



Cage, Robert A. (1974) *The Scottish poor law, 1745-1845*. PhD thesis.

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THE SCOTTISH POOR LAW, 1745-1845

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This thesis is submitted in the University of Glasgow,
Faculty of Arts, for the degree of Ph.D., 1974.

THE SCOTTISH POOR LAW, 1745-1845

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SCOTTISH POOR LAW, 1745-1845

SUMMARY

The aim of this thesis is to analyse the Scottish poor law in the century between 1745-1845, care being taken to indicate the extent of the provision by law and the interpretation given of that law by the administrators at the grass roots of society. The divergence between law and practice is further illuminated by the development of regional differences. Economic patterns were so divergent that a false impression can be gained by studying only one part of Scotland. Hence, parishes have been chosen for detailed study from the whole of the country.

Within the Scottish system of poor relief two sub-systems emerged, the rural and the urban. Even though the creation of the two modes was based on the legislation, the practices which developed accentuated the differences. The tenets of the rural system were rooted in the traditional social bonds between the classes. Similar attitudes were not practical in urban areas, for the process of rapid industrialisation and urbanisation prevented adherence to paternalistic ideals. As the industrial revolution gained momentum, the urban system became both increasingly harsh and less responsive to the needs of the poor.

The Scottish system of poor relief was a neutral force so far as incomes and wages were concerned. This was because the able-bodied were officially denied relief, there was no 'settlement law', and the amounts of the allowances were considered as a supplement to other sources of income.

Large-scale concern about the operation of the law in Scotland was expressed only after 1815, primarily as a result of enquiries by the English Poor Law Commission of 1818. The initial period of the debate centred on emotive rather than rational topics of discussion. Middle class attitudes towards poverty prevented their seeing the crucial link between destitution and unemployment. The atmosphere for changing the operation of the poor law in Scotland was created by the fever epidemics of the 1830's and the Disruption of the Church of Scotland in 1843.

The epidemics failed to make class distinctions, placing into jeopardy the well-being of the upper classes. The Disruption caused serious financial problems.

The 1845 Poor Law Amendment Act (Scotland) changed the shape of the system, but the basic philosophy remained. The pressures on the upper classes were relaxed without improving the conditions of the poor. The able-bodied unemployed still had to rely on the assistance of private charity.

TABLE OF ABBREVIATIONS

| | |
|-------------|--|
| APS | Acts of the Parliaments of Scotland |
| CCW | Canongate Charity Workhouse Minutes |
| ECW | Edinburgh Charity Workhouse Minutes |
| ETC | Edinburgh Town Council Minutes |
| <u>EcHR</u> | <u>Economic History Review</u> |
| GSM | Glasgow General Session Minutes |
| HR | Heritors' Records |
| <u>JEH</u> | <u>Journal of Economic History</u> |
| KSM | Kirk Session Minutes |
| <u>NSA</u> | <u>New Statistical Account of Scotland</u> |
| <u>OSA</u> | <u>Old Statistical Account of Scotland</u> |
| PTH | Paisley Town's Hospital Minutes |
| SCW | St. Cuthbert's Charity Workhouse Minutes |
| <u>SJPE</u> | <u>Scottish Journal of Political Economy</u> |
| THM | Glasgow Town's Hospital Minutes |
| 1818 Report | <u>Third Report from the Select Committee on the Poor Laws; with an appendix, containing Returns from the General Assembly of the Church of Scotland</u> |
| 1839 Report | <u>Report by a Committee of the General Assembly on the Management of the Poor in Scotland</u> |
| 1844 Report | <u>Report from Her Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws in Scotland</u> |

INTRODUCTION

The aim of this thesis is to analyse the effectiveness of the Scottish poor law in the century between 1745 and 1845 and to understand the social forces which brought about its change in 1845. Rather than concentrate on a detailed study of a particular area, the approach is a general one, treating Scotland as a whole. This is made practicable by the selection of a random sample of parishes through the whole of Scotland, and on this basis making a careful examination of their experience.

The logical starting point for a poor law study is to determine the relevant system of legal rules and provisions. Chapter 1 establishes the legal framework upon which the Scottish poor law rested. As all poor law legislation in Scotland was completed prior to 1745, it is necessary to exceed the time limits of the thesis in order to gain an understanding of the problems to be encountered. The main available source material includes the printed Acts of the Parliament of Scotland, Dunlop's Law of Scotland Regarding the Poor, and Morison's Decisions of the Court of Session.

Chapters 2, 3, and 4 present and evaluate the available evidence concerning poor law practice. Chapter 2 concentrates on the rural experience, relying primarily on the kirk session minutes and heritors' records. The urban scene is dealt with in Chapter 3, the records examined being town council proceedings and workhouse minutes. The purpose of Chapter 4 is to interpret the available raw data in both rural and urban areas and to explore its limitations and usefulness.

Any study of a poor law system in isolation from other forms of charity and other systems would be sterile. Therefore, Chapter 5 looks at the role of private charity, stressing its importance as the major means of relieving the poor. Chapter 6 compares Scottish methods with those of England, though implicit comparisons are made throughout the whole of the work. The differences which evolved are significant and will prove useful to the students of the English poor law.

The first six Chapters thus present and analyse the workings of the Scottish poor law, 1745-1845. They represent the most comprehensive study available for the time period. After 1815 the existing tenets became an emotive rather than a rational topic of discussion. The course of the

debate and eventual amendment of the law is traced through the final three Chapters.

Chapter 7 studies the work of Thomas Chalmers and his Glasgow experiment, which largely ignored the social effects of industrialisation and urbanisation. Chalmers was a dedicated follower of the Scottish parochial form of relief, but he failed to grasp that it was not appropriate to the new urban context.

Chapter 8 is crucial for an understanding of the forces which prolonged a dying system and those which caused its amendment. Major reliance has been placed upon the General Assembly Reports of 1818 and 1839, the parliamentary debates, the work of W.P. Alison and Patrick Brewster. By 1840 it was inevitable that changes would be made; the process was quickened by the Disruption of the Church of Scotland in 1843.

The final Chapter deals with the massive Report of 1844 and the Amendment Act of 1845. Despite the Report's criticisms, few major revisions were recommended. In fact the 1845 Act did little to improve the lot of the poor in Scotland.

The scope of the present work has been limited by the lack of previous comprehensive studies of the total system. The few works by contemporaries cannot be accepted at face value. For example, Burn's Historical Dissertations (1819) is suspect because the author was unable to detach himself from the emotional aspect of the problem. The only twentieth century works dealing solely with an analysis of the Scottish poor law are McPherson's Kirk's Care of the Poor (n.d.) and an unpublished Ph.D. thesis by Jean Lindsay (1962). Both studies concentrate on the Aberdeen area, McPherson's being the less valuable of the two for the present purpose, as it was concerned with a period ending about 1750.

Perhaps the major shortcoming of the present approach is the difficulty of measuring the effectiveness of the operation of the law. This is due primarily to a lack of information concerning income and employment levels in Scotland for the period under consideration, and to the nature of the limited poor law data, hence making it impossible to determine the degree or seriousness of destitution. Without this knowledge, it is gratuitous to condemn the apparent niggardly low allowances granted.

Nevertheless it is possible to form an understanding of how the Scottish poor law system operated and to gain an appreciation of how the development of the market economy influenced both the level of average expenditure and the number of paupers. A study of this nature will also pinpoint the shortcomings in related fields, enabling researchers to determine where their efforts should be concentrated.

ACKNOWLEDGMENTS

In writing this thesis I have incurred many debts, not all of which can be acknowledged here. However particular appreciation must be expressed to my supervisors, Professor S.G. Checkland and Mr. Anthony Slaven whose interest and help did not waver through three years of intensive work. Their lively criticisms helped to fashion and improve the text as it gradually took shape. Mrs. E.O.A. Checkland is also due sincere thanks in this and many other respects.

The staffs of many libraries and depositories were unfailingly generous with their time and assistance, a special debt being incurred to Miss Jack, formerly of the University of Glasgow Library, and Mrs. Manchester, Baillie's Library, Glasgow. The thankless task of supervising syntax was cheerfully borne by Mrs. I. McAlley.

My thanks also to the Sunday Night Gang - Marlene, Iain, Dorothy, Bob, and Kim - for their willingness to subject themselves to the torture of listening to my theories during the initial stages of work. Furthermore, my fondest regards to Marlene, Karel and Steve for helping me survive several crucial months during the writing of the final draft, and to Pat for maintaining a close relationship in spite of three year's separation.

Finally, thanks must be given to the thousands of Scots, who warmly welcomed an 'alien' and made me feel at home.

I wish to dedicate this work to the memory of my father, Cecil and to my mother, Eilene, who sacrificed much on my behalf. Without their unfailing assistance and encouragement this thesis would not have been possible.

PART I: THE EXECUTION OF THE LAW

CHAPTER 1: SCOTTISH POOR LAW LEGISLATION PRIOR TO 1845

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CHAPTER 1: SCOTTISH POOR LAW LEGISLATION PRIOR TO 1845

The Scots had their own system of poor relief with its unique features, a system based upon various statutes of the Scottish Parliament as interpreted by the Court of Session. Between 1707 and 1845 the British Parliament did not add to this legislation. From an examination of the Scottish 'Acts anent the Poor' the intentions embodied in them will emerge. When these have been considered, it will be possible to determine whether or not the design they suggest was implemented between 1745 and 1845.

It is no mere antiquarian exercise to consider the course of Scottish poor law legislation. Rather, it is essential for an understanding of the poor in the century after 1745. For the problem and its treatment were in continuous evolution, producing a pattern full of variety and anomaly. In principle the law was the final arbiter, but in practice there was much confusion and complexity.

Important insights into social phenomena can be gained by examining the course of legislation. Frequently additional Acts must be passed because of the ineffectualness of preceding laws, the very lack of comprehensiveness of which is a reflection of the complexity of the social circumstances. But unfortunately attempts to simplify the procedure often introduce an element of ambiguity into the legislation by causing inconsistency between the statutes; further difficulty can arise if the meaning of the legislation is changed by the interpretation of the courts. Thus it is not surprising if the intent of the statutes is not always implemented. This can be the case especially if there is no central administration of the legislation.

Scottish laws against vagabonds were passed as early as 1424, when, during the reign of James I, there were several enactments intended to repress them. An Act of 1424¹ created an important distinction between those who were able to earn their own livelihood, and those who were obliged to resort to the charity of others for their subsistence. It directed that no person between the ages of fourteen and seventy years be allowed to beg, unless they could not earn their living by any other means; all those permitted to beg were to be issued with badges, while all others were to find employment or be

1 APS, vol. II, p.8.

burnt on the cheek and banished. Begging thus became an activity requiring official authority and controlled by strong sanctions.

This Act was followed by another in 1425 which ordered the sheriffs to arrest all idle men, and after releasing them, to allow them forty days to find employment; if such persons failed to procure employment within the forty day period, they were to be imprisoned and punished at the king's will.² It would appear that these Acts were not always put into execution, as an Act passed in 1427 directed that an inquiry be made and a fine levied on all magistrates who failed to enforce them. Other Acts against vagabonds were passed in 1449, 1455, 1457 and 1477.

Even though these Acts are important, none except that of 1424 contains any mention of the 'legal poor'. An Act in 1503, further defining those individuals who were to enjoy the privilege of begging, stated that only those who were crippled, blind, impotent, or weak were to be allowed to beg.³ This was followed in 1535 by further restrictions upon the privileged class of licensed beggars by the enactment that no person would be allowed to beg in any parish other than that of his birth. Thus, it was established that each parish was to maintain its own poor.

A. The Acts of 1574 and 1579

The basis of the Scottish poor law has been held always to be the Act of 1579.⁴ This, however, with a few exceptions, was nothing more than a re-statement of the Act of 1574. Hence, it would seem reasonable to give the provisions of the 1574 Act and then indicate the additions made by the Act of 1579.⁵ The former was entitled "Anent the Punishment of Strong and Idle Beggars and Provision for Sustentation of the Poor and Impotent".⁶ The preamble of the Act declared that various Acts had been passed providing for the punishment of strong and idle beggars and a provision for the poor, such that none between the ages of fourteen and seventy years be allowed to

2 APS, vol. II, p.11

3 APS, vol. II, p.251.

4 See Nicholls, 1854, p.24

5 These Acts are nearly identical with an English Act of 1572. In order to gain a clear understanding of Scottish practices, there will be no comparison of English poor law legislation and practice with the Scottish situation until Chapter 6.

6 APS, vol. III, pp.86-89.

beg. The Act continued by stating that the legal poor shall be allowed to beg only in the parish of their birth, where the parish officials (the 'headsmen') were to make badges and give them to the individuals of their parish who were eligible to beg, namely, 'the crippled, sick, impotent, and weak folk' and those under fourteen years of age and over seventy. If anybody was found to be begging without a badge, he was to be apprehended and taken before the bailies and justices in landward (or rural) parishes, or before the provost and bailies in burghs, to be held and tried within six days. If convicted, he was to be "burnt through the girssill of the ryght eare wyth ane het Irne of the compasse of ane inche about", unless some honest and responsible man agreed to take him into his service for a whole year. After suffering this punishment he was not to be bothered for sixty days; if apprehended after that time for begging and found guilty, he was to suffer the pain of death as a thief.

In order that there would be no confusion as to the nature of strong and idle beggars, the Act carefully defined them. This definition, as extracted from the Act, follows:

And that it may be knawin quhat maner of psonis are meanit to be ydill and strang beggaris and vagaboundis and worthy of the punishement befor specisit It is declarit that all ydill psonis gaying about in ony cuntre of this realme vsing subtile crafty and vnlauchfull playis As iuglerie fast and lowis and sic vtheris The ydill people calling thame selffis egyptianis Or ony vther that fenzeis thame to haue knowlege in physnomie palme stre or vtheris abused sciencis quhairby thay perswade the people that thay can tell thair weardis deathis and fortunes and sic vther fantastical ymaginationis And all psonis being; haill and stark in body and abill to wirk Allegeing to haue bene hereit in the sowthland brint in the lait troubles about edinburgh and leith Or allegeing thame to be benneift for slauchter or vtheris wickit deids and vtheris nowther hauing land nor maister nor vsing ony lauchfull marchandice craft or occupatioun quhairby to win thair levingis and can gif na rekning how thay lauchfullie get thair leving And all menstrallis sangstaris and taill tellaris not avowit in speciall suice be sum of the lordis of pliament or greit barronis or be the heid burrowis and citeis for th comoun menstrallis All comoun laubouraris being psonis abill in body leving ydillie and fleing laubour All countirfaittaris of licencis to beg Or vsing of the same knawing thame to be countirfaitit All vagaboundis scollaris of the vniuerfities of sanctandrois glasgow and abirdene not licencit be the rector

and Dene of facultie of the vniuerfitie to ask almous All schipmen and marinares Allegeing thame selffis tobe schip brokin wtout thay haue testimoniallis as is heirefter declarit Salbe takin adiugeit demed and pvneist as strang beggaris and vagaboundis.

/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 district of this realm using subtle arts and such unlawful plays as sorcery, high and low, The idle people calling themselves gipsies, Or any other that feigns a knowledge of palmistry or other abused sciences whereby they persuade people that they can tell their fate, deaths, and fortunes, and such other fantastical imaginations, And all persons being whole and stark in body and able to work alleging to have been burnt out during the late troubles about Edinburgh or Leith or alleging to have been the victim of slaughter or other wicked deeds, and others having neither land nor master nor using any lawful merchandise, craft or occupation whereby to earn their living and can give no reckoning of how they lawfully earn their living, And all minstrels, songsters, and story tellars not in the special service of some lord of parliament or great baron or burgh or city, All unemployed able-bodied labours not seeking work, All counterfeiters of licences to beg or using the same knowing them to be counterfeit, All vagabond scholars of the Universities of St. Andrews, Glasgow, and Aberdeen not licenced by the rector and dean of faculty of the university to ask alms, All sailors alleging to be shipwreck and not having testimonials to such, are hereby declared and shall be judged and punished as strong beggars and vagabonds./

After setting forth this definition, it was ordered that if any person gave money, lodgings, or other forms of relief to a badgeless beggar, after being convicted of the said act, he should be fined an amount not exceeding five pounds Scots (8s. 4d. Sterling) to be used for the lawful poor of the parish. The parish officials were to appoint one or more men to search out and imprison every vagabond within the parish.

Having dealt with strong and idle beggars, the next matter of concern was to allow provision for the legal poor, that is, all crippled, sick, impotent, and weak folk and those under fourteen years of age and over seventy who were unable to maintain themselves except by begging.

And sen cheritie wald that the puyr aigit and impotent psonis sould be als necessarilie providit for as the vagaboundis and strang beggaris are repressit and that the aigit impotent and puyr people sould haue ludgeing and abyding places throuhout the realme to settill thame selffis intill.

/And since charity would that the poor, aged and impotent persons should be also necessarily provided for as the vagabounds and strong ebeggars are repressed and that the aged, impotent and poor people should having lodging and abiding places throughout the realm to settle themselves into./

The main difference between the two Acts is that in 1579⁷ it was stated that it would be expedient for the parishes to provide hospitals to house and care for the poor, but whether or not they did so, they were responsible for providing aid to all legal poor born in the parish or resident there for at least seven years. The justices were to prepare a list of all the poor within their parish, to facilitate the preparation of which all poor were ordered to return either to their parish of birth or to their most common residence within forty days of the proclamation of the Act at the Market Cross in Edinburgh.

At the end of the forty day period the poor were to gather before the provost and bailies within the burghs and the justices in the landward parishes. A catalogue was then to be made of the poor showing their name, sex, place of birth, marital status, where and to whom married, number of children and where they were baptised, occupation, state of health, and how much they obtained each day by begging. After this examination the officials were

To consider what their needfull sustentation will extend to in the oulk And than be thair gude discretionis taxt and stent the haill inhabitantis wythin the prochyn according to the estimatioun of thair substance wythout exceptioun of psonis to sic oulkie charge and contributioun as salbe thought sufficient to sustene the saide puyr people.

/To consider what their needful sustentation will extend to in the week, and then at 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./

7 APS, vol. III, pp.139-142.

The stent or taxation rolls were to be reviewed annually, in order to take into account changes in the inhabitants' circumstances. At their discretion the parish officials were permitted to appoint overseers and collectors to be in charge of making the weekly collections and distributions. This was the first mention in the statutes of a source of funds for the poor; thus, it must be noted that the principle of an assessment was established before a reliance was placed upon voluntary contributions in the form of church collections. If any individual refused to comply with an order to pay a fair portion of the assessment, he was to appear before the bailies and provosts, and if convicted, was to be sent to some other part of the kingdom and to remain there until payment of the assessment. If it was found to be inconvenient to collect money, the assessment could be paid in victuals, meat, and drink.

In order that a poor person might be able to return to his parish of birth or residence, provision was made for transportation. The officials of the pauper's current parish of residence were to provide him with a certificate indicating his parish of birth or legal residence. This certificate was to allow the pauper to pass from parish to parish, receiving aid from each, until he arrived at his destination, each parish traversed sharing in the pauper's travelling expenses. These expenses were paid as a further means of preventing unlicensed begging. It must be emphasised that the Act did not contain a provision for forcible removal. A person only had to report to his parish of birth or legal residence if he desired to be placed upon the rolls, and at no time could a person be forced to leave a parish if he applied for relief.

Any pauper who was able to work, so as to earn part of his livelihood, was ordered to find suitable employment. If he refused to seek employment, he was to be placed in the stocks until he changed his mind. The same punishment was to be suffered by any beggar refusing to return to his parish of birth or legal residence.

7 The authors of the Acts clearly felt that one method of eliminating the problems caused by begging was to remove the children of beggars from the influence of their parents. It was commonly believed at the time that once a child was taught the art of begging, he would always resort to that means of gaining a livelihood (indicating, perhaps, that begging was a profitable occupation.) Hence, it was

ordained that if a beggar had any children between the ages of five and fourteen, any person of honest estate could take them into his service. The period of indenture was to last until the age of eighteen for females and twenty-four for males.

In summary, the Acts of 1574 and 1579 established a system of poor relief, clearly defining the proper recipients of public relief and the means of providing the relief, establishing the principle of an assessment for a source of funds, and ordaining the period of legal residence as seven years. The administration of these laws devolved upon the provosts and bailies, justices and sheriffs.

Rather than continue with a chronology of the laws it will be more fruitful to analyse the system in context of the following components: the administration of relief, the sources of funds for relief, the proper recipients of relief, the setting of the poor to work, and the parish of settlement and liability. Each component will be reviewed according to its treatment by the law, as provided by the statutes and decisions of the Court of Session, prior to the passage of the Poor Law Amendment Act (Scotland) in 1845.

B. The administration of relief

In 1574 the administration of poor relief was placed in the hands of the provost and bailies in the burghs and the justices in landward parishes; the sheriffs had an overall responsibility to ensure that the Act was duly executed in their shires, in both the rural and urban parts. The power of administering relief in landward parishes was transferred to the particular session of the kirk by the Act 1597, c.39,⁸ but the Act of 1661 returned the administration to the justices of the peace.⁹

In 1655 each parish was to appoint two individuals to be paid overseers of the poor. This was the first provision for paid administrative assistants; previous to this Act, all administrators provided their services free. Their duties were to make a list of the poor, gather and distribute the church collections and the stent, if laid down. They were to give an account of their activities at least every six months. If they failed to discharge their duties satisfactorily,

⁸ APS, Vol. IV., p.140.

⁹ APS, vol. VII, p.311.

they were to be fined £20 Scots (£1 13s. 4d. Sterling.)¹⁰ There is, however, no evidence that these assistants existed till the 1730's in urban areas.

The Act of 1672¹¹ returned to the kirk sessions the administration of poor relief. The Act of 1672 also made the heritors, who had been entrusted with the power of levying assessments for employing vagabonds and idle beggars by the Act of 1663,¹² jointly responsible with the sessions in the administration of the law.

The kirk session for each parish was the lowest ecclesiastical court in the Church of Scotland. It was composed of the parish minister and elders. Besides their legal responsibilities towards the poor, the session also supervised the religious and moral character of the parishoners. The heritors were all persons possessing heritable property within the parish, usually excluding houses. Heritors could also serve as elders, creating a situation whereby the heritors' interests were represented even though they did not actively partake in the management of the poor's fund.

Finally, the Proclamations of the Privy Council on 11 August 1692, 29 August 1693, and 3 March 1698, which were ratified by Parliament in 1698,¹³ confirmed the powers granted to the heritors and kirk sessions in landward parishes and to the magistrates in the burghs. These officials were also granted the authority to decide and determine all questions not determined by the Acts of Parliament or by Proclamations of the Privy Council, which might arise in their respective parishes in relation to the ordering -and disposing of the poor.

According to Scottish law the Court of Session rules on the legality of all legislation pertaining to Scotland if the provisions of an Act are ever questioned. With respect to poor relief the Court of Session was the only authority to which contesting parties could appeal. Therefore, rulings by the Court would either uphold previous interpretations of the law, clarify them, or change them. Hence, it is necessary to review Court cases in order to determine the status of the legislation concerning poor relief.

10 APS, vol. VI., ii, pp.835-36

11 APS, vol. VIII., pp.89-91

12 APS, vol. VII., pp.485-86

13 APS, vol. X., pp.177-78.

The first decision of the Court of Session respecting the administration of the law was on 15 February 1751 in the case of the heritors of the parish of Humble, Haddingtonshire, against the minister and kirk session. The Lords found

That the heritors have a joint right and power with the kirk session in the administration, management, and distribution, of all and every of the funds belonging to the poor of the parish, as well collections as sums mortified for the use of the poor, and stocked out upon interest, and have right to be present and join with the session in their administration, distributing, and employment of such sums; without prejudice to the kirk-session to proceed in their ordinary and incidental charities, though the heritors be not present nor attend.¹⁴

It was further declared that any extraordinary administration or uplifting of funds should be announced from the pulpit ten days in advance, so that the heritors might have an opportunity to attend. This ruling was amplified in 1752 when the Court ordained that any of the heritors of a parish were entitled to call the kirk session to account for their management of the poor's fund.¹⁵ Another ruling which confirmed the heritors' and kirk sessions' right to administration was made in 1772, with a decision that the sheriff had no power to judge of the amount of alimnt to be awarded to a pauper.¹⁶ The only time that the sheriff had jurisdiction was when the sessions failed to meet to decide on a claim; in that situation, the sheriff could order the session to meet,¹⁷ but, once the session had done so, the sheriff had no power to alter or review the orders or judgment of the session.¹⁸ In 1824 it was declared that the heritors and kirk session in their administration of the poor law were subject to the control of the Court of Session.¹⁹

14 Morison, p.10, 556.

15 Morison, p.10, 570

16 Morison, p.10, 577

17 Cases, Kirk Session of Glassford v. Orr, 10 July 1827, 5 S., p.921

18 Cases, Calder v. Trotter, 8 June 1833, 11 S., p.694.

19 Cases, Higgins v. Kirk Session of the Barony, 9 July 1824, 3 S., p.239.

By 1824, then, the kirk session and heritors were jointly responsible for the administration of poor relief in rural parishes, though neither party could meet for that purpose without notifying the other. If, after being duly informed of a meeting to impose an assessment, the heritors failed to appear, the kirk session was free to take action; the sessions, however, were accountable to the heritors, who could appoint representatives to attend the meeting on their behalf. The sheriff of the shire had no powers in the matter except to enforce upon the administrators, if necessary, the discharge of their duty. Finally, the administrators were subject to the rulings of the Court of Session, to which any aggrieved party could appeal.

C. The sources of funds for relief.

There were two main sources of funds for relief, voluntary collections and legal assessments. As has already been stated, the Act of 1574 ordered the parish officials to determine the necessary weekly amount to sustain their poor and then tax and stent the inhabitants, according to their means and substance, in order to raise the necessary funds; the taxation and stent rolls were to be reviewed annually. The Act of 1625 required each parish to place a stent upon the rent paid in the parish and upon each farmer and householder according to his means and substance, the heritors having to pay the stent levied by the parish, regardless of where they lived.²⁰ The stent was to be used for the purpose of providing a house where the poor could be gainfully employed. The Act of 1663 authorized an assessment for the purpose of discouraging vagabonds. One half of the assessment was to be paid by the heritors and the other half by the tenants and inhabitants, according to their means and substance.²¹ This formula was ratified by the Privy Council Proclamations of 11 August 1692 and 29 August 1693.²²

The Act of 1574 provided for the assessment to be made by the bailies and magistrates in burghs, and by the justices in landward parishes, but in the burghs the right of levying the assessment

²⁰ APS, vol. V., pp.178-79.

²¹ APS, vol. VII., pp.485-86.

²² Dunlop, 1854, pp.169-74.

continued to remain with the bailies and magistrates. The Privy Council Proclamation of 11 August 1692 changed the position in the shires, for it gave to the heritors and kirk session of rural parishes the right to levy the assessment. No further changes in this respect were to be made in the statutes until 1845.

Voluntary contributions as a source of funds were not specifically mentioned in the statutes until the Privy Council Proclamation of 29 August 1693. It ordained that half of the sums collected at parish churches and dues received by the session were to be made available for the poor. It should be noted that, although the use of the other half of the collections was not specified, the money was generally made available for temporary assistance to the poor. Even though no mention was made of voluntary contributions until 1693, it was implicit that they should compose a portion of the funds. This is the case, since the Act of 1574 stated that the assessment was to be imposed to meet deficiencies in the funds. As no other major source of funds was mentioned, it must be assumed that voluntary contributions would be acceptable and, indeed, expected. As latter Chapters will illustrate, heritors agreed to give "voluntary contributions" rather than be forced, in conjunction with the kirk session, into imposing a legal assessment. Mortifications to the poor were another source of voluntary contributions, as were marriage proclamation fees and mortcloth dues.

Fines appear in the statutes as a third source of funds. The Act of 1574 provided that fines imposed by special statutes for offences against the peace were to belong to the poor, as were fines imposed on individuals giving alms to beggars from other parishes, and the Privy Council Proclamation of 11 August 1692, ordained that the penalties on parishes neglecting to enforce the laws on poor relief and fines imposed on individuals refusing to give their fair quota were also to belong to the poor. There is no indication that such fines were ever imposed.

The right of the heritors and sessions in landward parishes and of bailies and magistrates in burghs to levy an assessment was never questioned in the Court of Session, but there were cases concerning the mode of assessment and the extent of liability. Surprisingly, the Court ruled in 1773 that, for the maintenance of the poor, the heritors had the power to assess in accordance with the real rent, where that was

expedient, although the practice may have been to levy according to the traditional or 'valued' rent:-

The proclamations of the Privy Council are undoubtedly part of our law in this matter; and in them there is no limitation as to the mode of laying on assessments for maintenance of the poor. Where the valued rent can, it ought to be followed as the rule.²³

With respect to the extent of liability, it was ruled in 1797 that

It is competent for the Magistrates of Glasgow to levy the poor's rates upon the inhabitants, according to the extent of their heritable property within the town, and of their personal property wherever situated.²⁴

This decision was upheld in 1823, when the Court ruled that a person assessed as an heritor was also subject to assessment on his personal estate wherever situated.²⁵ A minister, in his clerical character, was found not to be liable for assessment for the poor rates.²⁶

> With respect to church collections, there were only two court cases. The first, of 1739, concerned the collections of dissenting meeting houses. In this case the Court ruled that their collections were not to be appropriated for the support of the poor, but were to be at the sole disposal of the congregation.²⁷ This case was a result of the Established Churches' diminished collections owing to the first secession from the Church. The Established Church was responsible for providing legal assistance. In the second case, in 1839, the Court decided that churches of the Establishment, built by voluntary contributions, still had to pay over one-half of their collections to the poor.²⁸

23 Morison, West-Kirk against John Fraser, 19 January 1773, p.10,579.

24 Morison, Glasgow against Robert Dreghorn, 2 December 1797, p.10,587

25. Cases, Cochran V. Manson, 11 February 1823, 2S., p.201.

26 Cases, Cargill V. Tasker, 29 February 1816, F.C. 5, p.103.

27 Morison, 19 June 1739, p.8,011.

28 Cases, May 30, 1839, 1D., p.840.

D. The proper recipients of relief

As already mentioned, an Act in 1503 declared that only crippled, blind, impotent, and weak folk were to enjoy the privilege of begging. This can be considered the first enactment making provision for the legal poor, that is those entitled to beg, albeit they were, when possible, to fend for themselves. The Act of 1535 restricted this privileged class to begging only in their parish of birth. The first Act to provide for public maintenance of the poor was that of 1574, re-affirmed by the Act of 1579. Every parish was to provide lodging and abiding places for all their aged, impotent, and poor people, a definition of persons eligible for relief which remained unchanged for nearly a century. A new definition, or rather, a clarification, was contained in the Act of 1661: no person was to receive public relief, who was able in any way to earn his own livelihood ("The saide Justices shall twise in the year at the first of December and first of Junij take up a list of the poor in everie paroche within burgh or land into which number ther shall no person be receaved who are anie way able to gain their owne living", furthermore the list was to include "poore aged, seek, lame and impotent inhabitants of the saide paroche who /of themselves/ have not to maintaine them; nor are able to work for their liveing").²⁹ Lists were to be made of all poor, aged, sick, lame, and impotent inhabitants of the parish, who were unable to work or in any way maintain themselves. Relief was also to be given to all orphans and other poor children left destitute of all help within the parish. Thus, in the same Act the classes of individuals eligible for public relief were expanded, and the denial of the able-bodied unemployed to relief seemingly was reaffirmed.

1. The law and the able-bodied

Considerable confusion can arise with respect to the legal status of granting relief to the able-bodied. As the statutes given above (particularly that of 1661) clearly define those eligible for

²⁹ APS, vol. VII., p. 311.

public assistance, and as the able-bodied are not included, it has been argued that they were not entitled to public relief by implication. It could also be argued that the Act of 1661 explicitly excludes the able-bodied, stating that no person was to receive public relief if he was able to earn his own livelihood. It should be noted, however, that the Act of 1661 did not exclude the possibility of the able-bodied receiving public assistance during times of temporary disability. Perhaps this was responsible for the practice which developed of classifying paupers as being either "regular" or "occasional".³⁰ Hence, it was common to find on the parish pauper lists able-bodied individuals receiving temporary assistance because of illness or other temporary disabilities, other than unemployment.³¹ This practice was viewed as a legitimate function of the administrators, as it helped to prevent people in temporary need becoming a permanent burden on the funds. It is not clear from the records the source of funds for relieving such occasional paupers. It must be remembered, however, that each session had at its disposal the one-half of the church collections not legally belonging to the poor. Therefore, the payments to the occasional pauper may have come from these funds. Whether this was the case cannot be determined because parishes did not separate their collections. But even this distinction is not necessary to make, for a labourer with, say, a broken leg would be unable to maintain himself, thus being eligible by reason of temporary disability for relief. It is clear, however, that the able-bodied, because of unemployment were not relieved from the funds, but rather from special collections or voluntary subscriptions called for this purpose.³² Therefore, the standard practice during the period under consideration of granting relief to the able-bodied during times of temporary distress, other than unemployment, may not have been inconsistent with the law.

The only Court of Session case questioning the right of the able-bodied to receive relief from the public funds occurred in 1804, in the Case of Pollock against Darling.³³ The Court found by a majority of one that

³⁰ See Chapter 2.

³¹ See Chapters 2 and 3.

³² See Chapters 2 and 3.

³³ Morison, pp. 10, 591-5.

Those persons are entitled to relief under the system of poor-laws, who, tho' in ordinary seasons able to gain their livelihood, are reduced during a dearth of provisions to have recourse to a charitable supply; and an extraordinary assessment may for that purpose be levied.

A great many lawyers expressed doubt about the soundness and precedence of this decision. The following quotation from Monypenny reflects the mood:

In these circumstances, great doubts may reasonably be entertained whether this judgment would now be repeated if a similar case should occur, and it may be permitted to question, with due deference, the authority of this decision to establish the general doctrine which would so materially affect and alter³⁴ the character of the Scottish system of Poor-Laws.

