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# The Stentmasters of Falkirk

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*“Falkirk is a Burgh of Barony. The right of appointing the Baron Baillie belongs to the proprietor of the estate of Callendar; but the office has been vacant for many years and there are no municipal officers, except the Stent Masters, chosen by the different trades.”*



**The Stentmasters Chair with the Date 1687**

So runs the preamble from a report of 1832 on the town of Falkirk.<sup>1</sup> The “officers” mentioned, the Stent Masters, attempted to exercise a degree of control over the day-to-day administration of the burgh in the absence of a town council from

some time after the baron court ceased to function until 1859. The origin of this body is obscure; how and when they had their custodial role imposed upon them, even as far as they were concerned, was "altogether unknown". Nevertheless, they were certain that they had been in possession of the rights which they exercised for a "period far beyond the years of prescription". In evidence of this they stated that they were in possession of account books, those of their transactions, dating from 1751 and debit and credit books from 1761.<sup>2</sup> In a process conducted before the Sheriff of Stirlingshire in 1793, the Stent Masters claimed to have managed the affairs of the town under the system practised by them for a "period beyond the memory of man" and further claimed, as a consequence, that "This throws their right of privileges back to the commencement of the eighteenth century".<sup>3</sup>

There is evidence to support this claim. For instance, by then the concept of *stent* or *stint*, in effect a burgh tax, could lay claim to a reasonable degree of antiquity, several acts of Parliament made mention of it, including one of 1594 wherein it is stated:

*"that all manner of personis inhabitants of the saidis [free] burrowis exerce and any manner of traffique in merchandise or having exchange within Sall beir their part of all stentis and taxatiouns"*<sup>4</sup>

An enactment by the judges of the Court of Session in 1687 states:

*"and they will from time to time nominate one advocate and one writer to the signet for each quarter of the town to meet with Stent Masters, who shall be appointed by the magistrares"*<sup>5</sup>

While this was not referring to Falkirk it does demonstrate that the office of Stent Master belongs at the very latest to the last quarter of the seventeenth century.

There are notices of Stent Masters operating in several Scottish burghs. In Elgin fifteen people were chosen each year for "proportioning", in presence of the baillies, all the stents to be imposed within the burgh for the year.<sup>6</sup> Similarly, the same number was appointed annually by the Town Council of Inverness.<sup>7</sup> The earliest specific and unequivocal notice of the presence of stent masters in Falkirk comes from the records of the Baron Court when, in 1701, an action was instigated on behalf of "William Mailtone, Bryce Blair and Thomas Watt, Stintmasters and Collectors thereof within the town of Falkirk" against several townspeople who had failed to pay their respective portions of the stent.<sup>8</sup> There is too a chair, known as the "Stentmasters' Chair, which bears the date 1687 but the best that may be taken from this is that the piece of furniture was traditionally associated with the stentmasters and bears a late 18<sup>th</sup> Century date; without better provenance, no weight may be given to that date.

Obviously stent masters were not peculiar to Falkirk but their role there was indubitably unique. Whereas in other burghs the duty they performed was restricted to the collection of a specific tax, in Falkirk they effectively provided burgh administration for something in the region of a hundred years.

Falkirk had been created a Burgh of Barony in 1600; this allowed the town to be administered by a Baron Bailie Court organised through a system of Baillie-deputes appointed by the hereditary baillies who, for the greater part of its existence, were the [Livingstones of Callendar](#). In 1646, King Charles II raised the status of the

town by erecting it into a Burgh of Regality, thereby enhancing both its judicial authority and its power to impose duties and customs upon the trade and commerce of both town and barony, as well as upon the exports and imports through the burgh's seaport at Saltpow on the River Carron.<sup>9</sup> It may be inferred from the records of the baron court that it was an effective form of administration which favoured the prosperity and growth of Falkirk but its potency was greatly diminished when the Livingstons were forfeited as a consequence of their adherence to the Stuart cause in the 1714-15 rising. The court did not cease functioning immediately, but continued for some time afterwards; in fact the last recorded sitting was on 13 April 1725.<sup>10</sup> It is unlikely that the stent masters were ever formally requester or instructed to act as an interim authority; It is much more likely that, through necessity, they performed as functionaries in the belief that the role was to last for only a limited period. As mentioned above, their existence overlapped that of the baron court by at least a quarter of a century but their responsibilities during that period were distinct from each other. While the baron court performed a variety of tasks, ranging from estate business through to murder trials, the stent master's duty was essentially simpler; it was to raise revenue for the provision of the town's water supply. Although the duties which they latterly were forced to shoulder, or which they elected to take upon themselves, broadened their role, it remained above all else these powers of jurisdiction held by the baron court which separated it from those of the stent masters, for they had none. To have their decisions implemented and enforced they were forced to resort to the courts of baron or sheriff. It must also be pointed out that the jurisdiction of the baron court encompassed both burgh and barony; in effect the greater part of East Stirlingshire. On the other hand, what little power the stent masters had was restricted exclusively to the old burgh.

A reasonable reconstruction of the stent masters' imposed and extended role may be made from contemporary notices and their own records. Within these are found descriptions of their structure and duties and of the tenuous nature of their authority. Occasionally the accounts and descriptions are their own while others come from their contemporaries. However, in these latter situations they were usually involved in litigation with the stent masters and so their stated perceptions must be treated with caution, as indeed should the self-image revealed by the stent masters in their retaliatory, self justifying defences. Regardless of stance, all appear to have agreed as to the composition of the Falkirk stent masters, one account of which is found in a nineteenth century record.<sup>11</sup> They were, it states, chosen by the inhabitants of the town "according to the constitution and immemorial practice of that burgh" and representatives were elected from the various trades or corporations as well as from the "four districts" of the town. The allocation of places from the trades was:

Merchants	4	Weavers	2	Tailors	2
Hammermen	2	Shoemakers	2	Bakers	2
Wrights	2	Masons	2	Brewers	2
Whipmen	2	Fleshers	2		

and from the districts:

