

III.

AN EDINBURGH TRADE DISPUTE DURING THE COMMONWEALTH.
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Thanks to the efforts of Mr Scott Moncrieff, the subject of the Surgeons and Barbers of Edinburgh is not entirely new to the Society ; but whereas our worthy Secretary, in his most able and interesting article read in this hall some few months ago, confined himself mainly to the period of separation of those anciently constituted crafts, I have been able, through the indulgence of the President and Council of the Royal College of Surgeons, who have allowed me access to the whole of their documents and minutes, to gather a few incidents which happened many years before that disunion took place, and one of which—a case of a refractory Canongate barber—with your kind forbearance and patience I propose relating here this afternoon, as it throws a vivid light on the conditions of the city when under the power of Oliver Cromwell. In fact, it was no less a person than Cromwell's " honest " lieutenant, George Monk—afterwards created Duke of Albemarle for his services at the Restoration,—who finally settled the question.

In order to make the narrative more intelligible, it is necessary to remind you that since the year 1505 the Incorporation of Surgeons and Barbers had held the exclusive right or monopoly of exercising their trades within the city of Edinburgh. Their jurisdiction was for many years limited to the ancient bounds of the city, but such outlying districts—or suburbs, as they were called—as Leith, the Canongate, and Portsburgh had trade arrangements of their own. In 1636, however, when the superiorities of the Canongate fell into the hands of the city, considerable friction arose amongst the various crafts which were now to be linked up with those of Edinburgh. In

this way the barbers of the Canongate, with whom our story deals, and who hitherto had been free traders, showed great reluctance to come under the jurisdiction of the Surgeons and Barbers of Edinburgh, and to be compelled to subscribe to the funds of a society from which they would reap but little benefit in return. To the credit of the surgeons, they allowed some years to elapse before attempting to exercise their authority; and although the Town Council in 1641 had passed an Act "that in the matter of Chirurgie" the inhabitants of the suburbs should be provided with skilful and honest men, "and not left to the arbitrament and impostor of women and ignorants," it was not until May 1649, after some encroachment had been made upon their privileges, that the Surgeons induced the magistrates to order the bailies of the newly acquired district to take in the basins and signs of the unfreemen barbers within their burgh until they should come in and subject themselves to the orders of the Surgeons of Edinburgh. To this Act the authorities of the Canongate paid so little attention that a month later one of the Edinburgh magistrates was sent down to the Canongate, along with the Deacon of the Surgeons, to see the order carried out. Even this seems to have had but little effect, for in the following July the bailies of the Canongate were summoned to appear before the Lord Provost and Council of Edinburgh, when they promised "to give concurrence and assistance to the Deacon of the Chirurgeons against the unfreemen within their bounds at any time he pleased to require or desire them to that effect."

This brought matters to a crisis, and eventually the barbers themselves were arraigned before the Court at Edinburgh, where they protested loudly that neither the magistrates nor the Surgeons were ever authorised by any right flowing from the barony of Broughton, to assume a control over them in exercising their craft within the regality; that they were never erected into a company nor subject to a deacon; but that they, their authors and predecessors, had pursued their trade in the past at their own hand only, without permis-

sion or warrant from anyone. On the magistrates declaring, however, that barbering within the Canongate could no longer be carried on without a licence, a certain Robert Preist and five other barbers submitted themselves and expressed their willingness to comply with the magistrates' decision. They were then appointed by the Surgeons to be free barbers within the bounds of the Canongate only, where they were to have full power to follow the barber craft; the Surgeons on their part undertaking to protect them against all others not so admitted. They also took the oath to obey all the Acts of the Incorporation, to pay a quarterly subscription of 13s. 4d. for themselves, and £4 and 40s. respectively for the booking of servants and apprentices.

Shortly after this the city was occupied by the English troops, and Preist, the Canongate barber mentioned above, appears to have made so many influential friends amongst them that, in spite of his oath to dwell and pursue his avocation within his own burgh, he actually took a shop within the city walls, and there for a time successfully plied his calling in defiance of the wrath of the Surgeons and of the power of the magistrates. Considering that this privilege was more than the Incorporation had power to grant, even to their own sons or apprentices until they were admitted surgeons, the feelings of the Craft can be better imagined than described.