In the case Darling, the defendant, argued that the poor derive their right to public support from the law.

The poor who have a legal claim to support from the more opulent members of the community are such persons only as are unfit to work for themselves, by reason of personal inability, such as is incident to youth or advanced years, or arises from bodily infirmity.

Furthermore,

The persons for whom the present assessment has been made, though in one sense poor, i.e. not rich, do not fall under the description of those for whom the Legislature has provided by the poor-laws.

Darling was not against the imposition of a legal assessment to maintain those entitled to relief. The parish of Dunse had had an assessment for nearly a century. For the period in question the parish kept two distinct lists, the "Regular Poor" and the "Industrious Poor". The assessments for the two classes were also kept distinct. The parish argued that the

inability to earn subsistence, is the true and only distress which it is the object of a code of poor's laws to relieve. The causes which produce this disability, provided they be real, cannot be distinguished from each other. Vice may have brought on infirmity, and idleness may have created a

³⁴ Monypenny, 1836, p. 32.

disability to labour: Still such misfortunes would be relieved: And shall not assistance be afforded to the honest and industrious man who works diligently, and yet is unable, from the circumstances of the times, to save himself and his family from want?

This decision opened the door to the able-bodied unemployed to claim relief as a legal right. As might be expected, the Court's agreement was not unanimous.

The Pollock-Darling Case may have arisen simply because the funds were obtained from a legal assessment, even though this assessment was ear-marked for a specific purpose. Darling was not questioning the appropriateness of granting assistance to the able-bodied during periods of temporary disability. Rather, he was against providing relief to the able-bodied unemployed from a legal assessment instead of a voluntary source of funds. This is an important distinction to bear in mind when assessing whether the Case represented a change in attitude towards granting relief to the able-bodied. The former position had long been a tradition in Scotland and had developed within the framework of the law. The latter position had always been alien to Scottish practice, as the able-bodied unemployed had traditionally been aided by voluntary public subscriptions held outwith the framework of the Scottish poor law. In spite of the favourable ruling, the parishes continued to deny the able-bodied unemployed public relief, leading to intensive debates during periods of massive industrial unemployment in urban areas, particularly Paisley.³⁵ Thus, in effect the acuteness of the inadequacy of the poor law was only felt after the development of industrial urban areas.

Unfortunately, Pollock-Darling was the only case of this nature heard by the Court before the passage of the Poor Law Amendment Act (Scotland) in 1845, though in 1821, a petition to the heritors and session of Abbey Parish of Paisley by 825 able-bodied men claiming relief as poor, because of a need arising from a stagnation of manufacturing employment, was refused by the heritors on the grounds that these individuals were not legally entitled to relief. The men appealed to the sheriff, who ordered the heritors and session to assess themselves in order to provide relief to the men. The heritors and session appealed to the Court of Session, which reversed the sheriff's

³⁵ See Chapter 8.

decision on the grounds that his action was beyond his jurisdiction; the unemployed men should have petitioned the Court.³⁶ For some unknown reason the men did not file a petition with the Court; perhaps more jobs were by then available, thus eliminating any need to pursue the matter.

The other decisions of the Court of Session concerning relief to the able-bodied stated that they were not proper recipients of relief. For example in 1809, the Court ruled that a widow who was accustomed to work and not disabled was entitled to no aliment from her husband's heirs.^{36a} In other words a widow had to maintain herself. In 1825, the Court decided that a woman with one or two children should not be entitled to relief if the situation of the children was such as would give her a reasonable prospect of supporting herself and the children. Although such a widow with children was not entitled to relief, her children were, if she was unable to provide for them.^{36b} A bastard child was entitled to relief only from the time of application, hence a mother could not claim for reimbursement of in-lying expenses.^{36c}

The position with respect to the eligibility of the able-bodied poor for relief in Scotland may be summarised as follows, taking as a starting point the sources of funds. There were four possible directions from which money for the relief of paupers might come.

The first was the parish assessment, in effect a tax on the landed property in the parish. This was the sole point in poor law matters at which the sanction of law attached. The phrase in the Act of 1661 governing the matter excluded any persons who were in 'anie way able to gain their own living'. This phrase may be interpreted in physical terms, as referring to age or disability, or in employment terms, as referring to the possibility of finding a job. The physical interpretation conformed more closely to the tenor of the times, and so the phrase might be taken to exclude the able-bodied. But an ambiguity could still be argued to be present, allowing of the relief of those who were able-bodied but out of employment. It is certainly clear, however, that there was no positive entitlement on the part of

³⁶ Cases, 29 November 1821, 1S., p. 177.

^{36a} Caird, Poor Law Manual, 1851, p. 55.

^{36b} Cases, 5 February 1825, 3S., p. 500.

^{36c} Dunlop, 1854, p. 30.

the able-bodied to relief on employment grounds, as could be claimed in the English case.

The next possible source of relief funds was from the collections taken at church doors. Such collections were, of course, a matter of voluntary giving, with no legal sanctions applied. They were in fact the normal source of Scottish poor relief. The collections were divided conceptually into two parts, though in the examples found this was not done in the bookkeeping sense. To the first half of the collection the poor were entitled; indeed it was specifically for their benefit. The claim of the able-bodied to a share was governed by the same principles as affected the assessment.

The second half of such collections was at the discretion of the kirk sessions; such monies had to serve the general needs of the parish, including the maintenance of the church fabric. From this part of the collections, using their discretionary power, the kirk sessions could relieve able-bodied persons, certainly over temporary disability and also, as in some observed cases, over periods of unemployment or other economic difficulty. In so doing the kirk session would, as appears from examples recorded in the minutes, designate such persons 'occasional poor'.

The fourth and final possible source of aid of the able-bodied was voluntary funds raised by interested persons. These, being entirely outside the poor law provision and the kirk, could be used for the able-bodied at the discretion of those administering such funds. Indeed their principal origin lay in times of large scale unemployment.

In sum, then, the Scottish poor law certainly made no explicit provision for the able-bodied, but, indeed, could reasonably be taken to have denied it, though not in unambiguous terms. Both of the sources of relief on which the able-bodied unemployed could hope to draw (the discretionary half of the collection and funds raised by appeals and subscriptions outside the church) were additional to the poor law provision as enforceable at law. In such a complex situation

it is hardly surprising that anomalies occurred, and that the relation between law and practice was not a simple one.

E. The setting of the poor to work

The statutes contain provision for setting both the legal poor and the idle beggars to work. As previously mentioned, the Act of 1574 ordained that any poor able to work to earn part of their subsistence should be ordered to work. Furthermore, any persons of honest estate was entitled to take into his service any beggars' children between the ages of five and fourteen. The act of 1597, besides re-affirming the Act of 1579, added the clause that strong beggars and their children were to be employed in common works.³⁷ According to the Act of 1625, each parish was to provide a house where their poor could be gainfully employed.³⁸ Finally, with regard to setting the legal poor to work, the Privy Council Proclamation of 11 August 1692 states

And if any of the poor of the parish are able to work, the heritors of the parish are hereby authorized and required to put them to work according to their capacities, either within the parish or to any adjacent manufactory, as they shall find expedient, furnishing them always with meat and cloaths.³⁹

With respect to setting idle beggars to work, the Acts are even more numerous, and are concerned with both the idle beggars and their children. The first was passed in 1617 and dealt with the children of beggars acquiring the custom of begging and hence becoming beggars. Thus it was considered good and profitable if individuals or corporations would take these children away from their parents, employ them in some occupation, and provide them with an education. The conditions were that the children must be certified by the provost and bailies in the burghs and by the kirk session in landward parishes to the effect that they were

37 APS, vol. IV., p.140.

38 APS, vol. V., pp.178-79.

39 Dunlop, 1854, p.170.

poor and unable to maintain themselves. If the child was under fourteen, he was required to receive the advice of the magistrates or session. His period of service was to last until the age of thirty.⁴⁰ Again, in 1641, in order to encourage the development of new manufactures and to rid the country of beggars, a commission was established to encourage manufacturers and to establish wages for apprehended beggars. Besides being able to apprehend them for employment, the manufacturers were also to receive concessions in that they need pay neither import duties on raw materials nor tax.⁴¹ The Act of 1649 ordered that all able-bodied beggars were to be apprehended and put to work.⁴²

In spite of these Acts, new factories were not established, hence an Act passed in 1663 re-affirmed the right of individuals to take poor children into their service and of manufacturers to apprehend vagabonds and set them to work. The terms were made even more appealing. The parish in which the apprehended beggar resided (or the parish in which he was apprehended if his parish of residence could not be determined) was to pay the employer 2s. Scots (2d. Sterling) per day for the first year and 1s. Scots (1d. Sterling) per day for the next three years and to provide meat and clothes for an additional seven years. One half of this amount was to be paid by the heritors and the other half by the inhabitants. For some reason the Burgh of Ayr was exempt from the law.⁴³ The Act of 1672 re-affirmed this Act and further provided for the establishment of correction houses in order to place idle beggars to work. The Act named one town in each shire in which a correction house was to be constructed, and it ordained that if houses were not constructed by Whitsunday 1673, the magistrates would suffer a penalty of 500 merks Scots (£27 1s. 8d. Sterling) each quarter until the houses were completed;⁴⁴ the Privy Council Proclamation of 11 August 1692, also directed that correction houses be built. But, despite all this, there is no evidence either that correction houses were established or that

40 APS, vol. IV., pp.542-43

41 APS, vol. V, pp.411-12.

42 APS, vol. VI., ii, pp.220-21.

43 APS, vol. VII., pp.485-86.

44 APS, vol. VIII., pp.89-91.

manufacturers seized beggars for the purpose of putting them to work. Hence, it is not surprising that there were no court cases dealing with the setting of the poor to work.

F. The parish of settlement and liability

The statutes provide only for birth and residence as qualifications for obtaining a settlement,⁴⁵ the period of residence necessary to acquire a settlement vacillating between seven⁴⁶ and three years.⁴⁷

A means of assisting a pauper voluntarily en route to his parish of settlement was established by the Act of 1574. This statute provided that the pauper was to be given a certificate by his parish of residence in order that he could obtain aid from those parishes he traversed on his way to his parish of settlement.

Although the laws are quite clear as to settlement, the practice in this area was determined by court decisions. Thus, in order to determine whether settlements acquired from birth and residence could be delegated to wives and children of the parties acquiring them, the courts came to recognize marriage and parentage as two further sources of settlement. Furthermore, the burden of maintaining a pauper could not be thrown on the parish of his birth if he had acquired a settlement in another way.⁴⁸ The decision of the Court was that the parish in which an indigent person had resided for a period of three years, immediately preceding his application for relief, was bound to provide relief to him. Hence, the period requisite for a settlement was established at three years. The Court's confusion, however, concerning these matters is clearly illustrated by several other cases. On 3 March 1757, in kirk session of Inveresk against the kirk session of Tranent, the Court ruled that where the place of a beggar's birth was known, his maintenance was to be a burden upon that parish, notwithstanding his

45 These statutes are the Acts of 1535, 1574, 1579, and the Privy Council Proclamations of 11 August 1692 and 29 August 1693, which were confirmed by the Act of 1698.

46 Established by the Act of 1579 and Proclamations of 11 August 1692 and 29 August 1693.

47 Established by the Act of 1672.

48 Morison, Parish of Dunse against the Parish of Edron, 5 June 1745, p.10,553.

residence for the last three years in another parish. This decision was made on the basis of the Privy Council Proclamation of 29 August 1693, which states that

all beggars, vagabonds, and poor persons, are ordered to return to the parishes where they were born; and that not being certain, to the parish where they last resided for the space of seven (*italics added*) years together.⁴⁹

This decision was reversed by several others when it was found that the parish where the individual was resident for the last three years was liable for his relief.⁵⁰ The Court found that a legal settlement could be obtained by residence alone, without any industrious employment.⁵¹ Furthermore, a foreigner could obtain a settlement by residence, thus entitling him to parochial relief.⁵²

With respect to children under the age of fourteen, if the child was legitimate, his parish of settlement was that of his father,⁵³ for an illegitimate child the parish of settlement was that of his mother,⁵⁴ and for an abandoned child whose parents and parish of birth were unknown, the parish of abandonment was liable to care for him.⁵⁵

Another important matter which became law through court decisions concerned the liability of a parish for providing relief, that is the circumstances in which an individual was eligible for parish assistance. Generally, the Court held that the parish became liable only if the applicants' relatives were unable to support him: -- children were bound to support their parents and paternal and maternal ascendants,⁵⁶

49 Morison, p.10,571-2.

50 Morison, Parish of Crailing against Parish of Roxburgh, 7 March 1767, and Parish of Hutton against Parish of Coldstream, 6 December 1770, p.10,574.

51 Morison, Rescobie against Aberlemno, 28 November 1801, p.10,589.

52 Cases, Higgins V. Session of Barony, 9 July 1824, 3S., p.239.

53 Morison, Parish of Coldinghame against Parish of Dumse, 28 July 1779, p.10,582 and Howie against Parish of Arbroath, p.10,584.

54 Morison, Parish of Rescobie against Parish of Aberlemno, p.10,589-90.

55 Cases, Thomson V. Pollock, 17 November 1808, 15 F.C., p.7.

56 Morison, 20 July 1710, p.448; Cases, 14 February 1824, 2S., p.715, and 10 July 1825, 3 S., p.546.

likewise, the parents were bound to support their children, as were the grandparents,⁵⁷ but a son's parents were not required to maintain his wife after his death.⁵⁸

G. The Poor's Roll

The only form of recourse poor people had against a parish was the Court of Session, but as the process of placing a case before the Court was very expensive, the poor, without some form of assistance, would find it impossible to appeal to the Court. This difficulty was foreseen, and a provision for free legal assistance was provided by the Act 1424, c. 45, which directed that in the case of a poor man, an advocate would be appointed to represent him. This Act was the only statute passed by the Scottish Parliament setting forth the right of the poor to legal aid. Further development and refinement of the Poor's Roll was made by Acts of Sederunt.

The Court of Session on 2 March 1534 passed an Act of Sederunt appointing two advocates as counsel for the poor, each receiving £10 per year. In the following year Friday was set aside as the day to hear the poor's cases.⁵⁹

The privilege must have been used, for two Acts of Sederunt tend to indicate that the Roll was being abused, both by the poor and by advocates. The first, in 1686, required all persons taking advantage of the Act of 1424 to state the process in which they were engaged in order to prevent litigations at large.⁶⁰ The second, on 9 June 1710, directed that an advocate who began a case had to continue with it till the end.⁶¹

Benefit of the Poor's Roll could be received only if a person was in poor circumstances and had a just cause of litigation. To gain admission to the Roll, by Act of Sederunt, 10 August 1784, a person needed a certificate from the minister and two elders of the parish of

57 Morison, 28 February 1802, appendix, 6 July 1802, appendix;
Cases, Duncan V. Hill, 17 February 1810, 15 F.C., p.62.

58 Morison, 11 July 1764, p. 400; Cases, Yuill V. Marshall, 21 December 1815, 19 F.C., p.62, 27 January 1837, 16 S., p.399.

59 Black, p. 177.

60 Black, 1893, p.177.

61 Black, 1893, p.178.

residence, stating his indigent circumstances.⁶² By Act of Sederunt, 11 July 1800, the certificate had to include

'what occupation or business the said party follows, what are his or her reputed circumstances and character, how long resident in that parish or place, whether with or without a family, and whether known to be engaged in any process or processes at the time.'⁶³

In the case of Elphinstone, 11 February 1836, it was decided that "The minister and elders of a dissenting church are not entitled to give a certificate".⁶⁴ Hence, all matters of poor relief in rural parishes were firmly in the hands of the Church of Scotland.

H. Summary

From the preceding comments it should be clear that Scotland, from the fifteenth century, had a system of poor relief established by statute and elaborated by Court rulings, and by 1745, well defined. The laws were administered by the magistrates and town council in burghs and by the heritors and kirk session in rural areas, these local officials, being regarded as closer to the problems of the people and knowing their needs; but if these failed to fulfil their duties, the Court of Session could order them to supply relief.

Persons eligible for relief were orphans and deserted children under the age of fourteen, individuals over seventy, and the severely disabled, all of whom could receive relief only as a last resort.

In order that a parish be liable for relief of an individual he had to acquire a settlement obtained by a continuous residence of three years in a parish, or, failing that, such settlement was determined by the paupers' place of birth.

Funds for relief were obtained from voluntary contributions and from legal assessments. One-half of the church collections were to be applied to the support of the poor. If all contributions taken together were not sufficient, the parish had the duty of imposing a legal assessment, levied twice yearly by the heritors and kirk session. One-half of the assessed amount was to be paid by the heritors and the other half by the inhabitants of the parish.

62 Black, 1893, p.179.

63 Black, 1893, p.179

64 Morison, 14 S., p.463.

These were the various elements of the system as contained in the laws. The prevailing philosophy of the period produced, as another component of the system, a belief that the amount received by paupers should be less than the earnings of the lowest paid workers, thus, the principle of 'less eligibility', made so famous by the English Act of 1834, was fundamental to the traditional Scottish principles. This, combined with the reliance placed upon relatives and neighbours, served to place a stigma upon the reception of public relief. The receipt of such relief involved a moral judgment by society. These feelings were probably strengthened by the Church's attitude during the eighteenth and early nineteenth centuries that the cause of pauperism was due to a lack of moral fibre. Pauperism could not be eliminated by providing individuals with a subsistence level of living, but only by instilling into them the virtues of a moral, Christian life.

CHAPTER 2: POOR RELIEF ADMINISTRATION IN SCOTLAND'S RURAL PARISHES:
NORTH AND WESTERN SCOTLAND, NORTHEAST LOWLANDS AND
CENTRAL HIGHLANDS, EAST COAST LOWLANDS, CENTRAL AND
SOUTHWEST LOWLANDS, SOUTHERN UPLANDS

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CHAPTER 2: POOR RELIEF ADMINISTRATION IN SCOTLAND'S RURAL PARISHES:
NORTH AND WESTERN SCOTLAND, NORTHEAST LOWLANDS AND CENTRAL
HIGHLANDS, EAST COAST LOWLANDS, CENTRAL AND SOUTHWEST
LOWLANDS, SOUTHERN UPLANDS

A. General

In rural areas the law of Scotland placed the responsibility for administering relief to the poor jointly with the heritors and kirk sessions of each parish. These two groups were held liable for levying funds and supplying needs of those requiring public assistance. If such funds could not be obtained by voluntary collections, an assessment was to be imposed. Only the orphaned young, the aged, and the impotent were to receive relief; the able-bodied unemployed apparently were never recognized by the statutes as being proper recipients of public support.

This was the legal framework, but what was the practice? As there were nearly 850 rural parishes in Scotland, the possibility existed of great variety in the law's implementation. Who was given relief? How and when were they paid? How much did they receive? What were the sources of the funds? What were the attitudes of the administrators? Who were the administrators? Answers to these and other questions will throw light upon the system of poor relief in Scotland for 1745-1845.

Ideally, every parish should be examined. But since this would be impractical, a set of criteria must be established to permit a statistically valid examination. The best way to pinpoint differences in administration seems to be by means of a regional analysis.

Accordingly, Scotland has been divided into the following five regions: (1) North and Western Scotland, (2) Northeast Lowlands and Central Highlands, (3) East Coast Lowlands, (4) Central and Southwest Lowlands and the (5) Southern Uplands. Table 1 contains a list of counties in each region, which are illustrated on Map 1. When possible, at least two parishes from each county were chosen, thus providing a sample of nearly ten per cent, making it possible to infer that the results obtained from an examination of the parishes will be reasonably representative of the Scottish situation.

A random sample of two parishes from each county was taken. This initial selection had to be modified due to the availability of records;

Table 1: Counties contained in each Region

(1) North & Western Scotland:

Orkney
Caithness
Sutherland
Ross and Cromarty
Inverness
Argyle
Bute

(2) Northeast Lowlands & Central Highlands:

Nairn
Elgin
Banff
Aberdeen
Kincardine
Forfar
Perth

(3) East Coast Lowlands:

Fife
Kinross
Clackmannan
Linlithgow
Edinburgh
Haddington

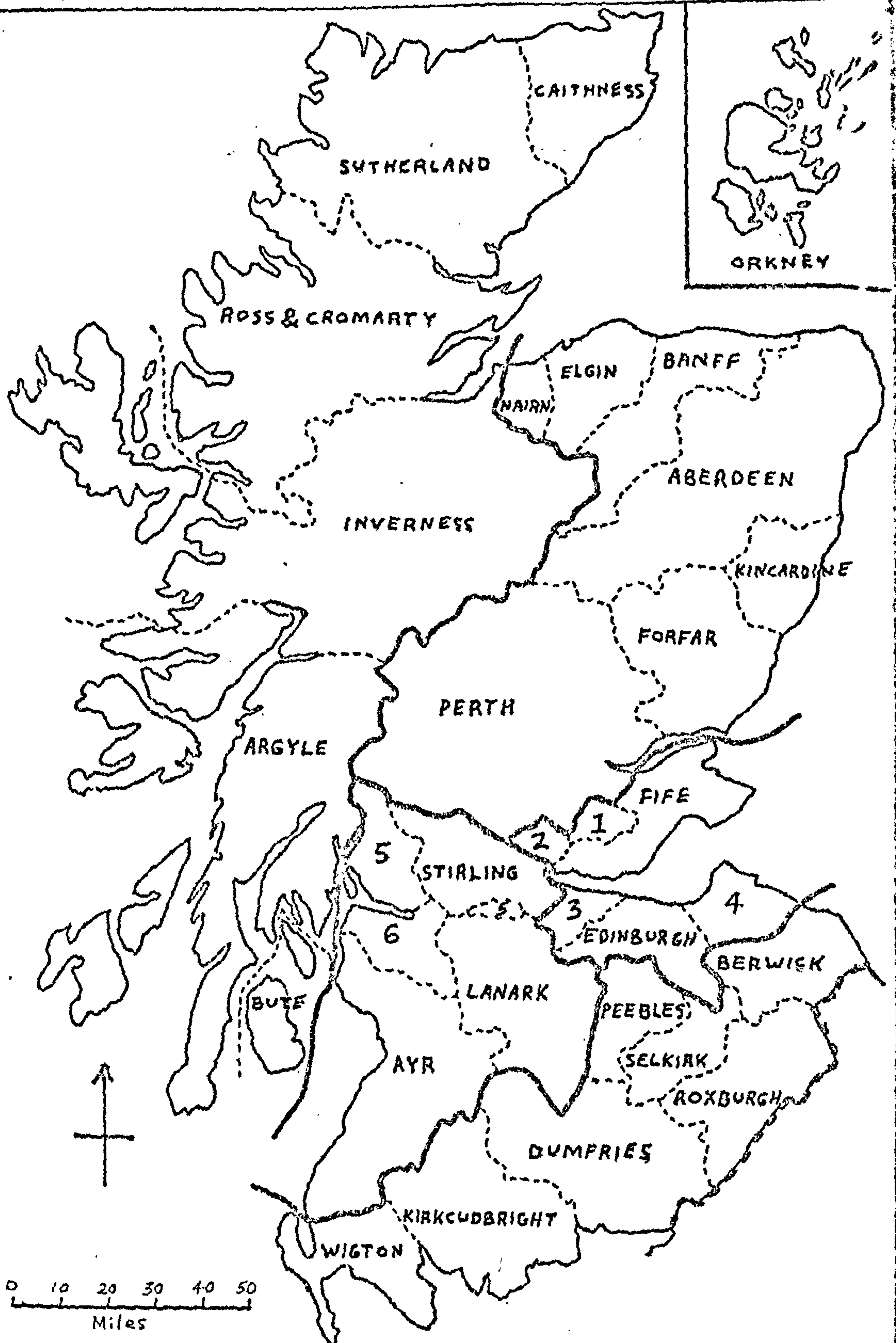
(4) Central and Southwest Lowlands:

Stirling
Dumbarton
Renfrew
Lanark
Ayr

(5) Southern Uplands:

Berwick
Peebles
Selkirk
Roxburgh
Dumfries
Kirkcudbright
Wigton

MAP 1: SCOTLAND: COUNTIES AND REGIONS



1. KINROSS
2. CLACKMANNAN
3. LINLITHGOW

4. HADDINGTON
5. DUMBARTON
6. RENFREW

for some counties, particularly those in Western Scotland, the selection of parishes was determined solely by the existence of adequate records. The parishes examined and their location are illustrated on Map 2. The result of this method was that few Highland parishes were examined in great detail. To overcome this defect, the two Statistical Accounts and the evidence in the 1844 Report were examined for a number of Highland parishes. The type of information which these sources provided was of a limited nature. Nonetheless, it was possible to determine that the general practice in the Highlands was for the kirk sessions in each parish to make an annual distribution to those on the pauper lists from the scanty amount raised by church-door collections. Some further light on Highland relief was gained from secondary source material and appears throughout the thesis.

The main sources used were the kirk session minutes and the heritors' records. Although they provided useful information, these documents also presented problems. The kirk session minutes were primarily concerned with moral standards and often gave little information on poor relief matters. The content of the records is illustrated by an extract from the Newbattle session minutes, where it was stated that "The Committee beg likewise to observe that the Minutes of Newbattle Session seem to be a Record of nothing else than cases of Scandel & the election of an elder from time to time to sit in the Presbytery & Synod".¹ Even when the kirk session minutes did contain entries concerning the poor, they were often unhelpful. The minutes rarely indicated any reason for the admission of a pauper to the list, only the name and amount of pension usually appeared. Quite often individuals' names do not appear, only the date and total distribution being given. Thus, it was not possible to reconstruct the lists, especially since the death of a pauper rarely was recorded. As for other entries concerning the poor, the kirk session minutes seldom provide any rationale for a decision, only the fact that a decision was made and duly recorded.

Fortunately, the heritors' records were more valuable for policy matters. But their usefulness is limited by the number available. No heritors' records exist for the North and Western Scotland and the Northeast Lowlands and Central Highlands. For the other regions few exist before 1800.

MAP 2: SCOTLAND: SAMPLE PARISHES & BURGHS

KEY

(1) North & Western Scotland:

Ross & Cromarty: (1) Cromarty; (2) Kiltearn
Inverness: (3) Croy; (4) Cawdor; (5) Moy
Bute: (6) Kilmory; (7) Rothesay
Argyle: (8) Craignish; (9) Kilmore; (10) Dunoon
Caithness: (11) Canisbay; (12) Wick; (13) Ness
Sutherland: None
Orkney: (14) Sandwick

(2) Northeast Lowlands & Central Highlands:

Vairn: (4) Cawdor
Elgin: (15) Drainie; (16) Elgin
Banff: (17) Deskford; (18) Grange
Aberdeen: (19) Kenmay; (20) Tough
Kincardine: (21) Fordoun; (22) Nigg
Forfar: (23) Craig
Perth: (24) Aberfoyle; (25) Liff

(3) East Coast Lowlands:

Fife: (26) Kilmany; (27) Anstruther Easter
Kinross: (28) Arngask; (29) Orwell
Clackmannan: None
Haddington: (30) Salton; (31) Tranent; (32) Dalkeith
Linlithgow: (33) Uphall; (34) Cramond
Edinburgh: (35) Cranston; (36) Newbattle

(4) Central & Southwest Lowlands:

Stirling: (37) Falkirk; (38) Dunipace
Dumbarton: (39) Cardross; (40) Arrochar
Renfrew: (41) Eastwood
Ayr: (42) Ballantrae; (43) Sorn
Lanark: (44) Shotts; (45) Bothwell

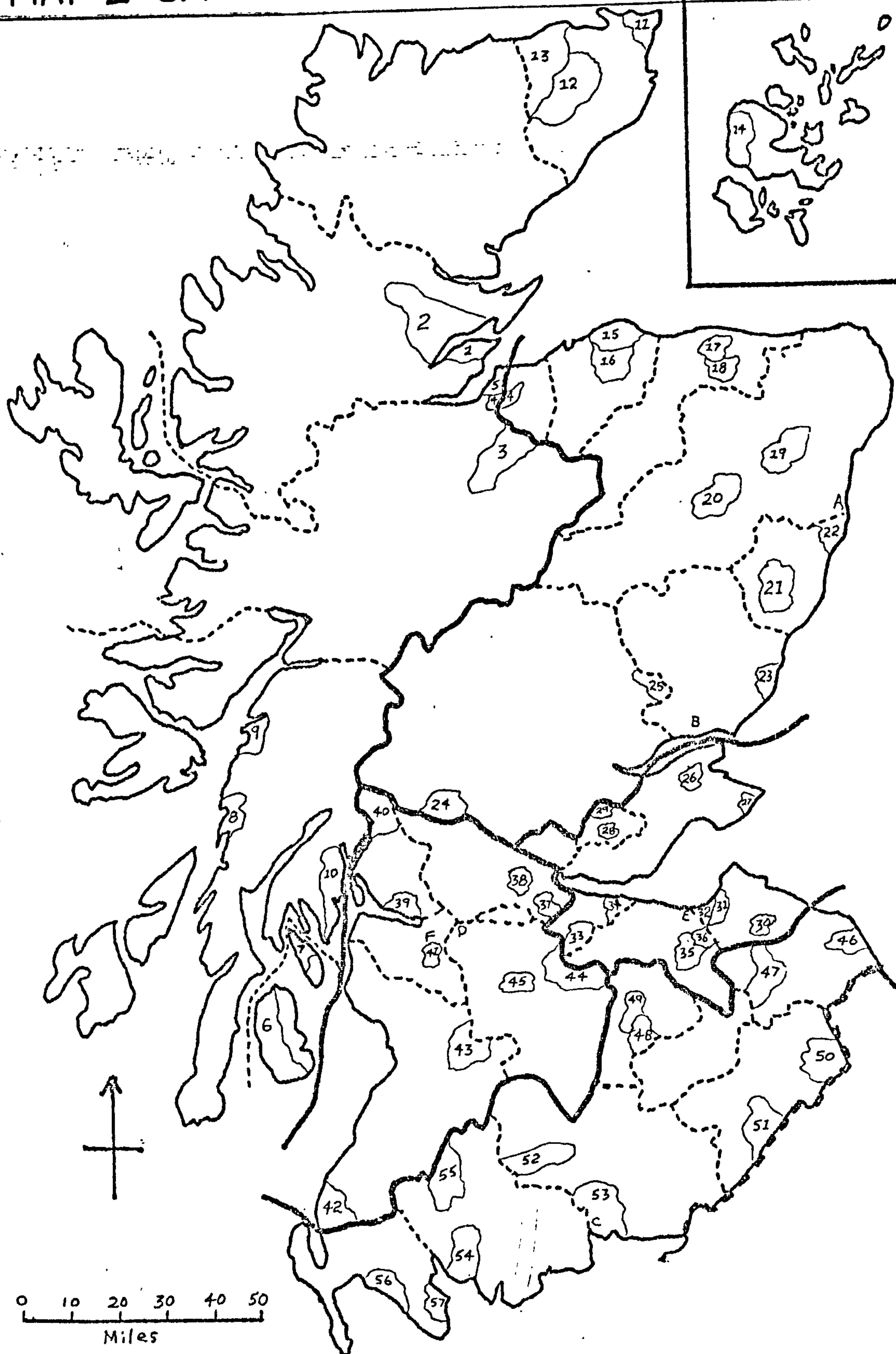
(5) Southern Uplands:

Selkirk: None
Berwick: (46) Ayton; (47) Lauder
Peebles: (48) Manor; (49) Stobo
Roxburgh: (50) Sprouston; (51) Hounan
Dumfries: (52) Tynron; (53) Dumfries
Kirkcudbright: (54) Anwoth; (55) Kells
Wigton: (56) Mochrum; (57) Sorbie

Burghs:

- (A) Aberdeen
- (B) Dundee
- (C) Dumfries
- (D) Glasgow
- (E) Edinburgh (Royalty, Canongate, St. Cuthbert's)
- (F) Paisley

MAP 2: SAMPLE PARISHES & BURGHS



B. Administration of relief

At the time of the 'forty-five' the law was not being enforced in the northern parishes despite the fact that orders were frequently given by the presbyteries and the sheriffs to the kirk sessions that the laws were to be put into operation. The most vivid statement was contained in the following letter of 1751 from Charles Forbes, Sheriff, Aberdeenshire, to the parish of Tough:

Upon the Subject of the Scheme for maintaining the poor of this County, Suppressing & restraining Vagrants &c. And I have had several letters from the Moderators of other Presbyterys to the same purpose; & I'm heartily pleased to find that the Scheme is universally agreeable & Therefore cannot fail to be executed providing the powers given by Law to Heritors, Ministers, & Others are duly & vigorously excreed, which I have no Reason to doubt of. You are, Therefore first to make up a Roll or List of the poor of each Parish: This ought Properly to be done at a meeting of the Heritors and Elders of the Parish or such of them as concur & if none of the Heritors shall be present, the Minister and his Elders may, Yes, must do this, after intimating the meeting upon the Sabbath day preceeding from the pulpit. -- When this is done, & the Poor Justly classed, according to their ages and conditions, ability or inability to work, The next thing to be done is to Intimate from the pulpit The Sunday thereafter, another meeting of the Heritors & Elders for assessing the Parish in a sufficient reasonable Maintenance for the poor for six months & so continually from time to time.-- The method prescribed by Law for assessing is by the valued Rents, the Heritors paying the one half & the Inhabitants of the Parish the other. Each Heritor will name a fit person for collecting what is imposed upon him & his Tenents quarterly, & the whole money Collected must be payed to the Church Treasurer, one or more of the Elders, who are to distribute the same among the Poor conform to the Assessment. There is nothing allowed by law for their pains; & if anything be given upon that account, The Parish must defray the charge. The Old Town Parish of Aberdeen is already assessed; And other Parishes are busy in executing the Scheme, and I'm persuaded in a Short time, the whole will be executed, as it will not indeed admit of delay -- The Law appoints one half of Your Collections to be applyed for the maintenance of the Poor, The Other half may be necessary for other uses. It is not to be Supposed that Your Heritors will be ??? in meeting with You & the Elders; & if they shall be remiss in this particular, You have power, & must proceed without them:

for the Scheme must not be defeated; & who each is negligent in his Duty cannot expect to escape the Punishment inflicted by law; & I'm convinced the Ministers will not be obnoxious.²

It must be emphasised that this "new" scheme was, in fact, the existing provisions of the Act of 1574; therefore, it would seem that the provisions of that Act were never put into operation, or only to a limited extent.

