

This charitable institution was founded on a charter granted by King James VI., in the year 1569; in which his Majesty says, "It is incumbent on us to provide, by all honest means, an Hospital for the poor, maimed, distressed persons, orphans, and fatherless children within our said burgh; we have therefore given (omitting the usual legal phraseology) to the poor members in Jesus Christ, now and in all time coming, residing within our burgh, all and hail the lands, tenements, houses, biggings, kirks, chapels, yards, orchards, crofts, ground annuals, fruits, duties, profits, emoluments, farms, alms, deal silver for the dead, anniversaries, annuities, and others whatsoever which in any way pertained to chapelaries, altarages, prebendaries, founded in whatever kirk, chapel, or college within the liberty and privilege of our burgh, in possession whereof the chapels or prebends thereof were originally, the said *et cetera* are lying, or were uplifted respectively, with the manor, places, yards, lands, ground annuals, emoluments, and duties whatsoever which formerly pertained to the Dominican or Predicant friars, to the Minor or Franciscan friars, and to the White Friars of our said burgh; together with the yard belonging to the Monastery or place of the Charter-house in our said burgh: as also, all and sundry, other lands, houses, and tenements lying within said burgh, given and founded to whatever chapelaries, altarages, kirks, monasteries, or anniversaries wherever they are within the kingdom: as also, all and sundry ground annuals and other duties, which can be demanded by whatsoever kirk without our said burgh, from the provost, bailies, or inhabitants out of the revenue of said burgh, and all and sundries of the foresaid to be holden by the said members of Jesus Christ, and present being, and to be therein in all time coming of us and our successors for ever." This charter is of great length, and is dated St Andrews, 29th August 1569.

There is a second charter granted by James VI. in favour of the Hospital, dated July 29 1587, which is a recapitulation of the former charter.

These charters are confirmed by an act of the eleventh Parliament of James VI., holden at Edinburgh, and dated 9th July, 1587 years.

There is a second Act of Parliament, held at Edinburgh, being the Twelfth Parliament of James VI., dated 5th June 1592, in which a privilege is granted to the Hospital of Perth, concerning "Tennant, Tennantries, and services of free tenants."

The King's Precept of Sasine upon the new gift to the Hospital, was dated at Edinburgh, 29th July 1587. The Sasine of the Hospital rent in consequence of the King's precept, was dated 13th March 1587 years.

When James VI. had attained the age of twenty-one years, and in the Parliament held in Edinburgh, 29 July 1587, had passed the famous act of the general Revocation of Church Lands and Revenues to the Crown, it became necessary that the rights of the Hospital at Perth should be renewed; especially as the former gift had been granted during his minority. Money as well as interest at Court, it might be expected, would be requisite for that purpose, both because of the composition money which the King might demand as the reparation of the gift, and because of the customary expenses of employing lawyers, and of getting deeds expedite by the officers of the Crown.

The Commissioner from Perth to the Parliament was William Fleeming, a man of great plainness and integrity, one of the most popular and respectable citizens in his time. He had the good fortune to be much in favour with the prime Manager at Court, the Chancellor Maitland, Lord Thirlestone, chiefly by means of the Chancellor's Lady, who was Jean Fleeming, daughter and sole heiress of James, the fourth Lord Fleeming, to whom William claimed kindred.

*Letter of William's Nephew, Oliver Colt, advocate*:—The signal services done by William Fleeming in the affair of the Hospital, and the manner in which the gift was obtained, appears from a copy of a curious letter written by his nephew, who was the lawyer employed to assist his uncle; dated 'Edin. 22 August 1587,' directed to Patrick Ray, merchant, Perth, then Treasurer to the Hospital:—"To his well-beloved mate, Patrick Ray, Burgess of Perth, after most hearty commendation, these are to advertise you, that your gift of the Hospitality not only by act of Parliament, is confirmed with a New Gift *de novo* damus, and all things prejudicial thereto reduced, but also the same to be put under the great seal, and that in the same form as you and I devised often times in privy conference, and especially in the Kirkyard of Kinnoul, at Midsummer, when I was last there, and that with good convoy as you shall understand at meeting. When you see your new act of Parliament, and an

new confirmation under the great seal, I hope ye shall have occasion to rejoice that such an good work has been done in your time. The act of Parliament would have served us, but the Chancellor and Trasurer would not suffer the same to pass, except the same passed to the scaller of the nine, and that for the commodity of the composition to the Trasurer, and commodity of the seals to the Chancellor, which condition was accepted by the hail Barrons, and could not be refused by us, namely, that the gift given by the King in his minority came under the revocation, and was null otherwise; whereas a great part of the Hospitals of the other Burghs were granted by the Queen after her perfect age. Moncrieff gave in an supplication to the Parliament for reducing of his twenty bolls of victuall paid to the Black Friars for ten merks, which was refused; therefore he had reiterate the same to the Chancellor, Trasurer, Comptroller, and Collector, which are the four Lords Compositors, and he offered large composition, far above that which the toun should pay; and he had not failed, but would have got the same passed, if either the Chancellor or William Fleeming had been absent; which offer of his made the toun's composition dearer nor it would have been, for the Lords Compositors, in respect of the Chancellor's earnestness, and of the good will born of them all to William, whom the Chancellor calls his mate at ilk word, and the hail rest Gentle William Fleeming, refused Moncrieff's desire, and would not dismember the Hospitality. But they asked an thousand merks for the Toun's composition, which they said was over given cheap, in respect that the confirmation of Edinburgh's gift given in the Queen's majority, was composit for a thousand pounds, which they alledged should have been thrice as meikle; and so the Chanciller, sore against the wills of the rest of the Compositors, caused your composition to be made three hundred pound. And when they were going to write the same at the suit of the signatour, William prayed them to stay and hear him twa words, and so William very lammentably deplored the Touns estate, the decay of their brig, walls, and kirk, and common works, the great debt the Toun were in, the great number of the poor that were to be sustained upon the rent of the Hospitality, and how the present commodity thereof was very small, and the parts bestowed to bear the sick (in time of the plague) and that they had nothing to pay the Poor's Composition but their own rent and bluid. They answered that William had declared the same often before, and they moved whether his declaration had brought the composition of a thousand merks to three hundred pounds. Then William, with a laughing countenance replied and said, ' My Lord Chancellor, seeing that for the causes foresaid the