Incensed at Preist's presumption, and envious, no doubt, of the good trade he was driving, the freemen Barbers of the town complained bitterly of his presence amongst them, and petitioned the Surgeons to have him at once removed. Two of their number, they declared, were already broken since Preist's encroachment, and unless he was speedily suppressed, they were afraid that more of their brethren would be brought to poverty, and so become a burden to the Society and the place they lived in. "Therefore our humble desire and request is to you," concluded the petition, "as ye will be answerable to God and prevent the fearfull cases of many families, widows and

orphans within your Incorporation, be faithful in the trust put upon you by us and so much the more because of the oath of God lying upon you that ye leivens lawfull means for maintaining of us in our lawfull rights and privileges, which we are confident will bring much peace to you in the day of your accompts, encouragement to all your successors and comfort to us who are groaning under the present oppression."

Preist was now cited to appear before the Surgeons for transgressing their Acts and for violating his oath. The meeting took place on 4th October 1651, when, in reply to the deacon as to why he had broken his word, viz. not to trim nor to put out signs nor basins within the burgh, but in the Canongate only, Preist said he would not observe that oath nor obey that Act, but that he would work within the burgh of Edinburgh according to the liberty and warrant granted to him by the Captain of the Castle, and in a disdainful manner said, "Goe ye ask of him by what liberty I work," and immediately he turned his back rudely, saying, "Do what ye will ye will not mend yourselves," and went out of doors. The Surgeons then applied to the magistrates to have Preist sent back to the Canon-gate, but a letter dated August 1652 shows that, although he was then under orders to quit the town, he had not complied with it. The letter is addressed to "Our loving friends the Deacon and rest of the trade of Barber Chirurgeons within the Citte of Edinburgh," and bears the signatures of the four English gentlemen who had been recently appointed judges or commissioners for the administration of justice in Scotland. It briefly states: "Whereas Robert Preist, barber inhabitant in the Citte of Edinburgh, being not free thereof, is ordered to remove out of the same, but we being informed that between terms, houses—at least any convenient—are not to be taken and he being willing to remove at the end of the term, and in the meantime not to hang out his basins, we therefore desire that this, his reasonable request, may be afforded, and we shall take it

as a courtesy. And so rest, your friends, George Smyth, A. Owen, T. March, Edward Mosely."

Unwilling to break into open dispute, and possibly being influenced in some degree by the quality of the writers, the Surgeons exercised their discretionary powers by not insisting upon Preist's removal, so long as he refrained from exhibiting the symbols of his trade. We next find a copy of a letter from Robert Lilburne, commander of the English troops in Scotland, better known perhaps as one of the Regicides, to the Lord Provost, containing a proposal that his Lordship should permit Preist to continue his business in Edinburgh, in spite of the Surgeons and of their jurisdiction over the Barbers. The letter was written on 30th March 1653, at Dalkeith, where the English had established their headquarters, and runs as follows:—

"MY LORD,—This bearer, Master Preist, having (so I am informed) for about these ten years past followed the profession of a barber in Scotland and behaved himself civille and inoffensivlie, and having for about a year and a half past lived in Edinburgh, and being now threatened to be debarred from the exercise of his profession there. I am desirous of recommending him unto you, that you will give order that he may be permitted to exercise his calling for the trimming of the English officers and others in Edinburgh, which I conceive you may do without infringement of the liberty of any Companie in the Cittie (he not at all meddling with Chyrurgerie) and thereby you will show ane act of civillitie to the officers, and I shall be readdie upon all occasions to answer your respect to them and him therein."

With the commander of the forces, the English judges, and the Captain of the Castle all actively interesting themselves on Preist's behalf, it is not surprising that the Incorporation was somewhat anxious as to its position, besides being deliberate and cautious in its actions. A letter from a well-wisher of the Craft, holding a position of public trust, in reply to one he had received from the Deacon and brethren of the Incorporation, shows them to have been all this.

While giving good advice, he reminds them that in such affairs they alone were not sufferers, but the whole nation along with them. In referring to that "contemptible fellow Preist," he considered it strange how a man could offer to pity him in so unjust a thing. As for the officers of the army, he continues, "I know not what they may not do if they pity him, and as for his power with the Judges of Parliament, which is most to be feared by you, I am confident, as yet, there is no such thing passed here in Parliament, neither do I think they would stoop so low as to take notice of such things, for sure I am, that such things will not be honoured by the Authorities, wherein I hope we shall not be wanting to obviate or represent as occasion offereth. In the meantime," the letter concludes, "be not discouraged, but maintain your liberties with prudence and confidence against your present disturber, and all such snarling corries of whom be not afraid but assert your liberty, for I find not nor fear not no danger in so doing." The letter bears the signature of John Mylne, who, besides being Master Mason to the late King, was much given to politics. He several times represented the city of Edinburgh in Parliament, and at the time in question was in London upon Parliamentary business.

