
</tr>
<tr>
<td>14 Jan. 89</td>
<td>12s. Od. 300</td>
</tr>
<tr>
<td>3 Aug. 89</td>
<td>£1.12.0d 301</td>
</tr>
<tr>
<td>20 Oct. 89</td>
<td>2s. Od. 302</td>
</tr>
<tr>
<td>12 Aug. 91</td>
<td>6s. 10d. 303</td>
</tr>
<tr>
<td>27 Jun. 92</td>
<td>£2.4.6d 304</td>
</tr>
<tr>
<td>16 Oct. 92</td>
<td>5s. Od. (+ perhaps 6d.) 305</td>
</tr>
</tbody>
</table>

None of the above is a princely sum; but the true value is more easily assessed if other sources of annual income are compared. By 3 August 1489, unlaws from Michaelmas of the previous year amounted to £1. 12s. Od., entry fees £5. 0s. Od., and the rental from the common £2. 10s. Od. On 27 June 1492, unlaws raised £2. 4s. 6d., entry fees £1. 13s. 4d. and two rentals £3. 2s. Od. No other comparisons are possible until 16 August 1502 when unlaws brought in a total of 12s. 10d., and the entry fees £1. 13s. 4d. These figures should, again, be assessed with a gild entrance fee of forty shillings noted for comparison.

Although full burgh accounts are lacking, the indications are that the burgh was not dealing in vast sums of money, particularly when compared with the gild accounts that are available. With this limited income the burgh had to fulfil

301. Dunf. Recs., 16.
307. Dunf. Recs., 37. One of these rentals is specified as 'ffirma montis iiij lib.', which is probably a reference to Kingseathill.
309. See above, Chapter IV.
several financial obligations.

One burden that fell on any free burgh, at its inception, was payment to its superior, and in the form of an annual ferme once feu-ferme status was achieved. It has been stated that feu-ferme was a fixed annual sum, specified for perpetuity. Edinburgh, for example, was committed to an annual payment of £34. 13s. 4d; Dundee in 1365, £20; Inverness in 1369, £53. 6s. 8d.; and Montrose in 1370, £16. In practice, however, remissions and increases are documented throughout the fourteenth, fifteenth and sixteenth centuries.

In the case of Dunfermline an annual render of 13 merks (£8. 13s. 4d) was specified on 10 October 1395 when the burgh achieved feu-ferme status. This was not unduly heavy. Only Inverkeithing, with a render of £5 per annum, had a lower ferme assessment in the fourteenth century. There is no evidence of it being paid by Dunfermline in the fourteenth and fifteenth centuries but this by no means precludes payment. In 1561 details of the rental of Dunfermline Abbey were listed. Among receipts were those of £13. 6s. 8d. from the three mills, of £8. 13s. 4d. from the burgh mails, and of £4 from the customs, all from the burgh of Dunfermline. The book of Assumptions of Thirds of Benefices commencing in 1562, and detailing receipts into the sixteenth century, lists income from the burgh of Dunfermline. The three mills of the town raised £13. 6s. 8d; the customs £4; and the burgh mails £8. 13s. 4d, on an undated occasion, but probably soon after 1600. It may be that here is evidence of

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310. Abdn. Recs., p. lxxiii, for example.
311. ER, i, 272.
313. Dunf. Reg., No. 396.
the thirteen marks still being paid to the abbey, and raised from burgh mails.\textsuperscript{316} The abbey did in 1395 reserve to itself the profits from lands and tenements within, and held of, the burgh; but £8. 13s. 4d. was not a great sum. It may be concluded that either the abbey retained very little land and property in Dunfermline in 1395, which does not seem to be the case, or more probably after this date gradually forgave rentals due, as long as the annual render of £8. 13s. 4d. was paid. In 1451 when Richard, abbot of Dunfermline, was feuing the burgh rents and customs of Kirkcaldy to its bailies and community it was stated that these would be held 'as freely as the burgesses of Dunfermline'.\textsuperscript{317} The inference for Dunfermline is not one of a burgh with rentals monopolised by its superior. In theory and in practice from 1395 the abbot and convent demitted in favour of the alderman and community the whole revenue payable to them along with the stallages and small customs, any profits of courts, apart from the profits of their lands and tenements within, and held of, the burgh. The £4 raised from customs came not from petty customs, but from the great customs, paid on all staple goods. Multures raised £13. 6s. 8d.; and was clearly a handsome source of income for the abbey.

Along with the royal burghs, Dunfermline paid a share of central funds.\textsuperscript{318} According to the Exchequer Rolls, in 1457 a tax of £3 was paid by the town;\textsuperscript{319} and there were doubtless other occasions not recorded. On 27 October 1492 the two bailies, John Crok and William Spittell, with the serjeant Robert Lam, were all

\textsuperscript{316} 'Assumptions of Thirds of benefices in the sheriffdoms of Fife, Edinburgh, Haddington, Berwick, Roxburgh, Peebles, Selkirk and Dumfries' (E481/2, folio 21v).
\textsuperscript{317} Sanderson, M., \textit{Scottish Rural Society in the Sixteenth Century}, 66.
\textsuperscript{318} See above, p. 49 for a discussion of Dunfermline's contributions to central authority in the fourteenth century.
\textsuperscript{319} ER, vi, 310.
found to be debtors to the burgh of certain sums of money, including £3, 'that thae allegis was gevin to the kingis taxt'.

There does seem to be an element of doubt in the mind of the community as to the veracity of this. The Exchequer Rolls make no reference to a tax payment by Dunfermline in this year, although this is not conclusive evidence that payment was not made. That the bailies or one of the bailies was personally responsible for delivering the burgh's quota is indicated in the burgh records, and when William Hert, bailie, passed 'our the vatter' for 'the relavin of the Kingis taxis' his travel and expenses were paid by the commons.

The raising of taxes was probably not an easy matter. By 1517 the burgh had, as many others, realised the potential for leasing out burgh common lands. In this year £24 was raised from the common muir 'for our soverane lord the Kingis taxt quhilk soume the said burgh was taxt to be his grace'. To cover this amount ten years', out of a lease of nineteen years, rents were raised in advance. In 1522, five years' rentals set in tack from Kingseathill were paid in advance 'for the relief of the tovne to pay the taxitis of our governour of Scotland'. Clearly the financial position of the town was not sufficiently stable to cover such payments, without resorting to extraordinary measures. It has already been noted that even the 'licht silver' could prove a useful borrowing box in 1516 to enable the town to meet its obligations to central authority.

323. Dunf. Recs., 156.
325. See above, p. 269.
Taxation was not the sole financial obligation to the crown. In 1435, Dunfermline paid its share of the contribucio voted by parliament and provided 160 English nobles. When Dean of Gild Davy Halkett gave his two yearly account on 12 October 1438, forty-five shillings came back to the gild as a part repayment of a sum (unspecified), which had been lent, presumably to the burgh, 'to the Kingis Gold'. Perhaps the Dunfermline burgesses of the 1430s would agree that the reign of James I 'was one of ruthless extortion'. Extraordinary levies were not uncommon. The fifteenth-century records reveal no further details of supplementary payment to the crown though this does not negate their existence. The burgh was, for example, responsible for 'furnising of 3 mane to the Kingis schippis' in 1513, which was paid from common good and 'othir gud' (unspecified), but perhaps gild money. Two years later, ten merks were provided from 'the box' as extraordinary payment to supplement the expenses of the 'Rad in the southtland', possible the campaign which ended at the Battle of Flodden. It is known also that £11. 13s. 4d. was paid for 'the fut men', and Adam Blackat and David Elliot, who personally attended the host, received twenty-six shillings expenses in 1524. Dunfermline was fulfilling its obligation to produce personnel in support of the country 'quhair the Kingis awin propir persoun past himself, or quhen the haill body of the realm war chairgit to pas againis forain enemies'.

326. ER, iv, 654.
327. MsGB, 45v.
328. Nicholson, R., Scotland, the Later Middle Ages, 319.
329. Dunf. Recs., 190. The Great Michael was moored off North Queensferry at this time; and may have been the destination of these Dunfermline men.
330. Dunf. Recs., 194. These contributions should be compared with the 'twenty score of pounds for twenty spears' raised by Aberdeen to help cover the expenses of the Flodden campaign ('Aberdeen Council Register', ix, 251).
332. RCRB, i, 68.
An indication of the relative wealth of Dunfermline is gained in 1535 and 1557, when five million merks and £10,000 respectively were raised from the burghs. Apportionment in both cases was according to ability to pay, many of the smaller burghs being deemed too poor to contribute. In 1535 Dunfermline contributed £33. 15s. 0d., compared with Edinburgh's £833. 6s. 8d; Aberdeen's £315. 0s. 0d.; Stirling's £84. 7s. 6d; Dundee's £321. 17s. 6d; Perth's £247. 10s. 0d. and Kirkcaldy's £22. 10s. 0d; and thus was classified as nineteenth wealthiest burgh in the realm, along with five others. In 1557 the contribution was £201. 5s. 0d, compared with Edinburgh's £2,550. Os. 0d; Aberdeen's £945; Stirling's £152. 13s. 6d; Dundee's £1,265. 11s. 0d; Perth's £742. 10s. 0d. and Kirkcaldy's £67. 10s. 0d; now the tenth wealthiest burgh. The following year, however, Dunfermline's share of a tax of £100 throughout the burghs was sixteen shillings, placing it twenty-seventh on a par with Kirkcudbright, Wigton and Whithorn. It cannot be doubted that the bulk of this revenue came from the wealthier members of Dunfermline society - the gild.

Items of expenditure which touched the lives of the burgesses more closely were the regular, routine payments towards the maintenance of what might be called public property and the physical trappings of corporate life. Road maintenance and improvement was a matter for major concern to an inland burgh, which had to rely so heavily on overland transport. It has already been noted that as early as 1433 Will of Geiland was admitted to the gildry at a reduced rate for his 'gud dedis doand till the makyn of a calsay betwyx the lymkill and our ton of Dunfermelyn'.

334. See above, p. 211.
The role of the gild in this road-building policy of the fifteenth century has already been discussed. It is clear that the gild was the essential financial backbone for these projects. The end of the century saw further road improvements. The references in the burgh records of 1499 to money paid for stones leading to the new port of the Cross Wynd, 8s. in all, indicate that here also paving was in progress. 26d. was expended in the same year on 'the biging of the foull vennell', though clearly at this price, paving was not involved. Two years later 5s. was paid by the town towards 'calsay making', and by 1512 the burgesses had set on the building of a 'calsay behind the toune'. It is perhaps a statement of the obvious, but worth repetition that such a road-building programme could be pursued only by a town that was financially viable.

The tolbooth and town ports were under constant repair, which is a comment not only on the continual drain on burgh finances, but also perhaps raises a question mark over the quality of workmanship if rebuilding and patchwork were so frequently necessary. The prevalence of wood as a building material should, however, once more, be noted. Not only did timber constructions have a shorter life span than stone through natural deterioration, but fell victim so readily to the medieval hazards of fire.

The gild financed the tolbooth repairs throughout most of the century entirely out of its own pocket. Building accounts

335. See above, p. 211.
340. See above, p. 148.
341. See above, pp. 127 and 211.
of the town are available for 1499, when details are given of the building of a new port at Cross Wynd and its approach road, improvements to the Foull Vennell and the closing of the East Vennell. On this same occasion 2s. was given to Johne Neyschone for 'the mendyne of the tolbuth'.

and 1526 saw further improvement and repair work on the tolbooth.

The tolbooth might have been the largest lay physical expression of corporate identity; but many smaller items needed maintenance. The market cross, the stocks, the tron, town weights and measures, the common box and its key, for example, required repair or replacement, and new 'stryngis for the bell' cost 15d. in 1499. The most seemingly trivial item of burghal life cost money.

Much more so did the major items necessitated by any large-scale building programme. 1499 saw the building of at least two ports, one the new port at Cross Wynd already mentioned. £4. 1s. 4½d. was expended on this venture, of which 18s. 2½d. was due to bailie Allan Walled who made a personal loan to the operation. The apportionment of expenses is indicated. Labour costs were 16s. 8d.; materials £2. 16s. 0d.; transport (from Inverkeithing) 10d.; and drink bought during the operation 7s. 10d. The high proportion expended on ale might be explained by the labour costs being partially paid in kind with ale. In January 1500 the price

342. Dunf. Recs.. 97.
344. Dunf. Recs.. 218.
345. Dunf. Recs.. 97.
346. Dunf. Recs.. 98.
of ale was 8d. a gallon, so something in the region of twelve gallons of ale was purchased.

The upkeep of the mill-burn, its lades and culverts fell to the town. It would have been false economy to allow any deterioration of such an excellently harnessed source of power; and it is not surprising to find fines laid down for the breaking of the burn between the mill and the abbey in 1494. The fine was to be 8s., particularly harsh at this date. Three years later the burn at the west end of the tolbooth was opened; and in 1504 it was covered again with flagstones and mended. Cleaning and mending of the burn was an on-going problem, and major measures had again to be taken in 1518 not only to repair but also to prevent misuse of the burn. In an age not renowned for sophisticated regulations for waste disposal the mill-burn clearly offered a handy dumping-ground.

Official measures were, however, occasionally taken to encourage public health. 46s. 8d. was expended 'in the tym of the pestines for dikyn of the toun', but it should again be noted, this work was supported entirely by the gild. A reference in the gild court records for 'braid to the pur folk' may represent solely gild goodwill rather than official aid.

Poor relief was normally considered the responsibility of the church; so perhaps there are signs here of an enlightened attitude. It would be fair to say, however, that, in general,

348. See above, p. 130.
351. Dunf. Recs., 146.
353. See above, p. 116.
354. See above, p. 212.
care of the poor or needy was confined to price regulation and an official policy of food supply to the town, with little specific thought for the poor in particular.

Likewise, the only reference to any official financial support of burgh education is in the gild court records, and may, again, be solely a facet of gild policy. Such necessary sums as were required for burgh education were presumably financed by the abbey.

The town would, however, be obliged to pay the fees of burgh officials. The propositus of Edinburgh received £20 per annum, that of Ayr £5, but there is no information about Dunfermline's fee. The town clerk's fee by 1479 was ten shillings. It has already been noted that the bailies received a fee of two merks between them. The notary public, the dempster and the serjeants would all need reimbursement, though no figures are given in either the burgh or the gild records.

The burgh also found it expedient to retain the favour of the influential by such gestures as purchasing wine in January 1447, 'to the larde at his hame cuming'. The 'larde' might have been the abbot, but was more probably the laird of Rosyth. Eleven shillings was also spent on wine for the abbot after his decision in favour of Dunfermline against Kirkcaldy as to which had trading rights in Gatmilk.

An essential item of expenditure for any medieval burgh was aid to its parish church and several altars and chaplains. Private

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356. See above, p. 243.
357. See below, p. 320.
361. See above, p. 74.
362. MsGB, 104. This expenditure was yet again met by the gild.
363. MsGB, 104v.
individuals provided endowments out of charity. In Dunfermline, being an abbot's burgh, the church was a not inconsiderable property holder within the town. It is clear from the records that an official policy of financial support by the town was ongoing as well. There are many references to rentals being diverted from the town to the church and a few instances will serve to exemplify this. On 20 October 1489 Thomas Rogger entered into an agreement to rent five rudis of land lying to the north of the town, in exchange for a rental of eighteen shillings a year to be given to the chaplain who took the morning service. By such an arrangement the commons, who were patrons, ensured a partial financing of their chaplain; Thomas Rogger and his heirs rented the lands they wished to work; and one Marion Thomsons who would have gained to some extent from this rental chose to divert her share to the benefit of the church.

In 1488, the most northerly booth save one under the tolbooth was leased by the town to Walter Caldwellis for his lifetime. His rental was eight shillings annually, to be paid not to the commons, but to the chaplain of the Holy Rood and Lady Aisle in the parish church. In 1518, however, when Sir James Alisone was granted the profits of the tolbooth at the request of the archbishop of St. Andrews, commendator of the abbey, he was bound to hold watertight and upkeep the same. If he should fail in this, the rentals of the tolbooth would revert to the burgh.

The appointment to the morning service was the prerogative of the town; and on 8 November 1491, this was granted to Sir

364. Dunf. Recs., 164, for example.
John Robertson: 'at thair gyft for al the dais of his lywe tym he makand gud and suficiand service baith in the mornynge and in the quer apone the haliday'.

This appointment was not of long duration for by the September of the following year, five clerics were substituted to 'uphald the morne service for Schir Robert Normannis liftym', the latter retaining his fee from the burgh, as did his predecessor, but always on the presumption that adequate service was given.