composition is brought from a thousand merks to three hundred pounds, then it will please your Lordship to remember the promise you made yesterday upon your own bed-stock to my aunt, your Lady and bed-fellow, and me, at which time your Lordship promised to get an ease in the Composition, and the same being gotten to get one-third thereof discharged for her cause, and another third for my own cause, in arles whereof she gave your Lordship ane kiss, which was accepted by your Lordship, upon the same promise and condition :—whilk moved an laughter, that they forgot the thing that was in their hand. To which the Lord Chancellor replied, that it was sure promise indeed; and he prayed the Lords Compositors to help him to keep the same, seeing it was an promise made to an Lady, which should not be broken; and was assured that Secretary Seton, Comptroller, and the Provost of Linchuden, Collector, who were both woovers, would take his part, and so they presented the pen into his own hands, and he puts in an hundred pounds for the Composition, and so they all said the dealing of William was not without the wiles of me his sister's son, who was standing at his back, indeed, and caused him keep the Secretary's promise, while the last refuge; and I thought with myself that where all the favour was shewn that could be shewn, that the same would do no evil, and my opinion succeeded well. The hail Lords Compositors commended us to keep our composition secret, and not divulgate the same: and the Chancellor says to William, "shew your aunt, my bedfellow, that I have keepit my promise to her as an loyal Knight ought to do to his Lady.

"It was God that provided William to be in commission at this time, because he is so well known by great and small; the hail Lords especially have been so familiar with him that they have inquired at him the whole state of your town thir years bypast, which they lament.

"So because they understand that the Princes were well served, and the town flourish'd when the same was governed by Magistrates of your own bowels, and that since the same was governed by others, the authority had gotten evil service and the town brought to decay; therefore they desired and shew that it is the King's Majesty's mind and will that in the election of your Magistrates ye should observe the acts of Parliament, and should admit none into the sect neither to bear office or be in the Council, only these Burgesses Traffickers who dwell scot and lot within the burgh, with other good and private Council."

Mr Oliver Colt goes on to marvel "that they were so long in sending silver to outred; albeit they should contribute greatly among themselves. Will. Fleming can declare that the expense will be altogether Two Hun-

dred Pounds." He then recommends secrecy, "praying you to keep all quiet until ye get your act of Parliament and Great Seal into your own hands, for then I count the Hasp on the Barn door, and before that time I count nothing indeed, for many things may fall between the cup and the lip." He then goes on to state the great expense William Fleeming had been at; he was in a grand estate, being one of the Lords of secret articles, and could not be absent. After commending William for his great exertions, he again says—"I pray you that some be hastened here with silver to outred the common affairs so long as he was present."

"And so ceasing to trouble you farther, I commit you and all other good friends to the keeping of Almighty God, the 22 day August 1587. Yours at your peace, Mr Oliver Colt. Read, thrive, and keep secret."

It appears that ten burghers came forward and pledged their silver plate for the sum of two hundred and thirteen pounds six shillings and eightpence, whereby they purchased the gift of the Hospital. It also appears that these ten burghesses did not get payment of that sum until the 15th April 1588; and Oliver Colt's discharge appears to be dated 1592. It appears that in May 1597, twenty-one pounds were collected for reparation of the Kirk.

*From the Session Records.*

In the session records there are several chasms, where the record is either lost or not been kept; some of them for months and years.

"Feb. 1578.—The Master of the hospital to request the Bailies to clean the Cros so as the door may open and steik to by locks, for the Irons where delinquents do pennance at the Cros."

"20 Nov. 1581.—Ordains all possessors of altarages to put up lights in the kirk, and to put on the Sunday a twopenny candle; this to be done by the sound of the bell through the town. Ordains the Bailies to purge the kirk of wood and all materials that are portable."

"12 Feb. 1581.—Whilk day for so meikle as the Deacon of the Wrights compearing before the assembly (at that period the session assumed that name) did earnestly require in name of the hail Brethern in his craft, that place in the kirk whilk was assigned to them before betwixt the twa Pillars next the Pulpit, on the north side of the kirk. The Ministers and Elders allowing their Godly zeal and good will to decoir the house of God, grants them leave big seats in that same place to their own ease, provided always that the seats builded by them be decent and comley at the sight of the Minister and Elders, as ought to be in the Kirk of God; and moreover, because the other crafts are desirous to have

places of old assigned to them, the assembly grant the same, provided every Deacon decoir the place assigned to him in a proper manner before Palm Sunday."

"2d July 1582.—Whilk day for as meikle as John Swinton of the sang school, being found not qualified for that office, and divers other faults, and disagreeing with those who held office in the Church of God, ordained that he should never pretend to such an office in time coming."

"12 Nov. 1582.—Whilk day compeared Marjory Gibson, and being first accused of her own harlotry, and secondly, of burying infant unbaptised, without knowledge of Nicol and the bellman, which she plainly denied."

"3d Dec. 1582.—Whilk day the friends of William Tary, who drowned himself at the head of the South Inch in the water of Tay, coming unto the Ministers and Elders assembled in their Bevestry, and desairing Bence at the assembly to bury the said William in the Grayfriars, whilk is the burial appointed for the faithful that depart in the fear of God, the assembly answer in one voice that they would not suffer him to be brought through the town in day light, neither yet to be buried amongst the faithful in the place appointed for them, but ordains him to be buried in the little Inch within the water; and this to have the strength of an act in all time coming to all such like persons; and assuring all that if any contraveens the same, the dead shall be taken up again, and the Contraveeners hereof shall make their public repentence on the stool, and pay ten pounds, to be given to the poor.

"Jan. 29, 1583.—The bell to go through the town as before, charging all who have timber in the church to remove the same out of the kirk."

"1584, Oct. 18.—Number of elders elected; ordained their names to be presented to the Bailies and Council, that they may desire and command the Persons written to take upon them the office of Elders for the present year."

*Threat to Excommunicate the Bailies.*—30 Augusti, 1585. Forsmeikle as through the negligence off the balzies sundrie var not pwneischi yat contempnit the kirk and the ordnances thairoff, Thairfore the assemblie vith ans voice ordanit the minister to proceed vith admonitions before excommunication agains the balzies, in caiss thay pat not the kingis majesties actis off parliament to execution against Thomas Smyth on Satterday nixt, and in all tyme comming agains all sik public offendars; and that the balzies may be foresein off this ordinance, ordains Dyoneses Conquerior and Duncan Robertson to speik tham, and to report the balzies anser to the Minister on thursday next, yat in caiss they do thair dewtie

he may stay to proceed, otherwais that he gyff the first admonition on thursday nixt cam, and in case of disobedience on Sounday com ought, to excommunicat thame without ony farther delay, and that act to haiff place not only agains the balzies present, bot in caiss thair successoris balzies do not thair dewtie, that in lyk mainer the minister of this congregation sall proceed agains them, yat gud order may be observit within our burgh, and the kirk may gett obedience.