Vicars Loan	1	Eastburn Bridge	1
Randygate	1	Westburn Bridge	1

There were, therefore, twenty-eight stent masters at that time, of whom two were chosen, one as *preses*, in effect the chairman, and the other as treasurer. However, it would appear that the practice of appointing representatives of the four districts only began in 1788; prior to that year only the merchants and trades were eligible. Why the innovation was made is not explained; it may have been a consequence of a challenge to their assumed authority, for there were occasions when such were made. Perhaps the most notable of these came in 1793 when a group of townspeople, led by Doctor John Corbett, brought an action against the stent masters before the sheriff-substitute of Stirlingshire.<sup>12</sup>

The transcript of that case gives insights into the mood of the day and affords a glimpse of the role of the stent masters, albeit coloured by the attempted vilification of the pursuants and equally so by the vigorous justifications of the defendants. The dispute concerned what had become, to all intents and purposes, a *coup d'état* by Corbett's group. As is often the case, the events seem to have gotten out of hand, with the take-over bid arising as a consequence of public apathy rather than by popular acclaim. It began when the stent masters brought to the townspeople's attention the dire state of the old wooden pipes which brought the water supply to the town well. They reported them to be "burst and broken" and they proposed, because of the inadequacy of the wooden pipes, to replace them with more functional but initially more expensive lead pipes. To ensure that the inhabitants of the town were aware of the problem and of their proposals, they published by "tuck of drum" the details of a meeting to be held, in which the problem would be discussed and where approval for the intended project would be sought. It is obvious by the tone of the announcement that prevarication was expected and, in all probability, this may have been a final attempt to remedy a chronic problem for they issued an ultimatum:

*"If the inhabitants shall either slight or neglect to take [the] said business into consideration in manner therein proposed the Stintmasters in that case will hold themselves justified in taking [no] further charge nor concern in the well water after the expiry of the month of last December."*

Despite the threat, an insufficient number of people attended the meeting to arrive at a decision. Apathy is not a new manifestation! However, at a subsequent meeting it was decided to purchase lead pipes, which were to cost £200 and it was agreed that these should be laid. It was further decided to divide the town into "certain districts" and that each of these should meet and choose representatives to assist the stent masters in raising the necessary stent to accomplish the task. Three of the districts met and not only elected the necessary "certain persons" to be their "stintmasters" but also, by a majority vote, decided against implementing the previous decisions concerning the lead pipes. It would seem as though they had taster power. A further meeting was called, during which several options were proposed:

- firstly, they should approve the divisions of the town into the proposed districts, or these should be altered to allow "just and equal representation in casting of Stint";

- alternatively, the meeting was to name and authorise a committee drawn from their number to either execute the decisions of the previous meeting or accept the *status quo*.

Still undecided, another meeting was called, at which the divisions were accepted and the new members were elected. Several others were also elected to help them “cast and raise the stint with all convenient speed”. It would seem a bloodless coup had taken place; that a spirit of democracy had taken a grip of the town based, like that of ten years earlier in the late colony beyond the Atlantic, on “no taxation without representation”.

The old guard did not lie down and accept this meekly. Having been asked to hand over the account books and cash in their possession, they refused to do so. The dispute came before the sheriff court. In the *memorial* prepared for the action by the newly elected group, their “predecessors” are referred to as “the former Stintmasters”, while they described themselves as “the present Stintmasters”. Within their account they tell how they began to “cast the stint” without any opposition from the ousted group and how that latter body, in turn, published their intention of “*casting and levying stint of Fifty pounds Scots for the purpose of either repairing the old burst and broken and rotten pipes or to make new ones and threatening the inhabitants upon their peril to pay stint to the present Stintmasters*”. The revolutionaries held to the view that the former party, when in power, did not represent even one half of the town, that they were now defunct and, consequently, had no right to assume a power to which they had not been elected. On the strength of this argument, at the first hearing before the sheriff-substitute, they obtained a temporary discharge preventing the former stint masters from carrying out repairs to the old pipes.

Three days later, when the court reconvened, the ousted group presented their case. They gave their account of the events which had brought the two parties into dispute and, in the course of so doing, related to the sheriff-substitute “*their own powers as Stintmasters*”. Falkirk, they said, “*was without a Magistracy or public funds of any kind*”. All of the available evidence would tend to support this statement for, while baron courts had been allowed to continue with restricted powers after the abolition of heritable jurisdiction, there are no indications that this happened in Falkirk beyond the date mentioned above. They further stated that raising money for the purpose of bringing a water supply to the town and for other public costs had been “time immemorially pursued”, was achieved by the societies of the various merchants and trades meeting to choose members to “*supply the Town with water and for the purpose to levy such sums as might be necessary by a Stint*”. Those appointed, they said, were called “*Stintmasters*” and their office was “*entirely gratuitous*”. They agreed that certain groups might not be represented by them but they had consented to accept a number of additional representatives to assist them but those very recruits, they complained, instead of doing so had indulged in “*several new and Chimerical schemes*”.

