

exercise of his trade and occupation within the city of
 Edinburgh, and liberties thereof, unless he reside with-
 in the said town or liberties, and at the same time
 subject himself to the common burdens of the town
 and incorporation whereof he is free, or who is re-
 ceived as a member or servant in any of the town's
 hospitals, or who is a pensioner of the town or trade,
 or has or enjoys any benefit or lucrative office from
 the town or trade, or who at any time within six
 months proceeding has been received, or was member,
 servant or pensioner as aforesaid, or held or enjoyed
 any benefit or lucrative office, hath, or ought to
 have any vote in the election of a deacon, or other
 officer of the incorporation within the city. And fur-
 ther, Finds, Decerns and Ordains, That the usage
 and custom of presenting lists of six persons made by
 the several incorporations, and attested by their re-
 spective clerks, to the magistrates and council, in or-
 der to their making short lists of three for election of
 deacons, be inviolably for ever observed, and that
 the short lists be returned by them out of the said
 lists of six, regularly and legally made and attested.
 And finds, decerns and declares, That the council, to
 whom the new deacons are to be presented, and by
 whom they are by the sett to be authorized in their
 offices, are, by the nature of the thing and the pre-
 cedents, and consistently with the sett, judges, in the
 last instance, of questions that may be shor'd concern-
 ing the right of persons claiming to be admitted into
 the office of deacon, subject nevertheless to complaint
 and review of the proper court, as appears of the law.
 And finds, decerns and declares, That the provost has
 the first vote in every matter and thing, and
 a casting vote, in case of an equality, and to no
 other or further vote in any case whatsoever. And
 finds, decerns and declares, That according to
 the law of the town, there must be three persons in
 every case, for the several offices of provost, dean of
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