

Workshop one

The Poor

In recent years social historians have been very interested in the conditions and lives of the poorest in society as a reaction against the domination of the elite in the historical record. But surprisingly we find in medieval and early modern Scotland that the elite was much exercised by the problem of the poor.

[Before and after the Reformation of 1560 the Church in Scotland was concerned with the distribution of alms and relief for the poor. Nonetheless, the reformed church after 1560, when Scotland changed from a Catholic to a Protestant country, declared in clear terms its responsibility to sustain the poor. This is seen in the extract below from the duties of deacons as set out in the First Book of Discipline, a manifesto for the ministry, composed by the reforming minister John Knox and a small committee of fellow clergy.]

{Extract from the First Book of Discipline of the Church of Scotland (1561) concerning the office of deacon }

‘Deacons must be men of good estimation and reputation, discreet, of good conscience, charitable, wise; and, finally, imbued with such virtues as Saint Paul requires in them. Their office is to gather the alms diligently, and faithfully to distribute it, with the consent of the ministers and elders: also to provide for the sick and impotent persons: having ever a diligent care, that the charity of godly men be not wasted upon loiterers and idle vagabonds.’

[The following 1575 act for the punishment of beggars and provision for the poor, passed by a convention of estates, is given almost in full below. Although this is a long piece of legislation it is fascinating for the attitude not merely towards the idle but also to gypsies, highlanders and the children of the poor. Note the especially harsh treatment for idle beggars which was the custom before 1575. Remarkably this act was the basis of the Scottish Poor Law until the 1840s!]

{Concerning the punishment of strangers and idle beggars and provision for sustenance of the poor and impotent, 1575}

Forasmuch as there are sundry laudable acts of parliament made by our sovereign lord's most noble progenitors for the staunching of masterful idle beggars, putting away of sorners* and provision for the poor, bearing that none shall be allowed to beg, neither to burgh nor to land, between 14 and 70 years, that such as make themselves fools and are bards or other such vagabonds, being apprehended, shall be put in the king's ward or irons as long as they have any goods of their own to live on; and for those that have not whereupon to live of their own, that their ears be nailed to the tron or to another tree and their ears cut off and banished from the country; and if thereafter that they be found again, that they be hanged. Item, that none be suffered to beg but lame folk, sick folk, impotent folk and weak folk. Item, that none be allowed to beg in one parish that are born in another, that the head men of each parish make tokens and give to the beggars thereof, that they be sustained within the bounds of that parish, and that no others be served with alms within that parish but those that bear that token only, as in the acts of parliament made thereupon at more length is contained, which in time past

has not been put into due execution through the iniquity and troubles of the times past. And by reason that there was not heretofore an order of punishment so specially devised as need required, therefore now, for avoiding of the confusion of sundry laws and acts concerning the premises standing in effect, and that some certain execution and good order may follow hereupon, to the great pleasure of almighty God and commonweal* of the realm, it is thought expedient and ordained, as well for the utter suppressing of the said strong and idle beggars, so outrageous enemies to the commonweal, as for the charitable relieving of the aged and impotent poor people, that the order and form following be observed until the next parliament or convention general of the estates: that is to say, that all persons being above the age of 14 and within the age of 70 years that hereafter are declared and set forth by this act and order to be vagabonds, strong and idle beggars, which shall happen at any time hereafter, after 1 June 1576, to be taken wandering and disordering themselves contrary to the effect and meaning of this act, shall be apprehended; upon their apprehension, be brought before the sheriffs, stewards,* bailies* or lords of regalities* to landward* or their deputies, or before the provost and bailies within the burgh, and by them to be committed in ward in the common prison, stocks or irons within their jurisdiction, there to be kept without letting to liberty or upon bond or surety until they be put to the knowledge of an assize, which shall be done within six days thereafter. And if they happen to be convicted, to be sentenced to be scourged and burnt through the gristle of the right ear with a hot iron of the compass of an inch about, the process whereof shall be registered in the court books, unless some honest and responsible person will, of his charity, be content then presently to act himself before the judge to take and keep in his service the offender for a whole year next following, under the pain of £20 to our sovereign lord's use, and to bring the said offender to the head court at the year's end, or then good proof of his death, the clerk taking for the said act 12d only. And if the offender departs and leaves the service within the year, against his will that receives him in service, then being apprehended, he shall be of new presented to the judge and scourged and burnt through the gristle of the ear, as is before said; which punishment once received he shall not suffer again the like for the space of 60 days thereafter, but if at the end of the same 60 days he be found to have fallen again in his idle and vagabond trade of life, then, being apprehended of new, he shall be judged and suffer the pains of death as a thief. And that it may be known what manner of persons are meant to be idle and strong beggars and vagabonds and worthy of the punishment before specified, it is declared that all idle persons going about in any country of this realm using subtle, crafty and unlawful plays, such as magic fast and loose, and such others, the idle people calling themselves Egyptians, or any other that distinguishes them to have knowledge in physiognomy, palmistry or other abused sciences, whereby they persuade the people that they can tell their fortunes and such other fantastical imaginations; and all persons being whole and stark in body and able to work, alleging to have been harried in the south land, burnt in the late troubles about Edinburgh and Leith, or alleging them to be banished for slaughter or other wicked deeds, and others neither having land nor master, nor using any lawful merchandise, craft or occupation whereby to win their livings, and can give no reckoning how they lawfully get their living, and all minstrels, songsters and tale-tellers not avowed in special service by some of the lords of parliament or great barons or by the head burghs and cities for their common minstrels, all common labourers, being persons able in body, living idly and fleeing labour, all counterfeiters of licences to beg, or using of the same knowing them to be counterfeited, all vagabond scholars of the universities of St Andrews, Glasgow and Aberdeen not licensed by the rector and dean of faculty of the university to ask alms, all shipmen and mariners alleging themselves to be shipwrecked, unless they have testimonials as is hereafter declared, shall be taken, judged, deemed and punished as strong beggars and vagabonds.

