

which are strikingly illustrative of the condition of the country. Every baron, within his barony, is directed, at the proper season, to search for and slay the wolves' whelps, and to pay two shillings a-head for them to any man who brings them: the tenants are commanded to assist the barons on all occasions when a wolf-hunt is to be held, under the penalty of "a wedder" for non-appearance; and such hunts are to take place four times in the year: no cruves, or machines for catching fish, are to be placed in waters where the tide ebbs and flows, for three years to come: where the merchants who trade to the continent cannot procure Scottish ships, they are permitted to freight their cargoes in foreign vessels: no lepers are to be permitted to dwell any where but in their own hospitals, at the gate of the town, or other places without the bounds of the burgh; strict enquiries are directed to be made by the officials of the bishops, in their visitations, with regard to all persons, whether lay or secular, who may be smitten with this loathsome disease, so that they may be denounced, and compelled to obey the statute; and no lepers are to be allowed to enter any burgh, except thrice in the week, on Mondays, Wednesdays, and Fridays, between the hours of ten and two, for the purpose of purchasing their food; if, however, a fair or market happens to be held on any of these days, they are to come in the morning, and not to mix indiscriminately with the multitude.

If any clerk, whether secular or religious, is desirous of passing beyond seas, it is made incumbent on

him first to come to his ordinary to show good cause for his expedition, and to make faith that he shall not be guilty of any kind of simony or "barratry,"—a word meaning the purchasing of benefices by money. All such defaulters or "barratores" are directed to be convicted, under the statute already made against those who carry money out of the realm; and not only all such as may be convicted of this crime in time to come, but all who are now without the realm, being guilty of it, are made liable to the penalties of the statute, and none are permitted either to send them money, or to give them assistance, to whatever rank or dignity in the church they may have attained.¹ It is enacted, that no man shall dare to interpret the statutes contrary to their real meaning, as understood by those who framed them; and that they who are litigants in any plea, attend at court simply accompanied by their councillors and "forespeakers," and such sober attendance as befits their estate, and not with a multitude of armed followers on foot or horseback.

In the same general council some strict regulations occur regarding the prices charged by various craftsmen, such as masons, smiths, tailors, weavers, and the like, who had been in the practice of insisting upon a higher price for their labour than they were by law entitled to. Wardens of each craft are directed to be yearly elected in every burgh, who, with the advice

¹ Acts of the Parliament of Scotland, vol. ii. p. 16. Skene, De Verb. Signif. voce Barratry.

of other discreet and unsuspected men, are empowered to examine and estimate the materials and workmanship of every trade, and fix upon it a certain price, which, if exceeded by the artificer, makes him liable to forfeit the article thus overcharged. In lands without the burgh the duty of the warden is to be performed by the baron, and the sheriff is directed to see that he duly performs it. The council concludes by an act, imposing a penalty of forty shillings upon all persons who slay or take partridges, plovers, black cocks, gray hens, muir cocks, by any kind of instrument or contrivance between "lentryn and August."

It may be remarked, that the meeting of the three Estates in which these various enactments are passed, is not denominated a parliament, but a General Council, a term apparently implying a higher degree of solemnity, and conferring perhaps upon the statutes which are passed in it a more grave and unchallengeable authority than the word parliament. It is difficult, however, to understand the precise distinction, or to discover wherein this superior sanctity consists; for, in looking to its internal constitution, we find that the members who compose the general council are exactly the same as those which sit in the parliament; the bishops, abbots, priors, earls, barons, and free tenants who hold of the king in capite, and certain burgesses from every burgh in the kingdom, "some of whom were absent upon a legitimate excuse, and others contumaciously, who, on this account, are found

