

for there is a more extensive trade allowed to freemen of the Royal burrows who pay a great part of the publick burdenn of Scotland, than to burghes of Regality or Barony or others Act 5 sess. 3 Parl. 2 Ch. 2 junct. Act 12 sess. 2 Parl. W. & M. Act 19 sess. 7 Parl. J. W. And altho' strangers are allowed to import all Commodities, they Making off thereof to the Royal Burghs, and if not accepted, selling the same whole sale at the Price limited by the Burgh where the offer is made Act 100 Parl. 7 J. 5. Because if strangers were denied the liberty of trade so qualified, there would be no Commerce betwixt our Merchants and the yet burghs of Barony have only the priviledge of importing the particular goods and Commodities allowed by Act 5 sess. 3 Parl. 2 Ch. 2 junct. d. Act 12 sess. 2 Parl. W. & M. Act 19 sess. 7 Parl. J. W. 7 December, 1676 Gain of Glasgow contra unfreemen of Greenock. But the freedom of trade belonging to the Royal Burrows, was allowed to be communicated to burghs of Regality Barony and others, upon their paying or relieving the Royal Burghs of a just proportion of the taxt Roll imposed on them by the Parliament Efforing and Corresponding to their trade Act 30 sess. 4 Parl. W. & M.

Trade is Carried on either by private persons Separately, or by two or more in Copartnery, or by Established Companies Enjoying peculiar priviledges. Of Private Merchants some are whole sale Merchants, who lay in great stores of goods in order to sell them out by the Great; others are Merchants by Retail who sell to particular persons in a less quantity. Some trade in foreign Countries; others ~~are~~ Drive a trade only within the Kingdom.

Since those who Exercise Commerce draw profit from the bare trouble of buying in order to sell again, by the Desire, joined with a favourable opportunity of Demanding what they please for their goods, too easily to cheat in the price and Quality thereof; it is their duty to confine themselves to an honest profit, that is, to sell as they may live, at a reasonable Price, abstaining from all Manner of lying and Unfaithfulness, which is the way of sin to the profit.

Use Never to tell a lie concerning the price they paid for the thing they are about to sell, tho' they may very well Decline telling the prime cost of it. They are not to give one Merchants in stead of another l. 14 in for l. 41 51 f. de Contrah. Empt. For if they do knowingly or fraudulently, they are punishable, and if by Mistake the sale is vacated. Seeing things are in Commerce only for their use, it is necessary that the thing sold be of a Right Quality for the use it ought to yield. If it had any hidden faults which Diminish the Value of it, the Merchant is obliged to Declare them if they be such, that, were they known, he who bargained for the thing would not buy it, at least would not give so great a Price for it l. 1 51 5 f. de Edil. Edic. l. 39 f. de Act. Empt. If Merchants keep unjust Weights and Measures, they are punishable, for that is a kind of stealing part of what is sold.

Several Regulations of Commerce are Made.

Some goods are by special grant in favour of a particular place appointed to be Carried thither in order to sell Act 17 Parl. J. 5 which goods are called Staple goods and the place to which they are to pass the Staple port and this priviledge of the Staple Strangers as well as Natives are to observe, the former being Confined here as temporary Subjects.

Recently freighting of ships in Scotland for Exporting goods in time of winter was Discharged Act 15 Parl. 2 J. 3. Because our ships being then small, and seamen Ignorant, many perished in winter Voyages. But our best trade is now in winter. Our old laws also obliged Merchants not to carry goods out of Scotland for sale, unless they Exported a certain Quantity Act by Parl. 14 J. 2 Act 15 Parl. 2 J. 3. Because meddling Merchants were a Disgrace to the Nation, and being unable to wait for a price were forced to sell at any rate. But that Regulation is now in Disuse. The Carrying horses under three years old to be sold out