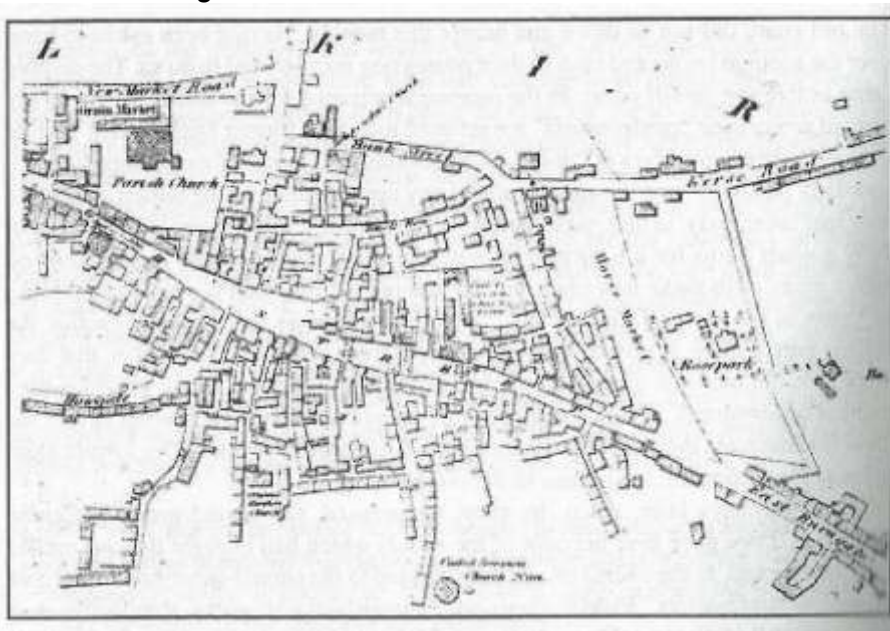
To this Corbett, on behalf of the people’s group, replied that Falkirk was “*a village open to every person of whatever trade or profession who chooses to take up residence there and that the merchants and trades had no privileges and immunities over the other inhabitants of the place*”. He went further, “*The Town is not without any kind of*



*magistracy for it has a Baron Baillie appointed by William Forbes, the superior and its funds are in the inhabitants' pockets".*

Indeed there were such appointments. In 1783 the townspeople had petitioned William Forbes, the new proprietor of Callendar, for "a new baron Baillie".<sup>13</sup> Whether this should be interpreted as reinstating the former office or for replacing a current holder is not clear, neither is there any indication as to whether or not on this occasion the request was responded to. The earliest clear indication of the position being filled comes from 1791 when George Main accepted the commission of that office from the son of William Forbes, who had succeeded his father upon the latter's death.<sup>14</sup> The Reverend James Wilson, minister of the parish of Falkirk, in his commentary of 1797 says of the town:

*"I find no vestiges of any magistrates which have been invested with the powers of the burgh, except the bailiff of barony who, in former times, before the hereditary jurisdictions were taken away, had an extensive jurisdiction both in criminal and civil cases. We have still a baron-bailie, who is nominated by the lord of manor. But the power of life and death is not now attached to any barony. He can, within the bounds of his jurisdiction, enforce the payment of rents to any amount and decide in disputes about money affairs, provided the sum do not exceed L.2 Sterling."*<sup>15</sup>



Falkirk in 1832 from Black's Map

Corbett also alleged that in the recent past the stent masters had been chosen in secret by only a few merchants and tradesmen and, as they had not been properly elected, the ousted group's position was null and void.

At one point in the proceedings, the sheriff inquired what the stent masters' duties were and what limit of time was imposed upon the term of office of each one of them. He was told, as regards the last point, that the term was indefinite; some lasted longer than others, some were in office only long enough to set one stent,

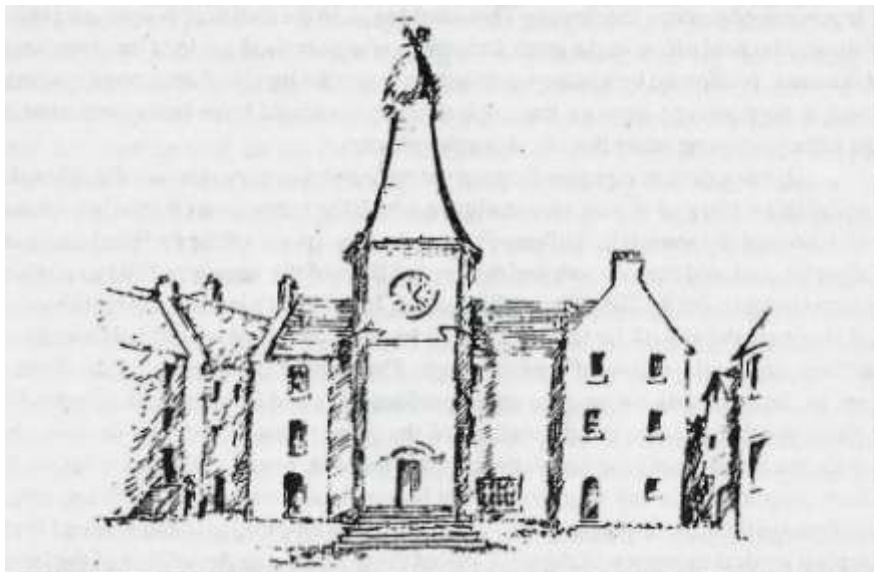
while a few never lasted long enough to see one set. As to their duties, they said they took care of the water pipes and town well and ensured the water supply. They kept the steeple and clock in repair and employed a person to maintain the water pipes and well. This person also rang the town bell once every morning and evening. A town drummer was also employed and he performed the duties of town officer and published by "tuck of drum" any "advertisements" as well as warning the stent masters to attend meetings. Over and above these, they said the townspeople had acquired a "water-engine", presumably a pump which was possibly used in fire-fighting and that this too now came under their management.

This caring regime was not all it seemed, according to Corbett who proceeded to accuse the group elected by the merchants and tradesmen of corruption. He related an occasion when the stent masters had appointed a Billet Master for the town and produced a receipt to show that they had drawn funds from the account covered by the Cash Books to pay a lawyer to implement the appointment. The prime movers of the new office were, he said, a group of brewers and bakers who fixed the Billet Master's salary and instructed him to quarter the soldiers upon the spirit dealers in rotation with the bakers and brewers, but apparently the matter had come to the attention of the Justices of the Peace, who had taken steps to prevent this and to ensure that the billeting be done "*agreeable to use and want*". The sheriff-substitute also had his attention drawn to the last three pages of the stent masters' Cash Book, where he was asked to take notice of the fact that, of sums paid out, the most substantial payments had gone to a small group of stent masters who had been "*favoured with jobs of the public business so that it was no unprofitable office to be a Stintmaster*". The old way of doing things, it was related, had been by open advertisement to allow tradesmen to submit estimates.