“16 Octobris, 1585. The Sessioun appointis Patrick Kay and Henrie Lys to be Mrs of Hospitall for this year, ordaining thame to interpryse nathing thairin without the adwyse of the counsal and session; and because thay ar bot collectoris of the puris liwing, quha may spair na fie for service done to thame, Thairfore the Sessioun dischargis the fornamit Mrs of Hospitall of all the fie and dewtie yr predecessoris; Mrs of Hospitall, had befoir; and sielyk ordanis yat na Mr of Hospital haiff ony fie for thair service in tyme comming, bot frelie serve and be diligent in thair calling, for thair reward they sall haiff from God.

“27 June 1586.—For as meikle as the Minister and Elders, perceiving the ruinous, pitiful; great; and lamentable state of the kirk in all parts and places thereof, and the great decay that is still to incur thereupon, and being deeply in heart and in conscience angry therewith, in one voice and with one consent ordains the Minister to ommit his ordinary text wherein he preached before; and to chuse some portioit of scripture whilk he throught most able and meet to move the hearts of the people, especially the Bailies and Magistrates, whatever bearing rule and authority in the said burgh, to provide that the same were repaired in all honest and decent form, whilk failing and not being in no ways done, all should return to ruin.”

“10 Jan. 1589.—By act of Parliment and General Assembly, it is ordained there shall be no more burials within the kirk, nor the floors to be broken or altered; and ordains that the kirk floors shall not be raised or broken in all time coming.

“Whilk day Wih. Rhynd, son of Sir Robert Rhynd, resigns the altarages of St. John, St. Laurence, and St. Michael Arch-Angel to the Hospital.”

“27 March 1592.—David Jackson, subtennant of the Lands of Blackfriars, by command of the Ministers and Elders, did advance to Collin Eviot of Balhouse altogether and at once in advance, 900 merks, being three years rent of, excepting 120 merks; the whole rent for three years being 1040 merks.”

“19 Jan. 1596.—The Session appoint Thomas Gall and Donald John-

ston, Elders, to compare before the Council, that the common seat of the Provost, Bailies, and Council, may be builded."

It appears that several collections were made on the Sabbath for repairing the kirk. One of them, "14 April 1600.—The Bailies and Elders collected last Sabbath for repairing the kirk, six score and two pounds twelve shillings and ninepence."

"23 Sep. 1605.—Because the sins of Fornication and Adultery does encrease more and more, to the great offence and dishonour of God and slander of this congregation, the Session ordains that a more public place of repentance be bigged, and to contain degrees that therein Fornicators and Adulterers may be distinguished both by their place and habit."

"6 March 1609.—There was collected at the Church doors for repairing the roof of the kirk, one hundred and twenty pounds fifteen shillings; and on the 11th of September same year, for the kirk and steeple, one hundred and eighteen pounds."

"10 January 1616.—Halkerston's tower (above the West Church door) to be repaired with strong bolts and locks, of the penalty of five merks of fines received."

"5 June 1616.—Gregory Johnston has promised to bring cake lead from Dantzic for the reparation of the steeple."

"4 Novem. 1616.—The Session finds that the Bailies contemn the Session, because by the space of five weeks past none of them has compareed before the Session to report of the visitation on the Sabbaths, and to put in execution the ordinances of the Session, as they should so conform to old use and wont, and therefore protest for remeed as effeires."

"20 Jan. 1617.—For as meikle as the Session understanding that Gilbert Robertson, tennant in a laigh house in the South-street pertaining to the Hospital, whilk wants a chimney, and yet has daily ingill therein, to the perilling of the hail tenement to be set on fire, ordains that no ingill be kindled nor used in said house hereafter; and the Bailies are requested to inforce their authority for that effect."

"5 May 1618.—The Session ordains John Brown to make an substantial common Mort Kist, for burying the corpse of the Poor."

"15 May 1620.—The Session ordains the Master of the Grammar school to be admonished to cause the Bairns of the Grammar school come two and two in order therefrom to their seat in the kirk, and make no tumult or perturbation at their coming and sitting down in their seat, and for that efficit go before them, and at their going back again to the school to give their notes, the going back to be in the same manner; with certificates that if Mr Johnstone fail in doing this, the bairns will be reduced to their old seat, and the new one made common."



" 17 Nov. 1620.—Agreed with Robert Doig, that he shall pas down to Kingudie, and there wyle twenty-six sufficient stones, summer-won, to be thirteen ovals to the Barmiken of the steeple; cause bring the same up the river, and hew them sufficiently, according to the form of the old work of the Barmiken, and sicklike; to wyle fourteen rough stones, for Aislars to said work; the same to be transported up the river,—for which he shall have fifty-four pounds, thirteen shillings, and four pennies."

*Inundation.*—" It is to be noted, and put in register in this book, the great and miraculous deliverance that the Lord gave to this burgh of Perth, an fearfull inundation of waters, compassing the same on all parts therethro; the Brig of Tay was haillilie dung down, except only ane bow thereof left standing; none could get forth it, nor yet come within it, to make any relief thereto. The manner of the rising of the waters was this :—The rain began on Friday the 12 of October 1621, about ten hours of the day; it continued that day and Saturday; and in the night, unlooked for, the water increased, so that all those that dwelt outwith the Castle Gavel port in low houses, behoved to go to high houses for preservation of their lives: and being in high houses, the water rose to the lastings in the highest mid-house in the Castle Gavel before six hours in the Sunday morning; and the wind and wet continuing, the water came up to Gilbert Henderson's yett in the Castle Gavel, and to Margret Moneypenny's yett in the fish mercat, to Donald Johnston's yett in the High-gate, to the Meal Vennel in the South-street; and the water ran like mill-slouises at the yetts of divers parts in the north-side of the High-gate. An great tempestuous wind blew all this time from the east; the waters also came above Henry Sharp's shop in the Speygate. The like fearful inundation of waters was never seen in Perth, in ne living man's remembrance,—whilk brought the people under such fear, that they looked to have been destroyed. Whereupon Mr John Malcolm, minister, powerfully endowed with God's Spirit, caused ring the preaching-bell on Sunday at seven hours in the morning; and the haill inhabitants came to the kirk, and there he exhorted them to repent of their sins, whilk had procured the said judgment of God to come upon the city, assuring them that if they were truly penitent therefor, and would avow to God to amend their lives, God would avert his judgment, and give them deliverance;—whose powerful exhortation moved the people to cry to God with tears, clamours, and cries,—to hold up their hands to God, to amend their lives, and every one of them to abstain from their domestic sins. The like humiliation, both of men and women, had not been seen in Perth before. Fasting, preaching, and prayer, continued all that week, our pastor continuing to exhort them to true repentance and amendment of life.