Apart from the payment of chaplains and maintenance of regular services, there were the more mundane aspects of spiritual life to receive attention. The key to the church door was lost and had to be replaced at a cost of 4d; the aisle began to suffer from wear and tear and needed repair; and wax or money for candles was a constant requirement. The parish church, one of the major expressions of corporate life, was a corporate financial obligation.

An attempt to assess overall income and expenditure of the burgh per se, as opposed to the gild, is problematic. Not only is there no relevant information before 1489, but even after this date there are no true accounts as such. There are, however, piecemeal entries scattered through the burgh court records. These are often presented by the bailies or serjeand, but may not be seen necessarily as annual accounts, but sometimes merely the statement of a financial balance at a given time. They might, however, serve as some indication of income and expenditure, and may be tabulated as follows:

371. MsGB, 19v.
372. Dunf. Recs., 194, for example.
<table>
<thead>
<tr>
<th>Date</th>
<th>Income</th>
<th>Expenditure</th>
<th>Balance Surplus</th>
<th>Deficit</th>
<th>of Balance owed to Town</th>
<th>of Balance owed by Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>373 Aug 89</td>
<td>£11.18.0</td>
<td>?</td>
<td>?</td>
<td>nil</td>
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<tr>
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<td>£3.2.4</td>
<td>1s. nil</td>
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<td>(to William Spittal, bailie)</td>
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376. Dunf. Recs., 68.
The indications are that the 1490s were for Dunfermline years of relative economic stability. Given the building and road improvements undertaken at this time, here is a not unimpressive record. On 24 October 1498, for example, there was a surplus of £1. 16s. 0d. (albeit still in the hands of the bailies and serjeand) and this after the possible payment of £3 in tax.\textsuperscript{386} The entries for 6 June 1499 also conceal considerable expenditure on road and port improvement, and yet the serjeands' account reveals a surplus of lls. The second set of figures for this year, the bailies' account, however, indicates a trend that was to continue into the sixteenth century, that of responsibility for burgh debts ultimately falling on a burgh official, in this case, Allan Walled, bailie. By 1513, for example, William Spittell was owed £2. 13s. 0d. (of which the commons repaid him only £1. 6s. 3d).\textsuperscript{387} The income entry of £4. 6s. 10d. on 5 February 1503 may also conceal loans or gifts from six private individuals. Gifts were not always in cash, however, and, for example, in 1512 when further road paving was under way in the town, along with gifts of money, two individuals promised, 'to furnis stuf til a rud or calsay'.\textsuperscript{388}

But the town ended the fifteenth century on a seemingly stable financial footing. By September 1493 the burgh finances were under the control of thirteen 'auditouris of the compt',\textsuperscript{389} and of two men 'to keip the common gud' in 1497;\textsuperscript{390} but as to what exactly was the remit of any of these officials there is insufficient evidence. Too much should not be read into the seemingly

\textsuperscript{386} See above, p. 273.
\textsuperscript{387} Dunf. Recs., 190.
\textsuperscript{388} Dunf. Recs., 185.
\textsuperscript{389} Dunf. Recs., 44.
\textsuperscript{390} Dunf. Recs., 77.
increased sophistication. 'Common funds', as has been seen, often sat in the pockets of the burgh officials, rather than in the common box, but confusion of official and personal money was typical of primitive systems of government. The common funds could even rise to giving £2 on surety of an anvil on 23 April 1494 to one Andro Braidis, John of Westwood placing his goods as surety. This was repaid by the latter only on 18 September 1498, with no interest asked by the burgh.

Dunfermline in the fifteenth century seems to have been a burgh controlling its finances, by contemporary standards, wisely and ably, if not dealing with very large sums. It can not be compared with towns such as Ayr whose annual revenue averaged £249. 7s. 0d. in the period 1534–62; Cambridge at Michaelmas 1523 whose income was £74. 14s. 2d. and expenditure £86. 3s. 4d. (These figures would be the equivalent of approximately £298. 16s. 8d. Scots and £344. 13s. 4d. Scots); Exeter whose total income in 1540 was £255 sterling or £1,147. 10s. 0d. Scots; or Edinburgh whose total revenue in the year 1552/3 was £1,798. 15s. 7d. and expenditure £1,528. 10s. 5d., leaving a credit balance of £270. 5s. 2d.

392. Dunf. Recs., 86.
394. Maitland, F.W., Township and Burgh, 189.
395. J.M. Gilbert in 'Usual Money of Scotland and Exchange Rates against Foreign Coin', 141, estimates that in 1524 £1 sterling was the equivalent of £4 Scots.
397. This figure is calculated at an exchange rate of £1 sterling to £1 Scots of 1:4½ (See Gilbert, J.M., 'Usual money of Scotland and exchange rates against foreign coin', p. 142).
But this group of burgesses met its financial obligations to king and feudal superior, ensured all the adequate necessities of life at a better than subsistence level and improved the material comforts of its town while remaining solvent, if not at a luxurious level, at least on a stable footing. This was not, however, achieved solely by internal burghal effort and financial sagacity. The local economy depended also on the rural hinterland. Without its wide trading precinct, Dunfermline's market was valueless; and it was this market potential that raised Dunfermline out of a primitive rural economy into a small, but viable and efficient, trading centre. What emerges even more clearly is that the vital force behind this economic stability, and the financial backbone of the burgh, was that section of the burgesses which was the gild.
CHAPTER VI

CONDITIONS OF DAILY LIFE

The most important questions to answer if an understanding of a medieval group is to be gained are: what were its values, its thinking, and purposes in day to day life? Without an attempt to assess the significance of its daily existence, any comprehension of its institutions, economics and politics can be only partial. Such intimate details are, however, perhaps the most elusive. Burgh and gild court records were not designed to document fifteenth-century social conditions; but, while offering no detailed surveys, the domestic scene is occasionally portrayed in the town's official records.

Life in town or country throughout the Middle Ages was tempered by harsh realities. Infant and child mortality was high, and adulthood frequently brought ill-health. Perhaps the most feared medieval illness was plague. A translation in the Scots dialect of Sir John de Mandeville's Latin account of the plague, and its inclusion as 'Ane Tretyse Agayne the Pestilens' in the Register of the Monastery of Kelso in the fourteenth century is indicative of the fear it held for all. Plague was technically not one but several diseases, bubonic being the most noted. Bubonic plague is clearly identifiable in fifteenth-century records, manifesting itself in sudden epidemics, the disease being kept virulent by rats and other

rodents whose survival was greatly enhanced by the proportionate largeness of the host urban area. Dunfermline, in common with other towns, offered favourable living conditions for a bubonic epidemic. Wooden housing, readily gnawed, inadequate sanitation, soiled straw on floors, and relatively poor levels of cleanliness encouraged large numbers of the black rat, *rattus rattus*, which preferred indoor to outdoor living. If these hordes were infected by likewise infected fleas, such as *Xenopsylla cheopis*, which bit and attached themselves to human beings, the contagious disease was passed on to them.

Not all 'pest' or plague was, however, bubonic; and it is sometimes difficult to diagnose from the fifteenth-century evidence. Typhus, ever present, might throughout the fifteenth century produce small national epidemics, often manifesting itself when resistance was low, for example, after famine, though by the latter years of the fifteenth century, it was increasingly endemic throughout Scotland. The outbreak of 'pest' in 1439 in Dunfermline following famine was probably typhus.

The town suffered 'pestines' again in 1475 and also in 1499. Plague threatened or perhaps actually appeared in 1504. The Accounts of the Lord High Treasurer itemise,

for xj certis of Coupir in Fiff quhilk passit to Dunfermlyn to haf caryit the Quenes and Ingismennis gere to Lundoris be the comptrollaris command quhen

---

the Quene suld haf left Dunfermyne for pestillence and syne scho departit nocht; to ilk cart viijs, summa iiiij li viijs.¹¹

The records, however, offer no indication of what numbers were hit by plague, nor who succumbed. Children with no immunities and those living in poorer housing conditions would obviously be the most liable to suffer.

Plague may have been the most dreaded disease, as is witnessed in Robert Henryson's *Ane Prayer for the Pest*;¹² but other non-epidemic diseases were rife, some endemic and chronic, such as leprosy. Leprosy was by the fifteenth century well-known in Scotland; and the necessity for isolation was clearly recognised. Most major towns had their leper house outside the town precincts at a distance from the healthier, or luckier, inhabitants. Town magistrates committed the unclean to a life apart for the protection of the majority. Permission was granted for only a small number to enter the town on specific days to purchase necessities for the leprous group; and in this manner the disease was adequately controlled. The leper houses listed by Cowan and Easson¹³ testify to the concern for control of leprosy. Significant is the lack of reference to a leper house at Dunfermline, the nearest apparently being sited at Inverkeithing. That the town could keep itself totally clear of the disease must be doubtful; and all other evidence¹⁴ suggests the burgh authorities were not slack in enacting measures to safeguard the health of the town. It would seem, therefore,

¹¹ TA, ii, 463.
¹⁴ See below, pp. 292-3.
most probable that a Dunfermline leper house did exist, but that documentation is lost. It must remain a matter for guesswork whether Robert Henryson's 'Testament of Cresseid'\textsuperscript{15} refers to a Dunfermline leper house when the unfortunate lady flees the town:

Thair in ane mantell and ane bawer hat
With cop and clapper wonder privately,
He opnit ane secreit yet, and cut therat
Convoxit hir, that na man suld espy,
Into ane village hal ane myle thairby,
Delyverit hir in at the Spittaill hous
And daylie sent hir part of his Almous.

A further disease, to become endemic, hit Scotland in epidemic proportions in the last decade of the century: syphilis. There is no specific reference to a casualty in Dunfermline, although the town would not be immune. Reference to 'plague' could conceal syphilis, since it was given a variety of names, the normal being 'grangore' or 'gore'.\textsuperscript{16} By 21 April 1497 Aberdeen burgh records indicate that it had become a problem there.\textsuperscript{17} In September of the same year James IV ordered firm measures to control the disease. All suffering from syphilis in Edinburgh were to be banished to Inchkeith.\textsuperscript{18} By 1498 Linlithgow\textsuperscript{19}, Stirling\textsuperscript{20} and Glasgow\textsuperscript{21} had been hit. Dunfermline must have been quite exceptional if some of its numbers did not succumb.

Other infections which weakened, and lessened the quality of life, if not killing and seriously maiming, are known to have been rife. Smallpox, tuberculosis, cholera and amoebic dysentery all played their part\textsuperscript{22} wherever water supplies were impure and

\textsuperscript{15} Wood, H.H. (ed.), The Poems and Fables of Robert Henryson, 118.
\textsuperscript{16} TA, i, 361 and 378.
\textsuperscript{17} Abdn. Counc., 177.
\textsuperscript{18} Edin. Recs., i, 71-72.
\textsuperscript{19} TA, i, 361.
\textsuperscript{20} TA, i, 378.
\textsuperscript{21} TA, i, 378.
\textsuperscript{22} Platt, C., The English Medieval Town, 101.
housing standards unhealthy. Populations could become resilient to infection, but increasing spatial mobility in the fifteenth century brought contact with new types of bacteria which, if not proving mortal, could make life uncomfortable.

The parasite remains, for example, found in medieval human faeces indicate that some at least suffered from the debilitating and nauseous effect of ring-worm; also, ascaris, a round worm of between 200 mm. and 550 mm., which, by travelling from the small intestine through the blood system to the liver, heart, lungs and trachea, brought not only its own obvious effects, but also other health problems. Even if never suffering any major illness, there must have been many a Dunfermline gild member whose life was made miserable by something as slight, but as wearying, as a strained ankle or persistent toothache.

It would, however, be wrong to view fifteenth-century standards of health and hygiene as a lost cause. There is much to suggest, particularly in Dunfermline, that increasing care and attention was given to these matters. Boiling of clothes and isolation were recognised to be an effective control to the spread of disease. It has been argued that the first Scottish local quarantine measure was that of Peebles, when it was decided in 1468 to close the gates to persons from infected areas. The Dunfermline gild records, however, indicate that Dunfermline was ahead in this field. As early

23. Jones, A.K.G., 'Parasite remains from Oslogata 7', De Arkologiske letgravinger (1979), gives further details. I thank Mr. P. Symms for drawing my attention to this article.
24. Hamilton, Healers, 13; and Smout, T.C., 'Coping with plague in sixteenth and seventeenth-century Scotland', Scotia, ii, No. 1, 23, for example.
as 1444 the gild loaned 46s. 8d. to the bailies and commons in order to dike the town to keep out 'the pestines'. This far-thinking preceded by eight years the first national measures for prevention of spread of disease when it was enacted that any house hit by plague should be burned down.

Four years later parliament forbade movement out of an infected area since those who 'walde style away', risked to 'fyle the cuntre about them'.

The sense of community already noted was manifested in times of stress, such as when plague struck the town. John of Walled, Rob of Walled, John Anderstone and David Litster all received reprimand on 4 March 1475 for 'ganging furth of the toune and left it desolate in the tym of the pestilence'. It was not considered a worthy action for the more prosperous to abandon their poorer brethren to their fate. This drawing together against outsiders was seen again in 1499.

Dunfermline's decision to isolate itself at the time of plague meant that food supplies had to be conserved for the townspeople; and stocks were not to be dwindled by export. No victuals were to be sold beyond the burgh limits, apart from small quantities of ale and bread, under pain of imprisonment. Increasingly, pressure was put on townspeople not to travel during outbreaks of plague, thus minimising the risk of spread. That this was to some extent being obeyed by the latter part of the sixteenth century is clear. Robert Dewgirt and Kathran Porteous, his wife, arrived in Dunfermline on 24 December 1585 with a licence from the

25. MsGB, 103.  
27. APS, ii, 46, c. 6.  
28. See above, p. 96.  
29. MsGB, 11v.  
king to trade, but were forbidden to do so by the town authorities. It was stressed that Dunfermline was a regality burgh, and outwith the rule of the crown; but a kindlier side to the dean of gild and gild brethren was exhibited. It is minuted that they

upon his submissioun in respect of this present plague of pestilence quhar thow they may nocht guidlie travell in the countrie for using of handling grantit thame tollerance and oversight to handle within this town during thair pleasur allanerlie and ay and quhill they be dischargit be the dene of gild and gild brethrine thair fra.31

It is clear from even a cursory reading of the fifteenth-century sources that concern for town health was not confined to times of epidemic. Certainly such medieval practices as butchering and fish-gutting within the town precinct, livestock free to wander in the streets, the intermingling of industrial and agricultural premises with residential, the use of straw for flooring and even bedding, and the lack of modern sanitation brought their concomitant problems.

These were problems faced by the town authorities, however; and if not coped with adequately, at least an attempt was made. On 9 August 1496 a case was brought by John Scot against Adam Man,

that wrangely and againis the law the said Adam held unefull oynge wyndois wid and large in the sidwall of his hous one the bak half liand that (sic.) the north end of the yard of the said Johnnis at the quhilks he and his familiars maid commone ische and intre witht furth casting of water and utheris filthis abominable in greit hurt skaitht and dannage to the said Johnie.32

Two years later William Lambert was punished for casting dirt

31. MsGB, 82.
32. Dunf. Recs., 68.
and filth between lime pots. Such cases were not typical of a town totally disinterested in public hygiene.

Admittedly, there are no references in the Dunfermline records to such as the rakers of London who were supplied with horses and carts to remove the town filth, nor to scalding houses. Some means of cleansing the streets would have been essential. Human, as well as animal, waste would litter some streets, fish were gutted and cattle were slain in the town. John Gallerek, a flesher, for example, fell foul of the law for the very same, not because it was illegal to kill within one's own booth, but because the unfortunate cow belonged to Thom Scharp. Little would, however, remain as refuse from a carcass. As much as possible would be utilised by the Dunfermline townsmen. Even intestines and stomach linings could prove of worth for sausages and tripe, while fats would be rendered down. Rejected bones and dung would be partially removed by scavenging dogs.

Waste disposal must, however, have been a problem. A tidal river nearby could be one solution; but in Dunfermline's case dumping outside the town was the obvious answer.