The heritors' role in the administration of relief in the two northern regions (1&2) is difficult to judge, as no heritors' minutes for these regions have been located. Some evidence does exist to suggest that the heritors were consulted during times of difficulties. They in their turn were only interested when their pockets were affected. For example, in Cromarty the heritors, in order to save themselves money, agreed to stent themselves 15s. to defend in court the rights of the poor to receive the rents from lands mortified for their use.³ The only evidence that the heritors took a more active part in the management of the poor was for the ^{more Lowland} parish of Craig, Forfarshire, where, because of the resignation of the elders in 1843 at the time of the Disruption, the kirk session turned everything over to the heritors.⁴

For the other three regions the heritors did take an active interest in the management of the funds, their role being a two-fold one of reviewing the actions of the session and having the final say in all matters affecting the poor. The review often took the form of acting as a rubber stamp, as in the case of Uphall, Linlithgowshire, where "The Heritors beg leave to return their best thanks to the Session for their judicious administration of the Poores Funds".⁵ This is further illustrated by the following extract:

The Meeting are also desirous of recording the sense they entertain of the very proper manner in which Mr. Balfour /the Minister/, during that long period, has discharged the secular duties of his office, particularly his attention in managing with exemplary economy the funds of the poor -- While sufficient aid has been afforded to every pauper who had a claim upon the Parish, this has been accomplished without

2 Tough KSM, 22 June 1751.

3 Cromarty KSM, 1 July 1757.

4 Craig KSM, 20 July 1843.

5 Uphall KSM, 24 November 1816.

having recourse to a legal assessment, now too prevalent in many parishes in this country.⁶

Good co-operation between the heritors and session did not always occur; in both Tranent, Haddingtonshire, and Orwell, Kinross-shire, conflicts between the two factions were frequent. The Tranent kirk session reported that the heritors had met to discuss the session's management of the poor; the session came to the following resolutions about that meeting:

- 1) They are of opinion that this meeting was an Innovation whose evident Tendency was to Supersede the Necessity of a Kirk Session, and totally to divest them of their Power as Managers of the Funds and Trustees of the Poor.
- 2) They are of opinion that it was illegal. For the Session humbly think that though Heritors may personally attend, consult and vote in Matters relating to the Poor amongst with the Kirk-Session, yet they have no Right so far as the Session knows to grant Proxys to others for this Purpose, far less by their Minute barely to nominate and appoint.
- 3) The Session are farther of opinion that certain of their Resolutions were likewise illegal and highly injurious to the Poor -- Such for instance as ordering Mr. Turcan to lodge a claim against Robert Sanderson's Subjects to the Amount of the whole Sum he had received in charity, which the Session apprehends could not be done in a legal Manner, as there never was any previous contract or agreement betwixt Robert Sanderson and them -- and farther, because another Resolution of theirs obliging the Friends of every Pensioner to give Security that none of their furniture or Effects should be conveyed away was intended to prevent the necessitous and indigent from receiving the Smallest Benefit from the Funds, and imposing a Hardship on the friends, to which neither in Equity or in Law they are bound to Submit.

Lastly, The Session are of opinion that this Meeting was founded on the highest Suspicions of their unfaithful Management.

Wherefore, considering what is above Set forth, the Session wishing to Support their lawful and justly acquired Power and Authority in these Matters, and at the same time to check and put a Stop to Innovations and Irregularitys of this kind, hereby and in this manner testify their extreme Disapprobation of all Such Meetings in all time coming.⁷

⁶ Sorn HR, 9 August 1823.

⁷ Tranent KSM, 22 May 1785.

The session was again, in 1813, to disapprove of the actions of one heritor who reviewed and reduced the poor's roll.⁸ This is the only known example of a kirk session challenging the legality of a heritors' meeting.

The troubles in Orwell were of a different nature; the minister refused to work with the heritors. The first evidence of the relationship between the heritors and the session appeared quite friendly; Mr. Spence, the minister, because of a lack of elders, asked the heritors to form a committee to assist in the management of the poor's fund.⁹ The heritors agreed to this request, and a committee was appointed. By 1800, the friendly atmosphere had changed; Mr. Spence refused to give an account of his expenditure and to give the heritors funds from the poor's money in order to buy meal. The heritors then decided to take legal action to ensure their right as joint managers of the poor's fund, though the outcome is not recorded.¹⁰ Further legal action occurred in 1817, when Mr. Spence refused to account for £182 6s. 3d.¹¹

The participation of the heritors increased with the imposition of a legal assessment. By 1788, the parish of Falkirk, Stirlingshire, had levied an assessment; the funds were managed by a joint committee of heritors and elders.¹² Furthermore, with the introduction of the legal assessment all functions of management were no longer gratis; paid clerks and collectors were hired. The officials collected the stent and paid the pensions according to the dictates of the managers.

At Eastwood (which had a legal assessment and a joint committee of management by the 1820's) the kirk session was allowed to keep the church door collections if all cases of occasional relief were supplied from them; the proceeds from the assessment were to support only those on the pauper roll.¹³

8 Tranent KSM, 2 December 1813.

9 Orwell HR, 15 May 1771.

10 Orwell HR, 19 February 1800.

11 Orwell HR, 15 February 1817.

12 Falkirk HR, 1788.

13 Eastwood HR, 22 May 1834.

The heritors were also frequently willing to let the session handle the poor's affairs. The Arngask, Kinross-shire, session was informed by their minister.

... that the Heritors of the parish at their meeting on Saturday last had expressed their desire, that the session should take the sole management of the poors funds. The Session considering themselves as the legal managers of these Funds, do therefore agree hence forth to take cognizance of them.¹⁴

The authority of the kirk session and heritors was at times questioned, as in the case where the sheriff substitute ordered the Ayton, Berwickshire, heritors to supply relief to Margaret Carr.¹⁵ In an attempt to prevent members of other congregations from having a say in the distribution of the funds, the Grange, Banffshire, session declined to comply with

... Mr. Findlater's suggestion of admitting any persons to see to the distribution of the poor's funds along with them, the Kirk-Session and Heritors being the only legal conservators of the poor's fund and the sole judges of the circumstances of the poor.¹⁶

The session did state, however, that they had no objections to receiving signed lists from the dissenting congregations, pointing out the needs and circumstances of their poor.

Attempts were often made to improve the administration and to inform the elders and heritors of their legal responsibilities. Sometimes this took the form of appealing to some authority, as in Croy, Inverness-shire, where a copy of Dunlop's book on the poor law had been purchased to use as a reference.¹⁷ Another method was to inform the managers of their responsibilities. This is shown by the following statement designed to decrease the poor's rate:

14 Arngask KSM, 13 September 1802.

15 Ayton HR, 17 February 1837.

16 Grange KSM, 1 July 1844.

17 Croy KSM, 13 August 1839.

That the members shall be hereafter regularly
A timeously cited to attend the meeting of session.

That when assessments are ordered to be laid on,
the exact sum specified shall be levied & no more.

That in distributing money to the poor those only
who are proper objects of charity shall receive relief
& no sums of money shall in future be paid or sustained
except upon proper orders duly authorized.¹⁸

This extract also illustrates another aspect of the Scottish system
of poor relief: the unwillingness in normal times to provide relief
to those other than the proper objects, as set forth in the law.

A final means of improving the efficiency of the management was
to divide the parish into districts, each assigned an elder familiar
with its inhabitants to investigate all applications for relief. In
Canisbay, Caithness-shire, the elders were empowered in distant
districts to look after their own poor, after consulting with the
minister about their actions. The minister also was given power to
order money from the treasurer for these cases.¹⁹ Cardross,
Dumbartonshire, by 1842 was divided into twelve districts, each under
the supervision of either an elder or deacon, the better to look after
the interests of the poor.²⁰ In Crange it was resolved that each
member of the session would have a district assigned to him. It was
further

Resolved that on occasions may occur between meetings of
session when a temporary supply is necessary to poor
individuals in the parish or to wandering persons who may
be in immediate want, or for making suitable provision
in case of sickness or death, the minister and each member
of session shall have a discretionary power in all cases
coming under their notice either to take such steps or to
advance such sums as they may consider necessary, or to give
an order upon the treasurer for the same, and otherwise to
do in all accidental circumstances connected with the poor
as their judgement may direct.²¹

18 Cranstoun KSM, 10 December 1827.

19 Canisbay KSM, 29 September 1757.

20 Cardross KSM, 14 February 1842.

21 Crange KSM, 11 November 1842.

In summary, the kirk sessions and heritors did implement the poor law in rural areas. In every parish examined the kirk session took an active role, but in general the heritors were not involved until the threat of imposing a legal assessment. In many parishes the heritors from time to time led the fight to prevent a legal assessment; they were willing to impose a voluntary contribution among themselves to meet that end.

C. Sources of funds

By law funds for the poor came from voluntary contributions (in the form of one-half of the church door collections), fines, mortcloth dues, proclamation fees, mortifications and donations. When these voluntary sources were not sufficient, an assessment was to be laid, one-half payable by the heritors and the other half by the inhabitants.

All parishes examined used at least one-half of their church door collections to support their poor. Difficulties seemed to arise, particularly in remote areas where worn out or foreign coins were slipped into the collection. The situation was so bad in Croy that in 1771, a general distribution to the poor could not be made.²² Crafty clergy resorted to the practice of 'handing around the ladle'; this exerted moral suasion as the contents of the ladle on its long handle were visible to all.

Fines and fees were also an important source, some parishes developing unusual ones in an attempt to prevent the imposition of a legal assessment, as, for example, a fee for the right to erect a headstone. In Falkirk this was a half crown;²³ it was ordered by the Cramond, Linlithgowshire, session in 1796, that no headstone could be erected in the graveyard without a payment of 10s. for the poor.²⁴ This fee was quite common in the ^{Southern} ^(3,4,5) Lowland areas, where people appeared to have an obsession about making arrangements for permanently marking their own resting place before their death.

22 Croy KSM, 15 August 1771

23 Falkirk KSM, 29 October 1760

24 Cramond KSM, 17 January 1796

The orthodox types of fines and fees were proclamation of marriage dues, fees for the use of the mortcloth, fines for irregular marriages and births, and fines for fornication. In certain cases fines imposed by the sheriff were given to the poor's funds, but usually only those fines imposed by the kirk session were included.

It was recorded in the Orwell session minutes on 8 January 1753, that £1 4s. 0d. had been collected in proclamation of marriage dues, and this amount went to the poor's fund.²⁵ In Tranent it was decided that those who married irregularly²⁶ had to pay 5s. to the poor.²⁷ Then on 30 April 1775, the session further agreed that people who were married irregularly and desired a meeting of the session to correct the matter would have to pay 1s. before the session could consider their case, and that this fee would go to the poor. The session finally agreed on 5 June 1785 to allocate all fines for irregular marriages and births to a fund for the transporting of cripples and poor infirm travellers to the hospital at Musselburgh, with any balance at the end of the year going to the general fund.

Sessions went to great lengths to protect their right to impose fines and fees. It was reported in Sorn in 1830 that a society had been formed in the parish for the purpose of letting out mortcloths. As this action by the society would be detrimental to the poor's fund, the heritors decided that claims should be made in the small debt court in Ayr against any persons who have used, or may use, any such mortcloths.²⁸

Sessions could impose a fine, but they could also forego its payment. For example in Falkirk,

Appeared Peter Thomson and Ann Gray both of this parish, judicially acknowledging themselves married. No Lines. They were rebuked for their irregularity; but being poor they paid no dues. They were exhorted to live as Christian husband and wife.²⁹

25 Orwell KSM, 8 January 1753.

26 An irregular marriage was one which was not solemnised by a minister of religion after proclamation of banns. W. Mair, 1895, p.93.

27 Tranent KSM, 4 December 1763.

28 Sorn HR, 29 July 1830.

29 Falkirk KSM, 6 February 1831.

In some parishes this procedure was common, as an entry of the following nature appeared quite frequently in the Fordoun, Kincardineshire, session minutes: "Clementine Fraser, guilty of fornication. She payd down the usual penalty; but the Session upon account of her extreme indigence returned her the same by way of charity."³⁰ This is a rather curious entry in the light of the contemporary belief that loose morals were a primary cause of pauperism. Unfortunately, a list of paupers for Fordoun does not exist, hence it is not possible to determine whether this apparent encouragement of moral degradation increased the pauper rolls !

Another puzzling item was the Church's apparent reliance on fines as a means of absolving sin.³¹ Perhaps it was felt that a person would suffer more in this life if his pocketbook was taxed, thus enabling him to enjoy greater benefits in his after life. But a better explanation would be that the kirk session had the legal right to call any inhabitant of the parish before them, regardless of their affiliation. Therefore, the only effective punishment the session had for non-members was the imposition of a fine. The benefit to the poor is apparent from the following extract:

Since the Session gave up the practice of public appearance for acts of uncleanness, they have laid a small sum upon the few, who were able to bear it, for benevolent purposes, and not to be considered as a part of the poor's funds. From this source they have obtained in whole to this date Fifty Nine Pounds, Eighteen Shillings and Ten pence Stirling. They laid out at different times a part for coals and meal for the poor, before there were any other fund for exigencies of this kind, as there are now by an annual allowance from Mr. Callander's donation.³²

Donations and legacies (mortifications) also played an important role in the make-up of the funds. Unless they were small in amount, the sums received were commonly invested, the yearly interest distributed to the poor. Smaller donations usually consisted of periodic gifts from

30 Fordoun KSM, 10 October 1782.

31 The word 'absolved' appears frequently in KSM; it is simply the removal of an exclusion from privileges and restoration of them. Mair, 1895, p.317.

32 Falkirk KSM, 3 June 1821.

the larger landlords, such as when the Earl of Ancrum gave a £10 donation to the poor of the parish, and particularly those in the villages of Newbattle, Easthouses, and Westhouses.³³ Of a more unusual nature was a donation from Duncan Davidson, who, upon being elected M.P., gave the session £30 for the poor,³⁴ or when Capt. James Inness of Canisbay gave £9 to the poor, so that they could celebrate his birthday in their own way.³⁵

Churches often constructed a loft, usually from money belonging to the poor. The seats would either be made available to the poor, or, more likely, let to other people with the amount of the seat rent placed in the poor's fund. In Croy the loft constructed for the poor was outfitted with pews, which were let out to the highest bidder, the receipts placed in the poor's fund.³⁶

The nature of the funds at the disposal of certain kirk sessions can be illustrated by two entries. The first is from the Grange session minutes, dated 6 August 1751.

Met with the heritors to examine the state of the funds and make a list of the poor. The heritors not believing the statement on the funds asked for adjournment & to meet again & be provided with a further break-down -- which was as follows:

| | | | |
|--|-------|------|-----------|
| Rent of the Loft built by poor's money | £16 | 2s. | 0d. |
| Weekly collections including sacramental occasions | 52 | 0s. | 0d. |
| Interest on money lent out | 30 | 0s. | 0d. |
| Mortification by Wm. Wilson (100 merks) | 3 | 6s. | 8d. |
| Mortification by Wm. Stewart (100 merks) | 3 | 6s. | 8d. |
| | <hr/> | | |
| | £104 | 15s. | 4d. Scots |

Out of the above Funds, beside the Mantinance /sic/ of the Poor, Our Session Clerk's & Officers Fees, are payed, & such repairs, as necessary for the Poor's Loft.

It should be noted that most parishes paid their session clerk's salary out of the poor's fund. Furthermore, other incidental outlays

33 Newbattle KSM, 3 September 1812.

34 Cromarty KSM, 7 September 1790.

35 Canisbay KSM, 9 September 1754.

36 Croy KSM, 4 May 1775.

were frequently made from the collections, indicating that the sessions made no distinction between the various types of expenditure. Nonetheless, it is impossible to indicate the extent to which the poor's fund suffered from such a practice, for only one-half of the church-door collections belonged to the poor. The second entry is from the Cromarty session minutes, dated 11 September 1755.

As to the Publick funds of the poor; They are the Ile (?) of the Church, above & below, being built out of the Poors money, & contribution of the People and the Rent of the Seats are appointed to the Use of the Poor, & for Supporting the Fabrick -- 2^{do} Six Bolls, Six pecks and a half Bear or Meal rent yearly out of the Lands of Navity, as presently Possessed by William Thorpes' Tenant there. The Said Lands are the Property of the Poor of this Parish; and the Kirk Session of Cromarty, the Administration thereof, for upwards of an hundred years past, viz ever Since they were mortified for that Behoof by McCulloch of Goodtree; who likewise Mortified eight Bolls of free Rent for the behoof of the School of Cromarty. 3^{do} John Clunes of Neilston, his Heritable Bond for four hundred & three pounds Scots, with Interest thereon from the date of the Bond.

From these entries it can be seen that large donations were either invested in lands, let or lent out at interest for the benefit of the poor, or in some other interest-bearing business. Every attempt was made to keep these donations intact and to add to them; only the income from them was normally distributed to the poor, except during times of unusually severe distress. But it should be emphasised that the loans were not always made to good borrowers, for in Falkirk it was reported that £550 lent from the poor's fund to Mess. Rupel and Aitken had been lodged in the Commercial Bank in their names, and they were refusing to return it.³⁷

Whenever the church door collections and the revenue from the permanent fund were not sufficient to maintain the poor, either a voluntary subscription had to be made or a legal assessment imposed. A voluntary subscription could take two forms. The first would be either a special collection within the church or a door to door collection within the parish. For example a door to door contribution was intimated

37 Falkirk KSM 6 October 1845.

from the pulpit in Salton; Haddingtonshire, in 1767;³⁸ in Cramond
 "It was recommended to the members of the Session to collect each in
 their Bounds, what charity any person Should think fit to contribute
 for the relief of the poor of this parish in the present Straiting times."³⁹

The other form that a voluntary collection could assume was an
 assessment which the heritors imposed on themselves in order to prevent
 the levying of a legal assessment. The Cromarty session minutes on
 7 August 1844, reported that the elders and heritors met to determine
 the number and state of the poor and how to provide for them. It was
 decided to impose a levy for £183 12s., and that the best mode would be
 "to adhere to the former system of providing for the Poor, in this
 Parish, by a voluntary assessment among the Heritors according to their
 respective valuations." Accordingly, the following were the shares levied
 on each:⁴⁰

| | |
|--------------------|---------------|
| Estate of Cromarty | £172 16s. 0d. |
| Udale | 9 19s. 6d. |
| Mr. J. Jaynes | 4s. 6d. |
| Mr. T. Munro | 9s. 8d. |
| Mr. W. Hossach | 2s. 4d. |

Or, to illustrate that the heritors were not the only ones expected to
 contribute to a voluntary collection, the heritors of Sorn informed the
 manager of the Catrine Works that the Company was expected to contribute
 to a voluntary assessment in order to prevent the imposition of a legal
 assessment.⁴¹

Not all heritors were willing voluntarily to contribute towards the
 aid of the poor, as Sir John Naismyth of Stobo, Peebles-shire, refused
 to contribute till the session funds were exhausted.⁴² Another example
 is the following entry from Cardross:

38 Salton KSM, 12 May 1767.

39 Cramond KSM, 13 January 1757.

40 Cromarty KSM, 7 August 1844.

41 Sorn HR, 20 October 1831.

42 Stobo HR, 18 September 1841.

... it appears to the meeting that the amount raised by voluntary charity in the parish of Cardross during the years 1831-1832 and 1833 was on an average £103 8s. 9d.; while the distributing to the poor on the Session-roll has been on the average of the same years £136 10s. 10d.; that it further appears the whole poor now maintained or assisted from the Session-Roll are resident in the villages of Ranton and Bridgend, and that for many years no poor have been supported from that fund to the west of the Church of Cardross; while on the other hand it is certain that a very large proportion, amounting probably to above $\frac{1}{2}$ of the weekly collections are drawn from that part of the parish, and that the non-resident heritors also are the proprietors of these Villages have during these years contributed a very inconsiderate sum, -- That the meeting having taken into consideration the aforesaid circumstances, agree that it has become necessary to raise by extraordinary means the sum of £45 for the immediate relief of the Session-poor; -- and as they are most unwilling to introduce into this parish the evil of a legal assessment; they declare themselves willing to contribute towards the present necessity 3d. per pound upon their Valuation, provided the non-resident Heritors shall agree to pay in the like proportion.⁴³

The absentee heritors appear to have been a common problem. They did not contribute to the church collections and were loathe to fulfil any obligations towards the poor, giving rise to greater pressures to impose an assessment. This is clearly illustrated by the case of Grange, where the session realised that the funds at their disposal were barely sufficient to meet the needs of the poor. They resolved to bring these facts under the notice of those heritors and farmers connected with the parish, who, from non-residence or other causes, had not contributed to the parochial fund for the relief of the poor, and request that they make "... such voluntary annual contributions to the fund, as their several means will allow."⁴⁴

Inevitably, with so many imponderables, funds for the poor suffered chronically from short-fall. An excellent idea as to how difficulties arose and the solutions adopted to remedy them can be gained from the following extract from the Craig session minutes, which contained a table of average weekly collections and average weekly distributions for the years 1784-1793:

43 Cardross HR, 2 January 1834.

44 Grange KSM, 25 December 1842.

| | | | | | | | | | | |
|-------------------------|------|------|------|------|------|------|------|------|------|-------|
| Years | 1784 | 1785 | 1786 | 1787 | 1788 | 1789 | 1790 | 1791 | 1792 | 1793 |
| Average Weekly Collect. | 12/3 | 12/4 | 11/5 | 11/2 | 14/2 | 12/4 | 11/5 | 11/7 | 12/8 | 11/10 |
| Average Weekly Distrib. | 9/0 | 10/9 | 10/6 | 11/9 | 12/0 | 11/3 | 12/0 | 12/6 | 14/6 | 16/10 |

The Session were of opinion that the increase of the poor was

... partly owing to the great number of strangers taken in or Employed in the Service of the Heritors during the last 10 years and partly to the different mode of living introduced among the lower classes of People of late years.

The Decrease of the weekly Collections may be accounted for from the small number of Tenantry in the parish, most of the Lands in the Parish being in the possession of the proprietors themselves, & let annually to Graziers -- who never attend the Church, and have no interest or local concern in the Parish.

Under these circumstances the Minister and Elders consider it their duty to lay the present distressed State of the poor, and of the funds for their relief before the Heritors; and as their disbursements have exceeded their receipts to a considerable amount for some time past, they would beg to have the advice and direction of the Heritors as to the measures necessary to be adopted for the immediate relief of the Poor in the season when the necessaries of Life are so high.

The Minister and Session beg leave to suggest that some one of the following measures seems to them necessary

1. To strike off a number of the poor from the Pension Roll, which at the present time would be exceedingly distressing to them.
2. To try the Effect of an extraordinary Collection; but this would only prove a temporary remedy; for whatever is obtained in this way, is generally kept back afterwards. OR
3. To uplift part of the parish funds at Interest, and continue the present Pensioners upon the Roll.

Either of these, or any other measure which the Heritors shall direct they will adopt.⁴⁵

The heritors decided that an extraordinary collection should be made. When in 1805 the session was again in financial trouble, they felt that it would be improper to undertake another special collection; hence it

⁴⁵ Craig KSM, 11 August 1793.

was decided they would resort "... to the only expedient which now remains, viz the uplifting of part of the funds at interest under their Management".⁴⁶ At no time in their discussions was it suggested that a legal assessment should be imposed, rather solutions were adopted which hurt least in the short-run and avoided assessments.

This was the typical approach of the northern parishes^(1,2); the only exception was the parish of Deskford, Banffshire, which had a legal assessment by 1751. Its session met every six months in order to stent the parish, with one-half of the amount paid by the heritor (the Earl of Findlater) and the other half by the tenants. The amount that each paid was determined by their cess rental.

In the^{southern} Lowland areas^(3,4,5) there was also resistance to a legal assessment, but when it was realised that one was necessary, it was imposed. The parish of Bothwell, Lanarkshire, had a legal assessment by 1756, which was laid on by a general meeting of the kirk session and heritors every six months. The heritors of Dalkeith, Edinburghshire, decided on 3 November 1764 to impose a legal assessment; but, somewhat confusingly, on 17 November, they decided that the usual voluntary assessment would be collected. It was stated that £160 was needed, and that of this amount £70 would come from the kirk session, £45 from the heritors, and £45 from the inhabitants of the town.⁴⁷ Cardross's problems first arose in 1844, and it was decided that recourse must be had to a legal assessment. The process leading to this decision is described in the following extract:

A tabular statement of the income and expenditure on account of the Poor on the Session Roll of this parish for the last ten years was submitted by the Session Clerk, from which it appeared that a gradual increase of expenditure has annually taken place -- The amount for the year ending May 1835 being £127 15s. 7d. and that for the year ending May 1844 £443 5s. 1d. difference £315 9s. 6d. which divided by 10 gives £31 and a fraction as the annual increase -- It was stated by the Session Clerk that the number of regular Poor at present on the Session Roll is 92 -- Orphans whose father and mother are both dead 17 -- lunatics 6 -- In all 115 -- It was also stated by the Session Clk, that as near as he could approximate taking into account the

⁴⁶ Craig KSM, 2 April 1805.

⁴⁷ Dalkeith HR, 17 November 1764.

occasional donations given to others than the regular; Poor -- the average annual allowance received by each may be about £2 15s.

It also appeared that the income from Church Door Collections &c. has been on an average for the last ten years £122 and a fraction -- Least for the year ending May 1836 and greatest for the year ending May 1840 when it reached £146.

The meeting proceeded to take into consideration the means to be adopted for laying on a Legal Assessment for support of the Poor -- In regard to the Heritable Property in the parish, the Meeting agree to appoint Robert D. McKenzie Esq., Clerk of Supply valuator, and to request that he would furnish a valuation of the same at his earliest convenience.

In regard to the Means and Substance it was agreed that the parish should be divided into Districts and that a Committee of valuation should be appointed for each, for the purpose of making the fairest and nearest approximation they can of the real value of the same.⁴⁸

Even after a legal assessment had been imposed, it was necessary to collect it. This sometimes proved to be very difficult, and recourse often had to be made to the courts in order to obtain the assessed amounts. For example the Bothwell heritors empowered their clerk, James Pollock, to prosecute everybody who refused to pay their quota, either for the preceding half year or former arrears.⁴⁹ Moreover, the right of the session and heritors to levy a stent was sometimes questioned, such as in Tranent, where, in 1764, a meeting of all inhabitants liable to pay the poor's rate was called to discuss matters of mutual concern.⁵⁰ Again, in 1783, the session was faced with a petition.

Mr. Turcan represented that he had yesterday transmitted to him in a letter a Representation and Objections of the inhabitants of Tranent to an Assessment for Support of the Poor imposed on them by a Meeting of Heritors of 3 April 1781 desiring him to lay it before the Meeting on Saturday and also before this Meeting, and therefore produced it and read it to the Meeting.

48 Cardross HR, 1 August 1844.

49 Bothwell HR, 2 August 1763.

50 Tranent KSM, 12 February 1764.

The Session having considered the said Representation and Objections and having also read and considered the Minute of the Heritors the 3 April 1781 and a Copy of the Interlocuter of the Sheriff-Depute of the County referring thereto dated the 2nd day January Curt. are unanimously of opinion that no Assessment can be equitably laid on for all the Persons without Distinction who are liable to be assessed without a fixed Rule, according to which the Sum to be raised may be proportioned among all concerned because without Such a Rule, the Sum to be raised cannot be equally proportioned according to the Circumstances of the Parties.

The Session having also considered the List of Inhabitants engrossed in the Minute of Heritors above mentioned and assessed in the Sums annexed to their Names, are of opinion that proper Regard has not been had to Proportion in making up of that List, many of them not being in circumstances and Situation for being assessed. And lastly, the Session are of opinion that the claim made by the inhabitants that the Expense they have been put to in the Processes against them in defending themselves, is an equitable claim and ought to be allowed them.⁵¹

Problems sometime arise in determining whether a parish was assessed, hence it is necessary to adhere to a strict set of definitions. A parish was not assessed if its funds for the poor were derived from voluntary contributions in the form of church collections or legacies. A parish was 'voluntarily' assessed if the heritors of the parish agreed to contribute among themselves a fixed amount for the support of the poor. A parish was 'legally' assessed if the kirk session and heritors laid a stent on the parish, usually with the heritors paying one-half and the inhabitants the other half. In the Scottish context only a parish with a 'legal' assessment can be classified as being an assessed parish. It was common practice for parishes to resort to a legal assessment only during times of difficulties; when the crisis was over, the assessment disappeared. Thus, when stating that a parish was assessed, it would be necessary to include a date. See Appendix 2/1 for a listing of parishes which imposed a legal assessment at some date prior to 1839.

All the sources of funds as described in the law were used, besides a few additional ones devised by several parishes. The greatest reliance was placed upon the voluntary sources; legal assessments were

51 Tranent KSM, 23 January 1783.

viewed as an evil, which were used only as a last resort and came into existence primarily after 1800, when severe pressures were continuously exerted upon the funds; these pressures will be the subject of later Chapters.

D. Recipients of relief and the provision made for them

a. The impotent

The following quotation presents a picture of the administrator's philosophy concerning the recipients of poor relief:

The Meeting recommend that the strictest scrutiny be made into the present List of Paupers by the Committee after named, and that no person be admitted into that List or allowed to remain therein, who is not a deserving object of charity, unable to support himself, and has no relatives on whom there were natural claims for support, and in aid of the Parochial Funds and to prevent the necessity of legal Assessments, the meeting recommend that Quarterly collections should be made at the Kirk door and that Quarterly distributions of the Funds should also be made.⁵²

As can be seen from this excerpt, it was generally held that parochial relief should be regarded only as a last resort; people should look first to other means of maintaining themselves, particularly to their friends and relatives. However, if an individual could not obtain sufficient funds for his maintenance from other sources and if he was a proper object of charity, the parish would provide supplementary relief. This policy produced entries of the following nature:

The weekly allowance to a poor person in this parish who cannot well maintain themselves by their Labour is the price of a peck of oat meal, & this weekly allowance is raised or lessened as the price of Meal rises or falls. But when persons can do nothing for Themselves the Allowance is greater, or in Cases of extraordinary Distress, the Allowances are proportioned to the Degrees of Distress.⁵³

The use of a sliding scale cost of living index was fairly common.

Table 2 illustrates that the session granted relief to those legally entitled to it and to individuals suffering from temporary distress. It will be noted that nearly one-half of the persons on this list were over the age of seventy. The dubious nature of

52 Croy KSM, 17 May 1829.

53 Salton KSM, 4 November 1759.

Table 2: Tranent Poor's List, 25 January 1781

| <u>Name</u> | <u>Circumstance</u> | <u>Age</u> | <u>Weekly Amount</u> |
|--------------------------|------------------------------------|------------|----------------------|
| Christian Macky | Quite Blind | 74 | 10d. |
| Janet Wood | Infirm | 80 | 8d. |
| Archibald Wood | Blind | 67 | 8d. |
| Margaret Morton | Very Weak and infirm | 63 | 10d. |
| Widow Clunie | Exceedingly infirm | 80 | 1/- |
| Margaret Brown | A cripple leg | 62 | 9d. |
| Widow Thryslan | Very weak and infirm | 84 | 8d. |
| Anne Dawson | Vapourish | 63 | 1/- |
| Elizabeth Bell | Blind of one eye | 66 | 8d. |
| Janet Steel | Delirious | 78 | 1/- |
| Margaret Harper | Feeble | 69 | 8d. |
| Widow Greig | Very infirm | 72 | 8d. |
| Widow Gilchrist | Very infirm | 80 | 6d. |
| Widow Darling | Very infirm | 78 | 10d. |
| Helen Buchanan | Very infirm | 71 | 6d. |
| Widow Hinly | Valetudinary (3 young children) | 38 | 1/- |
| Robert Craig | Weak and infirm | 69 | 6d. |
| Widow Watson | Weak and infirm | 76 | 6d. |
| Widow Cockburn | Weak and infirm | 78 | 6d. |
| William Morton | Vapourish and crazy | 90 | 1/- |
| Do. his wife | Very feeble | 78 | 1/- |
| Robert Wilson's Widow | Weak and Blind | 88 | 1/2 |
| Margaret Cairns | Weak and Blind | 76 | 1/- |
| Christian Brown | Very feeble | 79 | 9d. |
| Janet Fin | Much fallin off | 63 | 6d. |
| Widow Smout | Much fallin off | 65 | 8d. |
| Margaret Hyslop | Tender | 62 | 6d. |
| Isabell Blackeler | Feeble | 76 | 8d. |
| Janet Forrest | Very infirm | 80 | 8d. |
| Agnes Ramsay | Frail | 72 | 6d. |
| Widow Williams | Frail | 63 | 6d. |
| Robert Crooks | Weak and infirm (1 young child) | 45 | 1/- |
| Janet Knox | Feeble | 69 | 6d. |
| Marian Blair | Valetudinary | na | 6d. |
| Widow Wood | Exceedingly weak | 67 | 1/- |
| Mary Forrest | Exceedingly weak | 58 | 1/8 |
| Alex. Paterson | Exceedingly weak | 80 | 1/- |
| Total | | | £1-8-4d. |
| Occasional | | | |
| William Allan | Weak and infirm | 84 | 6d. |
| Andrew Wilson's Widow | Weak and infirm | na | 6d. |
| Beatrice Cunningham | Weak and infirm | 58 | 1/- |
| James Richardson | Weak and infirm | 72 | 8d. |
| Total (occasional) | | | 2/8d. |

Source: Tranent KSM, 25 January 1781.

stated ages, however, can clearly be seen from the following data:⁵⁴

| Name | 1830 | Age | 1832 |
|------------------|------|-----|------|
| James Mitchell | 80 | | 88 |
| Robert Lindsay | 70 | | 70 |
| Margaret Renwick | 74 | | 80 |
| Lillie Mackie | 78 | | 80 |
| Margaret Russell | 70 | | 72 |
| Janet Stark | 45 | | 40 |
| Mary Elder | 70 | | 70 |
| Janet Fleming | 70 | | 80 |
| Margaret Brown | 50 | | 60 |
| Thomas Russell | 70 | | 74 |
| Rach. Miller | 50 | | 60 |
| Janet Mungle | 70 | | 60 |

This table underlines the difficulties of using such data; it seems clear that old folk of the period did not know their age.