And if any person or persons after the said 1 May 1576 give money, shelter or lodging, set houses or show any other relief to any vagabond or strong beggar, marked or not marked, wanting a licence of the ordinary judge of that jurisdiction, the same being duly proven at the head court, they shall pay such a fine to the king's use as by the judge at the head court shall be modified so the same exceeds not £5. And also if any person or persons disturb or let the execution of this act in any manner of way, or make impediment against the judges and ordinary officers or other persons travailing for the due execution hereof, shall incur the same pain which the vagabond should have suffered in case he had been convicted; providing always that shipmen and soldiers landing in this realm, having licence of the sheriff, steward, bailie, lord of regality or provost or bailie or town where they were shipwrecked or first entered in the realm, shall and may pass according to the effect of their licences to the rooms where they intend to remain; and that the licences only serve in the jurisdiction of the giver, so that if the person travelling has further journey, he procure the like licences of the officer of the next shire or town through which he must pass, and so from shire to shire until he be at his resting place. And that there be certain persons, one or more, nominated in every parish by the sheriffs, stewarts, bailies, lords of regalities, their bailies, provosts, aldermen and bailies of burghs and other ordinary judges for searching, receiving and conveying of the vagabonds to the common prison and judges of the shire, town or place upon the common charge of the parish, which persons so elected shall be held to do their duties diligently as the said judges ordinary will answer thereupon.

And since charity would that the poor, aged and impotent persons should be as necessarily provided for as the vagabonds and strong beggars are repressed, and that the aged, impotent and poor people should have lodging and abiding places throughout the realm to settle themselves into, that they should not need hereafter to beg or wander about to the slander of a Christian commonwealth that has received the evangel, it is therefore thought expedient that the elders and deacons in every city, burgh and good town, and the head men of each parish to landward, shall between now and the said 1 May 1576 take inquisition of all aged, poor, impotent and decayed persons born within that parish or which were dwelling and had their most common resort in the said parish the last seven years past, who of necessity must live by alms; and upon the said inquisition, shall make a register book containing their names and surnames, to remain with the elders and deacons or head men of the parish to landward; and the number of the poor people of every parish being this known, to provide, with advice of the parishioners where they may best be lodged and abide, and thereupon, according to the number, to consider what their needful sustenance will extend to in the week; and then, by their good discretion, tax and stent* the whole inhabitants within the parish according to the estimation of their substance, without exception of persons, to such weekly charge and contribution as shall be thought sufficient to sustain the said poor people; and the names of the inhabitants stented together with their taxation to be likewise registered; and that at their discretion they appoint the deacons, one or more, or where they are not collectors for a whole year, for collecting and receiving of the said weekly portion, who shall receive the same and deliver so much thereof to the said poor people and in such manner as the said elders or head men in the parishes to landward respectively shall ordain and command; and the deacons or such other overseers of the said poor people as shall be appointed to their discretion to continue also for a year, and at the end of the year that also the taxation and stent roll be always made of new for the alteration that may be, through death or the increase or diminution of men's goods and substance. And that the elders in cities, burghs and good towns, and head men of the parishes to landward, shall give a testimonial to such poor folk as they find not born in their own parish, sending or directing them to the next parish, and so from parish to parish until they be at the place where they were born or had their most common resort and residence during the last seven years preceding, there to be put in certain