The Farm rivulet (sometimes called Tower Burn) in its steep ravine was a target for refuse disposal; and attempts were made to control this. More important, any accumulation of waste would hinder the efficiency of the excellently culverted Tower Burn and its tributaries. It is clear, even with lack of

33. Dunf. Recs., 117.
34. Sabine, E.I., 'City cleansing in medieval London', Speculum, xii, 23.
38. See above, pp. 130-131.
extensive documentation, that liquid waste was directed by drains to the burn.\textsuperscript{39} Flags were, therefore, placed over the tributaries and culverts to prevent fouling of the water with material refuse.\textsuperscript{40} If the burn had to be opened (Wil Hert, for example, needed this facility in order to build at the west corner of the tolbooth\textsuperscript{41}), special permission had to be granted by the 'community'. The practice of such drainage was clearly not a recent innovation. On 31 March 1501, when approving a lining decision on a house in the Collier Row, the burgh court instructed that, 'the syouris to ryne as alde use and wonte'.\textsuperscript{42} Moreover, those who blocked their neighbours' system of waste disposal were fined by the burgh authorities.\textsuperscript{43}

Such measures, however, did not achieve the standard of cleanliness considered adequate by the town and in 1518 more stringent measures had to be taken not only to clean the burn, but also to repair flagging. A special assize was set up to deal with this crucial matter. The decision was that Thomas Fyn big mend and flat the burne fra the myl of the Colyerav to the nuk basid the abbay wall, and at thar be vndir the myl qual ane hek swa at the muk stuf and anv vtheris thingis cassyn in at the clous may be keppit thar and nocht to fyll the burne wyght it sa that it may be haldin at the heik and stoppin nocht the watter in tymc cummyn. And gif anv persoune or personis in tymc cummyn beis fundin gottin wit or apprehendit takand up the flaggis or brekand thame mene or woman quhatsumevir thai be sall pay ane doubill vnyaye at the will of aldirmane and balleis and forthir to mend the samyne burne vpone thar avne expens. And gif anv myddynnis beis maid vpone the burne in tymis to cum it salbe eschaet to Thome Fyn for the uphaldyn of the burne or anv persoune or

\textsuperscript{39} Dunf. Recs., 297.
\textsuperscript{40} Dunf. Recs., 297.
\textsuperscript{41} Dunf. Recs., 77.
\textsuperscript{42} Dunf. Recs., 113.
\textsuperscript{43} Dunf. Recs., 62.
personis that has the myl in tak sail uphald the burns sik lik les na danger of fir be in the townne as God forbied it be. And all ald covndittis cumand to the burns and fra the burn hafand the ald passaig as vs and wount was and na stoppy to be maid tharof. 44

Quite clearly, the burgh had a relatively sophisticated drainage system.45 There is no evidence, however, that such a system operated throughout the town. The west end, being more readily accessible to the burn was more likely to benefit; and this may be one explanation for the desirability of housing on the west side of Collier Row for such men as Andrew Litster46 and William Jackson.47

The culverts were intended for drainage of surface water, and were, perhaps, of similar construction to the box-drain found in medieval Perth.48 Excavations in Perth have also revealed occasional stone-lined fifteenth- or sixteenth-century drains, for example at Canal Street in 1978 and Mill Street in 1979. These seem to be rare, however; and it may be that Dunfermline, as with the culverting of its burn, was somewhat advanced, possibly due to the influence of the abbey.49 Gullies, which were intended often as property boundaries on most urban sites, for example, Elgin, Forfar, Aberdeen and Perth, could serve also a second purpose, as open drains.

It might seem in Dunfermline, however, that some drains were intended quite specifically for household waste. Collier Row had 'syouris', perhaps leading from the property on the west side to the culverted burn. When improvements were made to the property the 'syouris' were 'to ryne as alde vse and wonte',50

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44. Dunf. Recs., 297.
45. See above, p. 130, for use of this same system as water-power; and map, p. 131.
46. Dunf. Recs., 72 and 73, for example.
47. Ibid.
48. I am indebted to Mr. M. Spearman for information on the Perth excavations.
49. Excavation work in Dunfermline has revealed part of the abbey drainage system. See above, p. 130.
so were no recent innovation.

It is possible that these sewers may have run from latrines, but whether as underground or open sewers is not clear; but certainly not all property was so furnished and there were middens to the west of Collier Row. Latrines were not commonplace in the fifteenth century. As late as 1579, for example, fifty-seven householders in Tower Street in the parish of All Hallows, London, had only three latrines; and the general practice in medieval Edinburgh and elsewhere of casting waste out of windows is notorious.

Dry closets or cess pits were certainly to be found in Dunfermline and these were to be so constructed and flagged that they would not offend the neighbours when used. This, and the fact that ejecting of waste out of windows was forbidden must have necessitated official middens and dunghills, and perhaps some public collection of such for disposal outside the town, although no mention is made of this. Housing down the east side of New Row and in Netherton, because of the lie of the land, may have had the facility of cess pools.

These official measures to control disease, and promote public hygiene, and the documentary evidence for relatively sophisticated drainage are indications of a society advanced well beyond the primitive. Official measures, however, are not always successful, and bye-laws are disobeyed. Dirt and squalor did certainly exist in Dunfermline. But clearly the traditional

53. Dunf. Recs., 174, 175, 236.
54. The Kirk Close, Perth excavation revealed a cess pit with timber frame and timber seat. A botanical report of this cess pit also revealed the use of mosses as toilet paper, which may also have been practised in Dunfermline. A stone-lined cess pit recovered from Canal Street, Perth might have been similar to the Dunfermline type.
portrait of the medieval town as one of excessively foul streets and reckless 'gardy-loo' must be treated with a certain scepticism.

Care of the sick was, however, undoubtedly haphazard. The monks of the abbey were the greatest local source of medical knowledge, but it must be doubted whether the benefits of such touched many more than the inhabitants of the convent and their dependants. A barber-surgeon and an apothecary may have been resident in Dunfermline, but of them there is no evidence in the fifteenth century. Self-help based on folk-lore was doubtless the commonest form of medical treatment for the average Dunfermline resident. The almshouse founded in Peebles in 1464 'for tyl herbry in it pur foulk for saull heile'\(^55\) clearly reveals the medieval attitude that spiritual healing was of as great if not greater importance than physical medical attention. The fifteenth century for Scotland was, however, a time of increasing interest in medicine, exemplified in the reigns of James III and James IV by the transcription of continental and native medical works,\(^56\) and the founding of the first university chair of medicine in Britain, but any benefits from this enlightened awareness would come too late for fifteenth-century Dunfermline man.

Hospitals did exist in Dunfermline. The abbey would have its own, but it was not available to the townspeople. A further three were outwith the abbey walls. These were, however, more truly almshouses than hospitals in the modern sense of the word. Just outside the east port stood one almshouse. There are several references to this,\(^57\) which enable fairly precise siting, but give

\(^{55}\). Peebles Recs., i, 151.
\(^{56}\). Comrie, J.D., History of Scottish Medicine, i, 146.
\(^{57}\). Dunf. Recs., 2, 300, 334, 341.
no information on who was in charge of the dole. The poor could also receive sustenance from the abbey almshouse sited beyond the abbey precincts near to the site of St. Catherine's Chapel. On 10 March 1327 this chapel had been donated to the almshouse, but was demolished sometime before December 1420, and thereafter reconstructed. Whether this hospital functioned in the fifteenth century as more than an almshouse is not clear. The Hospital of St. Leonard in Dunfermline is referred to only obliquely before the Reformation, by 'Spittal bryg' and torrentem de le Spittai. By 9 November 1615 it was supporting widows with an almoner and bedesman, and this may well have been its purpose in the fifteenth century. Doubtless some form of medical attention was given, but it cannot be certain that this would be of benefit to the poor in general. Some towns would care for such people, by giving shelter and sustenance with perhaps some minimal medical attention, as, for example, at Roland Blacader's hospital at the Stablegreen port of Glasgow, and Richard Guthrie's at St. Lawrence in Haddington.

The homeless would not normally be found amongst the gild members. The latter were the luckier, or more able members of society, but it would be wrong to assume that all Dunfermline gild brethren lived in great style. The Stewarts and the Halketts were the exception.

Rosyth castle, the home of the Stewarts, still stands, though its present inland position belies its original late fifteenth century secure site on the foreshore, or perhaps on an island

60. Dunf. Recs., 140, 142.
62. Laing Chrs., No. 1736.
offshore, approached by a gateway from the land to the north. Only the 60ft. high square tower with its projection at the south-east corner to enclose the stairs is of late fifteenth-century construction. Within, the Stewarts had a hall on the first floor, with small windows which may have been partially glazed; and beside these windows there may have been stone seats. Heating was by an open fire. The fireplace which may be viewed now has been enlarged since the fifteenth century. There were several further chambers, on the first and two higher floors, and a garderobe, also with a stone seat, in the thickness of the wall. The ground floor provided an entrance, a porter's recess, and access to the basement.

Pitferrane House, the home of the Halketts, has been greatly extended and altered. It is clear that there were some domestic buildings at Pitferrane before 1435. The fifteenth-century structure may just be detected within more recent accretions, as a free-standing tower, possibly with battlements and a caphouse, and originally probably housed three storeys, a basement and an attic. The surrounding grass and wooded policies, at least, are reminiscent of the estates of the fifteenth-century Halketts.

These two families, in extensive accommodation, lived in a style considerably more luxurious than that of their fellow gildsmen. Provision was made for a staff of servants, which would maintain the material comforts and amenities of these families in a manner befitting fifteenth-century Scottish gentry.

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64. 'Pitferrane writ'. NLS Ch. 6021.
But such men were not typical. Of far greater interest are the town-dwelling gild brethren. The exterior construction of their homes has been noted and the urban street scene may be pictured fairly readily. To visualise the interiors, both the material possessions and the lives enacted therein, is not so simple.

One fact that can be seen clearly from the documentary sources is that living was cramped. Tenements had, particularly along the High Street, overlapped the frontage building line with wooden booths, and considerable infilling within the backlands had taken place. It is also quite clear that property was subdivided, and a single tenement might house a number of families.

It would seem that a small house in Dunfermline might contain no more than 'ane hall and chalmer aboune and ane wolt beneitht', or, a hall, a chamber above, and a forebooth. But even accommodation as small as this could be sublet. The foreland that John Duncan and his wife Elizabeth resigned in 1521 in favour of Doune Gilbert and his wife Emme Home consisted of no more than a loft. It is possible that a family would be reared there.

A young man occupied the cellar of Walter Erskine's house on the west side of Collier Row, and he may well have been apprenticed to Walter Erskine. Robert and Margaret Anderson leased part of a tenement from Agnes Huggone in 1505, a 'for loft the nethir hall the sellar and brewhousis witht hunir half of the yarde and

67. See above, pp. 148-151.
68. See above, p. 140.
70. Dunf. Recs., 297.
thepertenens'.\textsuperscript{73} Living would be confined to the foreloft and the nether hall, since the cellar in this instance was more probably used for storage for the brewhouses. Such subdivisions are evidence of pressure for space. There is, however, no mention of the tall, several-storeyed buildings as found in Edinburgh in the latter sixteenth century, although Dene James Lawsone and Gavin Lawsone while being constrained by ground dimensions were permitted to build as high as they liked;\textsuperscript{74} and a back house behind the tolbooth was of 'twa hous hecht'.\textsuperscript{75} 'Ane chalmer wytht ane forsta(i)r aboune ane forboitht'\textsuperscript{76} might not be expansive living quarters, but was doubtless better than the condition of those undocumented homes of casual squatters in the backlands.

Even for those who occupied an entire tenement, closeness to one's neighbours could bring problems. Nannis Fentone, for example,\textsuperscript{77} was taken to court for allowing her property to lapse into disrepair and thus failing to keep the house of William Stewart of Rosyth watertight; property might be damaged by the physical removal of parts of the structure by less than friendly neighbours;\textsuperscript{78} and where walling or property was mutual, such as a shared gable,\textsuperscript{79} disagreements inevitably arose over who was responsible for paying for repairs.

There were, of course, solutions. The liners' task was to prevent disagreements reaching the stage of court appearances; and town dwellers were expected to 'keep nychtburhede',\textsuperscript{80} in

\textsuperscript{73} Dunf. Recs., 156.
\textsuperscript{74} Dunf. Recs., 174.
\textsuperscript{75} Dunf. Recs., 298.
\textsuperscript{76} Dunf. Recs., 172.
\textsuperscript{77} Dunf. Recs., 60.
\textsuperscript{78} Dunf. Recs., 123.
\textsuperscript{79} MsGB, 34.
\textsuperscript{80} Dunf. Recs., 118.
effect, respect each other's property. It is clear that each dwelling theoretically had its right to 'lights' and should not be blocked by another's building; lining stobs were placed by the officials to delineate correct building line (though these were on occasion moved to enhance one's own site!); and those who had transgressed by building even nine inches into neighbouring land were liable to be forced to remove the same, whether it was part of a staircase, or an entire wall.

The duties of liners have been noted; and are important not only for the evidence they offer of a society taking an active and efficient interest in its material surroundings, but also because it is clear that many ordinary townspeople were concerned to protect their property, and did not live in mindless squalor. Structures with water rhones, plaster chimneys, sometimes carefully integrated into the neighbouring system, closely, drains and sewers, may well have had some glazed windows and perhaps afforded a fair level of comfort within. One may only presume that it was in this better housing that the gild brethren lived.

The material comforts within the typical gild home cannot be accurately assessed. Simplicity would be the keynote. The occasional references in the gild and burgh records indicate

83. MsGB, 21v.
84. See above, pp. 151-152.
89. There are no specific references to glazed windows; but the 'unlefull opyne wyndois wid and large' of Adam Man (Dunf. Recs., 68) would probably have some form of glazing; and the fact that burgesses had the right to 'braik and joys all lychtis' (Dunf. Recs., 113), would suggest that all windows were not shuttered. The purchase in 1437 by the gild of window cloth, possibly for the gild house (see above, p. 200) might also suggest glazed windows (MsGB, 99v).
that the amry, or cupboard, for storage of domestic utensils and display of plate, probably pewter, sometimes wood, was commonplace; as would be the kist for general storage, possibly of clothing. In some houses a meat amry kept food clean, and there might be a towel burd for linen. There are no details of the style of domestic utensils, such as pitchers, pots, pans, iron spits, cauldrons, brewing vats and dry ware barrels, and no reference at all to the spoons and knives in daily use. The explanation for this is simple. Most of the documentary evidence is of contested ownership, and inherited goods. The possessions mentioned consequently tend to be of a more valuable nature than these mundane articles. These latter were, however, doubtless of the typical medieval Scottish style.

A vital domestic item was the table. This would be one of two types. The compter was originally intended as a reckoning table, with squares delineated on the surface, although medieval paintings do suggest that the counting squares might sometimes be on a cloth placed on the table. Having, apparently, fixed legs it could be utilised for other purposes. More common, however, was the 'faldin burde witht trestis and furmis efferand tharto'. In a cramped room, a table consisting of a board on trestles was the ideal solution. Once the meal was over, the

91. Dunf. Recs., 123.
92. Dunf. Recs., 84.
93. Dunf. Recs., 84.
95. Dunf. Recs., 120.
96. Dunf. Recs., 123.
98. Dunf. Recs., 163.
100. Dunf. Recs., 84.
101. Dunf. Recs., 120.
102. Dunf. Recs., 84.
table could be placed back against the wall. Forms for seating were the norm, a chair being met in only the wealthier houses. John Man, for example, bequeathed to his sister a 'turnit chair' and a stool with a back. 103 The living quarters would be warmed by an open fire of either peat, 104 or coal, 105 chimneys being constructed of stone or plaster, 106 or transportable, made probably of iron 107 to offset fire-risk. Rushes or straw on the floor was the traditional medieval floor covering. The lack of mention of any other form of carpeting, even in wealthier homes, suggests this practice continued in Dunfermline.

Straw as bedding would appear to have been superseded in many homes. There are references to 'standand beddis', 108 a 'merlit bed' 109 and a 'couche bed'. 110 These were covered with sheets, 111 sometimes double, 112 and blankets, 113 bolster 114 and coverlet. 115 These details of bedding, and the fact that some homes, although not large, did have a separate sleeping chamber above the living quarters, 116 are indicative of a reasonable standard of living for at least the gild brethren of the town. But for them, as for many burgesses, life was still simple and common features within the home were the wheel 117 and carding

103. Dunf. Recs., 163.
104. Dunf. Recs., 93.
105. See above, p. 199.
106. See above, p. 151.
108. Dunf. Recs., 84.
111. Dunf. Recs., 70, 84.
116. See above, p. 300.
117. Dunf. Recs., 123, for example.
combs \ref{footnote:118} for spinning, and shuttles \ref{footnote:119} and ancillary equipment for weaving.