The waters began to assuage after noon on Sunday ; but after day-light passed, there arose an greater tempest of wind and rain, whilk so afeared the people that night, that they looked for nothing but that the waters should have risen to greater height. Notwithstanding thereof, miraculously, the waters decreased, whilk in the morning moved the people, in the kirk and all other places, to give hearty thanks to God for [his] mercy towards them. Great plenty of corn, in all parts, both stacks and stooks, on hanghs and valley-ground, were carried away by the waters ; and divers sheep by tempest perished, and horse, nolt, and kye, and sheep [were] drowned."

" 14 Jan. 1622.—The Session sets down eleven merks to be taken from John Lamb and John Brown, per ilk boll of their farm-bere of the crop 1621, on the farm of the Blackfriars," (equal to 12s 2½d sterling per boll.)

" 31 Jan.—The Council and Session agree that they shall have a second minister."

" 21 Feb. 1621.—Andrew Conquerour, overseer for the reparation and theiking of Mercer's Aisle, produced his accounts, whilk being read, were found equitably given, and admitted, whilk amounted to eight score eight pounds, sixteen shillings, three pennies."

" The 7 March 1622.—Mathew Lamb obtained a tack of the lands of Blackfriars, 71 bolls and 71 pecks of bere."

23d May 1631.—From a minute and receipt of a ground annual from Lord Sanquhar, it appears that his lodging was in the Speygate. From several other minutes, it appears also, that the power of appointing the town bellman, and a person to ring the church bells, was invested in the Kirk Session. In one clause it is enacted, that " one-third of John TENDER'S Wage shall be given to three honest misterful persons therein named."

From the year 1590 to the year 1616, there had been no less than twenty public collections for repairing the kirk, and four for repairing the steeple.

" 30 Dec. 1616,—In the new kirk, with the Bishops and Council present—the Archbishop of St Andrews, the Archbishop of Glasgow, Bishop of Dunkeld, Bishop of Galloway, Bishop of Dunblane, Lord Sanquhar, Lord Scone, John Malcolm (minister), the Bailies, Council, Deacons of Craft, and Elders there,—of whilk day it is agreid, for better ordering of all matters in the Kirk and Session, that the Provost and Bailies hereafter shall always be elected and chosen members of the Session."

From the year 1569 to the year 1616, it appears that several orders had been issued to certain individuals to provide a house for

the poor ; but nothing further was done during that period, nor indeed until the year 1750, when the present Hospital was built. Upon the completion of this erection, an hospital-master, an hospital-mistress, and a teacher (who also acted as chaplain), were appointed ; and a certain number of aged persons, male and female, and children, were admitted to the establishment. About the year 1784, when the cotton-jennies were introduced, the boys and girls of the hospital were employed in reeling the copes, which they held between their knees by a pin, with their legs inclining outwards on each side. In consequence of close confinement to this awkward position, the children became knock-kneed, whilst their feet were more than twelve inches asunder. Some of these individuals are yet to be seen in this distorted condition. About the period alluded to, the managers began to make strict inquiry into the state of the inmates, and the funds expended on them, the result of which proved very unsatisfactory. The hospital master was expelled, and another appointed in his place, who proved a tyrant,—on his death it was found that the accounts were three hundred pounds in arrear. The person next appointed was much esteemed, but did not long enjoy his situation, being removed by death a few years after his appointment. His successor, on the contrary, was distinguished for his haughty deportment to the poor under his charge, who were removed from the hospital, some time before his death, and a weekly alimient in money settled on them. When the Depot was built, and a large garrison established here, Government took a lease of the hospital buildings, as a military infirmary ; but the general peace having occurred before they had been occupied as such, a great part of the hospital was then let as an extensive manufacturing establishment, and one wing of the building is still occupied in that line. The first two flats of the centre are occupied as schools, and part of the ground floor of the west wing as a charity school, above which are the hospital master's dwelling-house and offices. The principal income arises from the rents of the lands of Lethendy, the feu-duties of the gardens recently laid out in building-stances, and ground annuals of a number of houses in Perth, which last, being paid in Scots money, yield little revenue.

#### OTHER CHARITIES AND PROVISIONS AGAINST DISTRESS.

The Session funds have always afforded a very slender pittance to the poor. In ordinary cases the allowance weekly is to each from 6d. to 9d. Besides the above allowance, there are several heavy burdens that fall upon the session funds—coffins and winding sheets, and burial charges for the destitute. Foundling infants form another heavy charge, for nurses' fees, and maintenance until they arrive at a certain age ; add to these, the

maintenance of lunatics, and the wonder will cease that the weekly allowance is so small.

Besides the session funds, there is an assessment laid on annually on all the lands and houses within the parish, of about 4d. to 5d. a pound of the rent, from which the poor receive a-week. The indigent are allowed to beg from door to door on the Saturdays, but not through the week.

Besides these funds, there are other establishments of a voluntary description that have done infinite good to the poor and distressed. Amongst these, the Desfolute Sick Society, originally established for the relief of industrious families who were, by severe distress, deprived of their means of subsistence. It often happened that, when a tradesman was laid up by distress, the family were reduced to a state of destitution; to relieve cases of this kind was the original intention of this institution, but of late years the managers, from a kindly feeling, allowed many infirm persons, who had been long in distress, and would continue to be so for life, to come on the society, where they remained. Persons of this description became so numerous on the list, that the directors saw clearly they were departing from the original intention of the institution, and that persons of this description were proper objects for the common funds for the poor. They have, therefore, begun to act on the principle of confining their aid to industrious families in temporary distress, and until they are fully able to resume their usual occupation. By this line of conduct, they are now saving a vast sum annually for the original purposes of the institution.