abiding places and sustained upon the common alms and weekly contribution as is before ordained, except leprous people and bedfast people who may not be transported, providing that it be permissible to the poor people so directed to their own abiding places to ask alms in their passage, so as that they pass the direct way, not resting two nights together in any one place unless occasion of sickness or storm impede them; and if any of the poor people refuse to pass and live in the places appointed, or after the appointment be found begging, then to be punished by scourging, imprisonment and burning through the ear as vagabonds and strong beggars; and for the second fault to be punished for thieves, as is before appointed.

And if the persons chosen collectors refuse the office, or, having accepted the same, are found negligent therein, or refuse to make their accounts every half year once at least to the elders and head men of the parishes, as is before specified, and to deliver the surplus of that which rests in their hands at the end of the year to such as are chosen collectors of new, then each one of the said collectors so offending shall incur the pain of £20, to be recovered on him before whatsoever judges to the use of the poor of that parish and imprisonment of their persons during the king's will. And if any persons being able to further this charitable work will obstinately refuse to contribute to the relief of the poor or discourage others from so charitable a deed, the said obstinate or wilful person being called before the ordinary judge of the shire, town or place and convicted thereof by an assize or sufficient testimony of two honest and reputable men, his neighbours, he shall be committed to ward and there remain until he be content with the order of his own parish and perform the same in deed. And if the aged and impotent persons not being so diseased, lame or impotent, but that they may work in some manner of work, shall by the deacons and overseers appointed to work refuse the same, then first to be scourged and put in the stocks; and for the second fault, to be punished as vagabonds as said is. And if any beggars' bairns, being above the age of 5 years and within 14, male or female, shall be liked by any subject of the realm of honest estate, the said person shall have the child by order and direction of the ordinary judges bound with him, if he be a man child to the age of 24 years and if she be a woman child to the age of 18 years; and if they depart or be taken or enticed from their master's or mistress's service, the master or mistress to have the like action and remedy as for their foot servant and apprentice, as well against the child as against the taker or enticer thereof. And where collecting of money cannot be had and that it is over great a burden to the collectors to gather victuals, meat and drink or other things for relief of the poor in some parishes, that the elders or head men of the parish give licence, under their handwriting jointly, to such and so many of the said poor people, or such others for them as they shall think good, to ask and gather the charitable alms of the parishioners at their own houses, so as always it be specially agreed and appointed how the poor of that parish shall be sustained within the same and not to be chargeable to others nor found troublesome to strangers. And that no Irish and highland bards and beggars be brought and received in the lowlands, by boats or otherwise, under the pain of £20 from the bringers; and if any be already brought, they shall be conveyed again to the next port, near where they were landed or near the same, and from that transported at the common charge of the country where they were set on land to the parts they come from.

And seeing by reason of this present act and order the common prisons, irons and stocks of every head burgh of the shire and other towns are likely to be filled with a greater number of prisoners than of before has been accustomed, in so far as the said vagabonds and other offenders are to be committed to the common prison of the shire or town where they were taken, the same prisons being in such towns where there are great numbers of poor people, more than they are well able to sustain and relieve, and so the prisoners are likely to perish in default of sustenance, therefore the expenses of the prisoner shall be paid by a part of the common distribution and weekly alms of the parish where he was apprehended, allowing to him daily one pound of oat bread and water to drink; for payment whereof, the presenter of

him to prison shall give surety or make present payment. And the present act and order until the next convention or parliament to endure, that then it may be considered what is further requisite to be provided for in this behalf or if anything here ordained shall then appear unprofitable, superfluous or worthy to be changed, and further, until express derogation be made thereto. And that letters be directed for publication and execution hereof in the appropriate form.

[RPS, A1575/5/3]

[What now follows is an extract from legislation passed in parliament in 1661 which licensed the formation of companies and societies for making linen cloth, but note how this legislation is seen as especially of relevance to the employment of the poor of the nation.]