Even if an individual was a proper recipient of relief, there was a stigma on being placed upon the fund, as the reception of public aid was considered to be morally degrading. This was an attitude the parishes often took advantage of in order to keep the numbers on the roll low. A favourite means, particularly in the Highlands, was to issue those on the roll with badges, which had to be visibly worn as long as the person received parochial assistance. In a number of parishes the badges were referred to as 'beggars badges', as the owner was given permission to beg within the parish bounds, usually only on certain days of the week, instead of receiving an allowance from the session. The badges were usually made of lead, pewter, copper, or cast iron, though stone badges were also known; in Grange in 1840, the badges were made out of pasteboard. It must be emphasised that the paupers were expected to wear the badges, and that the one for Cromarty was about six inches across and weighed eight ounces.⁵⁵ The Cromarty session in 1757 paid two pence each for 60 badges, and ordered that, since the poor were unwilling to take them, none be given money from the poor's fund without a badge.⁵⁶ Parishes also used the

54 Shotts HR, 2 February 1830 and 4 February 1832.

55 For a detailed description and photographs, see R. Kerr and J.R. Lockie, "Scottish Beggars' Badges," in Proceedings of the Society of Antiquaries of Scotland, 1961-2, pp.291-99.

56 Cromarty KSM, 7 March and 2 May 1757.

badges as a means of controlling begging by stranger poor, who apparently were a growing menace as the kirk session minutes frequently contained mention of begging poor from other parishes. The Falkirk session ordered badges for their poor and appointed that no persons be given charity except those wearing badges.⁵⁷

Not all parishes humiliated their poor, but few went as far to prevent it as the parish of Kemnay, Aberdeenshire, where, because the distribution of meal to the poor was causing "heartburn and uncandid reflections" by those entitled to it, the session felt that it "would be most conducive to the interest of religion & humanity to divide among the poor the money now in their hands, and let them procure meal for themselves wherever it can be got."⁵⁸ In another ^{Lowland} Northeast parish, Tough, the session judged it advisable to lend small sums to some of the poor not on the roll and anxious not to be identified with those on the fund.⁵⁹

Individuals belonging to dissenting places of worship were often denied relief from the parochial funds, even if they were eligible for relief according to the law. The Grange session voted to inform Mr. Young, minister of the Seceding Congregation that it was the "... resolution of the Session 'that none of his poor for the future are to be supplied from our funds unless he agree to reimburse what is so given out'."⁶⁰ The Govan, Renfrewshire, heritors, in a question of giving relief to an orphan boy whose parents had been members of the Relief Congregation, decided that the Relief Congregation should care for him, and his claim was to be laid before them.⁶¹ Ample evidence exists that other churches, like the Church of Scotland, did supply allowances to needy members of their congregations, with the intention of supplementing sums received from earnings and from other charities.⁶² The necessary funds were obtained from weekly and special collections.

57 Falkirk KSM, 31 August 1756.

58 Kemnay KSM, 31 July 1800.

59 Tough KSM, 24 March 1800.

60 Grange KSM, 8 September 1782.

61 Govan HR, 15 August 1816.

62 Tranent Free Church KSM, 23 October 1806.

Orphans presented a special problem to the parishes. Unless some relative was willing to take the child into his home the session had to find accommodation; even if relatives were willing to care for the child, it was often necessary for the parish to supply some aid, thus causing an increased burden on the funds. This would be the case even if only the father died, for a mother left with several young children could not adequately provide for them. The adverse effect of orphans on the fund can be seen from the following entry:

It being represented to the Session that the orphan family of the deceast John Cunningham in Seabegs is destitute of maintenance and that the youngest child must be boarded, which being young and underwing no body will keep it for less than £10 Scots per quarter. Therefore they allow £10 per quarter for that End.⁶³

Different criteria of need were used by different parishes as circumstances altered. Thus in Tranent, Alexander Paterson, a long standing pensioner, had his pension withdrawn when he married a younger woman whose means were reputed to be sufficient to maintain him.⁶⁴ A case from Cardross indicates that relief was denied not because the individual was employed, but rather because his earnings were too large: the session found that John Crawford, a labourer who had petitioned for support from the funds, had earnings which amounted to from 16 to 20 shillings per month, hence they felt that he was not entitled to relief.⁶⁵ The Dalkeith heritors refused to give aid to Hugh Adam's wife, a resident for five years, until she produced a certificate from her former parish.⁶⁶ The certificate, which will be further discussed later, would attest to her sound moral character. In Ayton, Margaret Carr was to be allowed 6d. per week for her two illegitimate children if she could prove a continuous residence of three years.⁶⁷

The *North-east* ^{*Lowland*} parishes developed a method of dividing the poor on their rolls into classes, with each person in a class receiving the same

⁶³ Falkirk KSM, 16 June 1754.

⁶⁴ Tranent KSM, 26 April 1768.

⁶⁵ Cardross KSM, 29 May 1831.

⁶⁶ Dalkeith HR, 29 September 1764.

⁶⁷ Ayton HR, 27 May 1836.

amount of relief. The class a recipient was placed in depended upon his circumstances; the criteria for each class is not known. Cawdor, Nairnshire, seems to have been the first parish to use this system by dividing the poor into three classes: four in the first class received a half-yearly allowance of 4/-, four in the second class an allowance of 3/-, and the third class, - nine -, 2/- each.⁶⁸ This practice quickly spread to the other *Northeast Lowland* parishes, with the most popular method a three class distinction. A recipient could be moved to a different class if his conditions changed.

Pension lists were frequently restricted by establishing either a set number of pensioners or a fixed amount of total expenditure. This procedure was found in parishes throughout Scotland, exhibiting little regional variation. For example, the Cawdor session, because of inadequate funds to meet the growing demand, agreed to limit the number on the roll at any given time to twenty-one. No additional applicants were to be admitted until a vacancy on the list occurred. A reserve fund was established for meeting occasional, extraordinary distress.⁶⁹ Mr. Turcan, the minister at Tranent, informed the heritors in 1782, that he had disbursed to the poor £1 9s. 5d. for the current week, which was 13d. more than the £17 Scots (28s. 4d. Sterling) weekly maximum established in November, 1750. As the price of meal had greatly increased and the number of applicants was growing, he asked the heritors to establish a more realistic limit, which they agreed to do, but the new amount was not recorded.⁷⁰

The funds were distributed at varying periods of time. In the *northern regions* (182) common time periods were annual and semi-annual distributions of money following the Sacraments; only in a few cases were they made either monthly or weekly. Nevertheless, if need arose, additional payments were made. For the other areas of Scotland the most frequent period of payment was weekly. A few instances of monthly payments were found;

68 Cawdor KSM, 19 January 1773.

69 Cawdor KSM, 7 August 1775.

70 Tranent KSM, 11 November 1782.

only in rare cases were the periods of payment of a longer duration. Sometimes situations would occur as in Elgin, where "The Session were of opinion that there should be no general distribution to the poor at this time. But that such as were in very nessitious /sic/ circumstances might have some light supply."⁷¹

No statements were found describing the method of determining the amount of aid an individual should receive. Typically, a "... distribution was made to the poor according to every ones necessity as farr /sic/ as could be known and the subject would allow out of what collections had been."⁷² It would appear that there were no set rules; each case was reviewed according to its own merits. Reference was made to the available evidence, and if it later became apparent that the situation had changed, the pension was adjusted, as in Salton where a medical certificate was produced indicating that Mary Lourie's health had worsened, resulting in an increased allowance.⁷³ But even if a paupers' circumstances improved, his allowance might not have been decreased, as illustrated by the following quotation:

The Meeting having considered William Muirhead and his wife's application for an addition to their weekly aliment, Find that besides three shillings a week with a house and garden, coals, and medical attendance which they have from the Kirk Session, they receive two shillings a week from a Friendly Society, and as they have no children, the meeting are of opinion that their means of support are fully better than those of any others in similar circumstances in the parish, and that they are even better provided for than many labouring men in the neighbourhood who have a wife and family to support. In these circumstances the meeting do not feel justified in increasing their allowance for the present */Italics added/*.⁷⁴

With the benefits they were receiving from the Friendly Society it is remarkable that they were granted aid in the first instance, quite apart from the possibility of a future increase. It should be noted that on 11 January 1845, William Muirhead and his wife filed an application with

71 Elgin KSM, 6 May 1768.

72 Sorn KSM, 5 August 1753.

73 Salton KSM, 1 November 1834.

74 Salton HR, 6 December 1844.

the Court of Session for increased allowances, and the heritors agreed that an attempt should be made to resist this plea.

The amounts of relief given varied considerably between regions. The northern parishes⁽¹²²⁾ gave the lowest payments, usually amounting to about 5s. per year. In the other parishes the amounts were considerably more, often amounting to more than £4 per year. The level of payments will be discussed in greater detail in Chapter 4.

Besides monetary payments, most parishes gave their paupers some additional benefit in the form of house rent, coal, clothing, or food. Cromarty annually distributed among the poor six bolls, six and one-half pecks of meal. Most parishes gave coal during the winter season. Anstruther, Fifeshire, provided clothes for the needy and set 5s. as the maximum amount for house rent. Anstruther, after 1831, also impressed upon individuals the need for personal cleanliness and the ventilation of houses. The most unusual distribution was made in Elgin, where Bibles were annually given to the poor. One wonders if they were able to read their Bible; they would certainly be reminded that man cannot live by bread alone.

Most parishes made provision for the education of poor children. The funds for this purpose did not necessarily come from the general poor's funds, but rather from mortifications given for that purpose. In Falkirk ten or twelve poor scholars were to be educated by the schoolmaster gratis, as a condition of Mr. Scott's Mortification. In Cramond it was ordered that poor scholars were to be given only three years of schooling.⁷⁵ The session of Tranent after hearing 17 poor scholars read, decided that Peggy Hinly should be struck from the list, as she could read fairly well.⁷⁶ Ayton's heritors felt that only children between the ages of six and ten should be sent to school, as that was sufficient time to learn to read and write.⁷⁷

Finally, some parishes provided medical aid, usually by reimbursing the surgeon for his services to the poor. The parish of

75 Cramond KSM, 27 June 1797.

76 Tranent KSM, 8 May 1786.

77 Ayton HR, 18 May 1843.

Salton "Ordered the Sum of five Guineas to be given to Mr. Machie, Surgeon at Ormiston for attendance upon & drugs to the poor for about 7 years past".⁷⁸ In Ayton, Mr. Colville, surgeon, was annually given £5 to attend the sick paupers.⁷⁹ With the establishment of Royal Infirmaries at Edinburgh, Aberdeen, and Glasgow, parishes in these areas were encouraged to contribute to them, and thus obtain privileges in sending patients. Dunoon, Argyleshire, paid £50 to the Hospital and Infirmary at Greenock and £50 to the Royal Infirmary in Glasgow.⁸⁰ These sums allowed the parish to recommend two patients annually to each Infirmary for all time coming. As a total of £124 had been collected, there was a balance of £24, the interest of which was to be used for defraying the expenses of the sick poor requiring to go to the infirmary.

Times of particularly severe economic distress placed great hardships upon the people. One such period was the extreme shortage of grain and meal in the northern parts of Scotland during the winter of 1782-3, resulting from several years succession of bad harvests. In a situation such as this the parish bought large quantities of grain and sold it to the inhabitants at a reduced rate. The problem during the winter of 1782-3 was so severe and on so large a scale that the government, through the Barons of Exchequer, gave the parishes a grant with which they could buy grain. The procedure for obtaining their share of the grain and its distribution is illustrated by an entry from Cromarty.

This being the day appointed by public Intimation from the Pulpit for the meeting of the Kirk Session and Heritors of the Parish of Cromarty for making a Report to the Barons of Exchequer of the Poor in the Said parish in order to their obtaining a Share of His Majesties Bounty for relieving the Northern Counties of Scotland. The meeting was opened with Prayer and the ordinary Roll of the Poor was read amounting to One Hundred and Six persons and families. Thereafter there was an additional List made up of other indigent and necessitous persons and families to the number of Ninety four who in this time of dearth are brought to extreme Poverty and are thought real objects of Charity

78 Salton KSM, 15 May 1771.

79 Ayton HR, 8 January 1836.

80 Dunoon KSM, 22 April 1813 and 2 June 1813.

and to whom the Session & Heritors would have given relief if their Funds would have allowed. The said annual funds arise from the collections in the Church every Sabbath, some acres of Land mortified to the Poor, the Interest of One Hundred Pounds Sterling and the Rent of some seats in the Church belonging to the poor which altogether amount to about Thirty Pounds a year ... The present meeting give as their opinion that their /sic/ would be needed over and above any share the poor of this Parish may receive of the Eight Hundred Bolls about to be sent to the Counties of Ross and Cromarty as an immediate Relief by the Hon. Barons there would be still wanted a further supply of Six in the List now made up to Support or keep in their lives till they can be relieved by a new crop.⁸¹

On 15 July, thirteen additional persons were added to the above roll. The parish's share of the distribution was to be 12½ bolls of Linlithgow measure, which was turned into meal and a peck given to each person. On 11 August, the minister reported that after dividing the meal there was enough left to give a peck to ten additional persons. It also was reported that the parish had received another allotment amounting to 13 bolls of minced meal and 9 bolls of white pease, and as the number on the list was 227,,each person would receive 7 pounds of meal and 9 pounds of pease.

b. The able-bodied

Despite the clear ruling in law that no help was to be given to the able-bodied, there were exceptions. Cases of giving relief to able-bodied unemployed were numerous; and instances of providing aid to the able-bodied employed were also found. The latter case is clearly evident in the list of poor for Uphall in 1845, reproduced in Table 3.

It is curious that, at a time when it was held that relief should be given only as a last resort and never to the able-bodied, the following should appear: "They are of opinion that the labouring poor in the parish who by reason of the present Extraordinary dearth are reduced to poverty and want, have a Just claim to be Supported from

81 Cromarty KSM, 3 July 1783.

Table 3: Uphall Poor's List, 26 September 1845

| <u>Names</u> | <u>Receiving</u> | <u>To Receive</u> | <u>Remarks</u> |
|------------------|------------------|-------------------|---|
| Margt. Downie | £1 | £1 | Imbecile -- lives with Janet Barclay who receives the allowance |
| Marion Archibald | 4/- | 6/- | Old and infirm and therefore unable to do much for her support |
| Widow Aitken | 5/- | 7/- | A young woman whose husband was killed at Binny Quarry -- resides with Marion Archibald who takes care of her 3 children when she is engaged at out door work |
| Cath. Barclay | 7/- | 10/- | Lives in the house of her step son, rent free -- her daughter Jean Aitken takes care of her |
| Eliz. Barron | 8/- | 9/- | Her husband was transported about 12 years ago has 4 children aged from 2 to 14 -- the oldest works out of doors along with her mother |
| George Campbell | 4/- | 6/- | A blind fiddler and occasionally employed in that way -- married lately -- is given to drinking -- cannot be trusted with money -- his allowance is paid to a Grocer who provides him with the necessaries of life -- house rent free |
| Margt. Chambers | 6/- | 8/- | Has 4 children -- the 2 eldest being employed at out door work with herself |
| Widow Crow | 5/- | 6/- | Resides with Alex. Aitken, her son in law, who has a family -- she is unable to do anything for herself |
| Cath. Gilchrist | 6/- | 5/- | An aged person -- has several illegitimate children who have families of their own -- she keeps lodgers |
| Cath. Dunlop | 3/- | 3/- | Has 2 children -- the one resides with his grandfather, the other with her grandmother -- is again married -- she and her husband work as day-labourers |

Table 3: Contd.

| <u>Names</u> | <u>Receiving</u> | <u>To Receive</u> | <u>Remarks</u> |
|------------------|------------------|-------------------|---|
| Anne Enolie | 4/- | 6/- | An old unmarried woman -- lives with her sister whose son lives with them and pays the house rent |
| Christ. Barron | 4/- | 6/- | An old woman -- lives alone -- is a good deal employed in spinning |
| Widow Ritchie | 4/- | 6/- | Resides in Edin. with her daughter |
| Arch. Cunningham | 5/- | 6/- | An old man -- employed in breaking stones on the road |
| Widow Wilson | 4/- | 6/- | Employed occasionally as a sick nurse -- her grand-daughter lives with her |
| Widow Henderson | 4/- | 5/- | Lives with her married daughter -- her children are all married except the youngest who is a quarry man |
| Janet Laing | 4/- | 5/- | A person of rather weak intellect -- has a brother who rents a mill from Mr. Hog of Newliston -- has other brothers who are labourers and have families -- has a free house |
| Anne Duncan | 4/- | 6/- | Lives with her daughter at Queensferry |
| Widow Blair | 4/- | 5/- | Lives with her son at Whitburn -- he has a family and can afford his mother but little -- she winds pirys to the weavers |
| Widow Mitchell | 4/- | 6/- | An old woman -- sews occasionally |
| Widow Wardlaw | 3/4 | 5/- | Lives at Mid Calder -- supports herself by washing, dressing, &c. -- never applied for parochial relief -- this sum is allowed for the education of her children |
| Widow Tait | 4/- | 6/- | An old woman -- resides at Kirkliston -- occasionally works stockings |

It will be seen that the Parochial Board have increased the Monthly Allowance to the poor on the Roll -- In doing so the Board have to state that this has not arisen from any complaints hitherto made by the Paupers, but from the desire of the Board to make the situation of the Poor more comfortable -- and the Board have every reason to believe that the Poor will be perfectly satisfied with the additional relief that has been given them.

Source: Uphall HR, 26 September 1845.

Said funds".⁸² Similar entries were found for other parishes indicating that the able-bodied were supplied with relief. In some cases, such as Uphall, the recipients were also currently employed. In Grange, "It was represented that many persons were admitted to the benefit of the Poor's fund who have other means of support."⁸³ In Dingwall, Cromarty, a number of names on the poor's lists had occupations appended; it is not known whether these people were then still employed, or whether it referred to their former occupation. Nonetheless, the highest pension listed on the Dingwall rolls was paid to one of the elders - a matter which must give rise to some speculation.⁸⁴

It is also evident that occasional relief was given to the able-bodied during times of temporary distress, arising either from unemployment or sickness. Numerous examples were found of this type of relief being given from the funds, as in Tranent, where

Upon a Representation of William Paterson, Labouring Servant and ??? in Tranent being for some time past laid aside from Work through Indisposition and indigent Circumstances, & That there was a Shilling of vacant Pension; the Session agreed to take him into the List of Pensioners and allow him the Said shilling per Week during the Time of his Indisposition.⁸⁵

Tranent session also gave John Lamb and his wife 4d. additional weekly, as he had no work from the spinning house, and his wife was becoming bedfast.⁸⁶ These individuals remained on the roll only as long as their circumstances required relief. In the case of Uphall, George Dick was hired to be bellman, and, as he was in unfortunate circumstances, his wages were paid out of the poor's fund; after seven years the heritors decided that this allowance could not legally

82 Orwell HR, 21 February 1800.

83 Grange KSM, 12 February 1782.

84 Dingwall KSM, 1 December 1841.

85 Tranent KSM, 20 December 1767.

86 Tranent KSM, 12 November 1750.

be paid from that fund, and so it was ordered to be stopped. So that he would not suffer, however, the Earl of Buchan, Major Shairp, and Mr. Inglis each agreed to allow him annually one Guinea for taking care of their respective seats in the kirk.⁸⁷

Sometimes there was widespread unemployment, in which case some parishes felt an obligation to try to aid those affected, though assistance was not usually given from the funds. A special voluntary subscription was the typical method of securing funds for the unemployed, but occasionally an assessment was imposed. Two examples will illustrate the techniques used. The first example is from Lauder, Berwickshire:

There met accordingly the aforesaid Heritors and Kirk session and having taken into their consideration the state of the said industrious Poor not enrolled, and finding the price of every article of consumption still very high, and no prospect of immediate relief, do agree to assess themselves and other Heritors and Tenantry of this parish in two month's cess and appoint their collector and apply the same according as he shall be directed.⁸⁸

The heritors again made an assessment on 8 May 1801. The second example is from Eastwood:

Thereafter there was laid before the Meeting a petition from the operative cotton weavers in the parish of Eastwood stating that owing to the unparrelled depression of their trade and consequent reduction of wages and diminution of work under which they had been suffering for a number of months, many of them who were formerly enabled to maintain themselves and families in a respectable manner were now rendered incapable with the utmost deligence to provide the common necessaries of life. That conceiving the depression to have arisen from the ordinary fluctuations to which the cotton manufactory was liable, They had born their calamitous situation patiently and without murmuring, but as their prospects still remained hopeless and Cloomy and as they were disposed according to the example of their brethren in other situations to make applications for relief through the medium of the constituted authorities, They prayed the Heritors and Justices of the Peace of the parish of Eastwood to take their

87 Uphall HR, 9 August 1823.

88 Lauder HR, 27 June 1800.

calamitous circumstances into consideration and to devise or provide such means of relief as to their wisdom should seem expedient.

The above Petition being taken under consideration it was the opinion of the meeting that no aid which could be offered individually by the Inhabitants and Proprietors of lands could afford permanent or effectual redress of the calamity under which this meeting is sensible That the numerous body of operative weavers are now suffering -- That it is by affording them the Means of providing their own subsistence which alone can remedy the evil, and that the only effectual mode of accomplishing that object, is by a humble respectful and constitutional application to Parliament. But in order in some measure to mitigate the distresses of the petitioners the meeting was of opinion that it is incumbent on the proprietors of lands and on such other Inhabitants of the parish whose means may enable them to enter into a voluntary subscription for a Fund to be applied as a temporary relief to the most necessitous families among the petitioners and they accordingly authorised such a subscription to be set on foot.⁸⁹

They also decided that an attempt should be made to provide out-door employment on the land,

E. Parish of settlement and liability

The law stated that the parish of residence was responsible for maintaining a pauper. The two most common means of determining the parish of residence was either by birth or by continuous habitation for at least three years without receiving public assistance. When a woman married, she assumed her husband's parish as her parish of residence. The parish for a legitimate child was his father's, and for an illegitimate child it was his mother's. All the parishes examined accepted these conditions, but in the case of applicants born outside the parish, the administrators made every attempt, often involving great expenditure of effort, to prove that the liability for relief lay with another parish.

The kirk session minutes contained numerous examples of parishes writing to one another trying to avoid liability, but eventually the right of the applicant to relief was seldom denied. In Nigg it was

⁸⁹ Eastwood HR, 5 March 1811.

reported that the public beggar Robert Caie was unable to go about his rounds and his family was sick. The session clerk was advised to write the session of his native parish, Banchory, as he had always begged while living in Nigg.⁹⁰ The session of Dunoon denied relief to Jane Cameron, a deaf and dumb person, since she had already received aid from Invercloclan, thus arriving at Dunoon as a pauper.⁹¹ On 20 January 1800, the Cramond session decided to discontinue Widow Binnie's pension, as she had been living in the parish of Kirkliston for more than three years, but on 27 January, they received an answer from Kirkliston that it was still Cramond's responsibility to maintain her as

... we apprehend that it is not mere Residence that constitutes a claim for support in the Funds of a Parish, but Residence without being burdensome to that, or any other, and that a Person removing from one Parish to another, in the situation of a Pauper, or is reduced to that Situation within three years, after Removal, must continue during life, or Necessity, to be supported by the Parish removed from.

The session of Cramond agreed and continued her on the roll.⁹²

It was not always possible for parishes to determine which should be liable, a problem often resulting in either a court decision or a compromise. The following extract illustrates this process:

The Clerk laid before the Meeting an Application from the Heritors of Bolton of date 16 January 1840 claiming the sum of £1 10s. 0d. as Aliment advanced by them for the maintenance of a Pauper, John Hinton and the Session Clerk laid also before the Meeting a letter from the Clerk to the Heritors of Bolton of date 23 April 1840 along with notes of the case of John Hinton and the Minute of the said Heritors of date the 15 April, wherein it is suggested that the Maintenance of this Pauper should be borne equally by the Parishes of Salton, Gifford, Humble, and Bolton, in respect that considerable doubts exist as to which of the four Parishes is legally bound to support the Pauper, and that expensive litigation might be avoided.

90 Nigg KSM, 8 September 1833.

91 Dunoon KSM, 20 August 1837.

92 Cramond KSM, 20 January and 27 January 1800.

The Meeting having fully considered this case are of opinion that the Parish of Salton is entirely exempt from the burden of supporting John Hinton, and in particular they find that the Kirk Session of Salton applied in 1835-1836 to the Parishes of Gifford and Humble claiming relief from them of any aliment which he might receive.

With regard to compromise of the Matter the Meeting are willing to contribute in some degree to the Paupers aliment for the sake of an amicable settlement but they think that a much smaller sum than one fourth should fall the share of Salton.⁹³

Nevertheless, on 26 November, the heritors agreed to pay one-fourth of John Hinton's aliment.

When the legality of a claim was uncertain, legal advice was sought, as at Govan, where the heritors wanted to know if a three year's apprenticeship established residence. Robert Davidson, Professor of Law at Glasgow College, replied that it did constitute a claim on the funds.⁹⁴

Problems arose even when the parish of residence was firmly established, as sessions were not always willing to grant relief on other grounds. In one parish it was reported that the Corporation of Weavers was obliged to maintain their own poor, but as they failed to do this, it was considered that the Corporation had forfeited its privileges and could no longer keep a mortcloth. One of the Corporation's members, John King, was duly denied assistance from the parochial funds.⁹⁵ Sometimes it was felt that Relief Congregations were not doing enough for their poor, producing letters similar to the following from William Cullen, president of the Managers of the Relief Meeting House in Hutchison-Town, Glasgow, to James McLean, concerning the use of the collections of the Relief Meeting House:

Considering the former part of your letter we suspect that an idea has gone to the public that the Relief Society here has not conducted themselves towards relieving /sic/ the wants of the poor as other churches do; The

93 Salton HR, 27 April 1840.

94 Govan HR, 6 August 1812.

95 Tranent KSM, 19 November 1777.

supplying of the poor is vested in the Session of this Society, and, we are informed at this meeting by several members of the Session who are present, that there is a goodly number of Poor on their List, and that none of them receive less than three shillings per month, and several receive six shillings per month. From the above statement we think you will perceive that the poor with us is supplied equal if not superior to any Parish in the neighbourhood; we however readily admit, that a number of poor people in the Barony of Corbals have applied for relief, and have been refused, for the following reasons /sic/ -- 1st that as we understand that the laws acted upon in Parishes respecting the poor are, the applicant must be three years as a residenter in the parish before they can receive any supply from their funds, and if three years be considered as necessary in a parish, we think that none will insist that it should be less with us; -- the poor before alluded to, several of whom were only occasional hearers of the Gospel, others had only a seat taken for one year, and we think these poor have a better right to be supplied from the funds of the Parish than by us; if these be not sufficient, we think that an assessment on the feuers ought to take place; and then all parties would have to bear an equal proportion of the funds necessary for the support of the poor, we cannot see what good can follow our attending your Committee, & therefore decline it at present.⁹⁶

One characteristic of the system peculiar to the Lowlands was the removal of poor strangers before they could establish the necessary three year's residence. The Scottish poor law made no provision for removal, and no evidence has been found that any other law passed by the Scottish Parliament permitted removal, thus suggesting the existence of local rulings passed by the sheriffs. Evidence of such rulings was found in Cardross when the individuals hired to rid the parish of beggars and stranger poor were ordered to "...observe and comply with the injunctions of the Proclamation by the Sheriff & Magistrates of the County of Dumbarton".⁹⁷ It appears that the poor law had been circumvented by demanding from strangers settling in a parish a certificate issued by their former parish attesting to their moral character and signifying a means of support.

In Tranent it was decided that if any newcomers arrived without proper testimonials and visible means of support, the beadle was to

96 Covan HR, 17 May 1809.

97 Cardross HR, 20 February 1832.

obtain from the local justices of the peace orders permitting removal.⁹⁸
Again, on 8 July 1800,

The Meeting having heard the Resolutions adopted by the Heritors in the Parish of Haddington viz. 'that no Poor people be admitted to that Parish without bringing a Certificate of their good behaviour and circumstances, to maintain themselves in a labouring way, otherwise they will be returned to the Parish from whence they came,' have thought proper to adopt the same Resolutions in this Parish, and further this Meeting declare that in case any Heritor, Tenant, or others shall let houses to such People, without first getting such Certificate and producing the same to the Minister and Kirk Session; such Heritor, Tenant or others shall be bound to relieve the other Heritors of the Burden -of maintaining /sic/ such Persons, in case, they should afterwards become a burden upon the Poores funds; and the Meeting further recommend to the Minister and Kirk Session that, in case, upon production of such Certificate they shall not be satisfied therewith, they shall then order such new Incomers to return to the Parish from which they came unless they can find sufficient security that they shall not afterwards become a burden on the Poores funds.⁹⁹

In Shotts the heritors,

... having taken into consideration the frequent Instances of people coming from other Parishes to reside in this Parish, who have no visible way of Supporting themselves, and after they have resided three years within the boundaries thereof, consider themselves to have a legal claim to the Charity of the Parish and often become a burden thereon,

accordingly issued the following letter to John Yuill.

I, James Russell, by Virtue of an order of the heritors of the Parish of Shotts per their Minutes of Sedert. of the 4 Augt. 1801 hereby Intimate & Charge you John Yuill and your Wife that you flit & remove yourselves forth & from this Parish before the Term of Whitsunday Eighteen hundred & Three years, and not forfeit your Claim to support from the Parish to which you may have a right, by failing to demand it within three years after your departure therefrom trusting that at the expiry of that period you will have a right to support from the

98 Tranent HR, 8 November 1758.

99 Tranent HR, 8 July 1800.

poors funds of the Parish of Shotts; as in Consequence of this Intimation having been given you in due time, you shall, at no future period, have a Claim for support therefrom.¹⁰⁰

Some parishes found themselves located on the roads to the industrial centres and thus were plagued by having to support paupers travelling with passes which were issued by some parish in order that the pauper could travel to his parish of residence; any parish along the way was to provide provisions and transportation through its territory. One such parish was Dunoon, which complained bitterly about "the evils consequent upon such an ingress of poor."¹⁰¹ Another example was Ballantrae, Ayrshire, where,

The Session having taken into consideration, the heavy expence to which they have long, & injuriously been subjected, in forwarding to their own parish, paupers with whom they have no connexion, & further that the Managers of the Poor, & their families, have thus frequently & unwarrantably been brought into personal contact with objects in a diseased or dying condition, & labouring under various malignant and infectious Maladies, resolve, that hereafter, they will resist all such unwarranted demands upon their funds, & will send back all such paupers in future to that Kirk Session, and at their expence that shall, after this resolution being communicated, persist in forwarding them to the Kirk Session of Ballantrae -- The Session desire their Clerk to send a copy of this Minute to the Kirk Session of Girvan, Colmonell, & Inch & Stranraer.¹⁰²

It must be stressed that parishes undertook to remove poor persons to prevent an additional burden on the poor's fund. They had no authority to do this from the poor law; the provisions of the Act of 1574 enabled poor people to request travel passes to their parish of residence.

100 Shotts HR, 4 August 1801.

101 Dunoon KSM, 11 May 1832.

102 Ballantrae KSM, 30 November 1838.

F. Setting of the poor to work

The provisions of the law with respect to the setting of the adult poor to work were apparently followed in only a few parishes in the southern portion of the East Coast Lowlands and the eastern parts of the Southern Uplands. The common procedure was to establish some sort of manufactory in which the paupers were employed; spinning and weaving were favourite occupations.

A workhouse was constructed in Dalkeith in 1750, in which the poor lived and worked, (primarily at making cloth). The finished products of which were sold.

Besides working in the House, the inmates at Dalkeith were also used to clean the streets. As an incentive to undertake this type of work, the inmates were allowed to keep one-half of their wages, the other half paid to the House.¹⁰³ The House, of whose management and history there will be a fuller description later, was ill-managed and unprofitable, its use abandoned in 1835.

In Salton the session agreed that since the expense of paying the house rents of the poor was too high, a saving might be possible by constructing small cottages to house the most needy. Accordingly, six cottages were constructed of wood and stone covered by tiles each being 12 feet long and 15 feet wide with hewn windows and doors; the building materials were donated by Mr. Fletcher. Initially, eight persons were eligible to live in the cottages by meeting the following criteria:

1. That they be in such indigent Circumstances as not to be in a condition to pay for a Habitation for themselves.
2. That an Inventory of their Furniture & other Effects be taken before their Entry ... by the Clerk in presence of the Treasurer & Beadle which at every successive Term of Whitsunday shall be revised & inspected by them, & shall become the property of the poor at their decease when their burial charges are to be paid & directed by the Treasurer of the Kirk Session.
3. They shall be obliged to work & labour in proportion to their respective Abilities at the Desire of the Kirk Treasurer, or failing him to such as are willing to employ

¹⁰³ Dalkeith HR, 7 September 1767.

them at such Rates as may be agreed on & in case of any Difference arising upon the Subject the Kirk Treasurer shall be empowered to determine a Value of their Labour.

4. When it shall appear to the Kirk Treasurer that any of them shall earn by their Labour what may assist them in their support, a proportional Deduction shall be made from their weekly allowance.