The Indigent Old Men's Society is another institution formed lately for the relief of old decayed men, rendered incapable of labour from age and infirmity, who have nobody to take charge of them. During the winter season they are served with articles of clothing, meal, and coals, so far as the funds will allow, which, with the exception of some small legacies, are all voluntary.

The Ladies have formed a society amongst themselves on the same principles, for the relief of indigent old women. Both societies have the town divided into districts, which are visited by the members appointed to that duty. These societies have been of immense benefit to many poor families.

Until of late years, there were a number of friendly societies formed amongst the different working classes, who, by paying a certain sum annually, were entitled to an allowance weekly during distress; and on their death, or that of their wives, the survivor was entitled to a sum for funeral expenses. For many years they continued to act on this principle, but it was uniformly found that the sum paid quarterly was inade-

quate to keep up the funds, and pay the usual allowances. Of late the Highland Society framed a set of tables of annuities upon correct principles; but it appearing from these tables that it would require a considerable addition to their quarter payments, a great proportion of the members became clamorous for breaking them up, and dividing the funds. In most instances this was accomplished, and men who had arrived at an advanced age were left destitute, after having paid into these funds for upwards of thirty years, in the fond hope that they were securing an independence in sickness or age; all they received was a few pounds from the division of the funds, which, in too many instances, lasted only a few days. In some instances, societies have been formed on the new principle, according to the act of Parliament, which, in all probability, will succeed well.

The Savings Bank, established of late years under the direction of a number of disinterested gentlemen, has afforded an opportunity to industrious individuals of depositing weekly any little savings they can spare.

There is, besides, the Mason Lodges; these afford relief to their members. The Royal Arch Lodge was long eminent, many of the most influential gentlemen in town being members; but about 1780, a number of worthless characters got into office, which caused many to retire in disgust. Thus left to themselves, they wasted the funds until the Lodge was deeply in debt. Within these twenty years, the management fell into better hands—respectable members again attended, by proper management their debt has been liquidated, and they now again maintain their former character. The Perth and Scone Lodge is chiefly composed of operatives; they have a hall at the foot of the High-street, and are a numerous body. St Andrews' Lodge is of great antiquity, and has now many of the most respectable gentlemen, both in town and county, enrolled as members.

*The following Incidents connected with Perth are extracted from a rare Volume now out of print.*

1537. The deir symmer, quhen the bow of mail guift 26 shillings 8 pennies; Alexander Blair than Provost of Perth.

1537. Mallochis post in September. Jhone Denying than Provost.

1541. Quene Margaret, mother to King James fyft, deciesit on Sanct Mamokis day, buriat in the Charter houa besyde Perth, the King's majestie, nobilitie, and baronis being present.

1543. The execution of James Hunter, Robert Lamb, Jamea Ranaldson, and his spon, in Januar, on Sanct Paulis day.

1544. The conflict or battle of the brig of Tay, on the Magdalene day, the 22d of July.

1560. The reform of the Charter hous and friars, beside Perth, the 10 day May.

The burnyng of Scone on Twysday after Midsamer day, 27 Junii.

The downfalling of the bridge of Almond, the 23d day of November.

The Kat harrow in Perth 22 May.

1568. The Queenis passing forth of Lochleven on Sunday, 2d of May.

1580. The entrie of the worthie and nobill King James the Saxt within Perth, the 28 day of Majj.

Mr John Row departed, minister of Perth, Oct. 16.

1581. Mr Patrick Galloway, minister, admitted there to 25 Apryle; he tuik his voyage to be minister to his Majesty the 11 Februar 1580 zeeris.

1582. The downfalling of five bows of the brig of Tay on the 11 day of Januar.

The justice air holden at Perth by King James, the saxt of Jullie.

1584. Pest in Perth, 24th day of September 1584 zeeris, continued to the 24 August 1585 zeeris, quharin, at the plesore of God, departed this lyff fourteen hundred and twenty seven persons, young and auld, thereby.

1590. A plauge among the bestial.

1592. The raid of Falkland by the Earl of Bothwell, quha assallit the king. The town of Perth were down for his defence for feir of weir.

Upon the 16th day of August the Laird Clackmannan tuik William Englis, decone of the hammermen, and Jhone Caskie, decon of the wrights, coming from Dundee, captives into his house of Gaskinhal.

The town of Perth, mair raischellie than na vyslie, unwilling to abyde the indignitie, that samen night, with all diligence, past to the said Gaskinhal in armes, releevit their nechbours, and broch the laird with theme to Perth. They vair thereafter agreit upon the toun's large charges. The laird remanint, not being a free man, 1593.

1594. Jhone Erie of Atholl deceisit in Perth on the penult day of August. Conwayit honorable to Dunkeld, and buried there the 11 September thereafter; the Queen's majestie being in Perth, in William Hallis chambur, beneath the Croce, beholding the conway of the corps.

1597. Ane trouble betwixt certaine of the servants of the Drummonds and Oliver Young, than ane of the bailizies of Perth, within the Hiegate of the said burgh, quhan the greatest number of the persewars leap the town's wall; and so few number of them as remanent came to the tolbeuth

on Setterday the 27th August. The agreement was made in the South Inch on Wednesday the first day of September thereafter following.

1597. The eclips of the sone on Setterday cafit the merk Saturday. 25 Februar 1597 (8), at half hour to 10 morning.

1597—8, March 21. The Countes of Montrose, dame Jeane Drummond, conveyed through Perth to Abruithven.

1598. The Duck of Holstein, brother to the Quene, come to Perth, and received a banquet frae the toun be his Majesty's directions, and conwayt be 100 horsemen of the toun to Abruven, and receavit by Tullebardin.

April 10, being Gude Fryday, Henrie Adamson, dene of guild, slair be Thomas Pebles, and was buried on peax (pasch) day. The execution of Thomas Pebles for the slaughter of the said unquille Henrie on Tuysday the penalt of May, at the Mercat Croce.

Sept. 9. The witches brunt in the South Inche, betuix the Buttis, called Janet Robertson, Marion Macause, and Bessie Ireland.

The fische merk at was removed from the Schoar Head to the North Gaet Port be act of Counsell.

Nov. The town began to repair the new kirk in wall and windows.