{Act establishing companies and societies for making linen cloth, stuffs etc., 1661}

Our sovereign lord, considering that all the laudable laws and statutes made by his majesty's ancestors anent manufactories for enriching of his majesty's ancient kingdom, putting of poor children, idle persons and vagabonds to work for the maintenance and relief of the country of the burden of such unprofitable persons, have been hitherto rendered ineffectual, and that many good spirits, having aimed at the public good, have for want of sufficient stocks, counsel and assistance been crushed by such undertakings, do conceive it necessary to create and erect companies and societies for manufactories, that what was above the capacity of single persons may be carried on by the joint assistance, council and means of many; and therefore, his majesty, with advice and consent of his estates of parliament, does establish particular societies and companies in the persons of such as shall enter themselves in the said societies within any shire or burgh one or more of this kingdom, and after their decease in the persons of their successors (it being always declared hereby that not any of them shall be represented but by one person only) or any other who shall list and enter themselves therein between and the [---] day of [---] as the first current societies and companies for making of linen cloth, worsted, stockings, serges, baizes, says, cottons, and all other woollen stuffs and cloth; and for their encouragement and good of his highness's kingdom, his majesty, with advice and consent foresaid, prohibits and discharges any of his majesty's lieges to carry and transport into Spain, Portugal, Biscay, Russia, France or any place beyond seas, any linen cloth, baizes, says, cottons, or any other woollen stuffs or cloths except they are free and of one of the societies foresaid. And it is hereby declared that all materials imported for the use of the said manufactories, and that all the said stuffs or cloths exported by the said company, shall be free of all custom, excise or any other imposition whatsoever for the space of nineteen years after the [...] day of [...], all other merchants not free in one or other of the said companies paying the usual customs, excise or any other impositions for any of the said commodities exported by them.

As also, his majesty, with advice foresaid, for the good and encouragement of those who shall enter themselves in the said companies does discharge the said companies respectively, wherever the same shall be erected, to receive any within the same except these who shall contribute and bring in to make up a stock to the said manufactories the sum of 500 merks* Scots, and does grant liberty to the said members of the said societies respectively to choose and elect a certain number of their own incorporation and society to be a council for making of laws for the better regulating and ordering of the said company and manufactory and things belonging thereto, providing always that no person elected have less stock in the said

company or society than 1,000 merks Scots money. And that this pious, charitable and profitable design may be no longer frustrated, nor poor children, vagabonds or idle persons continue to be burdensome to their country, it is statute and ordained that there be in each parish one or more persons provided and appointed upon the charges and expenses of the heritors* thereof for instructing of the poor children, vagabonds and other idlers to fine and mix wool, spin worsted and knit stockings; and for the more speedy perfecting of the laudable design and policy so much aimed at by his majesty's royal predecessors, and now prosecuted by his majesty in his prudence and condescending care for the meanest of his subjects, it is statute and ordained that within [...] months after the dissolving of this present parliament, the commissioners of shires do convene the whole heritors within their respective shires for electing of some of the heritors within each parish to see this present act made effectual, and persons appointed for instructing of the children and others foresaid to fine and mixed wool, knit stockings and spin worsted, and to see a maintenance settled in every parish upon the said instructors, and within the space of [...] next after the said first meeting that they convocate the persons elected within the several parishes of the respective shires to take an account of them and of their care and diligence in the matters aforesaid; and in case they shall be found to have failed, that the said commissioners now attending this present parliament do see this present act put in execution after the time foresaid in all the said parishes where the said persons elected shall be found to have been deficient, and ordains magistrates of the burghs to be careful that the same be made effectual within their burghs and liberties. And in case all or any of the said commissioners or magistrates aforesaid do fail herein after the foresaid time, his majesty, with advice and consent of the estates aforesaid, does commit the care hereof to the lords of his majesty's secret council* that the laws may be no longer frustrated nor the kingdom burdened with idle persons, vagabonds or poor children, and that manufactories may be promoted. And for the encouraging of skilful artisans to come from abroad for training up the persons foresaid and working for the use of the said companies, it is hereby declared that all such as shall be brought home and employed for the said companies shall be free to set up and work in burgh and landward where the companies shall think fit without paying anything whatsoever to any person or persons under whatsoever colour or pretext for their freedom, and shall be free of taxes, public burdens or exactions during their lifetime, notwithstanding of any law, statute, privilege or indulgence made or granted in the contrary by his majesty or any of his predecessors in favour of any committee or incorporation whatsoever, which are all hereby cassed, rescinded and declared void and null in so far as they may be conceived to derogate from the privileges and immunities granted by this present act in favour of tradesmen, natives or strangers belonging to or brought home by the said companies for working in the said manufactories.