The contents of the letter seem to have encouraged the Incorporation, and to have inspired them with so much confidence that they immediately intimated to Preist with all legal formality that, unless he removed out of the town by Whitsunday 1653, they would declare him "infamous" and debar him from the benefits of his liberty "in all tyme coming."

But, alas! Whitsunday passed, and the new year dawned, and still Preist continued his work in the city. The march of events at this time is difficult to follow, but apparently recent changes had lost to Preist his most valued friends. Two of the judges had already been recalled, and the spring of 1654 found Lilburne superseded by Monk, whose courtesy and urbanity made him many friends in the

Scottish capital. Now was the opportunity for the Surgeons to seek justice. They did—and got it.

A last letter on the subject reveals the concluding facts that, on the representation of the Surgeons, Monk ordered a commission to assemble, to inquire thoroughly into the case, and to report the result to him. Finally, in September, Monk writes from Dalkeith: "Upon the report of the referees within mentioned, it having been made appear that one Robert Preist gave his oath without compulsion, and therefore ought to fulfill the same. I do therefore thinke fitt and order that the said one Preist dos remove out of Edinburgh within three weeks after the date hereof, and live conform to his oath.—(Signed) GEORGE MONCK."

The Incorporation, having at last gained their end, generously restored back to Preist his forfeited privileges, though they refused a request that he might remain unmoved until Whitsunday 1655.

Thanks to Monk, Preist was relegated back to the Canongate, and does not seem to have again troubled the Calling.

Thus ends a sequence of simple events which, besides bringing the Craft in opposition to many persons whose enmity at such a critical period it was perilous to incur, also caused them no end of trouble, and, for those days, a considerable amount of expense.

If there is any pleasantry at all in the story, it certainly lies in connection with the latter. The Surgeons' accounts show it to have involved the outlay of comparatively large sums of money. Between 1st September and 13th December 1654 it cost the Calling £159 Scots. The details of another £60 Scots, which were spent in one week in the year preceding, furnish many items both instructive and entertaining, but unfortunately the shadow of ambiguity rests upon them.

The items alluded to are as follows:—

4th April 1653.—Spent in Thomas Mesent's house upon	
ane Friday at night in relation to Robert Preist's	
business	£03 03 00

Upon the Saturday thereafter in the morning before going to Dalkeith	£02 02 00
For our Dalkeith voyage for seven horses	12 00 00
For our dinner	18 02 00
At our return at Robert M'Kean's house	05 07 00
Upon the Friday morning with Robert Anderson	00 15 00
Given to Anna Kerr	06 00 00
More for thanking some particular persons	08 12 00
At a consultation with the Judge Advocate	17 05 00

The document is a handwritten text in cursive script, likely a petition or agreement. It contains several lines of text, some of which are crossed out with a horizontal line. The text is written in a historical style, possibly from the 17th century. At the bottom of the document, there are several signatures, including one that appears to be 'Francis Simpson' and another that is more stylized. The document is signed by ten members of the Surgeon-Barber Craft in 1621.

FIG. 1. Document signed by ten members of the Surgeon-Barber Craft in 1621, engaging that they would not haunt taverns.

Whatever may be the true explanation of these entries, there exists in the College archives, however, sufficient evidence to exonerate the Surgeons from any suspicions of immoderate bacchanalian proclivities. An insignificant scrap of paper, too modest in appearance to be called a document, bears simple yet eloquent testimony of their earnest aspiration to soar above the customs of an easy-going morality. Penned in a careless way, certainly not at the hands of a scrivener, and signed by ten members of the Craft, this unique epistle runs :—

“ We undersubscriband for the weill and profite of ourselves Our awin credit and ye respect of our profession and for uther good considerations moving us Be the tenour heirop of our awin proper motive Bands and Obleiss Us ilk ane for our awin parts. That we shall nowayes hant nor be fund in Tavern or Taverne house within ye burgh of Edinburgh fra ye dait of thir presents To ye xxx day of August 1622 yeirs. Except allanerlie (only) at dinner and supper Under the pane of payment to our box of ye sowme of fyve pounds totius quotius for ye weill of ye craft. Anent is our hand at Edinburgh the 30th day of August 1621 ” (fig. 1).

No matter what may have been the particular motive of the Barber-Surgeons in uniting themselves in such a laudable purpose, it is probable that, in a small city such as Edinburgh then was, their example would do more towards the improvement of social life than had been effected by the then recent legislation of the Scottish Parliament.