All mention of foodstuffs suggests that locally grown produce, oats, kale and the like, and meat and fish were the staple diet. Excavations at Perth have shown that berries were picked, and a wide variety of animals was eaten: sheep, pig, cow, as well as smaller creatures, which were probably trapped, such as rabbits and birds. \ref{footnote:120}

Luxuries and innovations, such as clocks are not mentioned. There is one reference only to a gold ring \ref{footnote:121} and one to a silver ring. \ref{footnote:122} This, and the fact that silver belts were on two occasions pledged for loans of money \ref{footnote:123} indicate a plain style of life. The clothing noted, bonnets, \ref{footnote:124} gowns, \ref{footnote:125} kirtils, \ref{footnote:126} cloaks, \ref{footnote:127} kerchiefs, \ref{footnote:128} sarks, \ref{footnote:129} collars, \ref{footnote:130} overcoat or jak, \ref{footnote:131} hose \ref{footnote:132} are not indicative of a wealthy life-style, though Gilchrist Nesche's aunt, Katrin, \ref{footnote:133} was clearly well-dressed to have possessed, four kirtils, one black cloak, four sarks, five collars and five kerchiefs. Most clothing was probably of wool or coarse linen cloth, apart from the jak which was probably leather. Only once is fabric mentioned - a gown of

\begin{footnotes}
\footnote{118. Dunf. Recs., 123.}
\footnote{119. Dunf. Recs., 120, for example.}
\footnote{120. This information is from Miss L. Blanchard, Urban Archaeology Unit, Perth.}
\footnote{121. Dunf. Recs., 35.}
\footnote{122. Dunf. Recs., 123.}
\footnote{123. Dunf. Recs., 105, 108.}
\footnote{124. Dunf. Recs., 186.}
\footnote{125. Dunf. Recs., 38, for example.}
\footnote{126. Dunf. Recs., 120.}
\footnote{127. Dunf. Recs., 65.}
\footnote{128. Dunf. Recs., 123.}
\footnote{129. Dunf. Recs., 113.}
\footnote{130. Dunf. Recs., 113.}
\footnote{131. Dunf. Recs., 126.}
\footnote{132. Dunf. Recs., 91.}
\footnote{133. Dunf. Recs., 113.}
\end{footnotes}
fustian. Haliburton's Ledger specifies the import of
velvets, silks, cloth of gold and fustian. It is
significant that of all these imported and mainly luxurious
fabrics, only fustian, a coarse cloth, is specifically noted
in Dunfermline.

Wealthier members of the gild, and particularly those who
toured overseas had greater contact with continental innovations,
and it is possible if inventories of goods after death were
available for the fifteenth century, a more luxurious life-style
might be evidenced. For one man only is there such information.
A public instrument dated 22 October 1522 details the inheritance
of Marjorie Wallod on the decease of her husband John Wilson.
By right of his father Alexander Wilson, a weaver, John Wilson
became a burgess on 12 May 1495. By 31 October of that year
he was received into gild membership for five crowns, of which he
paid immediately thirty-one shillings, a further forty shillings
being paid on 7 December. It is clear that he was a man of
adequate substance, holding property in New Row, on the north and
south side of the High Street, to the south of the Netherton and
also possessed sufficient land to let out for grazing. He
rose through the ranks of burgh and gild serving on numerous
occasions as bailie and dean of gild. He was also an educated man, and as dean of gild, recorded the gild court minutes in his

134. Dunf. Recs., 35.
135. Haliburton's Ledger, pp. lxxii, 328, cxiii and cxiii.
137. Dunf. Recs., 60.
138. MsGB, 20v.
139. Dunf. Recs., 164.
143. Dunf. Recs., 104.
144. MsGB, 23v, 24, 24v and 31v.
own hand in 1519, \(^{145}\) and possibly in 1520 and 1521. \(^{146}\) Since this is the only inventory of possessions of a fifteenth-century Dunfermline gild brother it merits careful note. \(^{147}\)

There are several articles enumerated that establish their owner as a person of wealth. A mirror was a rare possession for a townsman in 1520. Such things as a nightshirt, spurs, featherbed and hangings, holy water vat, hat and 'best sark' set John Wilson above the mass of Dunfermline society. It should be noted, however, that everyday tools, spinning and weaving equipment were listed, as being equally important, along with the luxury imported articles. He did not apparently possess a book, even though literate.

Marjorie Wallod, his wife, was possibly one of the Wallods of Touch, a notable family in the town. Exact relationships of the Wallods elude precise definition. \(^{148}\) Of whatever branch of the

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145. MsGB, 31v.
146. MsGB, 31v and 32.
147. See Appendix IX.
148. The first official mention of a Wallod is said to be that of William Wallod, bailie and scutifer of the regality in 1437 (McNaughton, D., 'The descent of the Wallods of Touch', The Scottish Genealogist, xvi, no. 1, 7) but one of the same name was a member of the gild by 1435 (MsGB, 2v). A Robyn of Wallod entered the gild in 1463, paying forty shillings (MsGB, 9v), and contemporary with him must have been a Richard Wallod, also a member of gild as his son John became a member in 1478 by virtue of Richard (MsGB, 12). Within two years, another John Wallod had also entered the gild (MsGB, 17v), and by the turn of the century there were four or five John Wallods in the town, thus making precise relationships almost impossible to define. An Alan Wallod was received into the brotherhood in 1482 (MsGB, 13); another became dean; and one Thomas Wallod was also alive at about this time, for his grandson, also confusingly named John, entered as burgess by right of Thomas, in 1503 (Dunf. Recs., 137). It does, however, appear that one of the four John Wallods in the gild in 1488 was John of Touch (after 1490 'of Scone') who married Katherine Bra (Dunf. Recs., 2). His brother may have been Alan (Dunf. Recs., 17, 18), often serving as bailie, who had only daughters to succeed him by 1507 (Dunf. Recs., 149). Marjorie could have been one of the latter, but after the death of Alan his daughter Christine claimed his inheritance; and it is surprising that the wife of John Wilson did not put in a similar claim. She may have been a daughter of John of Wallod and Katherine Bra, and therefore a sister of John who inherited the lands of Touch, and also held property along the High Street and around the Cross and probably acted as bailie. The other branch of the family, descending from Thomas, produced one son John, who probably became a bailie, and also forester to the abbey (Dunf. Recs., 25); and his son or possibly grandson, also John (Dunf. Recs., 329), may have held the position of bailie also several times between 1505 and 1514.
Walld family, however, she was a suitable wife for a wealthy member of the gild, as had been Katherine Bra in her marriage with John Walld.

It may be that John Wilson was typical of several of the more important members of the gild; and their life-style, particularly with developing European contacts, would exhibit an increasing sophistication throughout the century. But not all noted members of gild society could relate such a success story. Andrew Litster, who paid for his entry in 1464, but received back twenty shillings at the instance of the abbot, became prominent in the town, and on several occasions throughout the 1490s held the office of bailie. He possessed property on the desirable west side of Collier Row, which was presumably furnished as befitted a man of his social standing. By February 1497, however, either through mismanagement or an unfortunate mercantile venture, he fell into great debt, such that,

he was haldin undir the sentans of cursing, and that he had na guidis movable to relief him of the said det bot his land that ye (sic.) was in, the quhilk land the said Andro profert to his sone ... to relief him of his det and the sentens of cursing or ony othir of his kyne that wald by it fra him.

A comfortable living was not automatic, even for the more notable gild brethren.

An assessment of the burgh sasines gives an indication that some gild brothers were accumulating sufficient wealth to make investments in urban property, whether buildings or land. The most noted property owners were the Stewarts of Rosyth, the Wallds of Touch and the Spittells. (The Bothwells, too, held a large

149. MaGB, 9v.
stake in the burgh, but there is no evidence of their membership of the gild in the 1490s.) There was a further group of gild members who were, however, of adequate means to be multiple property owners. Henry Barbour, John Ferguson, and John Wilson were such men; and clearly were of no small financial standing. A direct correlation between urban investment and wealth is not permissible, however. There is no evidence of other forms of investment for comparison; and the case of David Litster must be remembered. In 1479, he had possession of a bark pot on the west side of St. Catherine's Wynd; 152 a tenement of land in the Maygate 153 and other property to the west of Maygate; 154 by 1493, and possibly earlier, a dwelling and pertinents on the east side of the New Row and three rigs of arable land in the New Row crofts (which were originally his wife's) and a house on the corner of Cross Wynd. 155 But by the end of 1495 he 'was runnyn in certane dettis and had nocht in gudis movable nor unmovable to pay the said dettis wytht'. His son Richard had no movable goods to pay his father's debts, 'tharfor he consentit to sel his landis and to anale thaim to the creditouris of his faderis dettis'. 156

What does emerge from an assessment of the burgh sasines is the desirability of certain areas for those members of the gild who could afford to invest in urban property. A precise picture cannot be given, but it is clear that in the early 1490s the west side of Collier Row, moving down past the tolbooth, to the

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156. Dunf. Recs., 63.
URBAN PROPERTY AND LANDS
HELD BY GILD MEMBERS IN THE 1490s (EARLY)

(SHOWN BY *)

GRAMMAR SCULL
ALMS HOUSE

TOLBOOTH
ST. CATHERINE'S
ALMS HOUSE
tanning premises and property on the west side of St. Catherine's Wynd was in greatest demand. The High Street was also of interest. This trend would seem to continue to the turn of the century, investment being proportionately very similar; although Cross Wynd property was developing at the expense of the backlands of High Street tofts; and there are indications, and no more, of a growing gild interest at a personal level, in larger tracts of land, such as the common moor, arable rigs and crofts to the east of New Row. Although there may have been a small, relatively wealthy elite emerging amongst the gild members, none would seem to be able to compare with William Birnie of Edinburgh who died in 1569 leaving £29,064 Scots in moveable goods. Documented cases of debt with interest accruing and of wadsetting indicate a lower stratum of the not so fortunate.

Much of the social comment in Henryson's poems is conventional; and reflects not only his view of man's state after the fall, but also the medieval ideal of the interdependence of social classes. It is, however, interesting, that he should classify merchants amongst the poor in 'The Wolf and the Lamb':

157. See map, p. 310.
158. It is quite feasible that there was a certain investment in land outwith the burgh in rural areas; but of this there is no evidence for the majority of gild members in any fifteenth-century sources. Clearly, the Halketts and Stewarts were extensive landowners; but, for example, of the holding of John of Touch in Scone, there is no information.
160. Dunf. Recs., 70, 71 for example.
The pure people this lamb may signify
As malamen, merchandis, and pure lauboreris,
Off quhome the lyfe is half a purgatory,
To wyn with lawty, leving as effeiris.
The wolf betakynis fals extorceneiris
And oppressouris of pure men, as we se,
Be violans, be craft, or sutelte.
(92-98)

An assessment of the material life of the Dunfermline
gildsmen must of necessity be superficial. Evidence is not
available to provide a closer study. And even more problematic
is any attempt to understand the thinking and values of the people
who inhabited this setting. Clearly, this was a close-knit, inward
looking society, with a strong sense of community, as was witnessed
in all facets of town life. This might partially explain the
lack of serious crime. Petty crimes, such as theft and
disturbing the peace, were regular occurrences, but there were
few misdemeanours so great as to warrant expulsion from the town,
and not one case of violent assault is precisely documented in
the local records in an age when it was normal practice to carry
some form of weapon.163

Murder would not have been dealt with at the burgh court
level. Such serious offences passed to the abbot, and much
fifteenth-century documentation is now lost. Lack of evidence
does not preclude these crimes however. Henry Halkett became
dean of gild in 1505164 and later provost.165 His father,
William, died under the charge of murder;166 but he and Henry's
brother Thomas were issued with a precept a remission in February

163. John Wricht and John of Coupir were both fined forty shillings
at the gild court in 1437 for striking other gild members,
although there is no mention of weapons used.
164. MsGB, 25.
166. 'Pittfirane wrute';NLS Ch. 6044, 6045, 6047, 6048.
for the murder of Robert Carnys, who was possibly of
the family of John Carnys, the plumber to the abbey, or of
John Carnys, cordiner, both of whom were gild members. This
murder has come to light because of the standing of the Halkett
family. It would not be unreasonable to assume that other
cases of murder and manslaughter by lesser individuals did
occur, but that the perpetrators were not sufficiently
influential to gain remission. The general impression from
the contemporary sources is, however, of a society that was
relatively law-abiding, and not given to undue physical
violence.

The main preoccupation for most was doubtless the
ensurance of an adequate food supply for the household. It
is clear that this was a role fulfilled by both men and women,
though men were the main providers. Spinning and weaving
by the woman within the home could supplement the family
income; and women are found running taverns and brewing
ale. Market stalls could be manned by women, thus
releasing men for other occupations.

It is clear, however, that this was a male-orientated
society. Women held no place within the gild, and even though
accorded right of burgess-ship, a woman was never found on an
assize, or holding any position of authority within the burgh.
The normal method for a woman to gain burgess-ship was by
inheritance because a male heir was lacking. A male claimant
had priority. In 1507 Margaret Gilcrist entered to the freedom,
but should her brother happen to come home she was to forgo this, and pay for the privilege. There is evidence of only one other woman paying for entry: Janet Wallace in 1498, who bought the freedom for one year. A woman, however, was free to pass on this right, whether it be to son or husband. Failing a male heir, daughters might also inherit property; Alisone Stoill, for example, from her father Philip Stoill; and Cristane Tomson as heir to her father Moris. Where two sisters inherited, property was divided equally, but the older given the choice of which half she took.

At a more personal level, within a marriage, the man was the dominant partner. Women appearing in court, usually at the resignation of land held in conjunct infeftment, stressed that they were not 'compellit and stranyeit be aw na dradour' of their husbands into such an action and this was usually declared after the husband had left the court-room, in order, presumably, that the woman could speak the truth. Obviously, on occasions, pressure was brought by husbands upon wives, if such statements were necessary; and there is one case of an attempt to reverse a decision, since, it was claimed, the wife had been in awe of her husband. The respective role of man and wife is clearly seen where a woman's appearance in court might necessitate the 'consent' of the husband. One further

171. Dunf. Recs., 162.
178. Dunf. Recs., 48, for example.
example will suffice. On 1 April 1536 two sisters, Jonet and Katrine Wilson appeared at the burgh court. Katrine wished to dispose of all goods and lands she had inherited from her deceased brother John Wilson, in favour of her sister Jonet. In return Jonet would pay Katrine £6. What might appear a purely private matter was wisely ratified by the burgh court. But such approval was not sufficient. To enter into this agreement Jonet had to gain the consent of John Hutton her husband, and Katrine that of hers, John Fuirde. Such practices were consistent with the state of married women in medieval Scotland and as early as Leges Burgorum it was laid down that a man might speak for his wife in court.

Once married, a woman was considered to have no legal persona. Her movable property, including rentals of heritable property, annuities and interest on loans of money passed to her husband. She retained only her paraphernalia and peculium.

Marriage, however, brought a woman protection once the formalities were completed. These may have taken place, after hand fasting, a form of betrothal, in the churchyard. There is reference to only one marriage ceremony, and this was at the parish altar, but since the contract was between William Stewart and Elspeth Pettunyn, it is possible, but not necessarily inevitable, that they were accorded a privilege not offered to others. A woman might bring with her property and land as 'mubil' or dowry. Robert Lam was not one of the

183. Leges Burgorum, c. xxxi.
185. Dress and personal ornaments and jewelry and repository to keep them in.
186. Lady's gown or a gift to the wife if a husband sold part of his lands in which she had an interest as a tercer.
188. Dunf. Recs., 3.
gild brethren who was a large property-owner in the town.
He owned perhaps only one piece of property on the west of
Maygate with a yard behind, the latter part of which he used
as industrial premises, and a yard house. In front were two
booths. In 1515, as mubil in marriage he gave to his son-in-
law John Henderson alias Masoune and his daughter Margaret,
'ane hall and a chalmer aboune, and the northt foirbuth
wyht fre isch and entra at the foryesit to a peis yard on
the baksid'. This was the majority of the front part of the
tenement; and would indicate that this marriage was very
desirable in the eyes of Robert Lam. But whether or not
a dowry was brought to the marriage, the husband and wife
often held land in conjunct infeftment, thus assuring the
woman a certain standing in society. John Orok, for example,
resigned the 'sklathous' on the kirkyard dike on the south
side of Maygate into the hands of bailie David Litster in
1489. The bailie then 'deliverit conjunctfeftment to
Jonet Kynlocht the spous of the said John'. Even if the
husband had children by a previous marriage, the wife's rights
to property were usually protected throughout her lifetime,
and only on her death could heirs place claims to the inheritance.
It was quite specifically stated in Aberdeen that the daughter
of a first marriage should inherit before the son of a second.
A husband, moreover, on marriage inherited all his wife's pre-
marital debts, was liable for her first husband's funeral expenses
and support of any of her illegitimate children. Women may

193. Peton, G.C.H., 'Husband and Wife. Property rights and relation-
ships', Introduction to Scottish Legal History, 101.
not have had legal independence; but they were entitled by law to a fair degree of protection. Wealthy heiresses, moreover, could maintain their assets by a pre-marriage contract; but there is no evidence of such in Dunfermline. In the final resort a woman's actual position, particularly within her own household where she may have had authority over a number of servants, might well have been stronger than her legal position might suggest. 194 Once widowed, a woman entered a freer state. She was able to marry whom she chose, and might well be sought after if she brought property and possessions from a previous marriage. The widows of gild brethren might, moreover, have the added attraction of the possibility of a new husband entering the gild during her lifetime. 195 Although there is inadequate documentation, the support of the gild for brethren's widows, for example Finlay Broustaris' wife and child, 196 the provision of an almshouse for, very probably, widows; and such care as that shown in John Wilson's testament, when it was laid down that his business would continue in his wife's lifetime, 197 are further indications that, while not enjoying equality with men, women did have certain rights within an ordered society.