Despite this vigorous, robust and, if we are to believe the usurpers, justifiable attempt to overthrow the established office-holders, the winds of change and, indeed, democracy had to bide their time for the better part of a hundred years, for the judge found for the defenders with the instructions that they were to remain in office until such time as successors were chosen in the "*accustomed manner by the Merchants and Trades of Falkirk and by the inhabitants of East-burn bridge, Westburn, Randiegate and Vicars Loan*".

In a later *memorial*, this time from 1837, it is interesting to look at what the stent masters of that time considered to be their duties and compare them with those earlier statements.<sup>16</sup> They were not, as might be expected, broadly different. The water supply was still to the fore with the overseeing and repair of water pipes, cistern and wells being listed. However, also included were similar responsibilities for the marketplace, the streets and the town steeple. By then they also played an early town-planning role insofar as they prevented "*encroachments on the public streets by any of the inhabitants or others*". They still appointed a billet-master to organise the quartering of soldiers within the town and also arranged for the removal of the town dung by letting it to tender. Over and above this, they assessed the inhabitants, levied the stent and appointed a collector to gather it, just as they had in the eighteenth century. But by 1837 they also had the management of certain properties belonging to the burgh. They describe these as:

- i. *The spire in the middle of the Town, having a shop on the street flat. This spire was built and furnished by the inhabitants in the years 1814-15-16 under the immediate superintendence and management of the Stint Masters and a committee of the feuars under the title of "The Steeple Committee" at an expense of £200.*
- ii. *A piece of land, extending to nearly two acres, at the foot of Callendar Wood, commonly called the washing green, which has been used for time immemorial for the purpose of washing and bleaching clothes, without any charge.*
- iii. *Water Works. The water cisterns or fountains situated in the [muir of Falkirk](#) – the iron and lead pipes for conveying the water to the Town, the water cistern in the Town which was rebuilt in the year 1825 at an expense of about £400. The pipes for conveying the water throughout the Town and fourteen public wells situated in various parts of the Town with gas lamps at each.*
- iv. *Two fire engines and relative pipes for extinguishing fires.*
- v. *Yearly revenue –*
  - (1) *The Stint Masters receive £14 of yearly rent for the shop flat of the spire.*
  - (2) *The street dung yields annually from £50 to £60 – but it requires about the same sum for collecting and no surplus can be reckoned on this head.*
  - (3) *The inhabitants are assessed in the sum of £200 annually, the total income may therefore be stated at about £210 yearly.*



Falkirk Steeple and Tolbooth 1697-1804

Of the first of these, the huge expenditure was caused by the partial collapse and subsequent demolition of the previous steeple in 1803. A steeple had stood in Falkirk on that site for some 300 years.<sup>17</sup> The one which had caused the concern and which was replaced by the present structure had, apparently, fallen into a ruinous state. It had been built by William Stevenson, a Falkirk mason, who had been hired to build the steeple and demolish the prior building. He completed both tasks at a cost to the town of 700 merks Scots: that is just over £39 sterling.<sup>18</sup> This was inclusive of building materials but did not include the adornments of bell, globe and weather cock. The stent masters of 1803 claimed that it was their predecessors in office who were responsible for Stevenson, an allegation which, upon



examination, proves at best tenuous.<sup>19</sup> As we have seen, the stent masters were invariably elected from the tradesmen and merchants of the town and their proper role was to raise the funds necessary to provide a water supply. When the list of people actually involved in drawing up the contract is consulted, the first four are found to be members of the landed gentry. They were Alexander Livingston of Parkhall, James Livingston of Kirkland, John Bowie of Saltcoats and Patrick Muirhead of Rashiehill, of whom contemporary records show the first two to have been baillies of the baron court.<sup>19</sup> Similarly Robert Morriesone, who is described in the contract as "Clerk of Falkirk", was appointed Baillie-substitute in 1696.<sup>21</sup> There was also Robert Muirhead, writer in Falkirk. Certainly there were two merchants: James Boog and Thomas Hanna but of them all, only the latter is ever found described as a stent master and only then as late as 1714.<sup>22</sup> It is more than likely that the men who employed Stevenson belonged to a committee appointed by the baron court for the sole purpose of erecting the steeple. This would explain the choice of people: a mixture of those who held office in the court and others who exercised a role in the commerce of the town, reinforced by a notary-public to manage the legal and secretarial matters. There is no reason to suppose that such an exercise would have been conducted at that time by anyone other than the baronial officers.

Abutting the late eighteenth century steeple on its eastern side was the tollbooth, a squarish building of at least two stories in which the baron court formerly met and which housed the town jail. William Forbes, the new owner of the forfeited estate of Callendar, had sold the tollbooth and the ground floor of the steeple in 1803 to another incomer to the town: William Glen of Forganhall. It was Glen's intention to build houses and shops on the site of the tollbooth and so he had it demolished and began to have trenches dug for the cellars of the new shops. The spire of the steeple, which already leaned to the east, took on an even more profound list and a huge crack appeared.<sup>23</sup> Written specifically into the disposition of the property by Forbes to Glen was the stipulation that the walls on which the steeple was built, or any of the adjoining walls which supported it in any way should not be weakened, nor should he in any other way damage the steeple. Apparently, as it emerged, the east wall of the steeple had been simply a vertical extension of the west wall of the tollbooth; the demolition of the latter rather than the trenches, which were not directly beneath the steeple but some ten to twelve feet to the east of it, was almost certainly the principal cause of the steeple's ruin. Regardless of which of these operations had the greater effect, the stent masters accused Glen of negligence, saying that he was entirely to blame for the mishap. Not so, said Glen, the steeple was already in a ruinous and dilapidated state before he began his work and anyhow it was not his duty to retain an already perished building simply to prop up another equally ruinous one. So began what was to become the most bitter and prolonged period of litigation in which the stent masters had ever been involved. Before they could hope to determine blame, it was necessary to establish right of possession to the steeple. The stent masters believed that they had right through "immemorial usage" to both the tollbooth and steeple as the representatives of the town. While it is not difficult to sympathise with their argument, it was not good enough for the court as, in Scottish law, it is necessary to prove title to property. Nevertheless, they were able, eventually, to obtain possession of the steeple, as in 1805 Lord Armadale found and declared that the Steeple, clock and bell were the property of the town. Despite several appeals by Glen against this decision, the finding held. All in all,

over a period of four years, Glen's costs for appeals on this issue alone came to more than £100.<sup>24</sup>