5. If the Kirk Session judges that any person who receives a weekly pension shall go & inhabit one of these Houses, & such person refuse to do it shall have their pension taken away altogether in Time coming.¹⁰⁴

A mortification permitted the Tynron, Dumfries-shire, session to distribute lint annually to twelve women, who would spin it into yarn, which was given to the session on the first Monday of April. The finished yarn was judged by weavers, and the spinner of the best quality received a premium. The proceeds from the sale of the yarn served as the women's annual maintenance.¹⁰⁵

The lack of provision for employing paupers should not be too surprising in the light of the nature of recipients of relief. Many were incapable of being employed, others were able to do only light work. Hence, the road-making and bone-crushing tasks assigned to English able-bodied paupers were inappropriate in the Scottish context.

C. Poor's Roll

Even though an Act in 1424 provided the poor with free legal aid, the local records contain no mention of the 'Poor's Roll' until 1819, when the Court of Session passed an Act of Sederunt instructing parishes to provide a certificate attesting to the applicant's circumstances. The 'Poor's Roll' was the name given to a list of persons entitled on account of poverty to have their cases heard by the Court of Session without the payment of legal fees.

After 1819, all the parishes examined had entries relating to the granting of certificates. Individuals receiving them did not have to be enrolled paupers; it was only necessary that they were in indigent circumstances. Not surprisingly, most litigations were not against the

104 Salton KSM, 11 February and 16 February 1767.

105 Tynron KSM, 4 November 1784, first of similar annual entries.

parish granting the certificate, but rather against private parties. For example the Newbattle session granted a certificate to the Poor's Roll to Elizabeth Duncan so that she could obtain support from her child's father, who was living in Tranent.¹⁰⁶ In Falkirk a certificate was granted to John Walker, a 54 year old mason with four children, all under 10 years of age, and whose yearly earnings were under £30.¹⁰⁷ As entries of this nature were common in the session minutes, the Poor's Roll was frequently used.

H. Dispositions

A peculiar practice developed in the Lowland areas in the 1750's and rapidly spread to the remainder of Scotland; a practice not sanctioned by the law or tested in the Court of Session. In effect it tied the poor to the box by demanding that before they received any assistance, a disposition had to be signed, which made the poor's fund the recipient's heir. The amount of relief given had to be repaid before any balance could be distributed to the pauper's relatives. Likewise, if a pauper wished to be removed from the roll before his death, he had to repay the parish the sums expended on him. The extent of a pauper's liability was limited to the amount received. The effect of this policy was to restrict the number of applications; only those in a situation of extreme destitution were willing to sign dispositions.

The following was the disposition that the poor had to sign in order to be admitted to or remain on the roll at Eastwood:

I considering that Mr. Jamie Simson Min. and the Session of Eastwood alias Pollok have enrolled me as One of the poor persons in the Parish who are supplied or assisted from the Charity Funds of said parish by which I have received and will receive the Sums of Money that the Said Session shall see Needful Monthly for my Support from the Time of my Enrollment during the Sessions pleasure, And it being just I should grant these presents. Therefore in the Event of my Circumstances in the World growing better, I hereby promise and engage

106 Newbattle KSM, 3 February 1833.

107 Falkirk KSM, 14 May 1836.

me and mine to Repeat and Repay to the Said Mr. Jas. Simson, or any Succeeding Min. of the Said paroch or the Treasurer of the Said Session for the Time for the use of the poor of said paroch whatever Sum or Sums I have received or shall Receive in Name of Charity from the Said Session, And in Case I happen to die without repaying the Said Sums I hereby Assign and make over in favours of the Said Min. and Session of Said paroch, and their Successors in Office or their Treasurer for the time for the behoof aforesaid, All Goods, Gear, Debts, Sums of Money, and every other thing that I shall have pertaining & belonging or adebted and owing to me at my Death, with power to intromett therewith, and dispose of the Same to the Amount of the Sums I shall have received as aforesaid, and my Sick-Bed, and Funeral Charges, the Extent whereof shall be sufficiently Ascertained by Extracts from Said Session Books or their Accounts instead of all further proof, And Consent to the Registration hereof in the Books of Council and Session or any others Competent therein to remain for preservation, And if need be that Letters of Horning on Six Days and others Needful and for that End Constitute.¹⁰⁸

In Cromarty the session met to consider the state of the poor's list.

And finding that it has of late increased much and that it is to be feared will continue to swell to such a Number as will, in a great Measure, deprive real & needful objects of any sensible Benefit from the Poor's Funds -- The Session have thought it expedient in order to ascertain the real objects to adopt the following resolution, & this with the full Consent & approbation of the Heritors of the Parish -- The Resolution is, That every Individual now upon the Poor's List, or that shall hereafter be admitted upon it, shall sign an obligation mutually entered into betwixt them & the Session, By which they shall be bound down on their part to the following conditions --

1st. That all Persons, on the Poor's List, who at the time of their Decease, shall leave no Parent nor Child behind them their Effects of whatever Description shall fall into the Session, & be appropriated by them for the Behoof of the poor --

2nd. That, should a Parent or Child survive, who during the Life time of the person or persons on the Poor's List, was known to act an unnatural part to such poor, by not giving them all the assistance in their power, so as to prevent their being a burden on the poor's funds, That in this case also, the Session be left as Heirs to the Effects of such poor in Preference to such unnatural parents or children.

108 Eastwood RSM, 26 October 1760.

3rd. That as the above Conditions, are in themselves so reasonable, so fair & equitable, The Session with Consent of the Heritors have determined to consider a refusal of them from any of those who are now upon the List, as a Forfeiture of any further Benefit from the poors Funds. And a full compliance with them shall be considered an indispensable Qualification for being admitted on that List.¹⁰⁹

The poor who were on the list at the time of the passing of this resolution were asked to sign the disposition; those who refused to sign were removed from the roll. Similar statements were found in the kirk session minutes of all examined parishes.

The effect of this policy on the poor's roll can be seen clearly from the Elgin minutes, where the session instituted dispositions on 1 March 1769. The first distribution of the funds after this date was made on 30 April, and the number of recipients dropped from over 100 to 23, solely because individuals on the roll refused to sign the disposition; the minister was so disturbed that he stated

That the main design of Collections for the poor is to relieve the Straits of those in distress of whatever denomination & that the ministers /sic/ hands ought not to be tyed-up from drawing precepts for that end in the manner the act requires (i.e. only with the consent of session).¹¹⁰

A member of the session replied

... that the design in the above Act was to prevent ministers being imposed upon to give precepts for Charity by Such as were not in great want & who had shown it, by their refusing to comply with the Act ... and likewise to prevent any very small number of the Sess. giving orders for Charity inconsistent with the end & design of the above Act.¹¹¹

Nonetheless, it was decided that the decision of 1 March 1769, should be revised so that if any who refused to comply with its conditions were in very great distress, then, with a special meeting of the session, they could be given aid.¹¹²

109 Cromarty KSM, 14 February 1792.

110 Elgin KSM, 29 November 1769.

111 Elgin KSM, 29 November 1769.

112 Elgin KSM, 22 March 1770.

Dispositions were not simply a dead letter, they were strictly implemented. The benefits to the poor's funds can be demonstrated by an example from Fordoun, where it was reported that Grace Anderson, a pauper on the roll for 20 years receiving £30 in relief, had died. A roup of her belongings was ordered, and the following accounting was presented:¹¹³

| | | | | |
|--------------------------------|-------|------|------|-------------|
| Cash in her Chest | £6 | 5s. | 0d. | |
| Old watch valued at | | 4s. | 0d. | |
| Articles in her house, sold | 1 | 8s. | 3½d. | |
| Articles distributed to poor | 1 | 12s. | 0½d. | |
| | <hr/> | | | |
| Total | | | | £9 9s. 4d. |
| Deduct | | | | |
| Funeral charges & sundry debts | 3 | 10s. | 2½d. | |
| Coffin | | 15s. | 0d. | |
| Diggin grave | | 2s. | 0d. | |
| | <hr/> | | | |
| | £4 | 7s. | 2½d. | |
| Amount Distributed among poor | 1 | 12s. | 0½d. | |
| | <hr/> | | | |
| | | | | £5 19s. 3d. |
| | <hr/> | | | |
| Balance added to poor's fund | | | | £3 10s. 1d. |

I. Rural Workhouses

Several parishes in the East Coast Lowlands constructed workhouses as a means of maintaining their poor. Apparently, the first parish to plan a workhouse was Dalkeith in 1747.

The Session having agreed that it would be of great advantage to the place, that a Charity work house Should be erected for accomodating the poor of this parish Did accordingly make a proposal to a general meeting of the Heritors, Trades and other Inhabitants of this parish That providing a scheme of this kind was agreeable to them. The Session would give yearly out of their Funds the Sum of Forty pounds Sterling, and also would procure a house convenient for the forsaied purpose the use whereof they should have so long as they gave due Encouragement for Supporting the poor in this manner Which proposal having been agreed to, And in consequence thereof this day Subscriptions having been produced to the amount of Nynty two pounds Sterling payable yearly by the Inhabitants of the parish Therefore the Session

¹¹³ Fordoun KSM, 8 March 1835.

judged it Incumbant on them to perform their Engagement And appoints Glenbervie, Mr. Ramsay, Mr. Gray and William Brunton to enquire for a proper house and report against the next meeting of Session.¹¹⁴

As a convenient house could not be located, it was decided to build one on ground given to the parish by the Duke of Buccleuch and located between the Glebe and the Bridge. On 9 February 1749, the session gave £80 as an initial construction payment. The House, which opened in 1750, was designed to hold 40 persons, with an estimated yearly expense of £4-16-5½ per inmate.

The workhouse management consisted of a general committee of 36 men (4 chosen by the Kirk Session, 8 by the Heritors, 8 by the Merchants, 8 by the Trades, and 8 by the Brewers, Farmers, etc.). This group was elected annually and held four quarterly meetings. The daily business of the house was directed by a weekly committee of 9 men chosen from the general committee; of these 2 each were from the above groups, with the exception of the Session, which chose 1. One member of this committee, in rotation, was to visit the House daily. The affairs of the House were overseen by a mistress. A surgeon was appointed to attend to the needs of the poor, both in and out of the House.

The inmates worked at manufacturing, and the goods produced were sold. When a boy had been sufficiently educated, he was apprenticed. Each inmate was given new clothes. All the regulations of the House were identical to those of the Edinburgh Charity Workhouse, to be discussed in the next Chapter.

The discipline in the initial stages was rather severe. On 9 May 1752,

Several complaints had been made against John McGreigor for his repeated crimes of thieving and idleness--The Committee, being fully satisfied of the truth thereof, orders him to be whipt and thereafter chain'd to his bed stoup for the space of ten days and during that time to be fed upon bread and water.¹¹⁵

114 Dalkeith KSM, 25 May 1747.

115 Dalkeith KSM, 9 May 1752.

Or, when one of the directors making his daily visit discovered that two boys, as usual, were not at their wheels, ordered that they were to receive no food until they returned to their work.¹¹⁶

The House appears to have been ill run. On 12 October 1764,

It was reported that the Charity Workhouse had not been for some time past properly managed That the Mistress of the house had been so infirm as to be quite unfitt for her duty. That the behaviour of the Teacher was far from being agreeable. That many of the Rules & regulations of the house which were read over Either had been deviated from or altogether neglected. That therefore it was necessarie that an Immediate inspection should be made into the present state & Condition of the house.¹¹⁷

A committee was appointed to investigate the charges; they issued the following report:

They are of opinion That the house is in disorder & not properly managed for some time past. That Mrs. Boyd the Mistress as she herself declared is not able to go up stairs & give that attention to the house as she formerly did. That Enquiry was made from the people of the house with respect to their diet & clean linens. That they said they were regularly and well dieted & got Clean linens weekly as usual & that the rooms were washt every Monday but not daily swept as usual. That Mrs. Boyd told that she was not to be blamed for this in respect she had no servant for these purposes for some time by gone. Tho she made Application on to the managers for that Effect. As to Thomas Meek the Teacher the Committee finds nothing faulty to him But are of opinion that the youth in the house cannot be properly managed & taken care of unless the Teacher was Constantly residing in the house. The Committee likewise are of opinion that the laws & regulations of the house have not been properly observed. That the managers have failed in their Attendance.¹¹⁸

At this particular time the mistress' salary was £15 per year plus the common fare of the House. Curiously enough, in a move to economise the Managers resolved,

116 Dalkeith Workhouse Visitor's Book, 7 June 1751.

117 Dalkeith KSM, 12 October 1764.

118 Dalkeith KSM, 15 October 1764.

1. That for the future the Salary of the Housekeeper /mistress/ shall not exceed the sum of £5 pr annum, and that she be allowed the common fare of the house.
2. That the housekeeper be allowed no servant, and that the people of the house be strictly commanded to give her all the assistance in their power.
3. That the Surgeon be allowed no Salary, but that he shall present his account of medicines at the end of every year, and be allowed the same for a sum not exceeding £1 Sterl.
4. That after the expiration of the present year the Chaplain be allowed a sum not exceeding £4 St. a year in place of all demands.¹¹⁹

For some unknown reason (the minutes no longer exist) the House was closed in 1835, and though the inhabitants of Dalkeith later petitioned the heritors to re-open the house they unanimously agreed not to meet this request.¹²⁰

Other workhouses were established in the parishes of Inveresk and Prestonpans. Not much is known about these workhouses, as their minutes have not been located.

J. Moral rectitude

There is ample evidence that the administrators of the poor's funds felt they had to safeguard the morals of their recipients by removing any source of pleasure. In Shotts the heritors decided that parochial paupers should not be allowed to keep dogs; they resolved that in future any person with a dog would forfeit his claim for assistance.¹²¹ Paupers could not expect freedom of action at any level as is clear from the following case from Shotts:

James Russell a pauper on the poor's funds of this parish having been previously sent for by the meeting was next called in for admonition for the Sin of Drunkenness.

It appeared to the meeting that this most inconsiderate & infatuated pauper, had, within these twelve months squandered away in sinful dissipation, not less than £12 Sterg. dutifully transmitted him by his Daughter in Penrith

¹¹⁹ Dalkeith KSM, 29 August 1768.

¹²⁰ Dalkeith HR, 15 January 1836.

¹²¹ Shotts HR, 4 February 1800.

to make him comfortable in his old age -- and being asked in what houses he had thus inequitously Squandered away the money so dutifully given him, reported that he had Spent it principally in the house of Robert Weir Changekeeper in Shottsburns along with a number of Night Caps & Mitts which his wife had also retained for Spirits --

The meeting having Seriously considered this report reprobate in the most unqualified terms the conduct of Changekeepers in Selling Spiritous Liquors to paupers, and thereby encouraging them in a sinful & gross misapplication of the money given them for their support -- The meeting therefore direct intimation to be given to the Changekeepers in this Parish in general & to the said Robert Weir & Wife in particular that if they are in future found Selling Spiritous Liquors to persons of the above description the administrator for the poor will take the proper Steps to Stop Licenses from being granted to them as Law directs.¹²²

But in spite of their efforts, debauchery clearly existed. In the parish of Halkirk between 1822 and 1838 inclusive, 178 persons were found guilty of fornication.

Of course the most important instrument for combating moral looseness was the Church, as illustrated by an entry from Anstruther.

The Christian who has been made the instrument of saving one Soul, has been the means of producing more happiness than has ever been procured by the relief of mere temporal distress all put together, ever since the world began.¹²³

This statement is an excellent summation of the philosophy underlying the administration of relief in rural Scotland, 1745-1845.

K. Conclusions

A striking characteristic of the Scottish poor law as administered in rural parishes was its unification within what was really a slender legal framework. Despite legal provisions for independent management by the numerous parishes, there existed a surprising uniformity in practice,

122 Shotts HR, 2 February 1808.

123 Anstruther KSM, 8 January 1826.

since innovation in policy by one rural parish spread rapidly among the others.

The law was enforced more actively in the three southern regions (3, 4, 5) than in the northern regions. This was the case even though the northern parishes appear to have had a formalised system of distributing relief, albeit the division of paupers into classes was a device for facilitating the infrequent distributions. The lack of a formal administrative framework in the northern regions (1 & 2) relative to that of the Southern Lowlands (3, 4, 5) should not be too surprising, given the remoteness and isolation of the parishes and the high degree of absenteeism. The management in the northern parishes remained voluntary, whereas the introduction of legal assessments in the south brought in salaried personnel in the form of stent collectors and overseers. These individuals, however, only carried out the wishes of the sessions and heritors.

Poor rates and expenditure in Scotland never reached the same levels as in England. The interests of the elders and heritors were often conflicting, which served to keep the rates low. The ministers and elders represented the compassionate element of administration, concerned with the moral and material well-being of the inhabitants. As the examples from the session minutes illustrate, they were liberal in the granting of relief to legitimate cases. The heritors, however, held ultimate control of the purse-strings. As principal taxpayers, they desired to keep outlays to a minimum, becoming extremely active in administration with the threat of a legal assessment. The heritors' attitudes in combination with increasing absenteeism and a lack of adequate church accommodation caused parishes to suffer from a shortage of funds.

Most parishes prided themselves on the voluntary sources of their funds. They often invested the funds, distributing only the interest to the paupers. Occasionally, funds were lent without proper security and were lost.

The moral circumstances of all applicants for relief were considered before the granting of an allowance. In all cases the amount of relief granted was not sufficient to provide the sole means of livelihood.

great stress was placed upon the charity of friends and relatives. Furthermore, no fixed standard was established setting the amount of the allowance, rather each case was examined according to its merits. Although contemporaries argued that moral attitudes were more strictly adhered to in the Highlands, no evidence exists to confirm this impression.

In all areas the data indicated that relief was given not only to the impotent, but also to the able-bodied during periods of temporary distress, except unemployment. Few parishes made provision for medical relief. The extent to which a parish was willing to help appears to have been a direct function of the availability of funds. All the parishes viewed the granting of relief as a loan, as the paupers were tied to the box with the signing of dispositions to their goods. Only in the parishes between the Forth and the Tweed was evidence found that the paupers were gainfully employed as a requirement for receiving relief.

Parishes in the southern regions (3,4,5) removed strangers settling in the parish who were not able to present certificates from their former parish attesting to their moral character. These acts of removal, though not sanctioned by the poor law, were designed to prevent increases in the pauper rolls. The practice probably was not detected in the northern parishes, as they were areas of out-migration.

The system of poor relief in rural Scotland was certainly paternal in nature. Generally the elders were sympathetic with the poor's problems, coping with the difficult question of allocating scarce resources. The evidence indicates that the system operated smoothly within the context of rural Scotland: the poor accepted their lot.

Appendix 2/1: List of Scottish parishes with dates at
which legal assessment was first imposed.

North and Western Scotland:

| | |
|-------------|------|
| Argyle : | |
| Rannoch | 1831 |
| Campbeltown | 1832 |
| Soultend | 1836 |

Northeast Lowlands and Central Highlands:

| | |
|------------|------|
| Aberdeen: | |
| Old Mochar | 1835 |
| Aberdeen | 1836 |

| | |
|--------------|------|
| Forfar: | |
| St. Vigeans | 1800 |
| Dundee | 1810 |
| Dunichen | 1817 |
| Oathlan | 1833 |
| Montrose | 1836 |
| Inverkeillen | 1837 |

| | |
|-------------|------|
| Kincardine: | |
| Fetteresso | 1837 |

| | |
|--------------|-------------|
| Perth: | |
| Methven | 1752 |
| Bendochy | 1775 |
| Alyth | 1776 |
| Rathay | 1776 |
| Rhynd | 1776 |
| Tibbermore | 1776 |
| Auchterarder | 1795 |
| Redgerton | before 1800 |
| Culross | 1800 |
| Trinity Gask | 1815 |
| Abernyte | 1817 |
| Kinnoul | 1824 |
| Ween | 1827 |
| Errol | 1828 |
| Longforgon | 1831 |
| Fortingall | 1832 |
| Cupar-Angus | 1833 |
| Killen | 1834 |

East Coast Lowlands:

| | |
|--------------|------|
| Clackmannan: | |
| Tillicoultry | 1816 |

| | | |
|--------------------|------------------|---------|
| Edinburgh: | | |
| City of Edinburgh | Reign Charles II | |
| Cockpen | | 1740 |
| Newbattle | | 1741 |
| St. Cuthberts | | 1766 |
| West Calder | | 1775 |
| Liberton | | 1779 |
| Colinton | | 1786 |
| Connington | | 1786 |
| Crichton | | 1794 |
| Newton | | 1797 |
| Penicuik | | 1800 |
| Canongate | | 1801 |
| Heriot | | 1803 |
| Conston | | 1813 |
| Dalkeith | | 1813 |
| Temple | | 1816 |
| S. Leith | | 1817 |
| Borthwick | | 1818 |
| N. Leith | | 1822 |
| Cramond | | 1829 |
| Waddington | | 1833 |
| Fala | | 1837 |
| Currie | | 1833 |
| Fife: | | |
| Kinghorn | | 1782 |
| Torryburn | | 1783 |
| Falkland | | 1800 |
| Kemback | | 1807 |
| Abbotshall | | 1810 |
| Scourie | | 1812 |
| Kettle | | 1817 |
| Carnock | | 1817 |
| Ceres | | 1829 |
| Haddington: | | |
| Dunbar | | 1750 |
| Goldsmuir | | 1751 |
| Ormiston | | 1760 |
| Bolton | | 1778 |
| Saltoun | | 1783 |
| Prestonhill | | 1780-90 |
| Aberland | | 1783 |
| Gaivald | before | 1800 |
| Pencaitland | | 1800 |
| Stanton | | 1805 |
| Humbie | | 1805 |
| Whittingham | | 1808 |
| Coldbrondspath | | 1831 |
| Atholestoneford | | 1834 |

| | |
|-------------|------|
| Linlithgow: | |
| Livingstone | 1803 |
| Coniden | 1809 |
| Torphichen | 1831 |

Central and Southwest Lowlands:

| | |
|---------------|-------------|
| Ayr: | |
| Ayr | before 1756 |
| Mauchline | 1770 |
| Dundonald | 1800 |
| Girvan | 1800 |
| Loudoun | 1800 |
| Irvine | 1801 |
| Riccarton | 1808 |
| Newton on Ayr | 1813 |
| St. Quivox | 1817 |
| Colmoneld | 1825 |
| Beith | 1830 |
| Sorn | 1831 |
| Muirkirk | 1834 |
| Stain | 1835 |
| Kilbirnie | 1835 |

| | |
|---------------|------|
| Dumbarton: | |
| Kirkintilloch | 1831 |
| Dumbarton | 1832 |

| | |
|---------------|------|
| Lanark: | |
| Glasgow | 1735 |
| Bothwell | 1751 |
| Glassford | 1751 |
| Carluke | 1760 |
| Lesmahagow | 1767 |
| Lanark | 1768 |
| Stonehouse | 1774 |
| Wiston | 1800 |
| East Kilbride | 1800 |
| Biggar | 1802 |
| Barony | 1811 |
| Carnwath | 1816 |
| Crawford | 1820 |
| Canbuslang | 1826 |
| New Monkland | 1827 |
| Dalziel | 1831 |

| | |
|------------------|------|
| Renfrew: | |
| Burgh of Paisley | 1740 |
| Abbey | 1785 |
| Kilbarchan | 1785 |
| Eaglesham | 1802 |
| Eastwood | 1815 |
| Lochwinnoch | 1816 |
| Greenock | 1817 |
| Kilmalcom | 1823 |
| Govan | 1826 |
| Neilston | 1836 |

| | |
|------------------|------|
| Stirling: | |
| Airth | 1775 |
| St. Ninians | 1775 |
| Falkirk | 1816 |
| Kippen | 1823 |
| Balfron | 1831 |

Southern Uplands:

| | | |
|-------------------|--------|------|
| Berwick: | | |
| Fogo | | 1693 |
| Dunse | | 1725 |
| Abbey St. Bathans | | 1725 |
| Eccles | | 1725 |
| Coldingham | | 1749 |
| Nentham | | 1749 |
| Eyemouth | | 1753 |
| Hutton | | 1758 |
| Swinton | | 1760 |
| Gordon | | 1761 |
| Chirnside | | 1771 |
| Channelkirk | | 1774 |
| Edion | before | 1775 |
| Whitsome | | 1775 |
| Westruther | | 1782 |
| Earlston | before | 1786 |

| | |
|--------------------|------|
| Dumfries: | |
| Westerkirk | 1773 |
| Canonbie | 1773 |
| Eskdalemuir | 1774 |
| Ewes | 1791 |
| Langholm | 1797 |
| Gretna | 1800 |
| Moffat | 1809 |
| Annan | 1817 |
| Kirpatrick-Fleming | 1830 |
| Sanwuhar | 1833 |
| Dumfries | 1834 |
| Caerlaverock | 1835 |
| Hoddam | 1835 |
| Kirkpatrick | 1836 |
| Dalton | 1837 |
| Dornock | 1837 |
| Ruthrall | 1837 |

| | |
|-----------------------|------|
| Kirkcudbright: | |
| Anwath | 1829 |
| Urn | 1831 |
| Kelton | 1838 |

Peebles:

| | |
|--------------|-------------|
| Inverleithen | 1774 |
| Eddleston | before 1780 |
| Traquair | 1800 |
| Broughton | 1811 |
| West Linton | 1835 |

Roxburgh:

| | |
|-------------|-------------|
| Roxburgh | 1737 |
| Bowden | 1737 |
| Melrose | 1737 |
| Hawick | 1730-40 |
| Hobkirk | 1740 |
| Jedburgh | 1740-1 |
| Eckford | before 1741 |
| Smailholm | 1744 |
| Sprouston | 1744 |
| Moxton | 1750 |
| Kirkton | 1752 |
| Morebattle | about 1755 |
| Yetholm | before 1765 |
| Southden | before 1769 |
| Lilliesleaf | 1767 |
| Castleton | 1773 |
| Kelso | 1795 |
| Makerston | 1807 |

Selkirk:

| | |
|---------|------|
| Ettrick | 1695 |
| Selkirk | 1751 |
| Yarrow | 1751 |
| Ashkirk | 1766 |
| Stow | 1763 |

**CHAPTER 3: POOR RELIEF ADMINISTRATION IN SCOTLAND'S
BURGHs: GLASGOW, EDINBURGH, PAISLEY,
DUMFRIES, DUNDEE, ABERDEEN, INVERNESS**

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CHAPTER 3: POOR RELIEF ADMINISTRATION IN SCOTLAND'S BURGHS:
GLASGOW, EDINBURGH, PAISLEY, DUMFRIES, DUNDEE,
ABERDEEN, INVERNESS

A. General

It has always been alleged that the strength of the Scottish mode of poor relief lay in the use of the parochial system by which each parish cared for its own poor, for the parish officials would be best acquainted with the real needs. The only difference in provisions between rural and urban areas was the administrative set-up. But this was important because it created two sub-systems, the parochial system of rural Scotland and the burghal system of urban Scotland. The administration of poor relief in Scotland's burghs during the period under consideration was, according to the poor law, placed in the hands of the magistrates and the town council. These two groups could delegate the administration to others, but the final responsibility could not be delegated. Under the burghal system the administrators cared for all the poor of their town, which, as often was the case, was divided into several parishes for the purpose of ecclesiastical convenience. Since the magistrates represented the whole burgh, it was not possible for them to be as familiar with the needs of the poor as the population of the town increased. This distinction between rural and urban administration of the poor law lies at the heart of the Chalmerian system, which will be discussed in Chapter 7.

In order to determine the administrative practices with respect to poor relief of Scotland's urban areas the following burghs were examined in detail: Glasgow, Edinburgh, Paisley, Dumfries, Dundee, Aberdeen and Inverness. This sample represents at least one town from each of the five regions, hence it should also be possible to determine if any variation in administrative practices existed between the regions. These burghs were chosen because of the importance to their respective areas. Moreover, they probably had an influence on the development of policy in adjacent rural parishes.

In all the burghs examined the magistrates and town councils delegated their authority to other groups. For this reason the town

council minutes are not a very valuable source of information. Other types of material examined were quite varied, the most complete records surviving for Glasgow, Edinburgh, and Paisley. These burghs had 'workhouses', and the managers' minutes for these institutions still exist. Besides these records the surviving kirk session minutes for each burgh were examined.

B. Glasgow

Although never the capital of Scotland, Glasgow in many respects must be viewed as Scotland's premier city. Glasgow and its inhabitants were among the leaders of British industrial growth. It was the first area in Scotland to experience the impact of industrialisation: it ranked high among British cities in the intensity of that experience. Its merchants invested their new found fortunes and transformed the picturesque cathedral village and university town on the River Clyde into the industrial centre of Scotland. Glasgow's population nearly doubled between 1801 (77,385) and 1821 (147,043). This phenomenal growth created pressures which caused a concentration of destitution, especially as industrial workers were extremely susceptible to variations in economic activity. Because of the increasing pressures caused by rapid industrialisation, it is not surprising to find Glasgow as the leader in developing new techniques of urban poor relief administration in Scotland. Nonetheless, the city was confronted with a complex traditional system, which it somehow was able to adapt to meet new challenges.

a. Administration

Prior to 1731, poor relief in Glasgow was administered by the following four groups: the Town Council, the General Session of the Church for Glasgow, the Incorporated Trades (the producers' guild), and the Merchants' House (the merchants' guild). Each of these worked independently of the others, administering relief mainly to those for whom it was directly responsible. Under this framework an effective unified system of relief was impossible. Although by law the

the magistrates and town council were responsible for the administration of poor relief within their bounds, it appears that, by and large, they accepted responsibility only for the residue of pauperism. The situation came to a head in 1731, when, because of increasing problems of destitution and begging in Glasgow, the magistrates and town council consulted the other groups providing assistance. Their object was to develop a new system of poor relief in Glasgow. Their efforts resulted in the creation in 1733 of the Town's Hospital to house and profitably employ poor indigent children, old deranged men and women, and others rendered unable to provide for themselves.¹

There were now two institutions for supplying relief in Glasgow, the new Hospital and the General Session. Although these two organisations administered their respective funds independently of each other, persons could not be placed on the roll of the Town's Hospital without being referred by their individual parish kirk session.

The General Session was a policy formulating organisation composed of the minister and elders from each of the quoad sacra parishes within Glasgow. As was the general rule in Scotland, each parish was divided into "portions", with an elder responsible for its poor assigned to each. Persons first applied for assistance to their elder, who gave the applicant temporary aid while investigating his claim. The elder did this by determining the applicant's need, and whether he had been an industrious resident of the burgh of Glasgow for at least three years. If these conditions were met, the applicant was placed upon the session rolls and received a monthly allowance, of which there were thirteen payments during the year. He remained on the session rolls until the maximum amount which the session could give was insufficient to maintain him; he was then transferred to the rolls of the Town's Hospital, his name being removed from the session's rolls. The General Session made several attempts to regulate and standardise the procedure used by the parish kirk sessions in admitting paupers to the session rolls,² But no evidence exists that this policy was ever successful; with the exception of periodic scrutinies of the rolls ordered by the General

1 THM, 3 January 1744.

2 GSM, 5 December 1782.

Session, the individual sessions maintained autonomy in the administration of their poor rolls.