Feb. 16. The slaughter of William Hey, sone to the gudeman of Gourdie, in Andro Gibis hous in the Kirkgate, be the Laird of Craighall, Rattrace, and his accomplices. Thomas Lafrew, chyrgione, was there, wha sufferit for it.

The toun began their voluntar contribution for reparation of the bridge of Perth, and left in August 1600.

1599. Ane great dead among the pepell.

1600. The Eril of Gowrie cam to Perth after seven zeirs peregrination in other countries.

June 28. The execution of David Drummon for the slauchter of George Ramasa's man, the first court that ever the Eril of Gowrie held efter his return.

Aug. 5. The slaughter of John Eril of Gowrie and Mr Alexander, his brother, in the Eril's own lodgings in Perth, be John Ramsay and Douchter Herrees, his Majesties servanties. Praesit be God, the King was saiff. The toun knew nothing till the common bell rang. The toun of Dundie being advertesit, come all up in armes to have spoilant the toun of Perth, but praesit be God, the King knew the part to be sure.

1601. The King's Majestie come to Perth, and was made burges at the Mercat Croce. Thair was ane punscheone of wyne sett there, and all drunken out. He receavit the banquet frae the toun, and subscrivit the

gilde buik with his awin hand, *Jacobus Rex parcere subjectis et debillare superbas.*

Sept. 22. There fell a nich of the tymer-bridge of Tay, with tua men, ane horse, and ane lead; ane of the men was gotten safe agzin, with the horse and the lead, but the ither man, callit Lamb, drownit in the water.

Nov. 1. Henry Balneavis and William Jaek, maid their repentance in their ain seats in the church eftre sermone, for making lybell against Mr Henry Coupar, minister, and Henrie Elder, clerk. "As King David was ane sair sanet to the crown, so is Mr Will Coupar and the clerk to this poure toun." An act of counell against them, that none of them could be an officer or gett honourable in the toun thairafter.

July 12. The laird of Ballendene, quha was slain in Dundee, was buriet in the kirk of Perth, be eist the counsell house door, under a blue stone of the Ryne.

1604, Jan. 24. The stepell of stone fell.

March 27. The toun's burrow muir was sawin with eattis.

June 16. The men of black Ruthven and Huntingtower cuist turffs on our burrow muir at command of the comptroller. Sir David Murray, captain of his Majesty's guard, and our prevost for the time. The toun raise aught hunder men in arms to put them off. Angus Caerdene died of the apoplexie thair. No more harm, but great appearance of skaith,

July 3d. An parliament houlden at Perth be John Eril of Montrose. Viceroy Kathones bair the sword, Argyle the septer, Angus the crown. My Lord Fleming maid Erl of Wigton, Glamis Earil of Kinghorn, Tullibardne maid Erl; my Lord Newbattle maid Erl of Louthiayne. This parliament was ridden by the nobilitie all in robbis of red scarlet, with quhite furris, and the bishopsis in black.

At this tyme there fell ane pley betwixt the Eril of Eglinton and the Eril of Glencairn. It lasted frae sevin till ten houris at night, with great skaith; ane man of Glencairn was slane. The toun raise in arms an pot down the assaukters, to their great commendation.

July 17. John Mylne and his men entered to the bridge work.

August 9. The laird of Auldie's lodgeing beneath the Croce fell in ane Saturday at nicht. The fair land of Andrew Roy, next to James Drummond's land, tock fyre, and brunt all ane the same night. There was blude, fyre, and the pest come in, quhilk contineweit till May thereafter.

1607. The tree bridge was taen away betwixt twelve and ane on ane Sunday in tyme of denner.

March 2. There raise ane great extraordinarie wind, that blew the



lead off the steepel to Mr John Malcolme's back yett, callit the Bishop Murray's house.

April 8. Ane synodall assemblie haulden in the new kirk of Perth. My lord of Soone came in and dischargit them, and threw over the tabells amongs them, and pat them forth of the kirk, wha yet held thair assembly at the kirk door, wi joy that the peopell were so well affected to them. Mr Hary Livingstone was moderater.

Sept. 23. The reid of Carpen, quhen the hail inhabitants of Newburgh cam out against our baillies and counsell, that war singell on our part; there wis sundrie hurt on baith sides. Thomas Cobraits was slain to them of Newburgh.

Dec. 1. There wis ane continual frost from said day untill the 23d March, and passage upon the yce over Tay all the tyme, and passage owre and owre at the mill of Errol.

1608, April 8. Patrick Eviot, brother-germane to the laird of Balhousie, was murtherit in Billok bi his wife Jannet Ross, quha was air to the lairdschip of Craigie and Kynfaunis baith; he was shot in his bed with ane gun while sleeping, be James M'Nair. Thereafter they were both takin and execute, and brent after they were hangit, in the Playfields of Perth, 17 May 1608, his head an arm put up on the Castel Gavel Port.

1654, May 12. This day Cromwell was proclaimit Lord Protector of the three nations, Ingland, Scotland, and Ireland, upon ane stage of timber right beneath the court guard, being hung in with tapestrie, being present thereon Collonel William Daniel, governor of Perth, the maer ane Inglis, capitaine of horse, John Mill, master of wark for the masons, Andrew Butter, present provost, William Roche, baillie Andro Read, Robert Arnot, Henrie Jackson, glover, Mr John Nairne, sherriff deput, Mr William Ord, sherriff clerk, with divers others.

The act of gras, with som utheris paperis, also red be Patrick Ross and Henrie Broune, notaris, proclaimed be Andrew Henerie Baxter, be sound o trumpetis.

Ane troupe of horse and some troupes of dragoones staid beneath the court guard, fairanent the stage, and efter the proclamation endit, gaif fyre thrice; the hall fute regiment that stude in armes above the meate guard gaif fyre. Cannons wir shute and bonifyres set furth that nycht by the garrison.

1658, Jan. 7. Lord Richard proclaimit Protector of Ingland, Scotland, and Ireland, and dominions thereto belonging, be sounding a trumpetis on ane stane beneath the court of guard.

Oct. 22. Captain Forde, brother-in-law to Collonel William Daniel, govirnour of Perth, about eleven hours before noone, nane being present except Docter Beaten and the Collonel's eldest dochter, being setting in a chair fornent the fyre, efter taking a cup of bear going to breakfast, sattled down presently to the ground, and departed presently, but ony words spyking, Bang of wynd, efter some physic he had taken ; he had been imediately in the guarding walking a little befoir.