Glen was given the opportunity for his first countercharge against the stent masters when, in 1803, they proposed to move the Cross Well from the south side of the High Street to the opposite side. The decision to move the well had arisen through the High Street being paved or "causewayed" for the first time.<sup>25</sup> The overall level of the street had been lowered by a few feet, leaving the well standing at an impractical height. Moving the well from its traditional position, it was argued, would have created an additional improvement by removing the obstruction from the street. The stent masters were in the process of having the pipe channelled into the fore-stairs of the steeple when Glen's intervention prevented them from completing the task. It was to be another fourteen years before the well was finally moved. This was as a consequence of a request in 1817 by the Trustees for the Turnpike roads. This was agreed to, provided that the Trustees built a "substantial well" at their own expense to a design approved by the stent masters. Agreement was reached in this matter and the well must have been moved very soon after March 1817 but it would seem that what had been provided was less than satisfactory, as in August of that year the "cast iron well" with which the previous one had been replaced was the subject of further discussion. The stent masters stated that it was failing to produce an adequate water supply, due to the smallness of the pipe which led to it. To remedy the situation a plan was prepared for a new well.<sup>26</sup>

During the resumed action, William Glen died but his trustees carried on the fight in as determined a fashion as he had. Prior to his death the stent masters, having determined their right to the steeple, raised an action against him for damage in respect of the steeple. To everyone's astonishment, not least Glen's Trustees, Lord Armadale pronounced in 1810 that in his opinion the damage done to the town's property was not a consequence of Glen's actions. This seemed to totally disregard the opinion of several craftsmen whose professional advice had been brought before the court. Despite Glen's defence, in view of the evidence presented it is difficult to understand how he came to this decision. Naturally, the stent masters brought an appeal against the decision and upon its rejection they took the case to the Lords who, in December of that year, overturned Armadale's decision and gave their opinion that the damage had been occasioned by Glen's engineering operations and that he must answer for the damage. As night follows day, so Glen's Trustees submitted their appeal against the Lord's findings but to no avail.

In 1811, therefore, the situation was that the Trustees were liable for the rebuilding of the steeple to the same dimensions as the old one and that once they had done so the stent masters were to apply to the court for their expenses in the action and for any damages they had sustained throughout.<sup>27</sup> In the event, in an effort to speed things along and no doubt feeling magnanimous in the aftermath of their vindication, they decided to rebuild the steeple themselves and to accept a sum of money in lieu of the Trustees' responsibility. Consequently, in December of 1811 the stent masters authorised a committee to apply to three "respectable" architects to prepare plans and specifications for a new steeple. The architects chosen were James Gillespie of Edinburgh and David Hamilton and James Neilson, both of Glasgow, each of whom was invited to submit two separate plans and specifications.<sup>28</sup>

Authorisation was given to the committee to pay each of the unsuccessful candidates five guineas and seven guineas for the one whose plan met with approval. Gillespie declined the invitation to participate and a Falkirk man, William Hume, took his place.<sup>29</sup> The successful submission was made by Hamilton but, despite their preference for his designs, the stent masters did not seem to be entirely happy for they met with him and asked him to alter the chosen plan by replacing the inner stair with an external stair to the front of the steeple as there had been in the previous structure. This, they suggested, would take up less space. Hamilton, on the principle presumably that, "he who pays the piper calls the tune" agreed to the alteration and at last the stent masters seem to have been content. But, while the town's representatives may have had a preference for architectural features which were, by then, patently archaic, not so the citizens: they rebelled! To help pay for the steeple the local populace had been asked to subscribe towards the cost and many had promised their support. When the plans were exhibited, they appear to have been less than delighted with the alterations imposed by the stent masters; so much so that they assured them that it was their intention to withdraw their support unless Hamilton's plan was adopted in its original form. There was no option but to revert to the first scheme and estimates were sought from local tradesmen to have the new steeple built.<sup>30</sup> By the closing day, 14 December 1812, several had been received, with the successful one being submitted by Henry Taylor, a mason in Falkirk, whose estimate was couched as follows:

*Gentlemen,*

*I make offer to build and finish your steeple agreeable to Mr David Hamilton's original plan for the sum of seventeen hundred and forty six pound twelve shillings Stg.*

*If the Pillasters are introduced in place of columns and Ruble in place of rough ashler in the inside for the sum of Fifteen hundred and ninety seven pound seventeen shillings Stg.*

*If all flooring and joisting in place of arching are introduced to all other introducements for the sum of Fifteen hundred and forty four pounds seventeen shillings Stg.*

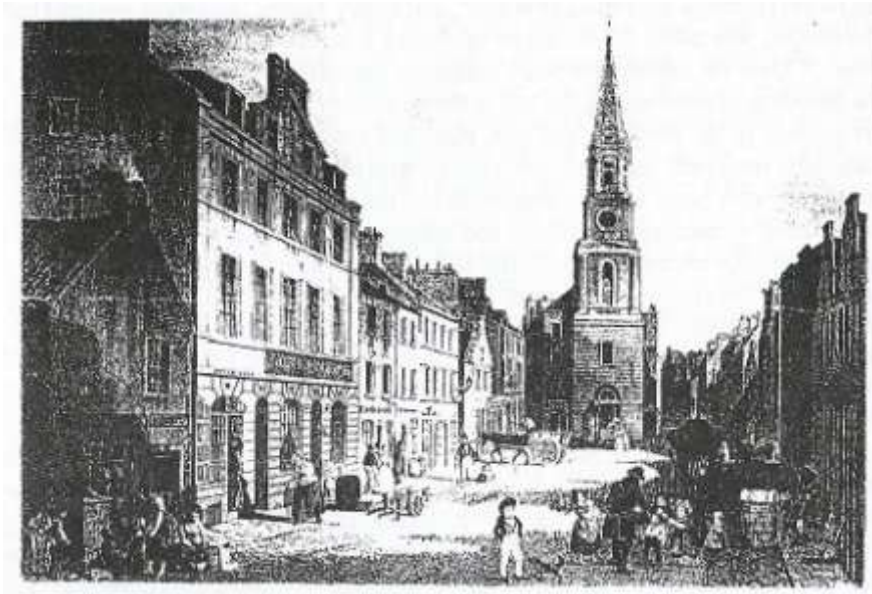
*Gentlemen should any of the above three estimates meet your ideas I shall be happy to serve you.*