The Hospital was managed by a group of forty-eight directors and the Lord Provost. Twelve directors were elected by the town council (six of whom were magistrates), twelve by the Merchants' house (including the Dean of Guild), twelve by the General Session (including four ministers in rotation), and twelve by the Incorporated Trades (including the Convener). Hence, all the groups providing relief prior to 1731 were equally represented in the new system, and any change in the Hospital rules and regulations had to be ratified by three of the four electing societies. The directors were elected annually on the last Tuesday of October; quarterly meetings were held in February, May, August and November, with any twenty-five directors constituting a quorum. From the forty-eight directors a Weekly Committee of eight was elected, each society choosing two. This Committee met in the Hospital every Tuesday in order to administer the orders of the directors. It was also responsible for handling the admission of the poor and the daily business. One member, chosen in rotation, was to visit the Hospital daily, and one member was to visit on Saturdays in order to punish offenders. Each director had the power to order beggars into the Hospital.³

Besides the directors, who freely provided their services, there were paid servants. The overseer was to keep a book listing the inmates, keep the accounts, and ensure the cleanliness of the Hospital. A schoolmaster was to hold divine worship in the dining room daily at eight in the morning during the summer and at nine during the winter and at eight every night. He was also to teach the boys writing and arithmetic for one hour each day. For every six beds in the Infirmary there was to be one nurse, whose duties were to wash the rooms twice weekly and the linen once a week. There was also to be one nurse for every six children, who was to wash the children daily and teach them to mend their clothes. The cook was to cook the meat, bake the bread, brew the ale, wash the kitchen daily, and supervise the children in

3 THM, 25 September 1733 and 3 January 1744.

washing the dishes after every meal. A surgeon was to look after the sick and examine the new admissions.⁴

In 1732, a meeting was held in order to decide if a site owned by the Guilds at St. Enoch's Cross should be chosen as the location for the Hospital.⁵ A committee recommended acceptance of the offer, but at this meeting the town council offered to give the Hospital a portion of the Old Green. The directors agreed to accept this gift.⁶ (This site was at the present day intersection of Dunlop and Clyde Streets). The site was considered to be "most wholesome pleasant and commodious on account of its good air and being near the River of Clyde".⁷ For the next year and a half construction was under way on a large hospital and workhouse, surrounded by a spacious court; a handsome, well contrived infirmary was also built nearby. An initial voluntary subscription of £1,500 for the Hospital and £383 15s. for the infirmary were received from the citizens of Glasgow in order to meet the construction costs.⁸ James Adam and Mrs. Mitchell were appointed as the first overseers of the Hospital; Adam's salary was £15 per year, and Mrs. Mitchell's was £10 per year.⁹ (On 22 February 1739, Mrs. Mitchell left because she did not desire to observe the Hospital rules. She later became the first mistress of the Edinburgh Charity Workhouse.) In 1733, each society was ordered to prepare a list of their poor who would be willing to enter the Hospital, which opened on 15 November 1733.¹⁰ It was capable of maintaining 300 persons, and was so designed that it could be expanded to maintain 600.¹¹

A change from the system as above described can be dated from 23 April 1818, when the directors of the Hospital appointed a committee to consider "the prospective and permanent system of the management of

4 THM, 25 September 1733.

5 THM, 2 May 1832.

6 THM, 8 May 1732.

7 THM, 3 January 1744.

8 THM, 19 August 1756.

9 THM, 6 April 1733.

10 THM, 6 April 1733 and 15 November 1733.

11 THM, 3 January 1744.

the poor in this City, and of the plans which ought to be adopted as to the new establishment". The people appointed to the Scrutiny Committee were Rev. Taylor, Rev. Gibb, Rev. Taylor Jr., Rev. Chalmers, Mr. Ewing, Mr. Dalgleish, Mr. Rodger, Mr. Robert Findlay, Mr. Leckie, Mr. Ferrie, Mr. Haldane, John Alston, Mr. Thomson, Mr. Ballantyre, Bailie Machen, and Mr. Ferguson.¹²

The Committee's Report dealt with the proper recipients of relief besides recommending several administrative changes.¹³ First, it was agreed that by 1819 all out-pensions would be paid in money instead of meal, indicating that the attempt to prevent the exchanging of meal for other goods, particularly alcohol, had failed. The Committee also felt that the practice of giving meal was too inconvenient. For example on one Saturday, 3802 pounds of meal were distributed among 512 paupers -- 201 received six pounds each, 276 received eight pounds each, ten pounds each was given to 16 persons, and 19 received twelve pounds each. The meal was given out by the Hospital inmates, who were not supervised, and there was no check on the quantity distributed. The Committee estimated that the expense of giving meal was 50 per cent more than if money had been paid. Second, it was decided to end the practice of having boarders, individuals who --paid from £18 to £20 per year to live in the Hospital, but who did not have to follow the rules. Third, there was the care of the children. The Hospital had responsibility for three classes of these: 1) orphans -- children who either had no parent or had been deserted and were at the age of education; 2) exposed children -- foundlings given out to nurse until six or seven years of age and kept on the funds until the age of ten for boys and eleven for girls, and then apprenticed; and 3) adopted children -- those admitted as infants with a payment of £30, no questions asked. This; last formula perhaps reflected on the morality of the upper classes, for few others could afford a £30 payment. The practice of keeping adopted children was begun in 1802, and, as the mortality of such children was high, was considered as a source of revenue. Indeed, a profit of £1200 was derived from this category between 1802 and 1818. Nonetheless, it was decided to

12 THM, 23 April 1818.

13 THM, 6 November 1818.

discontinue the acceptance of adopted children. (This practice, however, was reinstated in 1823.¹⁴) More generally, it was decided that children should no longer be kept in the Hospital, but rather be boarded out in the country, as they would only tend to learn listless and idle habits from intercourse with the 'aged, yet hardened sinner'.¹⁵

These changes, though important, were but a prelude to what was to follow. With the inception of St. John's Church on 29 September 1819, the break-down of the old system was accelerated. As the St. John's experiment will be the topic of Chapter 7, a description of it will not be included here. On 7 October 1819, the General Session attempted to resign its function as administrators of poor relief and sent the following memorial to the Hospital directors:

Several members of Session having been heard, and due deliberation held on the whole Subject. It was moved and seconded (and carried) that the present System of management of the Poor and their funds by different bodies liable to interfere with one another is inexpedient and ought to be discontinued: That it is advisable that one board should be intrusted with the whole management and administration of the Poor of the City and of their funds whither arising from Church Collections or Assessment--And as the General Session have no ambition to participate in that administration, that they Surrender as a body their whole trust and power which they have long possessed and which they endeavoured always to exercise with ??? according to their best judgement into the hands of the Lord Provost, Magistrates, and Directors of the Town's Hospital: a body composed of deputations from all the different public Corporations Civil and ecclesiastical.¹⁶

The General Session further stated that they reserved the right to control the sums mortified to them and to detain a portion of the

14 THM, 27 February 1823. Mr. Robert Crawford, the preceptor, stated "That while it might be right to admit all such children for whom application might be made, it seemed advisable for the interest of the Hospital, in a pecuniary point of view, to admit cases occurring in the neighbourhood belonging to wealthy individuals, who, in many occasions, he (the Preceptor) was sure would feel disposed to make a sacrifice rather than be put to greater inconvenience in disposing of their illicit off Spring.

15 Glasgow Herald, 12 June 1820.

16 THM, 17 November 1819.

church collections to meet certain expenses connected with the operating of the churches. It was pointed out that Dr. Chalmers had moved that the assessment should be ended and that each session be made responsible for its own poor. A motion to this effect was defeated. If it had succeeded, the town council probably would not have approved it, because for the purpose of poor relief, Glasgow was legally considered as a single parish. Eventually, the General Session agreed to continue as a body until 1821, after the Hospital directors promised they would pay the Session's debts of £400 to the Thistle Bank and £500 to James Lockhart's Mortification.¹⁷

Though individuals continued to apply to their elder for poor relief, and were placed first on the session's rolls, the old system finally ended in 1821. The General Session again submitted its collective resignation and informed the directors of the Hospital that each session would deal with it individually.¹⁸ Of the ten parishes forming the parish of Glasgow, only the following four drew from the funds of the Town's Hospital immediately after the General Session resigned: College, St. Andrew's, St. Mungo's and Tron. The other six eventually sought aid from the Hospital; a list with their date of assumption follows: Outer High - 1826, St. George's - 1827, St. James' - 1831, St. Enoch's and St. David's - 1832, and St. John's - 1836. Charts 1 and 2 each present a scheme of the two systems.

The major change in management was that the individual sessions no longer gave their collections to the General Session to be distributed to the parishes according to their proportion of paupers. Each parish session administered its own funds, any surplus of revenue over expenditure being retained. If a session's funds, consisting of the church door collections, were not adequate, it drew from the Hospital's funds, which were composed primarily of the revenue from the assessment.

Table 4 presents some information on managers of various charitable organisations. From it one can conclude that interlocking directorates played a significant part. Even though the list of names

17 GSM, 2 March 1820.

18 GSM, 1 February 1821.

Chart 1: Poor relief administration in Glasgow
prior to 1819

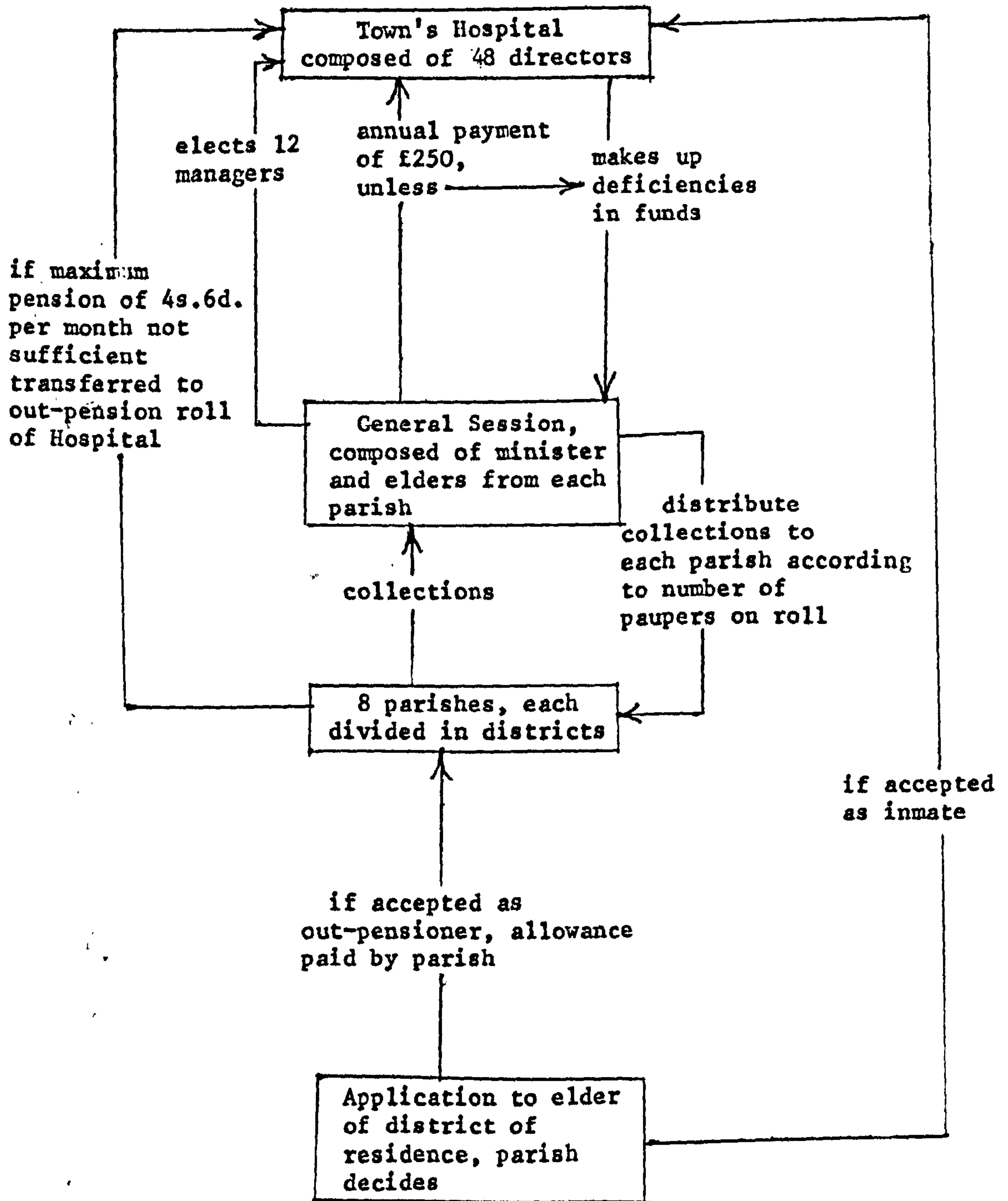


Chart 2: Poor relief administration in Glasgow,
post 1819

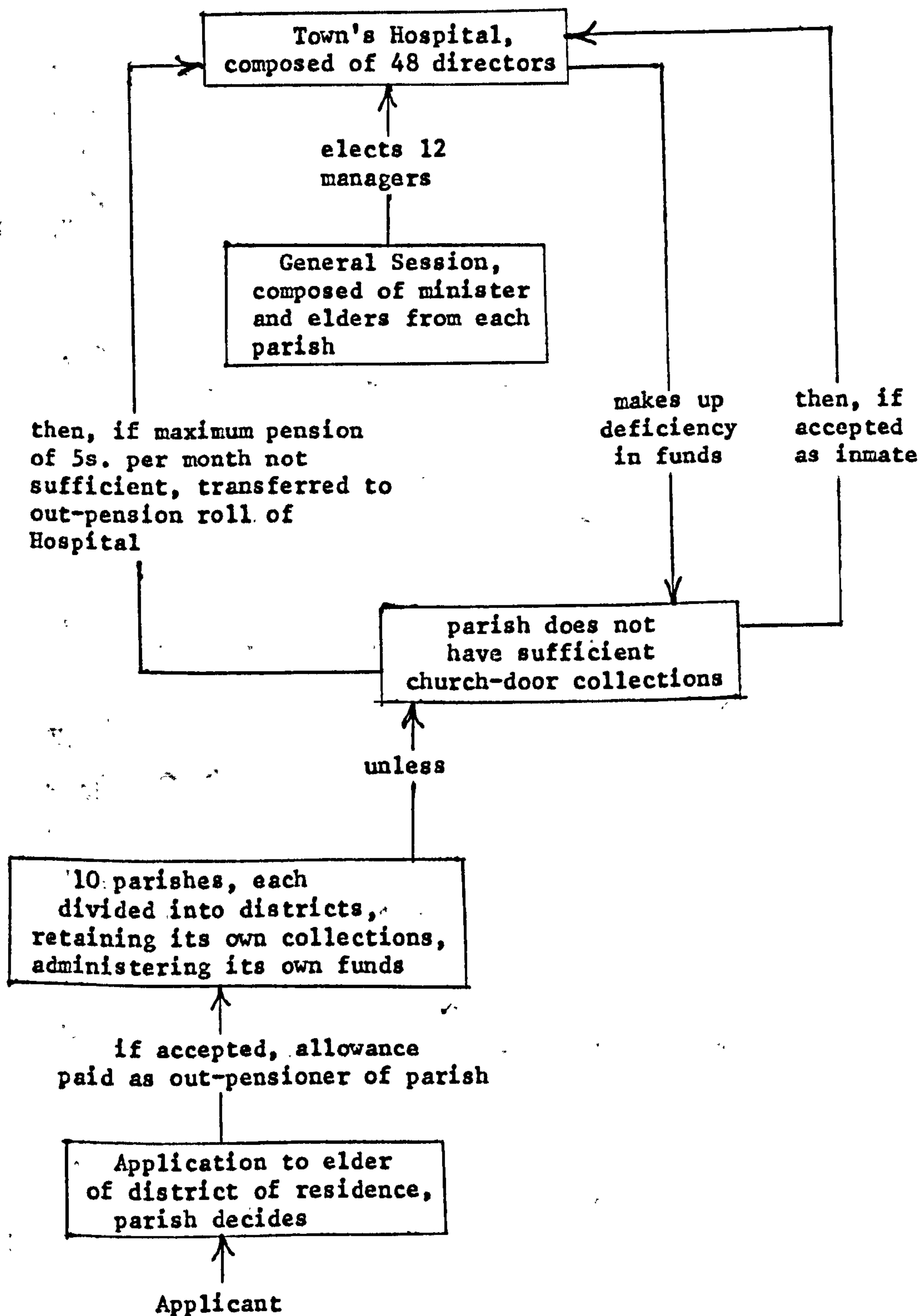


Table 4: Directors or Members of Glasgow Charitable Organizations, 1800-1850.

| | <u>Town's Hospital</u> | <u>Royal Infirmary</u> | <u>Lunatic Asylum</u> | <u>Deaf and Dumb Institute</u> | <u>Blind Asylum</u> | <u>House of Refuge</u> | <u>Bible Society</u> | <u>Female Orphanage</u> | <u>Mechanics Institute</u> | <u>City Mission</u> |
|-------------------|----------------------------|----------------------------|---------------------------|--|-------------------------|----------------------------|--------------------------|-----------------------------|--------------------------------|-------------------------|
| John Alston | X | X | X | X | X | | | | | |
| James Cleland | X | | X | X | | | X | X | | |
| Hugh Cogan | X | X | X | | X | X | | X | | |
| Robert Dalglish | X | X | X | X | X | X | | X | | |
| Henry Dunlop | | X | X | X | X | | | | | |
| James Ewing | X | X | X | X | X | | X | X | | |
| William Gilmer | | X | X | X | X | X | | X | | |
| William Hamilton | | X | X | X | X | | | | | |
| Dr. Lockhart | X | X | X | X | X | | X | | | |
| Duncan Macfarlan | X | X | X | X | X | X | X | | | |
| Daniel MacKenzie | X | X | X | X | X | X | | | | X |
| James Somerville | X | X | | | X | X | X | | | |
| David Stow | | | | X | | X | X | | X | |
| Hugh Tennent | X | X | X | | | | X | X | | |
| Archibald Wallace | | X | X | X | X | | | | | |
| Anthony Wigham | | X | X | X | | | X | | | |

Source: Donald Orrock's Manuscript on "Private Philanthropy in Glasgow from 1800 to 1870" and Town's Hospital Minutes.

is by no means exhaustive, it is clear that relief was administered by a few men, indicating a close co-operation between the various organisations. The information indicates an extremely complex system for Glasgow with major reliance placed on private charities.

An acute problem with poor relief administration in Glasgow was the lack of attendance at the Hospital directors' meetings. Thus, it was ordered that if the members of the Weekly Committee failed to visit the Hospital, they were to be fined one shilling; if they failed to attend the meetings, they were to be fined six pence.¹⁹ This regulation proved ineffectual, for in 1790, the directors were unable to hold their quarterly meeting because of a lack of attendance.²⁰

Even though information is scarce, it is clear that in Glasgow each dissenting church made some provision for its poor members. A study of Shuttle Street or Greyfriars Session minutes reveals a regular poor's list, the paupers receiving monthly allowances, and the administration supervised by the elders, each assigned a district. The paupers signed dispositions to their goods; nine pounds was recovered from the goods of John Munro, a pensioner.²¹ At a meeting in 1819 the dissenting ministers argued that the poor of their congregations had a claim upon the funds of the Town's Hospital equal to that of the poor belonging to the Established Church, as the funds were raised by an assessment upon the community in general. Furthermore, in the preceding year these congregations distributed among 318 of their poor £1,791 11s. 11d., an expenditure per pauper larger than the average amount for the Church.²²

b. Sources of funds

The sessions' funds were derived from church-door collections, proclamation fees, mortcloth dues, fines for irregular marriages and births, and donations. Each session, until 1821, paid the General Session one-half of its collections. The General Session then distributed

19 THM, 12 December 1734.

20 THM, 20 May 1790.

21 Greyfriars' KSM, 4 April 1820.

22 Glasgow Herald, 8 February 1819.

the funds to the parishes in proportion to the number of poor on their rolls. After 1821 the individual sessions retained their collections, and any deficiency in funds was made up by the Hospital. Before the resignation of the General Session, the Hospital directors excused it from making its annual contribution to the Hospital funds. Indeed, relations were now reversed: by 1818 the Hospital was annually giving £500 to the General Session. The latter also received aid from the town council, as in 1783, when it was given £51 3s. 1d. from the magistrates for the use of the poor, such money being part of an unappropriated fund raised the previous spring by the Committee for the Relief of the Sufferers by the Flood.²³ But it may be worth noting that as early as 1814 the session of St. George's received £10 direct from the magistrates to distribute among the non-resident poor.²⁴

The contract of agreement between the societies listed the following amounts of money which each would contribute annually for the maintenance of the Town's Hospital.²⁵

| | | |
|------------------------------|--------------|-------|
| Magistrates and town council | | £140 |
| Merchants' House | | 60 |
| General Session | | 250 |
| Incorporated Trades | | |
| Trades House | £17 14s. 5d. | |
| Hammermen | 12 0s. 0d. | |
| Tailors | 14 0s. 0d. | |
| Cordeners | 14 0s. 0d. | |
| Maltmen | 15 0s. 0d. | |
| Weavers | 12 0s. 0d. | |
| Baxters | 9 0s. 0d. | |
| Skinners | 3 0s. 0d. | |
| Wrights | 10 0s. 0d. | |
| Coopers | 2 0s. 0d. | |
| Fleshers | 4 0s. 0d. | |
| Masons | 2 15s. 7d. | |
| Gardeners | 1 10s. 0d. | |
| Barbers | 3 0s. 0d. | 120 |
| | | <hr/> |
| | | £570 |

If the total amount of £570 was not sufficient to meet the expenses of the Hospital, the deficiencies were made up by imposing a tax on

23 GSM, 6 March 1783.

24 St. George's KSM, 28 January 1814.

25 THM, 3 January 1744.

We had some laughing at ??? a Lady who keeps a bad house in the Stockwell -- She stands as worth £4,500 -- Gilbert Hamilton our Preses asked me slyly how she appeared to be going on at my last visit, and if we might add £500 or £1,000 -- some of them observe it was a good Trade and that she made £1,000 a year -- I think we added £500 to her -- You see how all trades go on here -- I suppose you have not so respectable a House-keeper of that kind in Edinburgh.

No indication of complaints against the mode of assessment in Glasgow has been found until the later part of the 1820s. In that year the town council appointed a committee to consider changing the mode to rental value. The assessable capital had in twelve years decreased from £7,023,400 to £4,197,000, resulting in the increase of the rate of assessment, and inducing wealthy inhabitants to move their places of residence and business outside the City, further increasing the rates. In addition to these complaints the committee objected to assessment according to means and substance. This was on the grounds that non-resident proprietors of tenements escaped assessment, and that the population of Glasgow had become so large that fifteen men could not estimate properly everybody's wealth without making a minute investigation. The committee, therefore, recommended that the mode be changed to rental on heritable property. It did so inspite of the following objections to this mode: 1) that it would induce the poor to rely and trust on the supply as being fixed; 2) that the assessment would fall unequally and oppressively on the ²⁷ heritable property; 3) that it would allow capital employed in merchandise, trade and manufacture to escape; 4) that the burden on comparatively poor householders would be increased. But the town council did not persist in the line proposed by the committee. After introducing a Bill in parliament to change the mode to rental on heritable property in 1831 the town council, largely due to the efforts of James Cleland, asked that the Bill be dropped.²⁸

All was quiet until 1833 when an article appeared in the

27 H. Robertson, 1829.

28 Scots Times, 25 January 1831.

Scots Times complaining that the mode of assessment on means and substance was offensive, inquisitorial, unjust, and oppressive, that the fifteen men determining the means of the inhabitants did so with reference to their style of living, number of visitors, kind of business and trade, and possession of heritable property, and that the committee members often used the information for personal gain.²⁹ This was followed by another article opposing a change in the mode to valuation of rental because under it the wealthy would not be paying their proper share, although tenants would find themselves faced with a new tax.³⁰ The matter came to a close in 1835 when the town council's decision to propose introducing a Bill to parliament to lower the taxable amount of means and substance to £100 was not carried through.³¹

Another incident occurred in 1832 when a number of Glasgow's inhabitants refused to pay the poor's tax because a portion was given to the Barony as a result of lands annexed to the Royalty in 1800.³² These payments had been made since the imposition of an assessment on Barony in 1810, and the total amount involved was £16,948. Legal opinion indicated that the demand for such payments was illegal, and the town council decided to discontinue a Bill in parliament legalising their actions; Barony's heritors were informed that the payments would stop.³³

After the resignation of the General Session the individual sessions began to experience financial difficulties. In 1826, St. Paul's session informed the directors that their experiment undertaken in 1821 to rely solely on their church collections for relief of their poor had failed, and they were now calling on the Hospital to make good the deficiency between expenditure and collections. The session felt they should not call on their members for increased

29 Scots Times, 17 December 1833.

30 Reformers Gazette, 1 February 1834.

31 Scots Times, 10 February 1835.

32 Scots Times, 3 March 1832.

33 Scots Times, 6 March and 13 March 1832.

contributions, as such members were required to pay the assessment. The directors agreed, on condition that the session would continue to accept inspection of their rolls by the Superintendent of the Poor.³⁴ St. George's was the next session to ask for Hospital assistance, as indicated in the following letter from Rev. John Smyth:

The number of poor on the roll for a long time past has been very great in comparison of those whom the Session undertook to supply exclusively from the Collections at the Church doors when the arrangement for this purpose was completed. The cases both regular and incidental have been carefully investigated by the Elders of the Parish, and every due precaution taken to guard against imposition or a needless extension of liberality to the Poor. Yet with all the vigilance which has been evinced, and with all the desire that has been felt to supply our paupers from the Collections alone, we have found this of late quite impracticable.

We have no doubt that the heavy pressure experienced by us during the recent distress in Glasgow, arising from the want of employment, is the principal cause of defalcations; and we trust that a similar state of matters will not soon return.

It is our anxious wish to adhere still as closely as possible to the principle of the general adequacy of the Sabbath collections to the relief of the Parochial poor, and the consequent inexpediency of an Assessment excepting for Seasons of peculiar emergency. The late poverty we regard as one of these, and consider ourselves as perfectly justifiable in availing ourselves of the relief afforded by the Hospital in such circumstances. Our funds are literally exhausted, and we are therefore unable to discharge the account against us. We would suggest to the Directors the propriety of relieving from the Assessment, all the existing cases in the Hospital, belonging to St. George's parish, and we shall use our most strenuous endeavours not to increase their number. The times are now greatly better, and although the poor on the roll are still numerous, we have no doubt that our collections will prove equal to their necessities.³⁵

This optimism did not prove to be justified, as St. George's continued to draw on the funds of the Hospital.

34 THM, 23 February 1826.

35 THM, 15 November 1827.

The sessions' financial problems were probably welcomed by some, particularly those who argued that a reliance should not be placed upon voluntary contributions. For example in a letter from Dr. Muir of St. George's it was stated "that the attempt to make the poor of a great city dependents on the voluntary aid of the rich, is not practicable as a general measure, and that to carry it to any extent, were inhumanity to the Poor."³⁶

At the same time that the expenditure on the poor was being curtailed, the parochial schools were also undergoing great financial difficulties, and their number was decreasing. This is particularly ironic because in his speech to the House of Commons on 19 February 1807, Mr. Whitbread had asserted that the strength of the Scottish poor law, and indeed the ability not to have to enforce it, lay with the simultaneous development of a parochial school system.³⁷ Education, it was argued, was the only means of eliminating destitution. Perhaps an insight into the reasons for the decreasing number of parochial schools can be obtained by a letter from Dr. Macfarlane, Principal of the University, to the directors of the Hospital: he wrote that before the General Session resigned £620 annually was being spent on parochial schools, but since then the allowance had been reduced to £400, of which the Hospital contributed £46 because of the education of children of out-pensioners. As the funds of the General Session had been reduced to about £200 due to a fall in the rate of interest, withdrawal of annual payments by various charitable institutions, and large deficiencies in the average amount of occasional donations, he asked the Hospital for an annual contribution of £200, which the directors refused.³⁸ On 8 March 1827, he again asked the directors for assistance for parochial schools. "After mature consideration the meeting resolved that such assistance could not be afforded for this reason -- that any application of the funds of the Hospital, in aid of these Schools, was at variance with the Constitution of the House."³⁹

36 St. George's KSM, 1 February 1826.

37 Parliamentary Debates, 1807, vol. 8, pp.878-79.

38 THM, 17 November 1824.

39 THM, 8 March 1827.

Since each session after 1821 retained its collections, the Hospital making up any deficiency of funds, the Hospital directors felt that the sessions were not properly administering their funds. They therefore asked each session to report on its collections and demanded all collections above ten per cent of the 1838 collections and sacraments, to be paid to the Hospital for the next five years. If the session's collections were not so great as the agreed amount, only the amount collected had to be paid. These principles were adopted. The Hospital distributed the collections to each session in proportion to its poor, thus acting in the same manner as had the General Session.⁴⁰

There were certain other sources of revenue. The distressed financial state of the Town's Hospital in 1784 resulted in a sermon being preached at the New English Episcopal Chapel by Rev. Mr. Cleeve, yielding a collection of £68 for the Hospital.⁴¹ But the Hospital was not the only beneficiary of such charity, for in 1795 the receipts of a certain subscription were distributed to several sessions according to the number of paupers on their rolls. A collection at the Tontine Coffee-room yielded £450.⁴² In 1804, "The receipts of the Theatre on Wednesday night, for the benefit of the Charity Workhouse /sic/, amounted to above 190 l. sterling".⁴³

c. Recipients of relief and the provision made for them.

i. The impotent

Although the Town's Hospital minutes do not contain an exact description of those eligible to receive relief, it was stated in the contract of agreement that benefit of the Hospital was to be extended to all sorts of poor belonging to the City.⁴⁴ Persons relieved in the Hospital were orphans under the age of fourteen, the aged, and the impotent, all these being required to have a legal residence in Glasgow.

40 St. Mungo's KSM, 3 April and 3 May 1839.

41 Glasgow Mercury, 26 February 1784.

42 Glasgow Courier, 7 February, 12 February, and 24 February 1795.

43 Glasgow Courier, 3 March 1804.

44 THM, 3 January 1744.

Each inmate was instructed in the principles of the Christian religion and taught to read and write. Such as were capable did spinning and rope-making, jobs suitable to their age and ability, to help to defray their expenses. Upon entry each was examined by the surgeon for contagious diseases, washed, and given new clothes.

The inmates rose at six in the morning during the summer months and at eight during winter; bedtime was at nine in the evening during winter and at ten during the summer. Their linen was changed twice weekly. If they left the Hospital without leave, or were found drunk, or created a disturbance, or were guilty of begging, or failed to attend church, for their first offence they were to lose their next meal, for the second offence be denied food for a day, and for the third offence be punished at the magistrates' will.⁴⁵ In 1735, it was ordered that all poor expelled from the Hospital for irregularities were to be sent to the Correction House, and if they were not able to work for their meals, they were to be maintained at the expense of the Hospital, but the charge was not to exceed 2d. per day, their food, while in the Correction House, to consist of bread and water.⁴⁶ No evidence exists that these rules were enforced.

The directors preferred not to give relief in the form of out-pensions. In 1756, they decided that the Hospital was too crowded, and that therefore they were forced to refuse relief to great numbers of poor, even though the poor had a very good claim and "their poverty and distress pleads strongly for them". The directors claimed that they had been able to maintain the poor at a lower expense than if they had been maintained in their own homes.⁴⁷ But, as the number of poor sharply increased and the Hospital filled beyond capacity, it was agreed in 1773 to provide the City's begging poor with badges entitling them to three meals a day for three months at the Hospital. It was thought that this would be a method of restraining all begging, except from the City's poor, who had a right to be relieved.⁴⁸

45 THM, 25 September 1733.

46 THM, 19 November 1735.

47 THM, 19 August 1756.

48 THM, 11 June 1773.

Finally, in 1774, regular relief was extended to out-pensioners by allotting them an allowance in meal.⁴⁹ It must be stressed that this category "out-pensioner" came about because of a lack of accommodation in the Hospital.

Persons became out-pensioners of the Hospital by being recommended by their kirk session, as can be seen from the following extract:

... that it would be necessary, on account of the great increase of poor on the funds of the different Sessions, to make some alteration with regard to the management of out-pensioners on the Hospital, and it was proposed particularly, in order to simplify the management, that in all ordinary cases, before a person should be recommended to the Hospital, such person should be raised to the highest pension granted by the particular Session, and if not able to subsist on it, that then he should be recommended to the Weekly Committee, and as soon as received on the Hospital funds, that he should cease to be a pensioner on the Sessions.⁵⁰

The session's methods of screening applicants for relief were retained. Each parish was divided into "portions", an elder responsible for administering relief to the poor of his district. Since all out-pensions were paid in meal, in 1796, it was decided that all those receiving four pounds of meal weekly would be left wholly to the charge of the various sessions, with the possibility that this should be extended to those receiving six pounds weekly. Everybody receiving more than six pounds of meal weekly and those on nursing wages, were to be placed on the rolls of the Hospital.⁵¹ The type of meal usually given was oatmeal, but on 28 February 1801, in order to economise, pease and barley meal were issued.⁵² Later, in 1801, the feeling was again expressed that people should not become out-pensioners of the Hospital; this resulted in the General Session being given £500 in order to help it to reduce the number of out-pensioners of the Hospital. This £500 was distributed to the individual sessions in proportion to the number of paupers on their rolls.⁵³

49 James Ewing, 1818, p.18.

50 THM, 27 November 1795.

51 THM, 19 May 1796.

52 THM, 28 February 1801.

53 THM, 16 November 1801.

The first Inspector of the Poor was appointed in 1815.⁵⁴ Alexander Buchanan's duties were to investigate all applicants for out-door relief and to keep a record of all out-pensioners. In 1818, he was ordered to keep a general register of out-pensioners, showing name, age, marital status, number of children, appearance as to house and persons, ability to work, character, earnings, receipts from other charities, and the allowance from the Hospital. Another list was to be kept of all persons receiving aid from other sources in order to "prevent a System of deception which has frequently and Successfully been practiced". A list was also to be kept of all who settled without a visible means of support.⁵⁵ Unfortunately, none of these lists survive.

Prior to 1774, all paupers on the rolls of the Town's Hospital were inmates of the Hospital, their allowance the common provision of that institution of clothes, linen, and food. All paupers were buried at the expense of the Hospital. The out-pensioners of the sessions were given monthly money allowances. When the Hospital started admitting out-pensioners to its roll in 1796, all out-pensions were paid by a monthly allotment of meal, but the sessions continued giving money allowances: by 1818, the sessions allowed from 1s. 6d. to 4s. 6d. per month, and if, because of bad health, this supply was insufficient, the Weekly Committee of the Hospital allowed an additional 5s. to 10s. in temporary aid. For a permanent case if the session's allowance was not sufficient, the pauper was placed on the out-pension roll of the Hospital and paid in either meal or money; if money, the person received from 5s. to 10s. per month, or in extreme cases 15s. per month; if payment was in the form of meal, he received from 24 to 48 pounds weekly.⁵⁶

In times of great distress additional allowances were provided. For example in 1783 a letter from Lord Provost Patrick Colquhoun stated that because the careful scrutiny made by each session had proved to be

54 THM, 19 February 1815.

55 THM, 15 December 1818.

56 James Ewing, 1818, pp. 21-22.

. . . so advantageous /sic/ to the Real Poor of the City the Sessions have been enabled to raise the Pensions of these poor Family's who are found to be in the greatest want to Two Shillings & half a Crown in place of one Shilling formerly allowed, & to allow them besides this an occasional Extraordinary Supply proportioned to the hardness of the Times.⁵⁷

The following year the Lord Provost and magistrates ordered one hundred and fifty carts of coal to be distributed among the City's poor.⁵⁸ A report of the Scrutiny Committee issued on 6 November 1818, stated that the number of inmates had been reduced from 497 to 455 and the number of out-pensioners from 1117 to 600. Furthermore,

It is truly a mortifying consideration that there should be so great a proportion both of the Inmates and Out Poor of utterly worthless character--but they have so long depended upon the public for their maintenance that it would be inhumanity to withdraw it too hastily--and indeed by long indulged habits of idleness and drunkenness, and the consequent imbecility of disease or of premature old age many are become incapable of doing much for their own Support-- and if yours was withdrawn they might utterly perish.