## LETHENDY MORTIFICATIONS.

Besides the charitable institutions already mentioned, there is the Lethendy Mortification, under the patronage and conditions as stated under :—

1. By Mr Butter, 1660. Two-fifths of Lands of Lethendy, to maintain four poor persons of the Burgh of Perth, aged 60. Patrons—the Provost, Bailies, and Ministers.
2. By Mr Jackson, in 1686. One half of one-fifth of the Lands of Lethendy, to support one poor relation, whom failing, one of the name of Jackson, whom failing, any other. Patrons—the Provost, Bailies, and Ministers.
3. By Mr Cairnie, in 1743. Two-fifths of the Lands of Lethendy, to the poor of the Burgh of Perth, reserving two-thirds of the free rent to two of his descendantes nearest the age of 14 years, one half to be paid them annually for 10 years, and at the expiry of 10 years, the reserved half to be paid in full, but without interest : the other third annually to the poor.

The Ministers and Elders trustees of all these Mortifications.

For many years the first bequest was confined to four decayed burghers, above the age specified, which, prior to the beginning of the present century, yielded them five pounds each. The enormous rise which took place in the price of land about the beginning of the present century, raised the available funds to each of the four to about L.32 per annum ; and for some years it was even higher. The patrons, conceiving that it would do more good to divide the bequest among a greater number of deserving objects, the four original ones were continued, but were burdened with riders, some of whom received one half of the amount. After this plan was introduced, the charity was not confined to decayed burghers alone. Frequently a majority of the annuitants were widows and old maiden ladies, who, according the terms of the original bequest, had no right to be admitted to the benefit of the fund. At one time there was on this fund a Robert Foggo, one of the four to whom the fourth

part of the income was granted, without any riders. Shortly after he was admitted, the funds greatly advanced, and the surplus above L.32 was given to others. To this Mr Foggo objected, and for several years would not take a farthing, until they should pay him in whole. The consequence was an arrangement, by which he received a handsome sum in hand for the bygone years, and an augmentation to a considerable amount during life.

Owing to the defalcation of a tenant on the Lethendy property, who made a voyage to America without previous notice, the funds were for some years greatly reduced, but they have again considerably recovered. At the present time there are as many females as males on the fund.

#### TITLE AND STATUS OF THE CHIEF MAGISTRATE OF PERTH.

The reader is perhaps aware that the right of the Chief Magistrate of Perth to assume the title of "Lord Provost," was lately challenged by the Lord Justice Clerk and Lord Meadowbank; and that Mr Patton was called upon, as Counsel for the Magistrates, to show by what right the designation was assumed; the former learned Lord remarking that, a good many years ago, the Court had refused to acknowledge any such right. Mr Patton, although unprepared for such an objection, with his characteristic promptness, stated various grounds which occurred to him at the moment, resting chiefly upon consuetude, and the recognition of the title in various late Acts; which operated so far on the Bench, that a minute was ordered to be given in, stating the grounds, to be communicated to the Lord Advocate, in order that the matter might be finally set at rest.

Although it is considered that the question was one not competent to be entertained by the Court, the Magistrates departed from such objection, and a minute having been given in, in terms of their Lordships' appointment, it came under discussion on the 12th of March 1836. The Judges present delivered their opinions seriatim, and, with the exception of Lords Meadowbank and Medwyn, unanimously agreed to sustain the title. The two dissentients founded their objections on the ground, that it required an express Charter to warrant the assumption of the title.

As the discussion involved matters of interesting historical record, a copy of the prepared minute by Mr Patton is subjoined:—

"I. The burgh of Perth is of high antiquity. It is one of the most ancient in Scotland, and at a very early period enjoyed distinguished privileges. It was the residence of the early Scottish Monarchs, the seat of the Court, of the Parliament, and of the National Councils of the

Clergy. The earliest charter in favour of the burgh, which is extant, was granted by William the Lion, in 1210. This charter, which is *verbatim* narrated in a subsequent charter, granted by King Robert III. in 1399, itself narrates a prior grant in favour of the burgh, by King David, the grandfather of King William, who died in 1153, dated on the 10th of April, in the 36th year of his reign. It was the residence of William the Lion, the granter of the charter foresaid, and the seat of his Court. A cotemporary writer testifies to its importance and opulence at that early period, and describes it as a main support of the kingdom. It was in like manner the seat of the Court of Malcolm the Fourth, who, in a charter addressed to the monks of Scone, in the neighbourhood, describes that place as the principal seat of his kingdom. It was the favourite residence of other Monarchs, and received charters, containing additional grants of land and of immunities, from various kings. In addition to the charters already referred to, it received grants from Robert II. (charter dated the 4th year of his reign, 23d July.) Robert de Bruce. David II. (36th year of reign, 10th April.) Robert III. (5th year of reign, 10th April.) Robert III. (10th year of reign, 6th May.) Robert III. (15th year of reign, 21st January 1404.) Robert III. (16th year of reign, 1st March.) James II. (25th March 1451.) James V., (10th March 1527.) James VI. (9th August 1569.) James VI. (29th July 1587.) Its latest and most important charter, by which all of the preceding are confirmed, was granted by King James VI. on the 15th November 1600."

" II. Perth enjoyed this pre-eminence until the middle of the fifteenth century, at which time Edinburgh became the capital. Of the thirteen Parliaments held in the reign of King James I., eleven were held at Perth, one at Stirling, and one at Edinburgh. The National Councils of the Scottish Clergy were held there uniformly till 1459."

" III. Though losing its pre-eminence by the selection of Edinburgh as a capital, Perth has uniformly and constantly maintained the second place in the order of burghs, and its right to do so has been repeatedly and solemnly acknowledged. Attempts were made to question its right by Dundee, which is the third in order; but these attempts uniformly failed. Upon reference to the King and the Estates of Parliament, by the royal burghs, it was 'ordained, That the burgh of Perth, their procurators, and commissioners of the same, shall be preferred in order of antiquity and dignity to our said burgh of Dundee, inhabitants, commissioners, and procurators of the same; and shall give place to them in order of priority of place and dignity; and that in all our successors'

Parliaments, and public meetings of our States in all other Convention of Estates or Burrows and Councils, the foresaid, our royal burgh of Perth, their procurators and commissioners, shall have and enjoy perpetually, in all time coming, the principality, prerogative, first place and order, and shall be preferred, in giving of votes and suffrages, before the said burgh of Dundee, their inhabitants, procurators and commissioners, shall altogether, and in all things, give place to our said royal burgh of Perth, inhabitants, commissioners and procurators of the same, as being long before them in order of antiquity and dignity, and that they altogether cease, for that cause, to contend with our said royal burgh of Perth, inhabitants, procurators and commissioners thereof.' On the 30th May 1594, this order was renewed by a precept under the hands of King James VI. The precept is as follows:—

“ Rex.