*I remain your humble Svt*

*Henry Taylor*

In April 1814 it was reported to a meeting of the stent masters that the new building was almost completed and ready to have a weather cock fitted to the spire. It was proposed to determine whether or not the old vane might be refurbished or if a new one would be required but the result of this enquiry is not revealed. In May of that year authority was given for the completion of the shop under the steeple and for the purchase of locks and keys for the new building, which suggests that to all intents and purposes it was ready for occupation at that time. In September they agreed to purchase a clock for the steeple from John Russell, a Falkirk clock maker, for £100 Sterling. He had previously made one for the spire of the kirk of Kilsyth for

£176 Sterling and made his offer of the special price to the town as his contribution to the enterprise.<sup>31</sup>



Falkirk around 1820 with the New Steeple

Apart from the weather cock and the clock, an additional adornment to the new spire was the bell which, in March 1814, the stent masters agreed to buy and install.<sup>32</sup> It was delivered in June 1816 and was hung in the bell loft by Michael Muir, a well known wright in Falkirk and brother to Jenny Muir whose name is retained in the stream which runs through the south west side of the town.<sup>33</sup> The cost of the bell, including its carriage from London by one of Carron Company's merchant vessels, was around £200. It cannot, however, have been hung to its best advantage for in August 1816 the aforementioned Michael Muir, along with John Russell, "Clock and Watch Maker to his Royal Highness the Prince of Wales" and Henry Taylor, the mason who had built the steeple, was asked to investigate rehangng it so that it might be heard to better effect.<sup>34</sup>

Over the subsequent years, numerous payments are recorded for payment appointed to ring the bell at the customary times each day. These were at six o'clock in the forenoon and one, eight and ten o'clock after noon. It was also habitually rung each Sabbath day in concert with the kirk bell. However, by the time a new steeple came into use, dissention had caused a rift in the established church and several secessionist churches had sprung up in the town. Among these new congregations were the more powerful and wealthy citizens of Falkirk, most of whom were subscribers to the steeple fund. They requested that the bell be rung on Sundays at additional times to coincide with their services and this was agreed to. The arrangement brought down the wrath of Dr James Wilson, the minister of the Parish Church, upon the stent masters. He insisted that such a practise could only lead to confusion and further argued that it was not only against common usage and practice but, in fact, against the law. But was it? On the horns of this particular dilemma the stent masters were forced, once again, to resort to the opinion of counsel to determine whether or not such was the case.



As it transpired, counsel found for the stent masters, stating that they were entitled to ring the bell as and when they chose and whatever purpose they chose and that Dr Wilson had no entitlement to prevent them from doing so.<sup>35</sup> This was a fortunate outcome for many reasons, not least being the effect upon Falkirk's debt. The bell was used extensively, not only for calling people to the various sermons or indicating the salient hours of the day but also in celebration of events such as the king's birthday.<sup>36</sup> Then it was used in conjunction with a bonfire, as was the case at the time of Queen Victoria's coronation with, on that occasion, the steeple and buildings of the High Street being decorated.<sup>37</sup> Noted too was its use at the times of less celebratory events, such as the death of the Duke of York.<sup>38</sup>

By 1816, the year in which the steeple was finally complete, the town's debts had risen to £2,400. The final cost of the rebuilding, including the installation of the bell and clock, had risen in excess of £2,000 but the amount outstanding on the steeple, somewhere in the region of £1,100, was less than half the town's total debt.<sup>39</sup> So from where had the remainder arisen? In fact it was brought about by the town's perennial problem: the water supply. By 1808, a series of improvements to the supply had been implemented. These included the laying of lead pipes from the South Muir to the town, as well as a stone built reservoir. A number of new wells also had been constructed in the burgh – previously there had been only the one at the cross – now there were several.<sup>40</sup>

As early as 1802, the stent masters were receiving estimates for "new wells". From 1822 until 1845, among the many entries in the ledgers which reflect these attempts to improve the provision and maintenance of the water supply, we find mention of: "Marions Well", "Meadow Well", "King Well", "Garrison Well", "Kills Well", "the well at the Bank" and "the well at Gentels Barn". Within the stent masters' minutes are agreements to erect wells in the Cow Wynd, Robert's Wynd and Kirk Wynd. Over and above these are accounts for the repair of pipes leading the water to the wells and various sums for the payment of men digging the new "fountains" on the Muir. Among these is one for "Mrs Christie for 3 bottles of whisky sent to the muir in December last when pipes &co. were laying 4/6". That works out at just over seven new pence per bottle.