[RPS, 1661/1/339]

[The following, and here complete, act concerning beggars and vagabonds passed by parliament in September 1663 is remarkably the first major piece of legislation on this question since that of 1575 (see above). This legislation links to the 1661 act for linen societies just considered in that by authorising manufacturers to press vagabonds into service it shows that the priority for government and parliament, and of course the heritors (landowners of heritable property), was to reduce their financial burden in support of the poor by forcing as many as possible into profitable labour.]

{Act concerning beggars and vagabonds, 1663}

Our sovereign lord, considering the many laudable acts of parliament made by his majesty's royal predecessors for relief of the poor, and for constraining of beggars, vagabonds and idle persons, to take themselves to lawful callings that they might not be burdensome and disgraceful to the kingdom, especially the 74th act of the sixth parliament of his majesty's royal grandfather King James VI, of happy memory, ordaining the names of the poor of each parish, and such as must be necessarily sustained by alms, to be taken up, and to tax and stent the persons within the parish, according to the estimation of their substance, without exception of persons, to such weekly charges and contributions as should be thought sufficient to sustain the said poor people; and the 268th act of the fifteenth parliament of King James VI, ratifying the former act with this addition, that strong beggars with their bairns are to be employed in common works, and that they shall continue servants therein during their lifetime; and considering the tenth act of the second and twentieth parliament of his said royal grandfather King James VI, recommending to all his good subjects to take into their service poor and indigent children, declaring that they shall be subject to their said masters, their heirs and assignees in all kinds of service that shall be enjoined to them, until they pass their age of thirty years complete, and that they shall be subject to their master's correction and chastisement in all manner of punishment (life and torture excepted); and that if it shall happen the said persons absent themselves from their master's service, without their licence, not only to be liable to bodily punishment at their master's discretion, but that all receptors of them shall be obliged to restore them to their masters within twenty-four hours after they are required, otherwise to pay to their said masters 10s Scots for each day's absence until they are restored; and his majesty, considering that the chief cause whereby the foresaid acts have proven ineffectual, and that vagabonds and idle persons do yet so much abound, has been that there were few or no common works then erected in the kingdom which might take and employ the said idle persons in their service, and that now, by his majesty's princely care, common works for manufactories of diverse sorts are setting up in this kingdom; therefore his majesty, with advice and consent of his estates in parliament, ratifies and approves the foresaid acts of parliament, with this addition, that it shall be rightful to all persons or societies who have or shall set up any manufactories within this kingdom to seize upon and apprehend the persons of any vagabonds who shall be found begging or, who being masterless and out of service, have not wherewith to maintain themselves by their own means or work, and to employ them for their service as they shall see fit, the same being done with the advice of the respective magistrates of the place where they shall be seized upon; and ordains the parishes where such vagabonds or idle persons as shall be found begging, were born or, in case the place of their nativity is not known, the parishes where they have any residence, haunt, or most resort for the space of three years immediately preceding their being so apprehended, who thereby are relieved of the burden of them, to make payment to the persons or societies that shall happen to employ them 2s Scots money per day for the first year after they are apprehended, and 1s Scots per day for the next three years thereafter, the one half thereof to be paid by the heritors of the several parishes respectively and the other half thereof to be paid by the possessors and inhabitants dwelling upon the ground of each heritor respectively. Likewise, his majesty, with advice and consent foresaid, ordains the heritors of each parish, or as many of them as shall happen to meet upon public intimation made at the parish kirk upon any Sabbath at the dissolving of the church from the first sermon, by any of the heritors of the parish or by the employers of the poor, to make up a stent roll for maintenance of the poor in their parish, who shall be employed, as said is, at the rate aforesaid, the one half thereof to be paid by the heritors, either conforming to the old extent* of their lands within the parish, or conforming to the valuation by which they last