More difficult to assess is the attitude to children. Childbirth and infant rearing were hazardous at the best of times. Only in a leisured society does preoccupation with the upbringing of young manifest itself in anything more than the basic need to have healthy, well-fed and adequately clothed children. It is, therefore, not surprising that the Gild Book

195. See above, p. 175.
196. MsGB, 9v.
197. See Appendix IX.
and burgh court records have little to say on this subject. It is perhaps more a comment on John of Burn's general attitude, than on his role as a caring father, when he brought a case against James Gray for the 'vranguis strublyn of his child and riffyn of his bonet'. 'The sade child wes funde the caus of the sade strublans', but the unfortunate James Gray found guilty. Even in 1503 one might not cuff someone else's child. Babies are spoken of affectionately in the Coventry carol and early mystery plays; and this may have been a typical medieval reaction. Children, however, were regarded as little adults, dressed as such, and doubtless looked upon as potential labour force as early as possible.

Joky Butler may have been one of the more fortunate orphaned children in Dunfermline. The son of Andrew Butler and his heir, he was unable to inherit while still a minor, but had been placed in the care of David Coupir, his uncle. As his tutor, David Coupir was at pains to protect his nephew's inheritance from the encroachment of others. Less fortunate offspring were the sundry bastards around the town. Their chances of inheritance were negligible, as was stated clearly when Henry Barbour was declared nearest lawful heir to his deceased brother Walter, 'gif that the sade Walter haue nane barnys of his awne lauchfull'. Illegitimate children had no rights. Occasionally, however, an attempt was made to claim an inheritance. Elspeth Cuk appealed that she was the nearest blood

199. Phythian-Adams, C., Desolation of a City, 82.
200. Ibid., 82.
201. Dunf. Recs., 69, 73.
relative to her grandfather David Bra. An argument was brought against this, however, by John of Walled on behalf of his wife Katherine Bra, that the appeal could not be sustained since Elspeth Cuk was a bastard. There is evidence of only one successful method of overcoming the disabilities of illegitimacy. John Jackson, who had entered the monastery, wished to hand over all his temporal possessions to his brother William. William was, however, the illegitimate son of a gild member, probably the William Jackson who was dean of gild in 1491, 1492 and 1494. Dene John Jackson therefore approached the crown for 'ane letter of legitimacione' of his brother. This was granted on 11 July 1527. It is interesting that although the burgh court felt it was duty bound to obey the royal command, the letter was translated into 'comone langag and wligar', 'for men of na litteratour', and proclaimed at the tolbooth door, so that any burgesses who wished might gainsay this privilege. In the event, William Jackson inherited his father's property, burgess freedom and gild freedom.

Some of the children of the town may have been fortunate enough to attend school; although children's value as supplementary labour would tend to preclude this. Most great abbeys and cathedrals had 'sang schools', the main purpose of which was to educate young boys towards a full participation in the church services. Master Robert Huchosone was, for example, appointed as master to the song school of Aberdeen, 'to instruct burgesses sons in singing and playing on the organs for the upholding of

204. Dunf. Recs., 69.
206. See Dean of Gild list, Appendix III.
207. Pound, J.F., 'Government and Society in Tudor and Stuart Norwich, 1525-1625', 231; where is cited the case of a child of 4 years already weaving.
God's services in the choir. The emphasis was on music, with little formal instruction in reading and writing. By 1560 Dunfermline had a song school, and it is possible that one existed in the fifteenth century, although there is no documentary evidence. Perhaps by 1525 it was under the direction of John Moffat who is specifically named as master of the grammar school.

There was certainly a grammar school in the fifteenth century. This, too, in origin, was to fulfil the church's needs for clerks. Edinburgh Town Council on 10 January 1520 succinctly laid down the essential curriculum of a grammar school as 'allanerlie Grace buke prymar and plane donatt'. The Grace book contained the graces for before and after meals, the primer taught the alphabet and basis of reading (Latin), and the 'Donati' was the grammar based on the fourth century Aelius Donatus, which appears to have been more popular in Scotland than other medieval grammars.

That the town or the gild supported the local school is clear. £5. 15s. Od. was given, for example, to the master of the school, then dean of gild, by the brethren in 1448 but there is nothing to suggest that the town began to wean away control of the school from the church, as happened in some burghs. Appointment and patronage of schoolmasters seem

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208. Scotland, J., History of Scottish Education, i, 16.
209. Grant, J., History of the Burgh Schools of Scotland, 64.
211. Edin. Recs., i, 194.
212. Easson, D.E., 'The medieval church in Scotland and education', Records of the Scottish Church History Society, vi, 20; and see Orme, N., English Schools in the Middle Ages, 88-99, for a discussion of the use of the Ars Minor of Aelius Donatus as the standard elementary grammar in England.
213. MsGB, 104v.
in Dunfermline to have remained firmly in abbey hands. The most notable schoolmaster in the fifteenth century is traditionally said to have been Robert Henryson, the poet, who was incorporated at Glasgow in 1462, already a licentiate in art and bachelor of decrees.\textsuperscript{215} Perhaps he was encouraged to this post by a house which had been provided in the town for the schoolmaster in 1458 and was situated either beside the tolbooth or near to the school.\textsuperscript{216} Abbot Richard had petitioned the papacy for permission to support a habitation of the schoolmaster of the town of Dunfermline and certain pieces of land and divers yearly rents of the yearly value of 11 like marks and more for the maintenance of poor scholars to be taught gratuitously by the said master.

He also alleged that, 'he intends to increase the rents for the maintenance of the said master and scholars'.\textsuperscript{217} There is no conclusive evidence that Robert Henryson, the poet, was the Dunfermline schoolmaster.\textsuperscript{218} The witnessing of three deeds by Robert Henryson notary in Dunfermline in 1478\textsuperscript{219} does not indicate that he was the poet, although the combined post of notary and schoolmaster as held by John Moffat (Johannes de Montefixo) in Dunfermline is not uncommon.\textsuperscript{220} No further light is shed by either the Gild Book or Burgh Court Book.

William Dunbar's lament on the death of the poet, however, might appear to confirm that the notary, schoolmaster and poet were one man. Speaking of 'death' he says:

\textsuperscript{215} Munimenta Universitatis Alme Glasquenses, ii, 69.
\textsuperscript{216} See above, p. 135.
\textsuperscript{217} CPP, xii, 298.
\textsuperscript{218} This has been discussed in full elsewhere, for example, see The Poems and Fables of Robert Henryson, ed. H. Harvey Wood; and Durkan, J., 'Education in the century of reform' in Essays on the Scottish Reformation 1513-1625, ed. D. McRoberts, 157.
\textsuperscript{219} Laing, D., Poems of Henryson, p. xiii. Henryson acted as a witness in 'Registrum de Dunfermelyn' Ms. fol. lxii (or 98), lxiii versa (or 98v) and lxiv (or 99). The Bannatyne edition of Registrum de Dunfermelyn, 370, takes no notice of witnesses.
\textsuperscript{220} Durkan, J., 'The early Scottish Notary' in The Renaissance and Reformation in Scotland, edd. I.B. Cowan and D. Shaw, 27.
In Dunfermlyne he has done rounge
With Maister Robert Henrisoun.221
(81-82)

By 1570 the title page of William Dunbar’s version of
Aesop’s Fables (published by Henry Charteris, and printed
by R. lekprevik) speaks of ‘Maister Robert Henrisone,
Scholameister of Dunfermeling’; and again in 1593 the
Testament of Cresseid published by Henry Charteris records
that it was ‘compylit be M. Robert Henryson, Sculemaister
in Dunfermeling’.222 All the indications are that Robert
Henryson, notary, poet and schoolmaster was one man. The
post of schoolmaster was occupied by John Moffat by 1519,223
but quite probably he was an assistant teacher at the school,
while acting as chaplain throughout the 1490s.224

A burgh with at least three schools by 1525, and probably
such a prestigious schoolmaster as Robert Henryson was well-
endowed educationally. That some scholars did benefit from
this has been noted.225 But it must be questioned how many,
in reality, received even the minimum of education. Facilities
may have been available, but children were often more useful to
their parents as work-force, whether in the home or labouring
outside, than as students and potential clerks.

On a number of occasions scholars of an entire town were
brought together as witnesses. In 1433 those of Dunfermline
convened.226 That the schoolroom was large enough to house all
the literates of the town is a comment on the size of their group.

222. Dickson, R. and Edmond, J.P., Annals of Scottish Printing,
240 and 396. I am indebted to Dr. J. Durkan for drawing my
attention to this sixteenth-century evidence of Robert
Henryson as schoolmaster.
224. Dunf. Recs., 43, 47.
225. See above, p. 171.
226. ‘Huttons Collection’ (N.L.S.), vi, fol. 113.
The gild and burgh records do give some evidence of how many gild members were literate in the fifteenth and sixteenth centuries. On 1 October 1493, the signature of David Bra, as befitted a common clerk, is to be found in the Burgh Court Book. This is not unusual. His hand records dealings in both burgh and gild records; but it is interesting that beneath his signature is that of his sister Katherine or Katrine. Education of girls was supposedly non-existent for any but the wealthiest upper classes. Clearly Katherine Bra was a member of a relatively cultured and far thinking family. Her case is all the more creditable, when it is noted that the latest work to assess the position of women in Scotland, states (erroneously, in the event) that, 'well-born ladies apart, we have the earliest signature of a middle-class Scotswoman in 1530'.

On 1 July 1494, Archibald Stewart, bailie, detailed burgh court matters in his own hand; but this is not surprising. The Stewarts and Halketts would be expected to at least be able to place their own signature; and in 1518 John Halkett of Pitfirrane wrote his own name in the Gild Book.

Within Dunfermline society, the gild members were the most privileged, and consequently it would be from their numbers that the majority of lay educated men would come. It may be presumed that gild members were largely numerate in order to pursue their businesses.

229. See S.R.O. 820/10/1 'Burgh Court Book of Dunfermline', 52.
John Wilson's facility with the pen has been noted. As dean of gild he wrote the gild minutes in 1519, and possibly also in 1520 and 1521; and it is possible that this practice was pursued by other deans of gild, but evidence is lacking. It would be wrong, however, to presume that all the more noted gild members were literate. John Wallod, husband of Katherine Bra, and brother-in-law of the common clerk could not sign his name.

The ability to sign one's name is a very crude index to a minimum of literacy. On 18 February 1559, seven gild members were required to place their names in the Gild Book. All seven put their merchant marks; three then signed their names 'with my hand'; and four placed their names 'with my hand at the pene led by John Boswell'. One of these four was David Atkyn, the dean of gild. Over forty years later, in 1594, when education was more readily available, twenty-two members of the gild witnessed a gild ruling. It was subscribed firstly by the dean of gild, Barnes Reid, and then by William Pratus, bailie. Their names are followed by ten signatures 'with my hand', and a further ten 'with our hand at the pene led be nottar undirwrittin at our command because we cannoccht'. Fifty percent of the most substantial group of the town could not even sign their own names.

When compared with other burghs, however, this is not a high level of illiteracy. In 1599 in Stirling, out of a group of nineteen gild brethren, only nine could sign their own names.

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232. MsGB, 31v, 32.
234. MsGB, 59.
235. MsGB, 88.
236. Central Regional Archives PD 6/1/1 fol. 11.
a ratio of literacy very similar to that of Dunfermline. In Perth, however, there might appear a somewhat different picture. On 11 January 1561 the burgesses met to commission Patrick Murray and George Johnnesoun, bailies, to represent Perth at the Convention of Burghs to be held on 15 January. The common seal was, however, unavailable; and consequently all present signed below the commission. Two of the members of the town council and three deacons (of the skinners, the cordiners, and the walcars, hatmakers and bonnet makers) and a further 215 were unable to sign their names. Forty-nine signed with their own hands. Such a disproportionate number of illiterates is explained by the fact that on this occasion all categories of burgesses signed, not merely gild members. It is clear that Dunfermline was by no means unusual with fifty percent of the gild brethren illiterate.

Life was not, however, totally one of labour. Drinking, and presumably gossiping and story-telling were a welcome diversion. The bow butts were used for shooting practice from 1432; foot and hand ball games were probably as popular in Dunfermline as elsewhere; hunting and hawking were not necessarily confined to the gentry, even though it might have to be clandestine for the average town dweller; and the numerous church festivals afforded a ready opportunity for merrymaking and jollification.

If even a superficial understanding of medieval man is to be approached, it would be necessary to fathom the ties of church and people. It is true that Dunfermline was an abbatial burgh.

237. 'Bound Book of Original Papers of the Convenor Court from 1365 to 1717', Document 23a, Perth Archives.
238. Dunf. Reg., No. 443.
and, therefore, probably more under the influence of the church than many other towns; but life in Dunfermline was probably not so very different from that in the typical small royal burgh. In any case an assessment of the gild, whether in its political position within the town, its economic role, its physical surroundings, or whatever, has been impossible without constant reference to the abbey. Church and society were intertwined. The very timing of town life was determined by the routine of the church. Head courts coincided with church festivals, as did settlement dates for rentals and fines; and church bells announced the start of the working day, and the curfew at night. Specific mentions of time are rare in the fifteenth and sixteenth-century gild and burgh records, but when they do occur, so usually do church matters. The case of Esabell Bull and the unfortunate Margret Gybsone is significant not because the latter was struck on two occasions by the former in the abbey bakehouse, and therefore brought a case to the burgh court, but that Margret Gybsone was able to quite precisely state that the second assault took place between three and four in the morning. This is the only occasion on which such evidence is given, and that was possible because Margret Gybsone was working within the abbey precincts, apparently one of the very few places in Dunfermline where time was monitored precisely. Town and abbey were not totally inter-dependent; but it would not be unreasonable to assume that a number of Dunfermline townspeople found occupation within the abbey precincts. Quantification is impossible, but an abbey that looked to the town for kitchen

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239. Dunf. Recs., 139.
staff and plumber might well require much casual labour, be
it that of washer woman or garden odd-job boy.

The role of churchmen in lay society cannot be ignored. They were invaluable members of the community for their legal expertise and education, whether they functioned officially as notaries public, schoolmasters or clerics, or assisted, on a more informal basis, in the counsels of the gild.

The proliferation of altars and chaplains within the parish church accentuated this tendency. Most of the chaplains would live in the town, conducting their lives in a very similar fashion to their lay uncles, nephews, brothers and fathers. Sir James Allansone for example, who upheld the morning service in the parish church was a gild member and held property on the west side of Collier Row, which was in 1528 inherited by his sister Katherine. Sir James Gudeswane by 1502 was vicar of Carnbe and tutour of the Holy Blood Altar in the parish church. He was, however, a sufficiently active member of the gild to have been dean in 1485, 1486 and 1487, and perhaps enjoyed the benefits of a rental on a land in the Netherton, although there is no mention of this when his brother Walter entered as burgess by right of Sir James. One further example will suffice. Sir

241. See above, p. 313.
243. MsGB, 28.
244. Dunf. Recs., 160.
246. Dunf. Recs., 125.
247. See Dean of Gild list, Appendix VI.
249. Dunf. Recs., 150.
Andrew Persons, also a gild member, held property on the west side of Collier Row in his own right. As chaplain to St. Margaret's Altar in 1516 he instructed, with permission of the commons as patrons, that John Persone, baxter, and his wife, be given sasine of a tenement beside the tolbooth. It is not an unreasonable supposition that the favoured John Persone was related to Sir Andrew.