By 1817, the water cistern which had been erected in 1805 was being described as being in a ruinous state and said to be losing a hundred gallons of water every day. It required almost constant attention. A more substantial stone cistern replaced it in 1825, which remained in use until the latter part of the nineteenth century.<sup>41</sup> All of this cost between £1,500 and £1,600. Loans had been secured to pay for the work from the two banks established by then in the town, from the "more wealthy building societies in the burgh" and from private individuals.<sup>42</sup>

The stent masters did not have to carry the weight of the debt incurred in building the steeple alone, for they received some assistance from another group – the Feuars of Falkirk. To some extent this group latterly shared in the administration of the town. Their origins went back to the sixteenth and seventeenth centuries. Before becoming a burgh, the town of Falkirk had been divided between two baronies: Abbotskerse on the north and Callendar on the south. Abbotskerse began to set parcels of the town land in feu in the sixteenth century and Callendar in the early part of the seventeenth. It was the possessors of these heritable properties

who were designed feuars. Despite these early origins, their involvement in the administration of the town was relatively recent, dating only from 1807, following an action between the feuars and William Forbes, the first of that family to possess the estate of Callendar. The dispute concerned the division of the South Muir of Falkirk.<sup>43</sup> It was agreed as part of the eventual settlement, because of the feuars' loss of privileges in the muir, that they would receive certain compensations. These comprised one portion of ten acres of land in the muir and another of twenty acres, both to be possessed in common by the feuars with the profits derived from them to be:

*“applied in such manner as the majority of the said feuars, or any committee of them to be by them appointed, shall deem most expedient for them and the general good of the said Town”*

They were also given the piece of ground, about an acre in extent, on which the fairs of Falkirk were then held and which is now known as Market Square. Lastly, Forbes agreed to make over to the *“said Trustees to be chosen by the said Feuars and Proprietors”* the customs of the town: that is the revenues exacted from the buying and selling of various commodities at the town markets. It was this *“committee”* or party of *“Trustees”* who emerged to act as administrators of these properties and revenues and who are usually referred to as the *“Feuars”*. From their proceeds they paid sums of money to the stent masters, part of which went towards the provision of public lighting in the town, while the remainder was used to reduce their part in the debt owed on the new steeple, which was £400.<sup>44</sup> By 1853, this had been reduced to £100.

It would appear that the interest in building the steeple arose because, from the time of the feuars' acquisition of the public properties until about 1816 both bodies, the feuars and the stent masters, were comprised of the same men. During that period they had acted in tandem.<sup>45</sup> From 1816 onwards, the feuars managed the relevant properties independently.<sup>46</sup> It was during the period when the roles of both groups were diffused, however, that the decision to build the new steeple was taken and, as parties to the decision, so argued the stent masters, they had accepted a financial obligation. The feuars, during the period of planning the steeple, agreed to assist and, although at one point they had attempted to renege on the agreement, in the event they acted honourably. In the aftermath of the litigation concerning the damage to the earlier steeple, as well as receiving £450 from Glen's trustees towards the cost of rebuilding, an identical sum being raised by public subscription and £700 in loans, a further £400 was subscribed by the feuars.<sup>47</sup>

Part of the revenues derived from the public properties of the feuars was used to reduce their debt of £400 incurred in building the steeple. The remainder went towards the cost of installing public lighting in the town soon after the introduction of coal-gas to Falkirk.<sup>48</sup> Invitations to subscribe to the *“Gas Works for the Town of Falkirk”* had been extended in 1829 and the plant came into operation the following year.<sup>49</sup> In January 1830, a meeting of the stent masters expressed their concern at the lack of lighting at the burgh wells and consideration was taken of the possibility of erecting a gas lamp at each one where gas pipes had been, or were about to be, laid. A report was also made of the feuars' intention to erect a number of street lights. At a later meeting in November of the same year, Mr Salmon, a local banker was present and he stated that Mr Forbes of Callendar had sent him £25 to assist in the installation of additional public lamps and it was agreed that one should be

placed at the East Burn Bridge and another at “James Callendar’s house, East port”.<sup>50</sup> From that date onwards, numerous entries are found in the stent masters’ cash books which show the ongoing maintenance of the lamps, the most common of these being for the replacement of burners. By 1851, two gas works were operating in Falkirk and the stent masters assessed both at thirty shillings for their respective share of the annual stent. The earlier of the two companies declined to pay this on the grounds that they “furnished gas to the cross well”. The Company also supplied the necessary post and lamp at the cross but as a consequence of their intransigence in this matter, the stent masters decided to purchase the lamp and post. This they eventually did, paying thirty shillings for them – the amount of the gas company’s share of the stent, discontinued their gas supply and transferred their patronage to the rival company.<sup>51</sup>

It is difficult to imagine the impact of public lighting upon the community; it was certainly immediately popular and demand for more street lighting became a feature of many of the stent masters’ proceedings, with calls for lamps at the east end of the town, Kerse Lane and Old Well Close. A further innovation brought about by the introduction of gas was the illumination of the dials of the steeple clock. This was not, however, without its problems for it was reported that the dials had become smoked and darkened and it was decided to try to remedy the situation by reducing the number of burners used. Whether or not this was successful is unknown as no further mention of the matter was recorded.<sup>52</sup>

Yet another cost to the town, both in terms of capital outlay and of ongoing maintenance, was the provision of fire-engines. Fire has always been a threat to urban communities; no less so in Falkirk. As early as the seventeenth century, an ordinance was issued by the baron court which placed a statutory obligation upon the residents of the town to aid and abet each other in the event of a fire.<sup>53</sup> By the end of the eighteenth century, the town had acquired at least one fire-engine, although when this happened is not clear.<sup>54</sup> The first unequivocal mention of a fire-engine occurs in an entry in the stent masters’ cash book for 1809 when, in November of that year, Alexander Ronald was paid two pounds, six shillings and ninepence for work on the “fire engine” and a month later a further six shillings and eightpence for the “Fire Engine Account”. In a *memorial* of 1837, there is mention of two fire-engines and the account books have numerous entries concerning their maintenance. By the middle of the century they were in a poor state of repair, although it was reported that they had been “of essential service on the occasion of a late fire”. For this reason the stent masters decided to solicit the Insurance Companies through their local agents to assist in the upkeep of the engines and for the provision of additional pipes. The agents agreed to communicate their request but there is no record of any relevant reply.<sup>55</sup>