paid assessment, or otherwise as the major part of the heritors so meeting shall agree, liferenters* and wadsetters* always being liable during their rights as heritors, and the other half thereof to be laid upon the tenants and possessors according to their means and substance; and in case the said heritors being required by any person or society employing the poor, as said is, shall fail to make up and deliver a stent roll in manner foresaid, with power to the persons, society or others entrusted by them to charge the heritors of each parish for the sum of 2s Scots per day for each one of their poor, whereof they shall be relieved in manner foresaid, conforming to the old extent or valuation foresaid at the option of the person or society employing, or those entrusted by them; which stent roll shall continue and stand for one year after the making up thereof, either by the heritors or in case of failure by the persons or societies employing the poor, as said is, and shall then be renewed from year to year during the years above-written, providing also that the heritors, in case they fail to make a stent roll, as said is, and are charged conforming to the old extent or valuation of their lands, that they shall have relief off the tenants and possessors of their lands for the one half of what they shall be distressed for. And his majesty, with consent foresaid, ordains letters of horning* to be directed hereupon at the instance of the persons or societies employers of the poor, or persons entrusted by them, against the heritors and others for payment of the said daily allowance for the poor, or against the receptors of them being so employed for 10s Scots money per day upon fifteen days only, providing always that after examination of the case the lords of the privy council* shall find cause for directing such letters. And ordains all sheriffs, stewarts, bailies of regality, principality, magistrates of burghs or justices of peace and their constables, to assist in the apprehending of the said vagabonds or in the bringing of them back to their service after they shall be employed; and strictly prohibits and discharges all persons whosoever to oppose or hinder the taking or bringing back of them in manner foresaid respectively, under the pain of deforcement.* Likewise, it is hereby declared that the poor so employed shall continue in the service of the employers and under their direction and correction in manner foresaid, not only during the space of the maintenance to be paid for them by their parishes in manner above-written, but also for the space of seven years thereafter for meat and cloth only, declaring always, likewise it is hereby expressly declared, that the burgh of Ayr, or their inhabitants, shall in no way be comprehended herein, but are excepted herefrom in all points; and recommend and to the lords of the privy council to see this act and all former acts of parliament made against sturdy beggars and vagabonds put to execution, with power to them to supply by their order what shall be deficient as to the execution of the said acts.

[RPS, 1663/6/75]

[Although a general economic recovery set in from the late 1660s the problem of beggars and vagrants continued and the government now turned to the correction-house in the following act from 1672. This was part of an effort to both sweep beggars from the streets and countryside, and to develop methods of social control to regulate the behaviour of the poorest in Scottish society. The geographical location of the workhouses is particularly of interest as is the level of ‘serfdom’ experienced by the poor.]

{Act for establishing correction-houses for idle beggars and vagabonds, 1672}

The king's majesty, considering the many good laws and statutes made by himself and his royal predecessors for suppressing of vagabonds, beggars and idle persons, who are a great burden and reproach to the kingdom, and for the most part live without all law or rule, sacred

or civil, and that a numerous brood of such persons are daily increasing who, if they were set to work, and bred to trades and callings, the people might not only be disburdened of them, but they might in a short time, and upon far less expense, become useful and profitable for the whole kingdom; and withal considering that the effect of all these good laws has been frustrated because there has been no place provided wherein such poor people might be set to work, or persons appointed to have the charge and oversight of them. For remedy whereof, his majesty, with advice and consent of his estates of parliament, statutes and ordains that the magistrates of the burghs following, between now and the term of Whitsunday [18 May] next 1673, provide correction-houses for receiving and entertaining of the beggars, vagabonds and idle persons within their burghs, and such as shall be sent to them out of the shires and bounds after-specified; and that they appoint masters and overseers of the same, who may set these poor persons to work: namely, one correction-house at the burgh of Edinburgh, for those of the town and shire of Edinburgh; one at the burgh of Haddington, for those of the shire of Haddington; one at Duns for the shire of Berwick; one at Jedburgh for the shire of Roxburgh; one at the burgh of Selkirk, for the shire of Selkirk; one at the burgh of Peebles, for the shire of Peebles; one at Glasgow, for the shire of Lanark; one at the burgh of Dumfries, for the shire of Dumfries; one at the burgh of Wigtown, for the shire of Wigtown, one at the burgh of Kirkcudbright, for the stewartry of Kirkcudbright; one at the burgh of Ayr, for the shire of Ayr; one at the burgh of Dumbarton, for the shire of Dunbarton; one at the burgh of Rothesay, for the shire of Bute; one at Paisley, for the shire of Renfrew; one at Stirling, for the shires of Stirling and Clackmannan; one at Linlithgow, for the shire of Linlithgow; one at Culross, for those twelve parishes in the shire of Perth belonging to the presbytery of Dunblane; one at the burgh of Perth, for the rest of the shire of Perth; one at Montrose, for the shire of Kincardine; one at the burgh of Aberdeen, for the shire thereof; one at Inverness, for the shires of Inverness, Ross and Cromarty; one at the burgh of Elgin, for the shires of Elgin and Nairn; one at Inveraray for the shire of Argyll; four in the shire of Fife, namely, one at St Andrews, one at Cupar, one at Kirkcaldy and one at Dunfermline, for the four ordinary divisions of that shire; one at Dundee, for the shire of Forfar; one at the burgh of Banff, for the shire of Banff; one at the burgh of Dornoch, for the shire of Sutherland; one at Wick, for the shire of Caithness; and one at the burgh of Kirkwall, for the shire of Orkney and Shetland; each of which houses shall have a large close, sufficiently enclosed for keeping in the said poor people, that they are not necessitated to be always within doors, to the hurt or hazard of their health. And in case the magistrates of the said burghs, or any of them, shall not provide and have in readiness the said correction houses, between now and the said term of Whitsunday next, they shall incur the pain and penalty of 500 merks* Scots money, and that quarterly, until the correction houses is provided, which penalties shall be paid to the commissioners of excise, in the respective shires or bounds, from which the said poor persons shall be sent to the said correction houses.