“ George, Erl Merschell. We greet you weil. It is our will, and we command you that ye place the commissioner of our burgh of Perth in ye second place, and next ye commissioner of our burgh of Edinburgh, ye hailtyme of yis our Parliament, and in tyme coming, that yer may have ye priority, first rank, place and vote before ye commissioner of Dundee, according to yae antiquitie and decreet of our hall burrowis, gowen yeansnt, as ye will ansar to us upone your offes and ductie in yt respect, kepannd yir p'nts for your warrant. Subseryvit wt our hand, at Huliruid House, ye penult dey of May 1594.

JAMES R.”

“ A decreet-arbitral of the King and his Lords of Session, confirming the right, was ratified by Parliament, upon the 9th July 1606. Since that period the right of priority has been enjoyed and exercised.”

“ IV. The order of the principal burghs in the Rolls of the Convention is as follows:—Edinburgh, Perth, Dundee, Aberdeen, Stirling, Linlithgow, St. Andrews, Glasgow, Ayr, &c.—So in the Rolls of the Scottish Parliament,—Edr., Perth, Dundie, Striveling, Sanctandros, Aberdein, Montrois, Dumbartane, Glasgow.”

“ V. On the 15th April 1601, King James the Sixth accepted the office of Chief Magistrate of Perth. This acceptance of the office is thus described in the Diary of Mr Dundee, a burghess of the town, and an eyewitness of his induction into the office:—‘*Item*, On the xv. Apprill, in anno a thousand vi. hundred ane yeir, the Kingis Majestie came to Perth, and that same day he was made Provost, with ane great scerlane of the courteours, and the bancait was made at the crois, and the Kingis Majestie was set down thereat, and six dozen glasses brokine, with money owdir pissiz and pewdir vesclles; and thair the King made ane greit solleimne aith to defend the hail libertie of this brouche.’ His Majesty was enrolled as a burghess and guikd-brother, and he himself inscribed his

name in the Guildry Register. Adamson, the author of the *Muses Threnodie*, also witnessed the King's induction into the office, and describes it in the poem bearing that name. The poem was published in 1638, and is dedicated 'To his Native Town of Perth, THE LORD PROVOST, Bailies and Council thereof, his worthy patrons.' Cant, who published an edition of the poem in 1774, with extensive notes, similarly dedicates his work to 'THE LORD PROVOST, SHERIFF and CORONER,' and to the other Magistrates of that day."

"VI. The charters of the burgh give a right to the burgesses to appoint a Sheriff, having, within the town, power and authority co-extensive with the Sheriff of the county. The office has been uniformly held by the Chief Magistrate, as is that of Coroner, and the appointment to those offices is annually made. The Chief Magistrate of Perth has exercised, in various instances, the power of trying crimes punishable by death, and sentences of death pronounced by him have been carried into execution."

"VI. For a very long period, a use and consuetude has existed, of addressing the Chief Magistrate of Perth by the title of the Lord Provost. He has uniformly enjoyed the title in the burgh, and in correspondence on the affairs of the town. He has been called, under that designation, to attend the annual Convention of Burghs. He communicates with Secretaries of State, and other public officers, under that designation, and is so addressed by them in their communications to him. He holds various powers and functions, conferred on him under that designation by various Acts of Parliament, and was introduced to the King at Holyroodhouse, in 1822, by the Lord Lieutenant of Perthshire, under that title, while the Chief Magistrates of Aberdeen, Dundee, &c., were presented as Provosts of those towns only. The Gazette of that time contains the address of the "Lord Provost, Magistrates, and Council of Perth," which was presented to his Majesty, and which was acknowledged by the Secretary of State to have been received by the King in the usual form.'

"VIII. Further, and what is humbly thought to be absolutely conclusive, he has received the title and designation under a deed granted by the Crown, and bearing the sign manual of his Majesty. In the precept for passing a warrant under the Great Seal, for the Incorporation of the Royal Lunatic Asylum at Perth, he is expressly directed and appointed a director, under the title of Lord Provost; and in the charter passed upon this precept or warrant, and passing the Great Seal, the designation is repeated."

"In England the title of Lord Mayor is assumed by the Chief Magistrates of London and of York. In neither case was it given by any ex-

press grant. The title of Lord Mayor was assumed by the Chief Magistrate of London about the year 1354."

"In Edinburgh, the title of Lord Provost in like manner does not stand upon any grant, but upon prescriptive usage and incidental recognition alone. Maitland, the historian of the burgh, thus speaks of it:—"Having given a list of the Provosts of this city, I think it will not be amiss to observe, that the title of Lord annexed thereto *being by prescription and not by grant*, every Provost within the kingdom has as great a right to that epithet as the Provost of Edinburgh hath."

The appendix contains copies of the documents referred to in the Minute, from which are extracted the following proofs of the exercise of the Lord Provost's jurisdiction as "Sheriff:—

"15th April, 1523. Alexander Chambers, Depute-sheriff of the burgh, (and then one of the Bailies), by an assize of seventeen burgesses, found Margaret Lockart guilty of stealing from John Ramsay's wife a silver belt and pot, and proved a known thief, was discerned to be drowned under the water till she be dead."

"1524. Provost Macbreck Sheriff, by the verdict of an assize, condemned to be hanged on a gallows, and doom given thereon, John Hutcherson, for breaking proclamation made upon him banished this burgh, never to return, under pain of death, and for the theftuous stealing of certain wool apprehended upon him, hand howand, and for a known thief; also John Paterson, for stealing two cows, which he sold to Halkarston the flesher, and for a known thief."

"February 6. The same Sheriff, by assize of fifteen men, convicted and condemned to be hanged on the gallows, John Brown, for stealing a cow, and tane howand therewith, stolen by him from William Williamson, in Drumcowan, east from Falkland, and for ane common thief."

"May 25, 1524. The same Sheriff, by an assize of fifteen, convicted and condemned to be hanged on the gallows, John Butcher, for stealing a grey mare, tane hand howand, and for ane common thief."