Church influence was also evident even in the recreations of Dunfermline burgesses. Holy days were days of rest from work, and days for fun. Processions through the streets on saints days were occasions to remember the saints and the time to introduce some jollification into life. Strolling companies of players may have added to the festivities, with jesters, tumblers and minstrels. There may have been town drummers or pipers in Dunfermline, but there is no documentary evidence.

The medieval plays of Western Europe are well recorded, such as the Corpus Christi, the Creed and the Pater Noster plays of York. But it was not only the large towns that presented such entertainment. As early as 1303/4 Edward I was welcomed in the royal chapel at Dunfermline by a 'Boy Bishop', who may well have been a local lad. It is clear that a pre-Reformation play was traditional in Dunfermline. From the Booke of the Universalle Kirk is learned that,

the Assemblie refuses to give libertie to the Bailzie of Dunfermling to play upon the Sunday afternoone, a certaine play quhilk is not made upon the Canonickall parts of the Scripture, in respect of the Act of the Assemblie past in the contrair; exhorting the Bailie of Dunfermling

presenter of the bill, to requisit the toun to keep the ordinance of the Assemble.254

Whatever appeared offensive to the reformed mind was possibly not contained in the play staged by the burgesses on 27 July 1580, Edinburgh town council

consentit and ordanit that Andro Stevenson, thesaurer, sail len and deliver, in name of the gud toun, ane of the tounis anseingyes to James Wemys of Pittincriff for outsetting of the play to be maid at Dunfermelie; and Hary Smyth merchant is become souerty to render and deliver the same agane to the said thesaurer, als haill, guid and sufficient as the same is presented at the lenning thairof.255

Precisely what this play was is never stated; but it may well have been based on a scripture story or just possibly the Robin Hood tale.256

Whatever its origins in Scotland 'Robin Hood' was well-known by the fifteenth century, and traces of Robin Hood are to be found in the Maygames of Edinburgh, Dundee, Haddington and Peebles.257 Both Robin Hood and the Abbot of Unreason were lords of the Maygames and in some towns where there is no mention of the latter, such as Dunfermline, Robin Hood may have developed out of the Abbot of Unreason.

That the appointment of a person to represent Robin Hood existed in Dunfermline is certain in the sixteenth century and very probably also in the fifteenth. In 1552 the gild records state that, 'the dene of gild balyeis and gild brothir hes gafin to my lord Robene Hud all the preualgis and wnlawis that fallis in his tyme witht the gild silvir that entres in the said tyme'.258

254. Laing, D., Book of the Universall Kirk of Scotland, i, 375.
256. Medieval ballads and plays about Robin Hood had doubtless strong similarities throughout all parts of Britain. For examples of early English Robin Hood ballads, see Dobson, R.B. and Taylor, J., Rymes of Robyn Hood.
258. MsGB, 49.
Clearly the holding of such a position was a lucrative sinecure, probably held for one year. Master George Halkett was, moreover, permitted to enter the gild because he held the position of Robin Hood; and from at least 1492 the portrayal of Robin Hood was supported by the gild in Edinburgh also.

The continuance of a medieval play into Reformation days indicates a certain conservatism in Dunfermline. This conservatism is witnessed in many ways. The support of the gild for its altars, and the town's interest in and maintenance of its parish church were not superficial gestures. There is evidence that the town expected better than adequate service from its chaplains. The positions they held were not to lapse into comfortable sinecures. When Sir Andrew Robertson inherited Sir John Allansone's role as morning mass celebrant he was precisely instructed to continue the practice at 6 a.m. in winter and between 5 a.m. and 6 a.m. in summer. In 1491 when Sir John Robertone had been appointed to the same post, it was laid down that his service was to be 'gud and sufficiand', and he was moreover to sing in the choir on holy days. The Bothwell family's patronage of the church and establishing of chapels well into the sixteenth century has already been noted; and the burgh and gild as bodies were prepared to give considerable sums of money for the support of their church.

259. MsDB, 49.
261. See above, p. 205.
262. See above, pp. 280-281.
265. See above, p. 204.
266. See above, pp. 205 and 280-281.
It must surely be inevitable that this interaction of secular and spiritual life brought some civilising, cultural benefits to the town. The abbey itself was 'becomingly furnished with books and ornaments and other ecclesiastical jewels'; and has been termed 'one of the major cultural centres of late fifteenth-century Scotland'. The parish church and altars would be adorned with stone and wood carvings, paintings and rich vestments; all of which was paid for by the burgesses, and in particular the gild. This material splendour and the polyphonic music in vogue at the time could not but have moved the townsmen emotionally, intellectually and spiritually.

It is perhaps not surprising that this town, with its dominant church atmosphere, not in immediate contact with continental thought and literature, should be one of the more steady supporters of traditional catholicism. The faith of a people cannot be assessed. Regular attendance at church and a proliferation of altars and their maintenance may be dismissed by some as exhibitionist trappings. The impression that does come through the contemporary sources is, however, one of a society with its worldly life revolving around the church, and which actively sought the consolations of an after-life by masses, diriges, prayers for the soul and general worship. The concern of the burgh to ensure adequate service from its chaplains is, however, as much a comment on its recognition of failings within the church as it is of its traditionalism, in

267. CPL, xii, 297.
268. Wormald, J., Court, Kirk and Community, 64.
wishing to maintain the old order. Whether this faith would now be judged by some to be based on ignorance is irrelevant. Whatever its foundation, it would appear for the townspeople to have been genuine. There is no evidence in Dunfermline of the lessening of the impact of the church, no hints of Lollardy; nor infiltration of reforming ideas from the continent. When, in the sixteenth century, the new religious innovations appeared, Dunfermline man was little impressed. In 1559 the pertinents of the Holy Blood Altar had to be divided amongst gild members for safekeeping, since they lived in a 'troublous world'.

272 This 'troublous world' was caused not only by Frenchmen, but, it should be noted, 'the congregations'. Clearly, the Dunfermline gild felt itself secure in its traditional setting of abbey and burgh co-operating together in a sustained, and apparently highly harmonious, co-existence.

272. MaGB, 51.
CONCLUSION

"Item. for the makyn of our gyld buk ijs iiijd."¹

The decision by the Dunfermline gild members in the early 1430s to formally record their dealings at an initial outlay of two shillings and four pence was money wisely spent. Equally laudable must be the tenaciousness of successive generations of gild brothers. Not only has the fraternity survived until 1984, but also, which is more important for the moment, so has a virtually complete set of records, including the first Gild Book.

This study has placed an emphasis on the evidence of this fifteenth-century source. There are, of course, limitations to such an approach. A manuscript record consisting of 108 folios which covers one hundred and sixty years may not be considered expansive from any standpoint. Within the framework of the study of Scottish urban history it is, however, an invaluable piece of source material. Its deficiencies may be largely offset by supplementary information from other fifteenth-century records; and in particular, the 'Burgh Court Book of Dunfermline'.²

Parallels may also be drawn from the gild records of other burghs, as long as exact replicas are not sought. It is inevitable, however, that at times, through lack of documentation, definitive answers must give place to reasoned conjecture. The Gild Book, however, offers not only the stimulus to pose

¹. MsGB, 99.
². 'Burgh Court Book of Dunfermline', SRO 820/11/1.
some new questions of fifteenth-century gild history, but also the evidence to query some of the answers traditionally offered to the old ones.

The emergence of burghs, each a self-determining group, with its individuals working together in a corporate capacity, is one of the most outstanding phenomena of the middle ages. It was witnessed throughout western Europe, inter-action of ideas bore fruit, and consequently there are striking resemblances between medieval burgh customs.

Scottish burghal development had much in common with its neighbours; and when authentic source material becomes available for early Scottish burghal history, it is clear that *Leges Burgorum*, the statutes of the reign of William I and *Statuta Gilde* relied heavily on borrowed notions. Just as the Dunfermline gild members in 1433 when commencing their Gild Book copied down almost verbatim parts of the thirteenth-century *Statuta Gilde* of Berwick, so also the early Scottish compilers of burgh laws and regulations looked elsewhere for guidance. Newcastle's influence is clear, but ideas were emanating from Winchester, Bratayl and further afield.

In Scotland this emergence of burghs was often tightly, if not inextricably, intermingled with the emergence of gilds merchant. So close were these links that some have been tempted to view the undoubted mercantile nature of burghs as their sole raison d'être; and, further, the gild merchant as the basis of early municipal government.

There is very little to support this latter view. Indeed,

early burgh and gild laws, while indicating the existence of
gilds merchant, are framed in such a manner that might suggest
that the gild merchant was controlled by the burgh, and had
no independent existence of the burgh. The inclusion of
clauses in Statuta Gilde dealing specifically with the municipal
organisation of the burgh does not imply control of the burgh by
the gild. These Berwick regulations for the smooth-running
of the gild might even suggest that the opposite was the case.
Drawn up as they were by the mayor and worthy burgesses it is
suggested that here is evidence of a very serious attempt on
the part of the burgh, having brought all gild members into one
single gild, to control that gild.

The confusion over the respective roles of burgh and gild
merchant, burgess and merchant, has encouraged an undue stress
on the duality of their function. Early burghs were trading
groups; and burgesses were traders, but farmer-traders,
craftsmen-traders and merchant-traders. Care must be taken
not to impose the categorisings of a later age on relatively
unsophisticated, early urban societies.

It is clear, however, that the gild institution might
become a mouthpiece for the self-expression of the burgh; and,
also, that gild members, as able members of burgh society, rather
than gild members per se, took an increasingly dominant role in
the organisation of the burgh. Commerce underlay the structure
of the burgh; and early charters of erection of burghs included
mercantile privileges. Wherever a gild merchant was established
a burgh had the means to gain the full potential from its trading

rights. The gild was a vital adjunct, but not the essential nucleus of the burgh.

The gild and burgh court records of Dunfermline offer sufficient information to make a relatively clear assessment of the fifteenth-century municipal organisation. The burgesses efficiently and independently controlled all the routine daily business. The magistracy tended to be dominated by only a few of the more able families in the town, but it is equally clear that a large body of burgesses took an active part in the running of their burgh. Sederunts of assizes and the numerous occasions on which the consent of the whole body of burgesses was sought attest to this.

Care must be taken, however, not to overestimate the freedom of Dunfermline, or indeed any burgh, to act as entirely self-determining units. In fifteenth-century Dunfermline, the abbot's role as feudal superior was not merely that of a figure-head; and had the fifteenth-century regality court records survived, it is possible that there might have been found evidence of firm control of the burgh by the abbey. Nevertheless it does appear from the available sources that he bestowed a rare degree of independence on the burgh, although abbatial interests and wishes were of relevance to the townspeople and acceded to, it would seem, willingly.

Within relatively uncircumscribed parameters, the burgesses of Dunfermline were their own masters. An assessment of the burgh organisation reveals not only an ordered society, but also an inter-mingling of gild and burgh function. The firm delineation of respective roles has no validity for Dunfermline. This is
perhaps not surprising. In a burgh of approximately 150 male burgesses, a gild membership of about fifty was a significant proportion. It is clear that the same men were prominent within the gild and the burgh. Both the gild and burgh records reveal that for them there was probably not a close-cut definition of where one function ended and another started. Gild and burgh, while not one and the same, were inter-related; and the gild can be seen with a role to play within the legislative, administrative and judicial functions of the town organisation. But it is not possible to read the fifteenth-century Dunfermline sources and conclude that the gild was the governing body of the town. The gild was a part, a very vital part, but merely a part of the whole, the burgh.

A characteristic that emerges most clearly in an assessment of the municipal organisation of the town and the part played by the gild is the ability of this group of people to function as a unit. In their daily burghal administration the Dunfermline burgesses revealed a sense of community and single identity. This notion of a burgh community is not a myth: fifteenth-century Dunfermline was clearly a small, close-knit, involved society, not yet subjected to the complexities that arose in the social and economic structure of later medieval burghs.

6. This view, expressed, for example, by R.C. Rodger ('Evolution of Scottish Town Planning' in Scottish Urban History, ed. G. Gordon and B. Dicks, 76), as 'In the fourteenth and fifteenth centuries the majority of Scottish burghs had concentrated their municipal administration in the hands of the Merchant Guild', has little validity.

The closeness of the community is further emphasised when considering the urban setting. The town was one of simple plan and few streets under the shadow of the abbey and the monastery complex. Dominant urban features, apart from the parish church, were the tolbooth and the market cross, which focused on a vital characteristic of the burgh: its function as a market. This commercial nature was evidenced by the ports where tolls were collected, and the booths of traders, which by the fifteenth century had expanded outwith the linear market area of the High Street, down towards St. Catherine's Wynd; and beyond the traditional burgh boundaries, outside the East Port.

The burgh sasines also demonstrate that considerable building development had taken place since the early days of the burgh. The west side of New Row and the Netherton, not within the original burgh settlement, were desirable, although they still did not have the attraction of the most favoured areas, High Street and Collier Row. This building expansion; the repletion in backlands; the paving and upgrading of roadways; and the excellent culverting of the Tower Burn not only to remove waste from the west of the town, but also to drive three mills; are clear evidence of a society that was, while small, with a population of approximately 1100, economically viable. The heart of the town was the market.

It would, however, be erroneous to view this as an urban society totally devoted to commerce. The backlands of the High Street and Collier Row in particular, but also New Row and Netherton, housed the business premises of the craftsmen;
and to the east of Tower Burn tanning and allied trades were clearly in evidence. Property and boundaries, building and road maintenance receive greater documentation in fifteenth-century sources, but the rural atmosphere of the town was pervasive. Even where infilling had taken place, enough land was left on the tofts to house stables and barns and grow at least a minimum for self-support. Many of the burgages contained extensive land, particularly in the Netherton, where orchards were planted and flax cultivated. The rigs of the burgh, *terra campestris*, for the benefit of all the burgesses, sited to the north and possibly also to the east of the town; the common moor stretching beyond the Loch of Moncur; the crofts to the east of New Row and larger tracts of land, such as the Gild lands to the south of Netherton; were as much of the very essence of the burgh as the small commercial centre. The heart of the town may indeed have been the market, but it was a market within a rural setting; and a market that was valueless without this rural setting.

Within these physical surroundings the gild brothers participated in the life of their fraternity. That they were the more substantial members of burgh society is clear, but equally so is that they were not a small elitist group. Approximately one third of male burgesses became gild members; and consequently the doors were open to many ranks, though always of the worthiest and wealthiest. The worthiest and wealthiest were not necessarily merchants. Gild members might be cordiners or churchmen, merchants or dyers, weavers
or lairds. Far from, as has so often been argued, excluding the lowlier crafts, or even all the crafts, no craft as such was specifically excluded. Fifteenth-century animosity between crafts and merchants did not exist in Dunfermline; and it has yet to be adequately proved that it existed anywhere but in the larger burghs. Only when bodies became formalised did tension and argument come to the fore; and as incorporations of crafts emerged there did develop an exclusiveness in burgh politics and in merchant and craft organisations. This was not, however, for Dunfermline and most smaller burghs a fifteenth-century phenomenon. Much of the confusion over the respective roles of merchants and craftsmen has arisen over the term 'merchant'. He was not necessarily a grand entrepreneur, but any one who bought and sold. There were few, if any, in Dunfermline who could qualify for the former description; and by such a definition, the Dunfermline gild was not a haven for merchant domination. Indeed, it was not even a merchant gild.\(^8\)

Gild life was regulated by rules, based largely on the old Statuta Gilde; and it appears that internal discipline was well and kindly maintained for the good of all brethren. It is clear that in spite of parliamentary efforts in 1469 to regulate the appointment of burghal officers, including deans of gilds,\(^9\) the Dunfermline gild officials were independent of the burgh elective system, and appointed from within the gild and by the gild.\(^10\)

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8. This view is not consistent with the argument traditionally offered by such as W.C. Dickinson (e.g. Abdn. Recs., p. c-ci) and C. Gross (The Gild Merchant, i, 214), who exaggerate merchant and craft discord in the fifteenth century.
9. APS;ii, 95.
10. The assumption of historians such as Murray (Murray, Burgh Organization, i, 468-469) that, 'the dean of gild was simply an office-bearer or magistrate of the burgh' is not universally correct.
An assessment of the municipal organisation of the burgh makes it clear, however, that the gild had some function therein. This was inevitable in a close-knit society where the office-bearers of burgh and gild were so often the same men; and consequently, whether officially or unofficially, the gild can be seen playing its part in the task of ensuring food supplies for the town at an adequate price, in maintaining peace and order, and assisting in routine matters such as participating in modifying unlaws, maintaining burgh property and accounting for the light silver.