We may deplore the habits which exist among the present class of paupers which probably must always more or less be found among them--but amidst our disgust and indignation it may be well to consider how far it is practicable by the introduction of another System of Management to diminish the evil--and how far the nature of this Hospital in particular as at present constituted does not tend materially to increase it.⁵⁹

In 1826, St. George's session gave an additional 3s. to each pauper for buying coal, besides supplying them with shoes and stockings.⁶⁰

A major issue concerning medical relief to paupers arose in 1830, when Andrew Buchanan, one of six district surgeons appointed by the Hospital directors, published an article in the Glasgow Medical Journal criticising a list of medicines adopted in 1826 from which the surgeons had to prescribe. He argued that the list was too restrictive, did not include a number of useful medicines, and had been compiled without consulting the medical officers.⁶¹ The Hospital

57 GSM, 6 March 1783.

58 Glasgow Mercury, 22 January 1784

59 THM, 6 November 1818.

60 St. George's KSM, 18 December 1826.

61 Andrew Buchanan, Glasgow Medical Journal, no. 12

directors found Buchanan's actions inexcusable, for he should have complained to the Weekly Committee rather than do so publicly. Nonetheless, another list of sixty-one medicines was drawn up by Dr. William Young, M.D. and James Watson, surgeon, which the district surgeons were to follow. They were also to keep pass books which were to be examined quarterly.⁶² In fairness to the directors it must be pointed out that the law made no provision for medical relief to the poor. Nonetheless, Glasgow did have a system of financing medical relief out of the poor's funds, which was remarkable, as it appears that Glasgow was one of the few places in Scotland providing this type of relief. Primarily as a result of public pressure, the new list was abandoned and it was decided to revise the medical department of the Hospital in order to facilitate the administering of medical relief. The City was divided into twelve districts of equal population, with a surgeon appointed to each. The surgeon had to be either licensed or to have served as a military surgeon or assistant, and was personally responsible for his district's sick, at a salary of ten guineas per year. A house surgeon also was appointed and given a salary of fifteen guineas per year. In order that a pauper qualify to receive free medical aid, he needed a certificate from either the minister of his parish or the elder of the proportion. The surgeon was required to keep a case book listing the patient's name and a description of the disease.⁶³

In 1834, a complaint was issued against Dr. John Watt, district surgeon, by Mary Quin, who stated that she was treated once at her home, but when she went to Watt's office, he refused to give treatment and pushed her down the stairs. Two witnesses substantiated her claims and added that Watt's office had no chairs on which his patients could sit.⁶⁴

There is evidence which suggests a tightening of the poor rolls, illustrated by an entry in the Hospital minutes criticising St. George's

62 Scots Times, 13 November, 14 December, 28 December 1830 and 1 January 1831.

63 THM, 6 April 1831.

64 Reformer Gazette, 1 March 1834.

for giving 7s. per month, whereas the other parishes were giving only a maximum of 5s. per month. At the threat of not being allowed to draw on the Hospital funds in the future, St. George's agreed to conform.⁶⁵

The directors also tried to decrease expenditure and the number on the rolls by introducing new modes of management. For example in 1833, the directors and police agreed to appoint an officer for the vagrant department, whose duty it was to find the legal address of every vagrant and dispose of them accordingly. (Unfortunately, methods of disposal were not specified!)⁶⁶

Something of a general inquest seems to have occurred in 1838, reflecting misgiving about rising expenditure, excessive provision, and intemperance. It was reported that expenses for the previous seven years had increased because of the use of less cheap provisions (potatoes, herrings, sweet milk, eggs, and small beer) and increased quantities of butcher meat, barley, vegetables, butter, and wheaten bread. Other reasons given were the rising prices of oatmeal and coal and the increasing numbers of out-pensioners (particularly the threefold growth in temporary aid to the casual poor), the need to pay interest on advances from the Royal Bank because of arrears on payment of the assessment, and the greater amount of intemperance which "seems likely to undermine the whole fabric of Society--and is tending rapidly to involve it in one universal sink of pauperism, misery, and crime". "Pauperism is ever found most abounding where ignorance, irreligion, and vice most prevail." The rising mortality was also commented upon. Frequent recurrence of epidemics had caused the expenditure on coffins to increase nearly four times since 1829-30.⁶⁷

As a result of all these complaints on 1 October 1838, in order to reduce expenses, the directors ordered that 1) as much as possible of the out-door relief should be given as meal rather than as money; 2) coffins should not be provided unless the person had been on relief or it was likely that his family would require relief; 3) a scrutiny be made of the sessional poor; 4) the poor be regularly visited; 5) attempts should be continued to suppress begging; and

65 THM, 4 December 1832.

66 THM, 21 May 1833.

67 THM, 15 May 1838.

6) the assessment should be made earlier.⁶⁸ It is doubtful that these orders were ever fully executed.

In 1839, in order to introduce consistency and eliminate confusion, it was recommended by William Thomson Jr., Inspector of the Sessional Poor, that the poor of each respective session should consist entirely of persons resident within the parish; the charge of each elder or deacon be strictly limited to the poor residing in his own proportion; the session should be immediately relieved of all non-residents, orphans, fatherless children, or young families requiring support and these cases should be sent to the Hospital; all vagrant poor who have no fixed habitation be sent to the Hospital for their relief in order that their cases could be better inspected.⁶⁹ Only the first two recommendations were adopted, the latter two were provided by organised private charities.

Ironically, the impetus to provide more liberal relief payments was provided by a Court of Session decision. On 15 February 1843, the Court, in the case of Widow Duncan against the parish of Ceres, decided that 3/6 per week for six children was not needful sustentation according to the statutes anent the poor.⁷⁰ Accordingly, on 5 June 1843, the Hospital directors adopted the scale listed in Table 5. The sustenance of the children was continued until the age of ten and they were provided with school fees from the age of six until the age of ten.⁷¹

Living conditions within the Hospital are largely reflected in the diet of the inmates. The first mention of their diet, in 1733, follows:⁷²

68 THM, 1 October 1838.

69 THM, 20 August 1839.

70 THM, 15 February 1843.

71 THM, 5 June 1843.

72 THM, 25 September 1733.

Table 5: Allowance scale for out-pensioners, Glasgow Town's Hospital, 5 June 1843

| <u>Category</u> | <u>Allowance per quarter</u> |
|--|------------------------------|
| 1. To a widow with 1 child and nursing if above 1 year and under 3 | 20s. 15s. |
| Above 3 | 10s. |
| 2. Widow with 2 children 1 under 1 year and nursing 1 above 1 and under 3 Both above 3 | 30s. 25s. 20s. |
| 3. Widow with 3 children 1 under 1 year and nursing 1 above 1 year and under 3, others above 3 All above 3 | 40s. 35s. 30s. |
| 4. Widow with 4 children 1 under 1 year and nursing 1 above 1 and under 3, others above 3 All above 3 | 50s. 45s. 40s. |
| 5. Widow with 5 children 1 under 1 year and nursing 1 above 1 and under 3, others above 3 All above 3 | 60s. 55s. 50s. |

Sustenance of children continued until 10 years old.
 Children are provided with school fees from completion
 of sixth year to completion of tenth year.
 Maximum to old man and wife who are infirm -- 14 or 16s.
 per month.
 Maximum to old man or woman -- 10s. per month or admission
 to Hospital.

Source: THM, 5 June 1843.

Diet -- Adults

| Day | Breakfast | Dinner | Supper |
|--|----------------------------|---|----------------------------|
| Sunday | oatmeal pottage and ale | cheese, bread, ale | flesh, broth, bread |
| Monday, Tuesday, Thursday, Saturday | Ditto | broth without flesh, cheese, and bread after | oatmeal pottage and ale |
| Wednesday Friday | Ditto | flesh, broth, bread | Ditto |

Note: Sour milk in summer was to be given instead of ale, and in season greens, herrings, potatoes, or other roots were to be given.

Diet -- Children under 15

| Day | Breakfast | Dinner | Supper |
|--|--|--|-----------------------------------|
| Sunday | Pease meal pottage, milk <u>or</u> butter | bread & butter | bread, milk or broth, no flesh |
| Monday, Tuesday, Thursday, Saturday | oatmeal pottage & milk | broth without flesh, bread, cheese | oatmeal pottage, milk |
| Wednesday, Friday | pease meal pottage, milk <u>or</u> butter | broth, bread, no flesh | Ditto |

Note: Sour milk was to be given in summer instead of fresh milk.

On 17 November 1748, the following proposals were made: 1) that additional flesh meat be added to the weekly allowance; 2) that people over forty be given, between dinner and supper, a portion of ale the quality of which was equal to or better than two penny ale, and that pipe and tobacco be given to such as use it; 3) that beans be used in the broth either with or without flesh for the good of the young ones; 4) that the nursery for the young children be kept as clean as the rest of the Hospital, and that plenty of dry nurses be allowed for the children.⁷³ That the diet remained stable over a long period of time is evident from a Report issued in 1816, giving the following diet:

⁷³ THM, 17 November 1748.

For breakfast, at 9 in the morning, to all who are in health, porridge and milk, or beer when milk cannot be procured; to those who are sickly, tea and bread. For dinner, at 2 o'clock, for four days in the week, broth; during two days of which it is made of beef, and two other days it is what is call water kail, or vegetable soup, which cannot contain much nourishment. On those days of the week on which it is made of beef, the necessary quantity for making the broth is divided among the inmates, but is only sufficient for one half of them, so that each inmate only receives flesh-meat once a week. On those days of the week when the broth is made without beef, and to that proportion whom the beef, when used, is unable to reach, butter and herrings are distributed. Two days of the week, potatoe soup is used, made of cows'-heads, and butter or herrings as before. The remaining day is Sunday, on which the inmates receive bread only, with beer or butter-milk. Supper commences at 9 o'clock, when the same diet is allowed as at breakfast, except to the sick, who receive according to the regimen prescribed by the Surgeon. Wine, spirits, and porter also are distributed when ordered, but from the extremely small quantity used, (only 4 dozen wine in the year) the utmost economy is observed.⁷⁴

The Committee concluded by stating "Humanity dictates that the poor should not be too miserable -- policy requires that they should not be too comfortable."⁷⁵ This statement is an accurate representation of the philosophy of the directors throughout their period of responsibility.

The best direct evidence of conditions in the Hospital is contained in the autobiography of William Cameron, a cadger and hawker, who wintered in the Hospital between 1840 and his death there in September, 1851. He states, "I have been three times in the Town Hospital in Glasgow, and I consider it to be the best hospital in Scotland, and excelled by few in England."⁷⁶ To support his claim, he offered the following comments:

74 Report of the Town's Hospital Committee, 1816, pp.14-15.

75 Report of Town's Hospital Committee, 1816, p.15.

76 John Strathesk, 1888, p.111.

77. The house is supplied with victuals of the best quality. The clothing is comfortable, and, although strong, not coarse; neither is the colour and make of a forbidding distinction. The inmates are provided with shoes and stockings, and a shirt and neckcloth -- changed weekly. The beds are truly comfortable. The wards of the inmates are washed twice a week, under the superintendence of the nurse of the ward. The rooms are all well provided with fire.⁷⁷

It must be noted that this description applied to the new location, to be discussed later.

Besides educating the children in the Hospital, the directors also were interested in the education of the poor living in Glasgow. For example in 1745, it was enacted that in the future the boys in the Hospital who were put to apprenticeships should be bound to freemen inhabitants of the City who were incorporated and to no other.⁷⁸ This was followed in 1749 by stating that only boys between the ages of twelve and fourteen could be apprenticed.⁷⁹ In 1785 the directors agreed to use a portion of their funds (£30 annually) to help to finance the system of parochial education in Glasgow, as the General Session argued that the schools for the poor needed financial help and that the educating of the poor should be considered as an important means of relieving destitution. The £30 was used for renting four large school rooms, buying books for the poor, increasing teachers' salaries, and rewarding teachers according to their success.⁸⁰

The original Hospital building provided for lunatics' cells which were said to be among the finest in the kingdom.⁸¹ Unfortunately, information concerning them is extremely limited, though a comment dated about 1810 described them as cold, damp, dreary places of confinement where no attempt was made to provide treatment.⁸²

77 Strathesk, 1888, p.112.

78 THM, 22 August 1745.

79 THM, 17 September 1749.

80 THM, 19 May 1785.

81 A Short Account, 1742, pp.22-23.

82 Alexander Duncan, 1896, p.149.

The first mention in the Hospital minutes of lunatics was in 1804, when the directors agreed that a lunatic asylum should be constructed to house both the rich and the poor.⁸³

Paupers belonging to the City of Glasgow shall be admitted to the Lunatic Asylum in the same manner, and on the same footing as the insane poor are now admitted into the Hospital of the City; that is, they shall be recommended to the Committee of the Town's Hospital, by a Minister and Elder, or by a Corporation; the Committee shall judge, as at present, of their poverty, and grant an order for admission into the Asylum, as they now do to the cells of the Hospital. The expense of their maintenance shall be defrayed in the same manner as at present, and the rate shall be fixed each year by a Committee chosen jointly from the Hospital and Asylum, consisting of two from each, with one Magistrate.

The Paupers of those Parishes who shall subscribe £50 and are of moderate population, shall be admitted at the same rate with the Paupers of Glasgow; they shall be recommended by the Sessions for admissions from whom obligation for their board shall be required. A contribution of £50 will be expected from every Parish not exceeding 1,500 in number; and from Parishes of a greater population a contribution will be expected equal and in proportion to £50 for every 1,500 of their population. The Board shall be paid quarterly.⁸⁴

Not all pauper lunatics, however, were housed in the Asylum, for in 1843, it was reported that a committee had visited the patients boarded at Arran. They found some were being mistreated, and hence they were transferred to Glasgow.⁸⁵

ii. The able-bodied

Both the sessions and the Town's Hospital were providing the able-bodied unemployed with assistance from the public funds. This is evident from the queries and answers in the 1818 Report.

83 THM, 15 November 1804.

84 Report of the Lunatic Asylum, 1814, p.19, and see Chapter 6.

85 THM, 21 August 1843.

Q. What is the number of Industrious poor, who, during the last ten years, have received regularly partial relief from the Kirk-Session, though, in general, able to earn a proportion of maintenance for themselves or families.?

A. The number for each year is as follows:

| | | | |
|------|------|------|------|
| 1808 | 1075 | 1813 | 1284 |
| 1809 | 1132 | 1814 | 1291 |
| 1810 | 1097 | 1815 | 1262 |
| 1811 | 1170 | 1816 | 1283 |
| 1812 | 1190 | 1817 | 1372 |

Q. Is relief given occasionally to individuals or families of the Industrious poor, from the common poor's funds, in order to prevent them coming permanently on the poor's roll? and if so, to what average amount, in each case, or of the whole, annually, during the last ten years?

A. Occasional relief is very often given; it varies from 2s. 6d. to 10s. For this purpose the Kirk-Sessions receive part of the Assessment, varying of late years from Five to Thirteen Hundred Pounds, per annum.⁸⁶

During periods of high unemployment assistance was often given. In 1820, the town council tried to find employment for unemployed industrious poor.⁸⁷ St. George's session reported that a petition had been received from the inhabitants, who were mostly weavers, complaining that because of a lack of employment they were in need, and that since the session in the past had supplied coal at such times, perhaps they could be of some aid now. The session agreed that, in order to help, a collection should be made at both the Church and Chapel on the last Sunday of the year.⁸⁸ Finally, the directors of the Hospital felt that the able-bodied unemployed had a right to relief, for, while discussing new means of preventing begging, they stated, that although

⁸⁶ Rev. Dr. Gavin Gibb, 1817, p.6.

⁸⁷ THM, 6 February 1820.

⁸⁸ St. George's, KSM, 18 December 1826.

... no person who is able to work and maintain himself, although he may not be able to find employment, has any claim upon his parish for relief-- it will be necessary, when these poor people are prevented from begging, to make some provision for their support. They cannot be left to starve, nor can the Magistrates be expected to prevent them from begging, unless they have it in their power to provide them with other means of subsistence, or to offer them the benefit of an asylum.⁸⁹

As a result, the directors proposed a House of Industry for all able-bodied unemployed. On 15 February 1842 they agreed to allow £200 to be used in co-operation with the magistrates and heritors in the suburbs to provide a temporary House of Industry for the vagrant poor. In the following year £500 was given for the relief of able-bodied unemployed.⁹⁰

d. Parish of settlement and liability

One of the reasons for establishing the Hospital was to rid the streets of Glasgow of beggars and idle strangers. The directors clearly concerned themselves with these problems by adopting the following measures: 1) every three months an elder or deacon and one other individual went through their district to make inquiries about all poor dwellers and to demand of those recently arrived a testimonial from their former parish minister as to their character, and further to set down their age, marital status, number of children, trade or business, and general health; 2) if any undesirables were found, the magistrates were to have them removed;⁹¹ and 3) enforcement of the laws that landlords had a responsibility not to rent to persons of bad character.⁹² Later it was ordered that no stranger be admitted to the Hospital unless he had resided in Glasgow for six years,

89 THM, 16 February 1841.

90 THM, 15 February 1842 and 7 February 1843.

91 It should be noted that this practice prevailed in many rural parishes, where poor persons were removed before they could gain a settlement.

92 THM, 17 May 1739.

except in extraordinary cases.⁹³ It must be remembered that according to the law a legal right to relief was established after a three years' residence. All idle boys in the City were apprehended, locked up in the Hospital, set to hard labour (not specified) and placed on a low diet either until apprenticed or until their parents presented a bond guaranteeing that the boy would never again cause trouble.⁹⁴ It is doubtful if these rules were ever strictly enforced, as similar entries appeared in the Hospital minutes periodically.

The directors clearly felt that the poor from rural areas were moving to Glasgow and waiting three years in order to receive relief. This is illustrated by the following extract:

... some persons from the neighbouring and other parishes who have not whereupon to subsist themselves Do take up their residence in this City with a design of staying therein three years and thereby to be entitled to the Charity of the House and in order thereto Those parishes from whence they come do in part Subsist them untill the three years be expired which ought to be adverted The Directors agree that none be admitted into the Hospital but Such as are entitled by law as the poor of the City and Such persons who come from other parishes and Subsisted as Said is by the parishes from whence they came ought not to be reckoned as the poor of the City and entitled to the Charity of this house tho they have been three years in the City.⁹⁵

In 1782, because of the increasing numbers of poor and the feeling that persons from neighbouring areas were moving into the City and waiting for three years, the Reverend Mr. William Porteous was appointed to the office of "Guardian of Rights of the Poor who are entitled to the Charity of the City of Glasgow". This appointment was for three years and at a salary of 600 marks per year.

93 THM, 19 February 1741.

94 THM, 18 May 1746.

95 THM, 29 May 1747.

It being expected that within the space of the above mentioned three years such a System will be formed and carried into Execution as shall be the means of preventing Vagrant Poor from Settling in this City and thereby save much of the Charity allotted for the Poor of the Community and ease the burdens of the Inhabitants at large.⁹⁶

The effect of this policy was recorded in the College session minutes, where 199 names were given of persons warned by the police during 1802 about settling in the parish.⁹⁷

The administrators were so concerned about Irish moving into Glasgow that they tried to obtain legislation to prevent them from obtaining a settlement.

Bailie Smith stated to the meeting that owing to the great influx of Irish into this City, its funds have experienced severe pressure, a petition should be presented to Parliament praying that the period necessary to confer a settlement by residence in any Parish, be extended from 3 to 7 years.⁹⁸

The directors agreed to submit a petition, but parliament did not act on it. In 1833, a statement was sent to the Commission on the Poor Law for Ireland that the Irish in Glasgow had become a great problem, as they came because of the relief that would be afforded them.⁹⁹ In 1834, with respect to the Bill in parliament concerning the English poor law, the directors agreed that they should ensure that nothing injurious to Glasgow would pass. Since the Bill stated that persons born in Scotland would not be eligible for relief in England, Wales, and Ireland, the directors desired a clause which would prevent people from those countries obtaining relief in Scotland. Hence, a letter from Robert Findlay was sent to James Oswald, M.P., No. 18 Downing Street. Besides wanting to prevent the English and Irish from obtaining a settlement in Scotland, the letter also stated,

96 THM, 15 August 1782.

97 College KSM, various dates, 1802.

98 THM, 24 April 1828.

99 THM, 11 June 1833.

At the same time it is my duty to impress upon you, that it is not the desire of the Directors to disturb the existing Law of Scotland, as to settlements in regard to those born in Scotland. This system has been long acted upon--it works well-- and it would be highly inexpedient to make any rash alteration. All which they require is a fair protection against the injuries which they anticipate to Scotland, from the more favorable position of England-- should this Bill pass into a Law.¹⁰⁰

On 9 May, Mr. Oswald answered that he would introduce such a clause and do his best to secure passage; his efforts, however, failed.

It should be noted that the 1844 Commission found no evidence indicating that either the Irish or inhabitants of rural parishes moved to Glasgow for the purpose of ultimately receiving relief.¹⁰¹

e. Setting of the poor to work

It was the original intention that the inmates of the Hospital would be engaged in work to help to defray the expense of maintaining them. In a 1742 report, it was stated,

As to their work at present, the Children are employed in teasing and spinning of Cotton, Flax, and Wool; the old Men in picking of Oakum, and Wool-combing; and the old Women, such of them as are not fit to be Nurses to the children, or to the Sick are employed in spinning of Linnen and Woolen Yarn.¹⁰²

Some time before 1800 a decision was made that it was not profitable to employ the inmates; hence this practice was stopped. In his 1818 Report Ewing argued that the goal of the Hospital that "The poor 'be usefully and profitably employed towards their own maintenance'" was not obtainable. Hence, he effectively argued that the practice should not be reinstated.¹⁰³

No other evidence exists that the administrators in Glasgow had any other policy concerning the setting of the poor to work.

100 THM, 6 May 1834.

101 See chapter 9.

102 A Short Account, 1742, p.9.

103 Ewing, 1818, p.70.

f. Hospital buildings

A number of entries exist in the Hospital minutes with respect to provision for buildings. By 1817, the original site being no longer adequate, the villa and grounds of Spring Gardens were purchased for £3,300, to provide a site upon which to build a new hospital. To finance this project the directors gave their approval for the selling of the existing grounds and property.¹⁰⁴ But these plans were not carried out and the property at Spring Gardens was used only as a relief hospital;¹⁰⁵ Spring Gardens was ultimately sold to Mr. Lietch's trustees in 1824 for £3,000 in order to establish the Blind Asylum.¹⁰⁶ During 1840 the directors desired new facilities because of over-crowding. As the Royal Lunatic Asylum was forced to sell part of their property on Parliamentary Road owing to building new facilities at Cartnavel, the directors purchased this property in 1841 and sold the grounds of the old Hospital.¹⁰⁷

C. Edinburgh area: City of Edinburgh, parish of Canongate, parish of St. Cuthbert's

In the Edinburgh area there developed a system of workhouses designed after the Glasgow Town's Hospital. Unlike Glasgow, where the adjacent parishes of Govan, Gorbals and Barony administered relief as rural parishes, the rural parishes of Canongate and St. Cuthbert's imitated the administrative practices of the Royalty. It is, indeed, remarkable that each acted independently of the others, with little hint of co-operation. This was perhaps the most significant characteristic of poor relief administration in the Edinburgh area. Undoubtedly, the poor were the sufferers, even though they often took advantage of the confused state of the administration by simultaneously being on the rolls of all three parishes. Rather than present a detailed account of practices in the Edinburgh area, only the differences from those of Glasgow will be highlighted.

104 THM, 6 March and 13 May 1818.

105 THM, 22 July 1819.

106 THM, 20 May 1824.

107 THM, 26 June 1843.

a. Administration

Prior to 1740 poor relief in the Royalty of Edinburgh was administered independantly by the General Kirk Session and the town council. The individual sessions gave their church-door collections to the General Kirk treasurer, who distributed the funds to the parishes in proportion to their number of poor. Each session was then responsible for administering these funds; a person would apply to his elder, and the decision whether or not to grant relief was made by the session. The town council administered the funds collected from an assessment laid upon the inhabitants of two per cent on rental above £3 per annum. Although it is not clear, it appears that individuals could not be listed on the rolls of both institutions simultaneously. To be placed on the rolls of the town council it was necessary to petition the council, which would hear the case, and, if relief was granted, order the City treasurer to make payment. The council paid the funeral expenses of the deacons of the trades and the travel expenses of paupers to other parts of the country, if by so doing it was freed from the necessity of providing relief. They also gave the General Kirk Session money in order to replenish exhausted funds, as in 1738, when they gave £200 and in 1740, when they gave £120.¹⁰⁸

The first attempt at joint administration within the Royalty occurred in 1731, when an act of council was passed, whereby the town council in conjunction with the Lords of Session, deacons of crafts, and the kirk sessions agreed to establish a workhouse, called Paul's Work, at the foot of Leith Wynd. Its management was vested in six members of council, three members of the College of Justice, three members to be named by the justices of the peace, and nine members of the General Kirk Session, giving twenty-one in all.¹⁰⁹ In 1738, because of increasing numbers of poor, inadequate funds and accommodation, a meeting was held between all parties providing relief, and proposals were made to build a new workhouse.

¹⁰⁸ City of Edinburgh, Pensions for the Poor of the City, 1719-44.

¹⁰⁹ Report to the Guildry of the City of Edinburgh, 1844, p. 1.

On 23 February 1740, the Lord Provost, magistrates, and town council signed a contract with the General Kirk Session delegating the whole management of the City's poor to a group of ninety-six men (eventually the number was extended to 108 with the establishment of several additional parishes) elected annually from the following groups:¹¹⁰

| | |
|-----------------------|----|
| Town Council | 18 |
| Kirk Session | 18 |
| College of Justice | 18 |
| Guildry | 18 |
| Trades | 18 |
| Episcopal clergy | 3 |
| College of Physicians | 2 |
| College of Edinburgh | 1 |

Great attention was paid to having an equality of numbers between the groups administering some type of relief and the groups carrying great political influence. The number of managers was large primarily because of the current opinion that wisdom was more likely to prevail with large numbers. The terms of the contract of agreement could be terminated only by the kirk sessions, either individually or as a group. The 96 general managers met quarterly in order to determine the policy of the Workhouse.

The business of the House was managed by the weekly committee, consisting of fifteen men elected from the ranks of the general managers. They were divided into three five-man classes, and each week one class was responsible for visiting the House daily, except Sunday and Tuesday. All fifteen men met every Tuesday at 3:00 to inspect the management of the House and the behaviour of the residents, to issue warrants upon the persons entrusted with the funds, and to make payments to the out-pensioners.

Besides these voluntary managers, there were several paid officials. The treasurer made out the quarterly accounts and inspected the conduct of all persons in the House. The chaplain performed public service every morning and evening, said the blessings at meals, visited the sick rooms daily, and directed the teachers. Morning worship started at 7:00 from March to September and at 8:00 from September to March; the evening service commenced at 7:00. The mistress directed the

¹¹⁰ ECW, 24 July 1739.

washing of the House every Monday morning and of the stairs and entry on Wednesdays; she also saw that the rooms were swept once a day and the beds made. The clerk kept a register of names, ages and designations of inmates, saw that the windows were opened and fires extinguished at 9.00 in the evening, and kept minutes of the managers' meetings and a record of money paid to the out-pensioners. The steward was responsible for provisions and numbers at meals. The master weaver was the overseer of the manufacturing operations, and also taught weaving to the boys.¹¹¹

The regulations of the Glasgow Towns Hospital were officially adopted on 15 June 1743.¹¹² At this meeting the managers also accepted a surrender from George Miller to the property at Badlam and the adjacent grass yard in exchange for an annual payment of £22 for as long as the location was used.¹¹³ For the next several years the managers were occupied with raising by voluntary subscription the necessary funds to finance the building's construction. The following entry from the Workhouse minutes is typical:¹¹⁴

| | | | |
|----------------------------|-------|------|-----|
| Total of money subscribed | £2568 | 5s. | 2d. |
| Collected | 2204 | 5s. | 8d. |
| Arrears | £ 363 | 19s. | 6d. |
| Collected | £2204 | 5s. | 8d. |
| Other Donations | 175 | 14s. | 7d. |
| Total in cash book | £2380 | 0s. | 3d. |
| Paid to builders | 2350 | 0s. | 0d. |
| Balance as of 20 June 1742 | £ 30 | 0s. | 3d. |

The total cost of construction was £3310;¹¹⁵ total subscriptions raised were £3190 11s. 11d., resulting in the town council's and

111 Regulations of Charity Workhouse, 1750.

112 ECW, 15 June 1743.

113 One wing of the House is the current location of the Officers' Mess in Forrest Lane.

114 ECW, 20 June 1742.

115 ECW, 4 November 1742.

magistrates' ordering the stent masters to undertake a voluntary door to door collection of six per cent of rental value on all rents in excess of £3 yearly.¹¹⁶

Unfortunately the minutes for the Canongate Charity Workhouse do not exist until after the planning and forming stages, therefore, the exact structure, regulations, and reasons for establishment are not known. Nonetheless, the managerial set-up was similar to that of the Edinburgh Charity Workhouse, as the management of the House was embodied in a group of fifty-one men called the general managers, twenty-five of whom were chosen by the heritors, four by the magistrates, ten by the kirk session, and twelve by the Incorporated Trades. The daily management of the House was vested in the fifteen ordinary managers elected by the general managers. The ordinary managers were divided into three groups of five, with each group responsible for the management for one week at a time.¹¹⁷

The minutes for the St. Cuthbert's Charity Workhouse begin in 1766, although the House had opened for operation in 1759. As with the other workhouses, the policy decisions were made by the general managers, with the actual operation of the House under the direction of the weekly managers. The general managers were composed of thirteen men elected by people who contributed £2 towards the cost of construction or £5 towards maintenance and repair, thirteen heritors (who, if not elected by a certain date, were elected by the existing Workhouse managers), fourteen managers ratione officii, three ministers, twenty-three elders, and twenty-one deacons, for a total of eighty-seven. The weekly managers were composed of fifteen men elected quarterly by the general managers; they were divided into three groups of five, each group responsible for the management for one month.¹¹⁸

The general meetings of the St. Cuthbert's managers were not well attended. In 1770, only fifteen out of the eighty-nine were in attendance but they nevertheless elected all eighty-seven managers for the following year.¹¹⁹ This same action was taken in 1793 by thirteen

¹¹⁶ ECW, 23 April 1743.

¹¹⁷ CCW, various dates.

¹¹⁸ SCW, various dates.

¹¹⁹ SCW, 12 June 1770.

men, ensuring that a tightly controlled group ran the business of the House.¹²⁰

By 1833, St. Cuthbert's heritors were not satisfied with the apparent laxity of management and were alarmed at the rapidly growing rates, caused by increased expenditure as evident from the following table:¹²¹

| | |
|--|----------------|
| Average annual expenditure from 1762 to 1793 | £ 745 19s. 5d. |
| " " " " 1793 to 1813 | 2169 11s. 2d. |
| " " " " 1813 to 1833 | 5632 8s. 11d. |

As a result, they proposed a new system of management, which was adopted on 12 August 1833.¹²² The new management was composed of 120 men elected solely by the heritors (60) and the kirk session (60). The managers were divided into six divisions of twenty each, besides the following six special committees: Finance, Out-pension, House, Assessment, Education, and Kirk-Session. The last committee was necessary because the session refused to take part in the management as a result of a dispute over who should receive the proceeds from the graveyard.¹²³ Individuals applied to the managers of their district for relief; if a recipient moved from one district to another within St. Cuthbert's he was struck off the lists and had to re-apply in his new district.

In 1834 it was proposed that the Edinburgh Charity Workhouse be abolished and relief administered by the parochial system, but this suggestion was defeated, as relief in Edinburgh had reached such a scale that voluntary church-door collections were not sufficient. Furthermore, it was argued that a legal right of the impotent poor was relief amounting to a subsistence which would be incompatible with any system with uncertain funds, that poverty and church collections are indirectly related, and that relief on the scale of Edinburgh required a regularity of procedure.¹²⁴

Several attempts were made to unify the system of poor relief administration within the Edinburgh area. In 1747 St. Cuthbert's

120 SCW, 7 May 1793.

121 Statement of the Question Between the Heritors, 1835, pp.7-9.

122 SCW, 12 August 1833.

123 St. Cuthbert's KSM, 5 November 1832, 10 September 1833, 14 November 1834.

124 W. Penny, 1834, pp.1-2.

session suggested that their poor should be housed in the Edinburgh Charity Workhouse, with the managers of that institution controlling the funds; this was again proposed in 1755, but neither suggestion was adopted. In 1754 the session argued that the City should help to provide for the poor in the suburbs, as no distinction could logically be made as to parish, particularly as many people lived in St. Cuthbert's but worked in the City.¹²⁵ In 1749 the Edinburgh town council petitioned parliament for an act combining into one unit, for the purposes of poor relief, Edinburgh, Canongate, St. Cuthbert's, North and South Leith. The poor's rate would be levied over the whole area by trustees appointed by parliament; these trustees would manage the Edinburgh Charity Workhouse, which would house all the poor. Even though the kirk sessions agreed with the proposal, it was dropped, as the trades, heritors, and faculty did not agree.¹²⁶

Finally, the Edinburgh Charity Workhouse minutes of 1840 show vividly how conscious the managers were of the need for rationalising the system.

That, for the better government of the Poor, it is necessary that all public & private Institutions, connected therewith should make up weekly lists of all persons who apply for Relief and that copies of these should be transmitted to each other and to the Police; in order that effectual measures be taken to relieve & send all distressed persons to their proper parishes or for sending them before the Sheriff & Magistrates for Judgment, & that the Managers Do Resolve in as far as in their power to carry this Resolution into effect. The Institutions are 1. Police 2. Charity Workhouses 3. House of Refuge 4. Strangers Friend Society 5. Destitute Sick & tc. And a correspondence should be kept up with the Police of all the Towns particularly Glasgow.¹²⁷

b. Sources of funds

The funds of the Edinburgh Charity Workhouse were administered by the kirk treasurer and consisted of

125 St. Cuthbert's KSM, 21 December 1747, 10 March 1754, and 20 January 1755.

126 ETC, vol. 68, 1 February and 24 February 1749.

127 ECW, 27 August 1840.

. . . the whole finds arising yearly from the particulars after-mentioned, viz. The collections at the church-doors and at Episcopal meeting-houses, marriages not solemnized in church, one-third of the dues of the dead or passing-bell, burial-warrants, green turfs, poor's-box at Greyfriar's gate, mortified money, mortified houses and shops, two per cent. o. poor's rate, fornication fines, legacies, and the sum of £200 sterling annually, to be paid out of the revenue of the said City of Edinburgh.¹²⁸

The managers had to lay before the Lord Provost, magistrates, town council, and General Kirk Session an annual account of their management and application of the sums of money received.