And the said commissioners are hereby warranted to raise letters of horning*, and use other execution at their instance against the magistrates of the said burghs, for payment of the penalties that shall be incurred by them, in manner foresaid; which penalties shall be applied by the said commissioners for building or buying of houses to the effect foresaid. And in the meantime, until the said houses are provided, the magistrates of the said burghs are required to dispose of those beggars and poor people, who were either born within their respective burghs or have haunted therein the last three years, in some convenient places, so as they may not go begging on the streets, or at houses within the town. And for the better enabling of the said burghs to bear the charges and expenses of the said correction-houses, his majesty, with consent of the said estates of parliament, statutes and ordains that the contributions and allowances for maintaining of the poor, appointed by the fifteenth act of the third session of his majesty's first parliament entitled, act concerning beggars and vagabonds, be applied for

the use of the said correction-houses, whereby they shall have 2s Scots for each poor person per day that shall be sent to them, and entertained and bred by them, for the first year; and 12d Scots per day for the space of three years thereafter, during which they shall entertain and educate them, together with the profit arising from the labour and work of the said poor persons, for seven years thereafter; which contributions are to be paid by the parishes relieved of the said poor, in manner contained in the said act. And to the effect it may be known what poor persons are to be sent to the said correction-houses, and who are to be kept and entertained by the contributions at the parish kirks for the poor, the ministers of each parish, with some of the elders, and in case of vacancy of the kirks, three or more of the elders, are hereby ordered to take up an exact list of all the poor persons within their parishes, by name and surname, condescending upon their age and condition, if they are able or unable to work, by reason of age, infirmity or disease, and where they were born, and in what parishes they have most haunted during the last three years, preceding the uptaking of these lists; intimation being always made to the whole heritors of the parish to be present, and to see the lists rightly taken up; and that the heritors who, and the possessors of their land, are to bear the burden of the maintenance of the poor persons of each parish, or any of them who shall meet with the said ministers and elders, shall condescend upon such as through age and infirmity are not able to work, and appoint them places wherein to abide, that they may be supplied by the contributions at the parish kirk; and if the same is not sufficient, to entertain them that they give them a badge or ticket to ask alms at the dwelling houses of the inhabitants of their own parish only, without the bounds whereof they are not to beg; and that they do not at all resort to kirks, markets or any other places where there are meetings at marriages, baptisms, burials or upon any other public occasion. And likewise, that such of the said poor persons as are of age and capacity to work, are first offered to the heritors or inhabitants of each parish, that if they will accept any of them to become their apprentices or servants, they may receive them upon their obligation, to entertain and set to work the said poor persons, and to relieve the parish of them, for which cause, they shall have the benefit of their work until they attain the age of thirty years, conforming to the tenth act of the twenty-second parliament of King James VI, and that the rest of the said poor persons are sent to the correction-houses, for whose entertainment the said heritors shall cause collect the said contributions, and appoint a quarter's allowance to be sent along with them, with clothes upon them to cover their nakedness, and the said allowance to be paid quarterly thereafter by way of advance. And with power also to the said commissioners of excise, in each shire quarterly, to take an account of the diligence of those of each parish in performing of these matters, and in case of their neglect, to appoint other persons to make the said lists, and collectors to uplift the said allowances, and to bring them to correction-houses; and the sheriffs, their officers and macers* and constables are hereby required to concur and assist with the carrying and delivering of the said poor persons to the correction-houses.