It might be thought, given the onerous and profitless task they were burdened with, that the stent masters would have welcomed the creation, as a consequence, of the Great Reform Act of 1832, of a Town Council. It would seem that it was not so; on the contrary, they resented the presence of the new body and did all they could to be obstructive. This was not difficult for at that time the Town Council was somewhat toothless.<sup>56</sup> This action seems a petty and pointless course of action, given that the stent masters themselves lacked sufficient authority to implement the necessary changes which were required in Falkirk. By all accounts the infra

structure of the town was in a sorry state. The wells and pipes could not supply sufficient water for the needs of the population. There was only one sewer and it could not cope, with the result that there were great quantities of *fulzie* or human excrement lying around in the streets, closes and lanes. The street lighting had been neglected and all the town had gained the reputation of having become the filthiest in Scotland.<sup>57</sup> It was only with the introduction of the Police Improvement Bill in 1859 that sufficient power was given to the Town Council and only then that the reins were handed over by the stent masters.<sup>58</sup>

The Act decreed that the buildings, reservoirs, cisterns, pipes and public wells should be transferred to the control of the council, that any money held by the treasurer on behalf of the stent masters should pass to the council, as should the relevant cash books. Furthermore, the levying of the stent was to cease, although the arrears were to be recovered and in its place there was to be a more equitable assessment: stent had been based simply upon what the stent masters believed a person to be capable of paying; the new system was to be related to the annual value or rent of the various properties of the town and it was to be imposed upon owners and occupiers alike. And so, on 21 November 1859, a meeting of the stent masters was convened in "Mr Campbell's" for the purpose of passing the books, documents and money in their possession to the Council. These, along with the Statement of Arrears, the Balance Sheet and all other documents and papers relating to the stent masters, were formally handed over to the two representatives of the Council present. The stent masters' corporate existence had come to an end.

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## NOTES :

- 1 First Part of the Report by the Commissioners appointed to settle and describe the boundaries of Scottish Towns, 1834
- 2 Memorial and Opinion of Council for the Stintmasters of Falkirk, 1837
- 3 Extract and Decree of Absolvitors in Causa Corbet against Young & Co. 1796
- 4 Acts of the Parliament of Scotland, Jas. VI. Cap 35, 1594, cap 225
- 5 Act Sederunt, 23 February 1687
- 6 Annal Elgin (1879)
- 7 Transactions of the Inverness Scientific Society, 1.299
- 8 Records of the Baron Court of Falkirk, Scottish Records Office, SC67/67/5
- 9 Register of the Great Seal of Scotland ix, 1690
- 10 Records of the Baron Court of Falkirk, Scottish Records Office, SC67/67/6
- 11 Memorial and Opinion of Counsel for the Stintmasters of Falkirk, 1837
- 12 Extract and Decree of Absolvitors in Causa Corbet against Young & Co. 1796
- 13 Forbes Papers, Scottish Records Office, GD171.2059
- 14 *ibid*, GD171.2612
- 15 The Statistical Account of Scotland IX, reprint 1978, p303-4
- 16 Lawson, L., *A History of Falkirk*
- 17 Process: Stintmasters of Falkirk v Glen, 14 April 1803
- 18 *ibid*
- 19 Records of the Baron Court of Falkirk, Scottish Records Office, SC67/67/3
- 20 *ibid*
- 21 *ibid*, SC67/67/5



- 22 Process: Stintmasters of Falkirk v Glen, 14 April 1803
- 23 *ibid*
- 24 *ibid*
- 25 Stent Masters' Minute Books, Central Region Archives, FA1/7/1
- 26 Process: Stintmasters of Falkirk v Glen, 14 April 1803
- 27 Stent Masters' Minute Books, Central Region Archives, FA1/7/1
- 28 *ibid*
- 29 *ibid*
- 30 *ibid*
- 31 *ibid*
- 32 Love, J., *Local Antiquarian Notes and Queries*: for Jenny Muir see i,p11,p15; for Michael Muir see i,p15,p28
- 33 Stent Masters' Cash Books, Central Region Archives, FA1/7/5
- 34 Love, J., *Local Antiquarian Notes and Queries* ii, pp113-116
- 35 Stent Masters' Cash Books, Central Region Archives, FA1/7/5
- 36 Falkirk Town's Charges Book, 1822-45, Falkirk Library, FS352
- 37 *ibid*
- 38 Memorial and Opinion of Counsel for the Stintmasters of Falkirk, 1837
- 39 Falkirk Town's Charges Book, 1822-45, Falkirk Library, FS352
- 40 Love, J., *Local Antiquarian Notes and Queries* iv, pp102-107
- 41 Memorial and Opinion of Counsel for the Stintmasters of Falkirk, 1837
- 42 [Reid, J., 'The Muir of Falkirk', in \*Calatria\* 3, 1992](#)
- 43 Memorial and Opinion of Counsel for the Stintmasters of Falkirk, 1837
- 44 *ibid*
- 45 *ibid*
- 46 *ibid*
- 47 *ibid*
- 48 Post-bill, Falkirk Museum, a9.103
- 49 Stent Masters' Minute Books, Central Region Archives, FA1/7/2
- 50 *ibid*
- 51 *ibid*
- 52 Records of the Baron Court of Falkirk, Scottish Records Office, SC67/67/1
- 53 Love, J., *Local Antiquarian Notes and Queries* iii, pp164-173
- 54 Stent Masters' Minute Books, Central Region Archives, FA1/7/2
- 55 Lawson, L., *A History of Falkirk*
- 56 Proofs in Support of the Falkirk Police and Improvement Bill, House of Commons Session 1859
- 57 [The Falkirk Police and Improvement Act, 1859](#), Act 22 & 23 Vict., Cap.cxxiii.
- 58 Minutes of the Falkirk Stent Masters, Falkirk Museum, a66.35

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### FOOTNOTE:

Since this article was researched and written, the author has been given access to the records of the Feuars. These, as well as being interesting in their own right, cast some light upon the apparent disagreements noted between the two bodies. Hopefully these records will be examined in a future edition of Calatria.