But there comes out most vividly from the Gild Book a hitherto somewhat neglected aspect of gild life: that this was truly a fraternity, which came together for mutual self-help, and also for conviviality. The brethren met for drinking, feasting and jollification and allocated a large proportion of their income to such amusements. Aid for decayed members and their dependents, burials and masses for the dead brethren were also a primary function of the gild. The fraternity was not, however, intent purely on self-gratification. There was an equally important religious overtone to the gild; and in its support, both financial and practical, of the Holy Blood, St. Salvator's and St. Trinian's Altars, it had much in common with the early socio-religious gilds of western Europe.

These two facets of the gild, its function in the municipal organisation and its life as a socio-religious group, are important. They are fundamental to the intrinsic nature of the gild, but the fraternity was far more than this. It was as an economic and financial force that the gild played its major role within the burgh.
The town's economy had developed beyond the purely primitive rural state, and manufacturing of non-luxury goods was established. It is impossible to assess how far crafts were organised in the fifteenth century. That deacons of crafts did exist might suggest some independent status; but it is clear on the other hand that dyeing of textiles and tanning of skins were considered gild privileges. Whatever the standing of crafts, there is no evidence of animosity between gild and craft or merchant and craftsman.

What set the majority of burghs apart from towns was their right to hold markets and fairs. These were not confined to royal burghs: Dunfermline had a weekly market and probably two fairs each year. The regality of Dunfermline Abbey was extensive; and within this area only the burghs of Dunfermline, Kirkcaldy, Queensferry and Musselburgh might trade. It is now clear from the information in the Gild Book that the regality north of the Forth was divided between Dunfermline and Kirkcaldy; and the former received the major part.

The gild in Dunfermline within this hinterland had the sole right to deal in wool, hides, furs and skins, and controlled related skills. The brethren also kept for themselves the sale of imports, mainly foreign, such as spices, wines, fine cloths and other specialised commodities. Foodstuffs and everyday wares might be sold by anyone, but only at the Dunfermline market, and after the payment of tolls to enter. This gild monopoly was jealously guarded and encroachment was severely punished; members maintained their position by regulations against malpractice which were enforced by fines
and banishment from the gild. The fraternity was also active along with the burgh authorities in the controlling of the market and the adequate supply and price of foods and other commodities.

It has often been argued that overseas trade was confined to royal burghs. This fallacy also still persists; but Dunfermline along with other greater ecclesiastical burghs did have a share of overseas trade, most notably along the north-west coast of Europe, and possibly into the Baltic to Danzig. This latter trade existed by the early years of the sixteenth century, and probably did so also in the fifteenth. While this was not a major facet of the burgh economy, it was at least a comment on the Dunfermline merchants and the commercial attitude of the town.

Where the true value of the gild most clearly emerges is when assessments are made of both gild and burgh finances. They reveal a town that was not particularly wealthy, but one that remained solvent throughout the fifteenth century, while fulfilling its financial commitments and improving considerably its material standards. Upgrading of roads, ports, tolbooth and culverted burn were constant. But there are two most striking and significant features of the burgh economy and finances. Firstly the gild was dealing in far larger sums of money than was the burgh; and secondly, the gild had a crucial financial role to play in the town.

The burgh relied on the gild not only to loan funds and directly finance various burgh projects; but also the fraternity took upon itself many of the material improvements in the town in the latter half of the century. This is not only a statement about the relative wealth of the gild, and its role as financial and economic backbone of the burgh; but, yet again, the almost inextricable ties of gild and burgh are so clearly in evidence.

A study of a gild or any group is incomplete without at least an attempt to understand the lives of its members. Without some insight into their daily existence, their thinking and values, an assessment can be only partial. That questions of such aspects of gilds have been largely ignored in the past is perhaps understandable; for their answers are perhaps the most elusive.

For the gild members enjoyment of the fraternity was tempered by harsh realities. Life was precarious. Plague hit Dunfermline on several occasions, and ill-health brought early deaths. It is clear, however, that the town authorities were far-thinking, and made positive efforts to better the physical quality of life. There are signs, moreover, that some gild brethren achieved, for a small town, a relatively high standard of living in their material surroundings. Homes with well-designed, inter-connecting chimneys and roofs, drainage and possibly sewers, with separate sleeping rooms and living quarters were available for the more wealthy members of the gild. Within these houses there is some evidence that although life was not luxurious, it was at least, for these more
fortunate members of the community, comfortable. It may, however, be significant that the one inventory of goods of a deceased gild brother, an educated, wealthy man, suggests that he did not possess a book or a clock, and his life-style still demanded humble tools and spinning and weaving equipment. The level of luxury or sophistication of the gild brethren must not be exaggerated.

Life followed an ordered pattern. There is little evidence of serious crime, although petty misdemeanours receive constant comment in the fifteenth-century documentation. This is not necessarily indicative of a society prone to minor crimes but rather one that attempted successfully to maintain the common peace. Family life followed the traditional pattern, with women still occupying the medieval role as subordinate partners in a marriage, and never entering the gild or holding positions of authority within the burgh, although a minority were burgesses. Only a small percentage of children could benefit from the town's schools, but of these the offspring of gild members would perhaps be the most favoured. Although in practice this education was not available to all, and schooling was orientated towards the provision of the church with clerics, the literacy of a proportion of the gild members and the small but influential number of graduates within their ranks indicates a fair level of education. One wife of a gild brother could write her own name. She came from a cultured gild family and was sister of the common clerk; but in an age when education in Scotland was apparently unknown for any but noble women, this is significant.
Dunfermline society in many ways displayed traditional views and was inward looking; but with a literate middle-class woman, just as with the far-thinking that produced, for example, possibly the first burghal quarantine measures, early paved roads, and an efficient harnessing of water-power, it is clear that here was a group of people about to emerge from medievalism.

This must be partly attributed to the impact of the church. Its effect can be seen in all facets of burgh life, both work and play, and an assessment of the fifteenth-century gild is impossible without constant reference to the abbey. The influence of the abbey was profound: burgh and abbey were not totally inter-dependent but the burgesses chose to involve themselves with support of their altars, maintenance of the parish church and the ensurance of adequate service by chaplains; and within the town the effect of the church was felt through notaries, clerks, clerical gild brethren, schoolmasters and almoners. This influence perhaps goes far to explain not only the conservatism of Dunfermline society, but also the originality that the members of this conventional setting at times displayed.

An insight, albeit partial, into the Dunfermline gild and its members has been gained only by considering it within its own contemporary setting. Too often nineteenth and twentieth-century theorisings on the role of the gild have concentrated unduly on juristic and constitutional notions. These have their place, but it is not a prime one; and historians have missed some real issues. If there is to be an understanding of the
medieval gilds of Scotland the presumption that what was true for large important burghs was inevitably so for the smaller must be set aside; and the hardening delineation of the role of the merchant gild in the burgh in the sixteenth and seventeenth centuries must not be assumed on little evidence to hold true for earlier times. Moreover, wherever possible, gilds and burghs, however insignificant, must be assessed through their own contemporary records as individual communities within the general pattern of burghal development. Lack of documentation for many burghs may appear to preclude this and some issues will remain unsolved, but the available sources may be looked at afresh. The traditional views of medieval gilds must be queried, and those of value retained. But also new questions must be asked of the sources and an attempt made to understand gilds as groups of men rather than merely institutions.

One of the most valuable facets to emerge from the fifteenth-century Dunfermline records is that here was still an essentially medieval town, not yet subjected to the social stratifications and economic tensions faced by larger and later burghs. The gild brethren in many ways pursued a conventional existence, according to the old order. A study of these men and their burgh society, and an attempt to comprehend their thinking and their values, may have made it possible to come a little closer to an understanding of what truly was the medieval gild.
ye qyfle day mecd of man or dail ltpw ym myn fylp fop for famon yl goYP
ye qyfle dny jayd of prase or hynns b ylmul yplyd for fop fpyd of pyf
of ye qyfle yl gylt brod ym ym ypy fpy ym yl fayy ar le prgqy of tsry pllyy
and tr pyg yd yd br ym mlpt ym nsd of fpyd of pyf
I ym dny yl yf bee on nse of mlpt ym yl rpl of 4m pllyy ym yl ym
I ym dny yl of 4m pllyy ym yl yl ym yl ym ym

Ye qyfle day ye mlpl ym yl gylt ym spurt ce of 4m pllyy yl ym ypl of pyf
Ye qyfle day ye mlpl ym yl gylt ym spurt ce of 4m pllyy yl ym ypl of pyf
Ye qyfle day ye mlpl ym yl gylt ym spurt ce of 4m pllyy yl ym ypl of pyf
Ye qyfle day ye mlpl ym yl gylt ym spurt ce of 4m pllyy yl ym ypl of pyf
APPENDIX I

Confirmation charter of King David II to the Regality and Burgesses of Dunfermline, that their trading rights might be secure. 1363.

(Registrum de Dunfermelyn no. 390)

David dei gratia Rex Scottorum Omnibus probis hominibus tocius terre sue claricis et laicis Salutem. Sciatis nos per inspeccionem cartarum quas de progenitoribus nostris Regibus Scocis habent Religiosi viri Abbas et conventus monasterii de Dunfermlyne Jura et libertates regalitatis sue ac eciam burgorum suorum plenius intellexisse. Nos pro salute anime nostre et animabus olim antecessorum nostrorum et successorum dedisse concessisse et hac presenti carta nostra per modum perpetue declaracionis predictis religiosis confirmasse quod videlicet burgenses et mercatores burgorum eorundem in singulis burgis suis licite et libere emere valeant et vendere. ac eciam in ipsis burgis suis de quibuscumque bonis et undecumque venientibus infra omnes metas fines et terminos tocius Regalitatis ipsorum Religiosorum per totum Regnum nostrum mercaturas suas juste excercere tam de lanis coriis et pelibus quam de aliis mercimoniis quibuscumque absque impedimento ministrorum nostrorum seu burgensium nostrorum quoruncumque. Ita tamen quod metas et terminos dictorum burgorum suorum vel Regalitatis sue antedictae in premissis non excedant. Salva nobis semper magna custuma de lanis coriis et pelibus et ceteris mercaturis crescentibus extra metas et bondas dictorum burgorum et regalitatis supradicte. Inhibentes
firmiter ne aliqui burgenses nostri seu quivis alii homines burgenses aut mercatores aliorum quorumcumque homines nostri burgenses vel mercatores de quibuscunque in prejudicium dictorum Religiosorum aut suorum burgensium vel burgorum aut eneruacionem presentia declaracionis nostre et comprimacionis infra Terminos Regalitatis eorumdem jus vel potestatem mercandi seu premissa excercendi in futurum sibi persumant aliquiditer usurpare. In cuius rei testimonium presenti carta nostre Sigillum nostrum precepimus apponi. Testibus . . .
APPENDIX II

Charter of David II to the Abbey of Dunfermline, and its burgesses and merchants, granting the privilege of a port or harbour at Gellet, or Wester Rosyth. 1363.

(Registrum de Dunfermelyn no. 391)

David dei gratia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis Salutem. Sciatis nos pro salute anime nostra et pro animabus omnium antecessorum et successorum nostrorum Regum Scotie dedisse concessisse deo et beate margareta Regine Abbati et monachis de Dunfermelyn ibidem deo servientibus et inperpetuum servituris pro se hominibus suis burgensibus et mercatoribus ut habeant portum apud grangiam de Gellald vel apud Westir Rossith cum consensu dominorum eiusdem pro omnibus bonis et mercaturis tam de lanis coriis et pellibus et ad dictum portum per eiusmod mercatores cariandis et inferendis exportandis et deliberandis libere et licite prout sibi melius viderint expedire. Salva nobis semper magna custuma de lanis coriis et pellibus et ceteris mercaturis crescentibus extra metas et bondas burgorum dictorum Religiosorum et Regalitatis sue supradicte. Tenendum et habendum exercendum et visitandum dictum portum dictis Religiosis et suis successoribus eorum hominibus burgensibus et mercatoribus inperpetuum cum omnibus et singulis libertatibus commoditatibus et aysiamentis et justis pertinenciis ad dictum portum spectantibus seu in futurum ex presenti concessione nostra spectare valentibus quoquomodo adeo libere quiete plenarie et honorifice sicut aliquis portus in Regno nostro liberius quiecius plenius aut
honorificencius a quocumque vel quibuscumque tenetur.
habetur exercetur seu visitatur absque aliquo impedimento
ministrorum nostrorum burgensium vel mercatorum et absque
quacumque exacciona impugnacione clamio vel demanda.
In cuius Rei testimonium presenti carte nostra Sigillum
nostrum precapimus apponi. Testibus . . .
APPENDIX III

Charter from Abbot John to the burgesses of Dunfermline that they should have a Gild Merchant.

(Registrum de Dunfermelyn no. 595*)

Omnibus ... Noveritis nos unamini consensu et assensu dedisse concessisse et hac presenti carta nostra confirmasse pro nobis et successoribus nostris Burgensibus nostris de Dunfermlyn et eorum heredibus imperpetuum Gyldam marcatricem cum omnibus libertatibus juribus et commoditatibus ad liberam gyldam marcatricem pertinentibus vel de iure pertinere valentibus una cum domibus ad dictam gyldam ab antiquo Spectantibus salvo iure cuiuslibet tenendam et habendam predictis Burgensibus nostris et eorum heredibus de nobis et successoribus nostris in vendicionibus empcionibus et omnibus aliis premissio adeo libere quieta planarie honorifice bene et in pace sicut burgenses domini nostri regis in burgis eiusdem domini nostri tenent et possident. Salvis nobis et obedientiariis nostris et eorum ministris pro nostris et obedientiariorum nostrorum usibus empcionibus et aliis antiquitus usitatis iusticia mediantes. In cuius rei Testimonium ...
APPENDIX IV

ALDERMEN OF DUNFERMLINE\(^1\) IN THE FIFTEENTH CENTURY

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1424</td>
<td>Alex Thane(^2)</td>
</tr>
<tr>
<td>1433</td>
<td>John Wright(^2)</td>
</tr>
<tr>
<td>1436-37</td>
<td>Henry Stewart</td>
</tr>
<tr>
<td>1439-40</td>
<td>Henry Stewart</td>
</tr>
<tr>
<td>1441-42</td>
<td>Henry Stewart</td>
</tr>
<tr>
<td>1443-44</td>
<td>Henry Stewart</td>
</tr>
<tr>
<td>1445-46</td>
<td>John of Coupir</td>
</tr>
<tr>
<td>1448-49</td>
<td>John Wright</td>
</tr>
<tr>
<td>1449-50</td>
<td>John of Coupir</td>
</tr>
<tr>
<td>1450-51</td>
<td>William of Kirkcaldy(^3)</td>
</tr>
<tr>
<td>1457-58</td>
<td>John of Cokburn</td>
</tr>
<tr>
<td>1461-62</td>
<td>William of Kirkcaldy(^4)</td>
</tr>
<tr>
<td>1462-63</td>
<td>William of Kirkcaldy</td>
</tr>
<tr>
<td>1464-65</td>
<td>John of Coupir</td>
</tr>
<tr>
<td>1465-66</td>
<td>John of Coupir</td>
</tr>
<tr>
<td>1466-67</td>
<td>John of Coupir</td>
</tr>
<tr>
<td>1468-69</td>
<td>William of Kirkcaldy</td>
</tr>
<tr>
<td>1469-70</td>
<td>William of Kirkcaldy</td>
</tr>
<tr>
<td>1470-71</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1471-72</td>
<td>Thom of Coupir</td>
</tr>
<tr>
<td>1472-73</td>
<td>Nichole of Kirkcaldy</td>
</tr>
<tr>
<td>1473-74</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1475-76</td>
<td>John of Kirkcaldy</td>
</tr>
<tr>
<td>1476-77</td>
<td>William Stewart</td>
</tr>
<tr>
<td>1478-79</td>
<td>John of Kirkcaldy</td>
</tr>
<tr>
<td>1479-80</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1481-82</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1482-83</td>
<td>(Sir) John of Cokburn</td>
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<tr>
<td>1483-84</td>
<td>(Sir) John of Cokburn</td>
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<tr>
<td>1484-85</td>
<td>(Sir) John of Cokburn</td>
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<tr>
<td>1485-86</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1486-87</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1487-88</td>
<td>(Sir) John of Cokburn</td>
</tr>
<tr>
<td>1489-90</td>
<td>William Stewart</td>
</tr>
<tr>
<td>1490-91</td>
<td>David Coupir</td>
</tr>
<tr>
<td>1491-92</td>
<td>John of Mantetht</td>
</tr>
<tr>
<td>1492-93</td>
<td>John of Mantetht</td>
</tr>
<tr>
<td>1493-94</td>
<td>David Coupir</td>
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<td>1494-95</td>
<td>David Coupir</td>
</tr>
<tr>
<td>1495-96</td>
<td>David Coupir</td>
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<tr>
<td>1496-97</td>
<td>David Coupir</td>
</tr>
<tr>
<td>1497-98</td>
<td>David Coupir</td>
</tr>
<tr>
<td>1498-99</td>
<td>William Symson</td>
</tr>
<tr>
<td>1499-1500</td>
<td>William Symson</td>
</tr>
</tbody>
</table>

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1. List compiled from evidence in MsGB and Dunfermline Court Book (manuscript), unless otherwise stated.
2. Huttons Collections* from papers in the Archives of the Burgh of Dunfermline, folio 257.
4. Huttons Collections* from papers in the Archives of the Burgh of Dunfermline, folio 257v.
### APPENDIX V

**BAILIES OF DUNFERMLINE**

1. List compiled from evidence in MsGB and Dunfermline Burgh Court Book (manuscript), unless otherwise stated.
2. Huttons Collections; from papers in the archives of the burgh of Dunfermline, folio 257.
4. Huttons Collections; from papers in the archives of the burgh of Dunfermline, folio 257v.
5. MsGB and MsCB indicate that these 2 bailies were magistrates in either 1465-66 or 1466-67. Huttons Collections; from papers in the archives of the burgh of Dunfermline, folio 257v confirm the latter dating.
6. See text, p. 70.