And in case any heritors shall find within their bounds any other vagabonds, beggars or idle persons not being in service, nor having any visible way or stock to entertain themselves, who were not born, nor did haunt formerly within their bounds, they are hereby empowered to seize upon such persons and to send them to the correction-houses, and to charge the magistrates* or masters of the said houses to receive them without advance of any allowance, with power, notwithstanding, to the said magistrates or masters to charge the heritors of the parishes where these idle persons were born, or have most haunted the last three years, for the allowance of such of them as are not bred to work; and as to such of them as can work, the masters shall have the benefit of their work for their meat.

And his majesty, with advice foresaid, does empower and require the masters of the correction-houses to put and hold the said poor people to work, as they shall see them most capable and fit, and in case of their disobedience, to use all manner of severity and correction,

by whipping or otherwise (excepting torture), and to detain them within the said correction-house and close thereof; with this provision, that in case any of the said poor persons being received shall be suffered to escape to burden the country anew, that the magistrates shall be charged to recover and receive them again, without any allowance thereafter, during the said space of four years, under the pain of £40 Scots for each person so escaping; with power also to them to receive disobedient servants, and to put them to work, and to correct them according to their demerits.

Likewise his majesty, with advice foresaid, ordains letters of horning and other execution to pass hereupon, at the instance of those who shall send the poor in manner foresaid, against the magistrates of burghs for receiving the poor sent to them, with the quarters allowance foresaid; and likewise, letters of horning to be directed at the instance of the masters of the said correction-houses, against those liable in payment of the said allowance for the poor, conforming to the said act of parliament, and that quarterly in manner foresaid, and at the instance of the collectors, to be named by the heritors or commissioners of excise, against the heritors and inhabitants of the said parishes, conforming to the said act of parliament. It is always hereby provided that it shall be lawful to coal-masters, salt-masters and others who have manufactories in this kingdom, to seize upon any vagabonds or beggars, wherever they can find them, and to put them to work in their coalheughs* or other manufactories, who are to have the same power of correcting them, and the benefit of their work, as the masters of the correction-houses. And further, his majesty, with advice foresaid, recommends and commits the execution of this present act to his privy council, with power to them to appoint all means and ways for making the same effectual; to whom the commissioners of excise in the several shires, are hereby required to return an account of their diligence in these matters, by some of their number, the second council day in November, and the second council day in June yearly, under the pain of £40 Scots for every commissioner of excise who shall be deficient in doing his part of these matters.

[RPS, 1672/6/52]

[The greatest and most pressing need of the poor was, of course, food to stay alive and, although employment was a factor, so also was the success or failure of the national harvest. While the 19 years before 1689 had seen only one year of notable harvest failure, in the following 19 years 4 successive harvest failures and famines created a popular myth of a biblical ‘seven lean years’ which actually lasted from 1695 to 1698, the last year being especially catastrophic. The impact on ordinary folk is seen in the following description by Sir Robert Sibbald, king’s physician and geographer.]

‘ ... the bad seasons these several years past have made so much scarcity and so great a dearth that for want, some die in the wayside, some drop down in the streets, the poor sucking babies are starving for want of milk, which the empty breasts of their mothers cannot furnish them. Everyone may see dearth in the face of the poor that abound every where; the thinness of their visage, the ghostly looks, their feebleness, their agues* and their fluxes threaten them with sudden death, if care be not taken of them. And it is not only common wandering beggars that are in this case, but many house-keepers, who lived well by their labour and their industry are now, by want, forced to abandon their dwellings, and they and their little ones must beg, and in their necessity they take what they can get; spoiled victual: indeed, some eat these beasts which have died of some disease, which may occasion a plague among them.’

[Sir Robert Sibbald, *Provision for the Poor in time of Dearth and Scarcity*, 3 (1699), spelling modernised]