<table>
<thead>
<tr>
<th>Year</th>
<th>Bailie 1</th>
<th>Year</th>
<th>Bailie 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1424</td>
<td>David Story</td>
<td>1487-88</td>
<td>(John Orak?)</td>
</tr>
<tr>
<td>1433</td>
<td>William Cristyson</td>
<td>1488-89</td>
<td>(Will of Ballune (Oct.88-Mar.89))</td>
</tr>
<tr>
<td>1433-34</td>
<td>Alan Litster</td>
<td>1489-90</td>
<td>(David Litster (substitute Mar.90))</td>
</tr>
<tr>
<td>1438-39</td>
<td>Alan Litster</td>
<td>1490-91</td>
<td>William Spittell</td>
</tr>
<tr>
<td>1439-40</td>
<td>Alan Litster</td>
<td>1491-92</td>
<td>David Litster</td>
</tr>
<tr>
<td>1448-49</td>
<td>John Chapman</td>
<td>1492-93</td>
<td>Alan Wallod</td>
</tr>
<tr>
<td>1450-51</td>
<td>John Wright</td>
<td>1493-94</td>
<td>Alan Wallod</td>
</tr>
<tr>
<td>1454-55</td>
<td>John Chapman</td>
<td>1494-95</td>
<td>Archibald Stewart</td>
</tr>
<tr>
<td>1455-56</td>
<td>John Fleming</td>
<td>1495-96</td>
<td>Andrew Litster</td>
</tr>
<tr>
<td>1461-62</td>
<td>William Jacson</td>
<td>1496-97</td>
<td>John Orak</td>
</tr>
<tr>
<td>1463-64</td>
<td>John Fleming</td>
<td>1497-98</td>
<td>William Spittell</td>
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<td>1464-65</td>
<td>William Jacson</td>
<td>1498-99</td>
<td>Alan Wallod</td>
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<td>1466-67</td>
<td>William Spittell</td>
<td>1499-1500</td>
<td>Robert Scharp</td>
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<tr>
<td>1467-68</td>
<td>David Bra</td>
<td>1499-1500</td>
<td>John Baxter (Oct.-Mar.)</td>
</tr>
<tr>
<td>1475-76</td>
<td>William Spittell</td>
<td>1500</td>
<td>Allan Wallod (Oct.-Apr.)</td>
</tr>
<tr>
<td>1478-79</td>
<td>John Wallod</td>
<td></td>
<td>(John Persone (Jun.-Oct.))</td>
</tr>
<tr>
<td>1479-80</td>
<td>John Wallod</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1480-81</td>
<td>John Wallod</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1486-87</td>
<td>John Wallod</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1486-87</td>
<td>David Litster</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX VI

DEANS OF GILD OF DUNFERMLINE\(^1\) IN THE FIFTEENTH CENTURY

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>Year</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1433-34</td>
<td>John of Coupir</td>
<td>1470-71</td>
<td>William Spittell</td>
</tr>
<tr>
<td>1434-35</td>
<td>Thomas Cristyson</td>
<td>1471-72</td>
<td>Robin of Boncle</td>
</tr>
<tr>
<td>1435-36</td>
<td>Huchoh Mason</td>
<td>1472-73</td>
<td>William Spittell</td>
</tr>
<tr>
<td>1436-37</td>
<td>Davy Halkett</td>
<td>1473-74</td>
<td>David Wer</td>
</tr>
<tr>
<td>1437-38</td>
<td>Davy Halkett</td>
<td>1474-75</td>
<td>Lawrence Fowler</td>
</tr>
<tr>
<td>1438-39</td>
<td>John of Coupir</td>
<td>1475-76</td>
<td>Andrew Litster</td>
</tr>
<tr>
<td>1439-40</td>
<td>John of Coupir</td>
<td>1476-77</td>
<td>David Bra</td>
</tr>
<tr>
<td>1440-41</td>
<td>Alan Litster</td>
<td>1477-78</td>
<td>David Bra</td>
</tr>
<tr>
<td>1441-42</td>
<td>William of Kirkcaldy</td>
<td>1478-79</td>
<td>(Lawrence Fowler (Oct.))</td>
</tr>
<tr>
<td>1443-44</td>
<td>John of Coupir</td>
<td></td>
<td>(William Spittell (Nov.-Mar.))</td>
</tr>
<tr>
<td>1444-45</td>
<td>John Bothwell?</td>
<td></td>
<td>(Mastir Henry of Kirkcaldy (Jun.))</td>
</tr>
<tr>
<td></td>
<td>William of Kirkcaldy</td>
<td>1480-81</td>
<td>Lawrence Fowler</td>
</tr>
<tr>
<td>1445-46</td>
<td>John Bothwell</td>
<td>1481-82</td>
<td>(Andrew Butler (Oct.-Dec.))</td>
</tr>
<tr>
<td>1446-47</td>
<td>John Bothwell</td>
<td></td>
<td>(Lawrence Fowler)</td>
</tr>
<tr>
<td>1447-48</td>
<td>John Bothwell</td>
<td>1482-83</td>
<td>David Bothwell</td>
</tr>
<tr>
<td>1448-49</td>
<td>Sir John Williamson</td>
<td>1483-84</td>
<td>Lawrence Fowler</td>
</tr>
<tr>
<td>1449-50</td>
<td>John Bothwell</td>
<td>1484-85</td>
<td>John WalloD</td>
</tr>
<tr>
<td>1450-51</td>
<td>Sir John Williamson</td>
<td>1485-86</td>
<td>Sir James Gudswane</td>
</tr>
<tr>
<td>1451-52</td>
<td>David Wright</td>
<td>1486-87</td>
<td>Sir James Gudswane</td>
</tr>
<tr>
<td>1453-54</td>
<td>John Chapman</td>
<td>1487-88</td>
<td>Alan Wallod</td>
</tr>
<tr>
<td>1454-55</td>
<td>Thom Bra</td>
<td>1488-89</td>
<td>William Spittell</td>
</tr>
<tr>
<td>1455-56</td>
<td>John Chapman</td>
<td>1489-90</td>
<td>John Wallod</td>
</tr>
<tr>
<td></td>
<td>Alan Litster?</td>
<td>1490-91</td>
<td>William Spittell</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1491-92</td>
<td>William Jacson</td>
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<tr>
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<td></td>
<td>1492-93</td>
<td>Alan Wallod</td>
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<tr>
<td></td>
<td></td>
<td>1493-94</td>
<td>William Spittell</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1494-95</td>
<td>William Jacson</td>
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<td>1495-96</td>
<td>John Wright</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1496-97</td>
<td>(John WalloD)?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1498-98</td>
<td>John Wallod</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1498-99</td>
<td>John Baxter</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1499-1500</td>
<td>Henry Barbour</td>
</tr>
</tbody>
</table>

\(^1\) List compiled from evidence in MsGB and Dunfermline Burgh Court Book (manuscript).
APPENDIX VII

'The Burrow Roll of Dunfermline'
(pages 364-367 of Dunfermline Burgh Court Book SRO, B20/10/1)

Precise dating is difficult. The inclusion of Sir Alexander Logan who was deceased by 1494 (Dunf. Recs., 49) would suggest immediately a roll made prior to this year; and this appears to be confirmed by other names. There is evidence otherwise, however. Sir John Clavie and Dene Robert Swinton, for example, are also included. The first reference to them as chaplains is in 1499 (Dunf. Recs., 101) which would imply the Roll was compiled after this date. Several members of the Murray family are also included. David Murray was active in the burgh between 1459 (Dunf. Recs., 14) and 1503 (Dunf. Recs., 127); his brother was Robert (Dunf. Recs., 138), and the burgh roll includes 2 Roberta, one 'olim'. The son of Robert Murray, and nephew of David, was John, who became a burgess in 1504 (Dunf. Recs., 138), and his name is not included so the roll may probably date from before this year. William of Ballune was a noted member of burgh society throughout the 1490s. His name is not included; but a John of Ballune is. If this be the John who was a witness to a 'possessio' in 1492 (Dunf. Recs., 312), the name of William of Ballune should also be included. More probable, therefore, is that this John is the son of William, who became a burgess in 1499 (Dunf. Recs., 108) by right of his father William, and was himself deceased by 1508 (Dunf. Recs., 170). The non-inclusion of the Litster family, particularly Andrew and David, argues against an early 1490 compilation also. The evidence, on balance, while not definitive does suggest that the roll was drawn up sometime between 1499 and 1503.
APPENDIX VIII

THE GILD LANDS

The lands which passed from the gild to the Bothwells between 1445 and 1474 were extensive. This is confirmed several times in the sixteenth and seventeenth centuries.¹ A papal confirmation, for example, of the transference of the 'guildelands' belonging to St. Mary's Dunfermline to one James Murray of Perdies, dated at Rome 1547 indicates that the lands,

\[\text{iacen(te) in regalitate de Dunfermling ex parte australi monasterii et burgi de Dunfermling inter grangiam orientalem et lie Lymkilhill ad austrum terras dicti Jacobi Murray vocat(as) lie perdewis ad occidentalem lie stanyacer et terres hospitalis divi Leonardi ad orientem at lie hauchis ad boream.}²\]

Again, when the Gild lands were resigned in favour of one William Monteith in 1625 the lands are delineated as

The haill of the chapel lands commonly called guildelands alias campsie knowis liand on the southt side of the monasteris of Dunfermling betwixt the eist grange and Lymkill hill on the southt the landis of Perdies at the west the stainy acris and landis of the spittal of St. Leonard on the eist and the elimosinaris landis on the northt partis.³

The 'Protocol Book of John Cunningham' not only confirms the siting of the Gild lands, but gives some indication of the size and quality of the land on 18 September 1560.

Dominus Alexander Walwod olim capellanus de Bothwellis alter situatus in ecclesia parochiali de Dunfermlyn accessit ad terras

---

¹. Muniments of the Earl of Elgin and Kincardine; 46/4; 46/15; 46/17; 46/20; 46/22; 46/67; 46/83; 46/84; 46/86; 46/89; 46/91.
². Ibid., 46/86.
³. Ibid., 46/84 and 46/85.
suas de Gudely landis contentas sex decim
acras terre arabilis jacentes infra regali-
tatem de Dunfermelyn et vicecomitatum de
Fyft inter terras nuncupatas lie stany
acre occupatas nunc per Jonate Wyld et
terras de Spittall ex orientali terras
de Grang et Wyndmyhill ex australi terres
vocatas lie stany acre ex occidentalis
et torrentam vocatam lyne ex boreali
dipientibus.  

4. 'Protocol Book of John Cunningham', 23, and see map, p.203.
APPENDIX IX

The inheritance of Marjorie Wallod, widow of John Wilson
Burgh Court Book of Dunfermline. S.R.O. B20/10/1, p. 209

Instrumentum Marioris Wallud relicte quondam Johannis
Vilsone in Dei nomine amen per hoc præsens publicum
instrumentum cunctis pateat euidenter quod anno incarnacionis
dominice millesimo quingentesimo xxij mensis vero Octobris
die xxv indictione x, In mei notarii publici et testium
subscriberum presencia personaliter constitutus proba
mulier viz. Maroria Vallud relicta quondam Johannis Vilsone
quandam litteram papeream michi tradidit perlegendam copiandam
examplandam et in publicam instrumenti formam redigendam
Cuiusquidem littere tenor sequitur sub hac forma e talis.
In primis ane siluir spovne the best govne ane cot and ane
jakat ane doublat ane pair of hois hat and bonat belt and knyf
and best sark. Item ane burd claitht with tovalis and
vilecot ane pair of schetis and nychtcurch ane great kyst
kame and mirrour. Item ane pair of spurris ane suerd
ane foddir bed ane vardour ane boster cod and blankatis.
Item ane pres ane haly vater fat ane hors kame, ane langsadill a
schoving horne ane chair ane stull ane furme ane quart of tyn
ane tyn pynt ane chopyn and muchkyn of tyn ane chanlar ane
mortar and pestall ane pair of piper quernis ane pot ane pan
ane posnet ane pair of pot bullis ane tangis a chymnay a
chargeour ane gardyn ane chafer ane saltfalt ane goblet ane
plait ane sausar ane truncheour ane disch ane cunterfut ane
bassyn and lavar ane cuk ane speit" ane kettill ane gus pan
ane hand ax ane ladill ane aiccop a cussing ane strek bed,
an e pair off voll kamys, ane kamenstok ane silcruk ane hakkill

1. It is interesting to observe the similarity of cooking utensils
to those noted in the kitchen of the Manse of Stobo in the early
sixteenth century (see McNeill, F. M., The Scots Kitchen, 45).
ane gillot of tua yeir ald a pair of brodikynnis, ane sadill bridill with sterrop ladderis ane graip ane spynnyn quhell, ane laven tub, ane bakbred ane girdill ane sif ane bakyn claitht ane schil, ane veschell amry, ane comptir burd ane maill schryne ane schryn in the bough the pantit claitht ane maskene fat, ane voll creill ane pair of woll scheris, ane Danskyne toll ane pair of mustarstanis ane cimmyn ane mait amry ane skop of stra, ane hud any brewyn stull ane wey bauk, ane pair of ballancis, ane middill bauk and ballancis ane full trois pund, ane leddyn stane, ane leddyn half stane ane leddyn quarter ane flesch barrell ane lang burd ane brest curr ane naipkyne. Qua quidem littera suprascripta per me lecta, Alexander Vilsoune frater quondam Johannis Vilsone antedicti personaliter pro tunc presenter fatabatur se solutum et gratanter deliberatum per manus suprascripte Mariorie Vallud relicta quondam dicti Johannis de omnibus et singulis bonis suprascriptis singillatim et per se et quittum clamavit dictam Marioriam heredes suos et assignatos pro se heredibus suis et assignatis de omnibus et singulis suprascriptis bonis vt premittitur Preterea dictus Alexander dimisit unum le var amry pro merchancis, et promisit quod staret in botha anteriore durante vita ipsius Mariorie Vallud. Super quibus omnibus et singulis premisis sepefata Marioria Vallut a me notario publico suprascripto sibi fieri petiit presens publicum instrumentum. Acta in botha anteriore tenementi siue hospicii dicte Marioriae hora inter terciam et quartam post meridiem sub anno mense die indicione quibus supra. Presentibus honestis probis discretis que viris viz. Domino David Blak capellano Thoma Vallud Jacobo Stewart
Symone Caruour et Vilelmo Boswell cum diversis aliis
testibus ad premissa vocatis pariter et rogatis.

Et ego Andreas Pacok prisciber Sancti Androis diocesis
publicus sacra apostolica et regali autoritatisibus notarius
Quia premissis omnibus et singulis dum sic vt premittitur
agerentur dicerentur et fierent unamcum pronominatiis testibus
personaliter interfui Eaque omnia et singula sic fieri dicit
sciui et audiui ac in notam cepi. Ideoque hoc presens
publicum instrumentum manu propria scriptum exinde confeci
et publicauit Signo quoque nomine et subscripione mea
solitis et consuetis signai rogatus et requisitus in
fidem et testimonium veritatis omnium et singulorum
premissorum.
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