From its inception the Edinburgh Charity Workhouse was besieged with financial difficulties. Besides trouble in raising enough funds to pay for construction of the buildings, the managers had problems in obtaining the necessary amounts for the daily operation of the House, as in 1751, when the treasurer complained that the sessions were not regularly paying in their collections, thus making all attempts at budgeting futile.¹²⁹ The problem was intensified when it was discovered that church collections were not yielding the expected £1700 per annum, which, combined with the other funds, would have been sufficient to meet the expenses of the House, but were averaging only about £1000.¹³⁰ Furthermore, by 1765, the House was in debt for about £500, causing the managers to appeal to the town council for help and receiving it in the form of grants.¹³¹

The first really serious financial difficulties arose in the 1770s, when the managers approached the town council about the debt of £300, besides a considerable sum due for meal, malt, and flour.¹³² Discussion followed on the best method of relieving the situation; possible solutions mentioned were to increase the assessment, to impose a voluntary collection, to appeal for subscriptions, to obtain further grants from the town council, or to borrow from the banks. The last solution was adopted and the town council gave their

128. Rules and Regulations, 1842, p.123.

129 ECW, 4 June 1751.

130 ECW, 7 November 1752.

131 ECW, 22 January 1765.

132 ETC, 5 February 1771.

approval to borrowing £600 from the Royal Bank in order to pay off the debt.¹³³ This was the first of a long series of such transactions. By 1774, the debt had increased to £1450, so the town council passed a bill which allowed a door to door voluntary collection to be conducted by the stent masters in order to raise £2000. This action was in addition to £1200 which had been borrowed in order to meet the debt incurred because of increasing numbers of poor and increasing cost of provisions.¹³⁴ The voluntary collection yielded £1654 9s. 7d., which enabled the managers to defray the daily expenses, but not to liquidate the debt.¹³⁵ These crises arose primarily because of increased numbers of poor due to war, increased cost of provisions, the inability of the stent masters to collect the assessment in the year it was due, and the fact that the managers received funds from the assessment independently of their needs, as the assessment was always a fixed per cent.

In 1810 the managers sent a memorial to the town council stating that the numbers on the rolls had increased because of the war (171 families were recipients simply because their men were in the army), and that at least £1000 per year additional funds were needed. In typical fashion the Lord Provost answered by suggesting that the out-pensioners be eliminated from the rolls, therefore rendering the funds sufficient. The council also passed a resolution "requesting in the most respectfull manner" that the College of Justice waive their tax exemption privileges during the war, a request which, naturally, was refused.¹³⁶

In 1812, the managers presented the town council with the following progressive statement of the debt:¹³⁷

| | | | | | | | |
|-------|-------|------|------|------|------|------|------|
| | 1782 | 1783 | 1785 | 1789 | 1790 | 1791 | 1793 |
| debts | £1429 | 2000 | 2784 | 3401 | 3923 | 4215 | 5301 |
| | 1795 | 1806 | 1812 | | | | |
| | £2643 | 1000 | 2000 | | | | |

133 ETC, 19 January 1773.

134 ETC, 9 February 1774.

135 ETC, 23 March 1774.

136 ECW, 20 December 1810.

137 ECW, 18 January 1812.

They then argued that the town council should give more than £200 yearly because of changed circumstances, namely, increased numbers of poor and a depreciation of the market value of money (more than a doubling of prices since the signing of the contract); the town council agreed to pay the additional amount.¹³⁸ The situation became so acute that, in 1813, the town council agreed to an additional three per cent on the assessment for the current year only.¹³⁹ This was the first increase in the assessment, and it was not to be the last, as it remained at the three per cent level until 1822, when it was increased to 3½ per cent and eventually reached seven per cent.

Bad as these financial difficulties were, they were insignificant compared with the troubles arising from the town council. In May 1809, parliament passed a Bill annexing a portion of St. Cuthbert's to Edinburgh. In order to compensate the parish of St. Cuthbert's for funds which would be lost, the town council were forced to pay St. Cuthbert's £300 annually, to be paid from the poor's fund. If in any given year the amount of the assessment exceeded five per cent, the £300 had to be increased by an amount which was in proportion to a rent of £4000. The Workhouse managers projected that the annual sum would thus be £358, and that, since the poor's rate was levied on four-fifths of the real rent, a real rental of nearly £24,000, exclusive of the houses occupied by members of the College of Justice, would be required in order to obtain the £358. Hence, they predicted financial ruin if the town council demanded payment out of the poor's fund, resulting in the council's agreeing not to press for payment.¹⁴⁰ Suddenly, on 22 February 1821, the town council demanded payment of the debt; the principal amounted to £4500 and the interest was £1819 18s. 9d., a total of £6319 18s. 9d.; the council also claimed sums paid prior to 1809 from annexions in 1767 and 1785, when the Town agreed to pay St. Cuthbert's £100 per year.¹⁴¹ On 21 September 1824, the town council agreed that they could not claim interest from the managers until a claim for the debt had been made, hence they

138 ECW, 21 May 1812.

139 ECW, 3 July 1813.

140 ECW, 16 May 1809.

141 ECW, 22 February 1821.

excused one-half of the interest, bringing the total debt which the managers agreed to pay to £5386 ls. 10½d.¹⁴² In 1825, the assessment was increased to 3½ per cent, the one-half per cent going to the City for the first instalment on the debt.¹⁴³

The debts of the House for the years ending 30 June are stated below for selected years:¹⁴³

| | | | | | | |
|------|--------|-------|-------|-------|-------|-------|
| | 1828 | 1829 | 1830 | 1831 | 1832 | 1833 |
| Debt | £4066 | 6226 | 8326 | 11264 | 16876 | 18395 |
| | 1834 | 1835 | 1836 | 1837 | 1838 | |
| | £18372 | 17985 | 15339 | 15001 | 15093 | |

The substantial increase in 1832 was due to the cholera epidemic. In 1827, the managers borrowed upon the "security of the arrears of assessment, and the current assessment for the year". This practice was carried on until 1832, when the debt amounted to £15,876 and arrears of assessment for £14,693. Prior to this date the City collected the assessment, the managers having no control, nor were they allowed to examine the books of the collector. In 1832, they finally got control of the collections and discovered that the arrears were only one-quarter of their stated value, resulting in the creditors' refusing any more advancements, and the managers were forced to buy all goods with ready cash.¹⁴⁵ All attempts to get the town council to increase the assessment proved futile.

In 1840 the managers informed the town council that they had no alternative but to "relieve the Management from their present very pressing embarrassments", that the House needed £750 immediately to purchase oatmeal and pay out-pensions, and that the creditors had agreed to accept a three per cent rate of interest (representing a savings to the House of £2000) if the present state of the funds was put in order.¹⁴⁶ On 1 October the town council, instead of supplying the managers with immediate funds, passed a warrant of assessment for six per cent, thereby ending all negotiations with the

¹⁴² ECW, 21 September 1824.

¹⁴³ ECW, 24 January 1825.

¹⁴⁴ ECW, various dates.

¹⁴⁵ Brief Statement of Facts, pp.3-4.

¹⁴⁶ ECW, 30 September 1840.

creditors, who threatened to place an arrestment on the assessment, which the banks did on 3 October. The Workhouse managers remained at a meeting held on 8 October, pointing out that by law the town council was solely responsible for the poor, and the fact that they delegated their powers to the managers did not relieve them of the responsibility of paying the debt. It was also pointed out that the banks could not legally arrest the assessment, as it was bound for the sole purpose of providing relief; the banks agreed to this point, and the managers resumed their job when the council agreed to assume liability for any deficiency in funds.¹⁴⁷ The state of the debt, including interest of five per cent, on 30 June 1840, was as follows:¹⁴⁸

| | | | |
|-------------------------|--------|------|------|
| Due to Bank of Scotland | £1766 | 1s. | 3d. |
| Royal Bank | 1910 | 6s. | 10d. |
| British Linen Company | 1051 | 9s. | 7d. |
| Commercial Bank | 4353 | 12s. | 3d. |
| National Bank | 1087 | 11s. | 11d. |
| Glasgow Union | 521 | 16s. | 0d. |
| Sir Wm. Forbes and Co. | 2418 | 2s. | 11d. |
| John Gray & Son | 2106 | 3s. | 10d. |
| Edinburgh Water Company | 154 | 10s. | 0d. |
| E. Ramsay & Son | 23 | 3s. | 0d. |
| Total | £15399 | 10s. | 11d. |

The next crisis for the managers came in 1843, when on 17 April, the town council

... resolved to abandon the arrangements adopted by the aforesaid Contract, and to act in conformity with the legal obligations and duties so incumbent on them, and they have desired and required the Managers and Directors of the aforesaid Charity Workhouse, defenders, to cease from interfering with the management and administration of the Poor and Poor's Funds, and to surrender to the pursuers the aforesaid Charity Workhouse and buildings connected therewith.¹⁴⁹

The managers refused to abide by this order and were ordered to appear before the court with the said contract which was

¹⁴⁷ ECW, 20 October 1840.

¹⁴⁸ Report of Sub-Committee appointed by the Law Committee, 1841, p.4.

¹⁴⁹ Summons of Reduction and Declarator, 1843, p.5.

REDUCED, RETREATED, RESCINDED, CASSED, and ANNULLED, DECERNED, and DECLARED, by decree of the said Lords, to have been from the beginning, to be now, and in all time coming, void and null, and of no force, strength, or effect in judgment, or outwith the same.¹⁵⁰

The reasons given for this action were that the contract was not duly signed and authenticated and was liable to various exceptions in law, and the council had the right to undertake this action. The council acted primarily on the opinion of D. McNeill and A. Dunlop, who also stated that if the contract was declared valid because of long usage,

... the Magistrates and Council are only bound to put into the hands of the Managers, by Assessment, such amount of funds as, with the church-door collections and other funds under their management, will defray the expense of maintaining the Poor resident in the existing Workhouse, and provide £200 yearly for out-door relief ...¹⁵¹

It was argued that the real reason for the council's action was

... not on the plea of mis-management, or because the arrangement had not answered its original design, but, there is sufficient reason to believe, because the Managers would not consent to the removal of the pauper lunatics to Morningside, on terms which appeared to them unreasonable, whereby the already overtaxed inhabitants will be involved in heavy additional expenditure.¹⁵²

The council had entered into an agreement with the managers of the Morningside Lunatic Asylum for the removal of the pauper lunatics to that institution, at a cost of £15 for each per annum and a capital sum of £2000.¹⁵³ The managers refused to comply with this agreement because the cost of maintaining a pauper lunatic in Bedlam was £7 4s. 6d. per annum, and because they felt that the town council had no right to interfere with the management of the House, unless they took it over.

150 Summons of Reduction and Declarator, 1843, p.11.

151 McNeill and Dunlop, 1842, p.17.

152 Report to the Guildry, 1844, p.4.

153 Report to the Guildry, 1844, p.5.

After much discussion the managers agreed to comply with the Decree if a proposed bill before Parliament was passed which would enable a one per cent assessment to be laid for the purpose of liquidating the debt and which would also make the members of the College of Justice liable for assessment.¹⁵⁴ The Bill passed on 28 May 1844, and the council took over the management and asked the managers to remain as assistants, which they refused to do. On 7 June 1844, the council held their first meeting as managers of the House and continued in that capacity until 1845, when the Poor Law Amendment Act (Scotland) became law, and the management of the House was turned over to the Parochial Board of Edinburgh. One important feature of this Act was that the debts of the House had to be paid off; the council made yearly payments until the 1860's, when the debt was finally liquidated.

The funds for the Canongate Workhouse were obtained from the church-door collections, private subscriptions and contributions, an annual benefit play, and various fines such as one of 3d. imposed on managers who failed to attend meetings (which was a fairly common occurrence). The kirk treasurer kept the funds and the House treasurer asked the managers' permission to draw on them. By 1812 the average yearly deficiency for several years had been £171 14s., which was supplied by the expenditure of certain legacies and other funds, which sources were now exhausted and a debt of £80 existed; it was recommended therefore that an assessment be levied at the rate of 8d. per pound on the house rents, one-half payable by the heritors and the other half by the tenants, exempting all tenants whose rents were under £3 per annum.¹⁵⁵ The assessment, once imposed, continued annually thereafter. Another source of revenue was provided by the Anatomy School Act, whereby the managers were allowed to sell all unclaimed bodies to the School of Anatomy, which they did for £2 2s. per body.¹⁵⁶

At the inception of the St. Cuthbert's Workhouse the primary source of funds was the church door collections, but it soon became apparent

¹⁵⁴ ECW, 9 January 1844.

¹⁵⁵ CCW, 21 July 1812.

¹⁵⁶ CCW, 5 December 1837.

that this source was not adequate, hence the heritors and session ordered an assessment of the inhabitants.¹⁵⁷ In spite of the assessment the House had a debt of £666 by 1801.¹⁵⁸

In 1752 St. Cuthbert's session sent a petition to parliament against prolonging the right of the City to impose a duty on ale or beer brewed or consumed in the streets of West Port, Bristo, Pottenrow, and Pleasants, all part of St. Cuthbert's. Over the past twenty-seven years the City had gained a revenue of £26,000 from these duties. Nearly 2000 people lived in these streets, but most worked in the City, with 320 being paupers, therefore the paupers in these areas were in greater proportion than in the City (800 out of 32,000). As the parochial funds of St. Cuthbert's were so low that only 100 paupers could be given a very small allowance not exceeding 15/6 per annum, the session asked that Edinburgh be forced to make payments to help to support the poor of the suburbs.¹⁵⁹ The request was denied.

c. Recipients of relief and the provision made for them

i. Edinburgh

The Workhouse managers agreed that there were several sorts and ranks of poor people, and that all of them could not be admitted to the House. Therefore, in order to decide who should be admitted, it was ordered that the ministers of the sessions should call their poor together to find out

... how many of them are Burgesses, or the ??? and children of Burgesses, how many of them have been House holders within this City and how long, and how many of them have been Residenters or Servants within this City, and for what space of time, and to enquire into the Numbers and particular Circumstances of each of their families.¹⁶⁰

In 1743 the number listed on the kirk session rolls was 613, 75 on

157 SCW, 2 June 1767.

158 SCW, 5 May 1801.

159 St. Cuthbert's KSM, 24 January 1752.

160 ECW, 22 February 1743.

the rolls of the City treasurer, and 340 on the rolls of the kirk treasurer, total 1028. It was recommended by the sessions that the poor should be received in the House in the following order:

1) the begging poor entitled to relief; 2) such poor as can bring some furnishings with them; 3) orphan children. The sessions were ordered to ask their paupers if they were willing to go into the House and take their furnishings with them; if the individual refused, he was struck off the rolls.¹⁶¹ Upon entering the House, the "family member's" clothes were removed, washed, mended, and used by the House.

Men, women, and children whose parents were in the House, were admitted only under certain circumstances. For example if an elderly person could be cared for better in his own home, he was given relief as an out-pensioner; poor criminals were housed in the Correction House at the expense of the managers.¹⁶² Orphans above two years of age were housed in the Orphans Hospital, and infant children were bound out to wet nurses, with the surgeon's advice, for at least two years.¹⁶³ Pauper lunatics were housed in cells constructed in the original cottage at Bedlam.¹⁶⁴

Because of increasing numbers of paupers the managers in 1768 issued a statement containing the following terms for admitting applicants to the rolls: 1) for admission into the House a residence of three years in the City without being burdensome to the public was required; 2) every person enrolled as an out-pensioner or as an inmate had to sign over personal effects to the treasurer; 3) the applicant had to state in a petition that he was in indigent circumstances.¹⁶⁵ All inmates had to sign the following statement upon entering the House:

Be it known to all men by these presents, whereas the Directors of the Charity Workhouse, Edinburgh have this Day received me ----- unto the said house & I am to be maintained their /sic/ during my life, at least while my necessity requires it & my good behaviour continues to deserve protection & Support, Therefore wilt ye me to have disposed & made over to ----- Treasurer of said house

161 ECW, 5 April and 14 April 1743.

162 ECW, 2 February 1748.

163 ECW, 28 July 1761.

164 ECW, 7 August 1745.

165 ECW, 26 July 1768.

& his Successors in office for behoof thereof. all my Good & Gear & everything which may lawfully pertain to me at this time, and I give & grant power to the said Treasurer immediately to sell, or otherwise to dispose of all effects as to him shall seem best, and for this end I have subscribed an Inventory on the back hereof given up truly & justly according to the best of my remembrance, and I do hereby dispense with the generality of this my disposition & declare the same to be as valid as if every particular was here enumerated & I warrant this my disposition to be good & Valid at all hands & against all persons whatever, In witness whereof these presents are subscribed at Edinburgh the --- Day of --- before ----- & ----- Two of the Directors of said Charity Workhouse by me -----.

The following was the form of obligation given by an out-pensioner:

Be it known to all men by these presents, whereas the Directors of the Charity Workhouse of Edinburgh have this Day enrolled me ----- an out pensioner at the date of ----- Therefore wilt ye me to have disposed & made over to ----- Treasurer of said house & his Successors in office for the use & behoof thereof, all my Goods & Gear, Bills, money, Household furniture, apparell and every thing else belonging to me at the time of my Death, hereby reserving to myself the liferent & use of said Effects, providing always that the said Directors & Successors in office shall continue me an out pensioner at the same rate for which I am now enrolled & providing also, that it shall be in my power at any time In my life & in the power of my Heirs, Executors or assignees to redeem & render void after my Death this my Disposition upon payments of such Sums of Money Principall & Interest as I have received from said Charity Workhouse & that within Ten Days after my Decease, & if not redeemed as aforesaid, then the said Treasurer or his Successor in Office shall have full Power to sell or otherwise Dispose of all my Effects for the benefit of said house for which this shall be his warrant, and it is hereby further provided that the said Treasurer shall out of the free produce of my Effects, reimburse any other Society in Edinburgh whose pensioner I now am or may be, what they may have advanced for my support Pari Passue with the Charity Workhouse, providing such society shall make a demand thereof within Twentie Days after my decease & in case of no such Demand being made within that time, then it shall be considered as fallen from & my whole Effects shall belong to the Charity Workhouse, and I do hereby dispense with the generality hereof of this my Disposition & declare that same to be as Valid as if every particular was here enumerated & I warrant this my Disposition to be good and valid at all hands & against all Persons whatever, In witness whereof these presents are Subscribed at Edinburgh --- Day of -----before ----- & ----- Two of the Directors of said Charity Workhouse by me -----.

The managers were never able to cope with the problem of beggars. The treasurer reported that he had apprehended beggars out of goodwill, but he felt this was not his proper duty. Furthermore, the number of beggars had grown very numerous and would become more so as winter arrived. Therefore he asked for the help of the managers, who ordered that all acts against begging be enforced and asked people to stop giving the beggars money.¹⁶⁶ Similar entries appear in 1760 and 1811.

In 1766 the managers faced the problem of an increasing number of patients turned out by the Royal Infirmary as incurable thus placing a great burden on the Workhouse. They issued the following memorial to the directors of the Royal Infirmary:

That altho most of these patients are from distant & remote places and by no rule have a right to the funds appropriated for Supporting the Poor of this City, Yet from the clamant cases of these objects, the Managers are under a necessity in many Instances to take them into the house, & in few instances can humanely get free from giving them Interim supplies.

As a result the managers stated that they would have to refuse relief in the future and asked the Infirmary to accept greater responsibility.¹⁶⁷

The diet and sanitary conditions of the House are not very clear, as few entries exist in the Workhouse minutes; however, from an entry in 1747, authorising a weekly flesh dinner not to exceed 1½ guineas except on 20 June (the anniversary date) when it could be 2 guineas, it can be inferred that the diet was probably a standard one of oatmeal and soup.¹⁶⁸ In 1824 a committee of physicians was appointed to enquire into the adequacy of the existing diet; George Wood, a physician, felt that if the potato soup was made without fat and if four ounces of pimento were added to the ingredients, the soup would "still have its accustomed Savoury flavour & be fully as nutritive." The potato soup was served twice a week and Weiten Broth (made with coarse pieces of beef or Ox heads) was served five days a week. It was his opinion that this diet had

¹⁶⁶ ECW, 6 November 1750.

¹⁶⁷ ECW, 30 June 1766.

¹⁶⁸ ECW, 2 June 1747.

... a better chance of keeping old worn out people free of those diseases of the Bowels incident to their condition, which must prove very inconvenient to the Establishment & distressing to the sufferers -- as well as to the people who are their inmates in the several wards -- while no additional expense is entailed on the Establishment.

The following recipe for potato soup for 700 was included, which indicates that the food was not very appealing or even nutritious:

| | |
|----------|----------------------|
| Water | 70 gallons |
| Potatoes | 20 pecks |
| Oatmeal | 1½ pecks |
| Cabbage | from 16 to 20 |
| Fat | from 10 to 12 pounds |
| Onions | ½ peck |
| Pepper | 2 ounces |

Meal, Cabbage, and Onions boiled 3 hours, Potatoes boiled 1½ hours or till reduced to a pulp.

The physicians recommended that one-half or one peck of oatmeal be substituted for the cabbage in order to improve the nutritional value.¹⁶⁹

A glimpse of the sanitary conditions is provided by an entry in 1763, when it was reported that the House for "... a great many years past had been much infested with that noxtious Vermine Buggs to the great prejudice and annoyance of the poor Inhabitants." A Mr. Ebenezer Olliphant, jeweller and manager, volunteered his services, and with a new process of his own inventing, cleaned and debugged the House without displeasure to the inhabitants and at his own expense. He kindly offered to make the process generally known, for which he received the managers' thanks.¹⁷⁰

A no less serious threat to health than vermin was the problem of incontinence, especially affecting ageing persons long dependent upon inadequate or harmful diet, as suggested by Dr. Wood's remarks. Such persons often became irascible and disruptive. Among the incidents thus arising was the following:

169 ECW, 8 March 1824.

170 E, 1 February 1763.

Daniel Miller reported that Robert Bridgeford was in the practice of soiling the bed to such a degree that it penetrated the floor down into the Kitchen & cursed & abused all those about him who reproved him for soiling. Besides that he is in the practice of begging about the Streets.

Bridgeford was later dismissed from the House for failure to curb his begging activities.¹⁷¹

ii. Canongate

In 1762 the ministers of the Canongate were ordered to read from their pulpits that on 23 March the parish poor were to meet in the church with the fifteen managers of the Workhouse and the kirk session in order to review the rolls; failure to attend would result in removal from the rolls; those who refused admission to the House lost their pensions.¹⁷² Each applicant for relief was sent to the physician or surgeon for a certificate before being enrolled to ensure that he was free of any contagious diseases. If such disease was present, the applicant was given out-door relief, supposedly the only situation in which permanent out-door relief was supplied. There were, however, exceptions to this rule, as in the case of Janet Guthrie.¹⁷³ Asking for admission to the House on the grounds of starving and almost blind from cancer of the face, the managers stated that it would not be consistent with the rules to admit her to the House, but they ordered the Treasurer to pay her 6d. per week. All cases of extraordinary pensioners (individuals needing only temporary assistance and not legally entitled to relief) were supposedly handled by the kirk session, but this was not always the case. For example the managers gave to Andrew Hutchison, an able-bodied unemployed individual with a wife and three children, 1s. per week, with relief to continue at the managers' pleasure.¹⁷⁴ Again, in 1765, John Flenning was given 8d. per week because his wife was sick and unable to care for his four children;

171 ECW, 8 July and 22 July 1788.

172 CCW, 16 March 1762.

173 CCW, 10 August 1762.

174 CCW, 21 September 1762.

Mr. Flemming was currently employed.¹⁷⁵ Other forms of relief to able-bodied employed individuals was to accept one or two of their children into the House during times of distress, or to allow the Trades to house their members in the House, as when the Hammermen agreed to pay 40s. yearly and provide clothing for John Mirrelus, if he was accepted into the House.¹⁷⁶

In order to gain an understanding of the circumstances in which applicants were accepted upon the funds of the House, a number of entries will be given from the minutes illustrating the action taken on petitions. On 19 October 1762, Widow Tervy, age 74, was given 5d. per week out-pension, as all the beds were full. On 30 November 1762, Ann Bennett was denied access to the House, because the physician stated she was "in distress and unfit to be received in House"; she was given 4d. per week as an out-pensioner. On 1 March 1763, Bell Sharp, age 5, was admitted to the House on the condition that her uncle pay 40s. per year support, as she was not a resident of Canongate. On 14 August 1764, Margaret Cowan was denied relief, as she had been a beggar. On 8 April 1766, relief was denied to Jean Buchan, because she had not resided in the parish for five years. On 15 April 1766, the managers allowed James Mason, a resident for three years, a quarter's wet nurse for one of his new-born triplets, since he had other children to support; relief was granted because he was known to be a very "industrious" man. On 18 April 1755, Isobel Grahame was denied an out-pension, because she refused entry to the House. On 3 October 1775, it was ordered that the yearly pension of £1 4s. paid to Janet Ronald, an inmate in the House, by the Incorporation of Shoemakers, was to be paid to the House. On 31 August 1779, relief was denied to Peter Stuart, who was unable to work because of a fall eight years before in St. Cuthbert's parish; his application was denied because he had lived in Canongate for only four years instead of the necessary five. On 5 July 1803, it was ordered that no person of unsound state of mind be admitted into the House. On 2 August 1803, Robert McPherson petitioned that his

175 CCW, 23 April 1765.

176 CCW, 7 September 1762.

wife was insane and he was unable to maintain her properly, so the managers took one of his children into the House; his wife was not admitted because there were no facilities for insane persons. On 1 April 1806, two children of Allan McDonald, employed, were admitted to the House after the father agreed to pay 3s. per week for their support. On 7 October, 1834, Mrs. Paterson, an out-pensioner, was given £3, so that she could go to America to be with her six children.

From these and thousands of other entries, the impression emerges that the managers were only too willing to provide relief; the only reason for which relief was continually denied was that of bad character. A surprising number of persons were re-admitted to the House after being struck off the rolls. A case in point was Mrs. Napier, who was expelled from the House for drinking on 20 September 1762. After petitioning, she was re-admitted on 21 September on the grounds that if she drank again she would be expelled forever. But Mrs. Napier was perennially expelled on drinking charges and re-admitted, until she got mad at the managers and moved to London, never to be heard of again. One wonders how she fared in London under the English poor law.¹⁷⁷

The managers pursued a policy of limiting the out-pension roll, as there were only 57 names on it in 1777, 21 in 1791, 11 in 1800, and 21 in 1803; expenditure on out-pensions in 1786 was only about £100. In 1763, because of the time of the year and improvement in conditions, several out-pensioners were struck from the roll and others had their allowance reduced.¹⁷⁸ In 1766, the managers told Mr. Kindsay, who paid the out-pensioners once a month, that if any of them could not appear by reason of old age or infirmities, they must send a certificate that they were alive, otherwise they were to be deemed dead and their pension stopped.¹⁷⁹ When the out-pension rolls became too large or costly, the managers offered them relief in the House, if they refused, they were, as has been stated, struck off the roll.

177 CCW, 21 September 1762.

178 CCW, 28 June 1763.

179 CC 10 June 1766.

Prior to the establishment of the Workhouse, the kirk session granted badges entitling the holder to beg in the parish. A sample list follows:¹⁸⁰

1. Hen McGregor, aged 61, thin black hair, lame leg.
11. Jane Schaw, aged 79, low stature with a scare /sic/ on forehead.
12. James Pedden, aged 68, gray hairs bald forehead.
14. James Wall, tall & thin, aged 70 dark, brown hair.
26. Flora Horseburgh, aged about 70, sore eye.
28. Margaret Davidson, aged 41 tall & pock pitted.
29. Jane Anderson aged 60, bushy black hair.
31. Janet Campbell aged 31 black complexion, one child.
32. William Donaldson aged 32 a blue gown, lame, with his wife & two children.
35. Henry McCraigh a little man aged 67 with a lyred baird.

Upon entering the House the inmates, bringing their possessions with them, had to sign everything over to the managers. In 1832, Ann Ross, an old woman, was received into the House and brought

an opera bed and curtains, a Hair Mattress, a straw mattress, a Bolster, 2 feather pillows, 3 half sheets, 3 pairs old blankets, 3 bedcovers, a large chest containing 2 cloaks, 2 shawls, 8 old gowns, 6 petticoats, 4 caps, 4 shifts, 3 aprons, 3 old flannel jackets, 2 pair stockings, an old silk cloak, 3 pillow slips, a bible, a new testament, 2 old books, a cuckoo clock, a small tub & pail, a last, 2 old candlesticks, a waterstoup, 2 old chairs, 2 stools, tongs & shovel, an old umbrella, a goblet, a little pot, a chest of drawers.¹⁸¹

The inmates' diet in 1835 consisted of bread (one five ounce loaf for each inmate for dinner with an additional loaf at supper), tea at breakfast if ordered by the surgeon, four ounces of meal at breakfast and three and one-half ounces at supper, one and one-half ounces of barley for each per day, and soup which contained seven pounds of meat. During the winter the large wards were given 1½ cwt. per week of coal and the small wards 1 cwt., the allowance was reduced to 22 pounds per week for the large wards and 16 pounds per week for the small during the summer months.¹⁸²

¹⁸⁰ Canongate KSM, 6 April 1756.

¹⁸¹ Canongate Mistress' Journal, 5 September 1832.

¹⁸² CW, 23 November 1835.

One visitor to the House presented the following rosy picture:

After shewing me the whole house, which is most commodious, healthy, and clean, with pleasure I beheld a number of old and indigent; those who were able to work were usefully employed at different occupations; the old, sickly and infirm, were in clean beds, and ever comfort administered to them, which the small revenue of the house can afford. All of them professed their gratitude for admission into it, and acknowledged themselves to be much happier than in their former wretched habitations with small pensions.¹⁸³

In spite of these pleasant surroundings the mistress' journal contains numerous notations of inmates absconding.

The three Boys Alison have left this house without My permission, within a day or two of each other, Have (according to desire) given Mr. & Miss Dunbar two pairs of New Sheets for a change to their beds. Have (along with Deacon Thomson) looked over the Paupers & Childrens old body linens found the most of them in complete tatters, have given them out to be washed and will get them mended as soon as posible --184

Mrs. Peebles was economically minded, as illustrated by the following extract:

Given one pair new sheets into the Nursery Received one Pair half worn ones in exchange gave them into the Mens ward for a pair of very ragged ones, made the best parts into a Bolster & two pillowslips for two of their beds which had none, the other parts taken for Mending and for sores --185

iii. St. Cuthbert's

The managers of St. Cuthbert's Charity Workhouse were probably more stringent about giving relief than were the other Workhouses, as a very high proportion of the petitions were denied relief. In 1771, the managers, after examining Widow Baxter's situation, "appoint her to take out her son and appoint a foot chain and a pair of hand-cuffs to be made for him and allow her to apply when in straits".¹⁸⁶ Relief was denied to an orphan girl, age 10, as she

183 Thomas Tod, Observations, 1783, p.18.

184 Canongate Mistress' Journal, 12 July 1832.

185 Canongate Mistress' Journal, 23 July 1832.

186 SCW, 16 April 1771.

was found to be old enough to fend for herself.¹⁸⁷

Usually, the managers were willing to admit healthy children, as they could be turned into a source of revenue by binding them out as apprentices, particularly after 1790, when David Dale asked the Edinburgh Charity Workhouse for children to employ in his cotton mill; as the Edinburgh Workhouse was unable to supply a sufficient number, the St. Cuthbert's managers ordered the House master to approach Mr. Dale, resulting in Dale's promising to clothe and feed the children and provide them with jobs after their indentures expired, if the period of indenture was either five or six years. The managers agreed to these proposals after Dale promised to provide the children with an education. The House initially sent thirty-one boys and eleven girls, and gave them each a hat and night cap, two coarse shirts and a fine one, two pairs of stockings, a pair of shoes, a pair of shoe buckles, and sleeve buttons. In addition the boys were given a new coat, waistcoat, and breeches; the girls were given a new gown, two petticoats, and two neck-kerchiefs. As some parents refused to let their children go, the managers ordered that if the parents refused, the children were to be removed from the House.¹⁸⁸ In 1798, all children sent to New Lanark were bound until the age of fifteen.¹⁸⁹ On 4 August 1801, complaints were received that the managers at New Lanark had not followed the agreements of the indentures, hence it was agreed to send the children to Blantyre, especially as New Lanark wanted all children for seven years and Blantyre wanted the children from four to six years, with none under the age of nine being bound.¹⁹⁰

With the inception of the new system of management in 1833, the managers stated the following five situations in which a person would not be eligible for relief: 1) paupers belonging to other parishes, 2) genteel paupers, 3) operatives, artisans, day-labourers, apprentices, and servants of all sorts, 4) sessional cases, and 5) married women living separate from their husbands. The policies

187 SCW, 5 January 1773.

188 SCW, 5 October 1790.

189 SC., 2 January 1798.

190 SCW, 4 August and 6 October 1801.

of the new managers are apparent from several statements contained in their First Report.

It is well known to the Heritors and Kirk-Session, that if a pauper, either from old age, or bodily, or mental infirmity, is not able to maintain himself by his labour, the Work-House is provided for his reception, and if he does not choose to accept of that asylum, the parish is not bound to make any monthly or annual payment whatever.

The Workhouse was considered "... as the dernier resort of those only who had fallen into the lowest state of helpless indigence, and who could not otherwise by any possibility be maintained".

Concerning the able-bodied unemployed, "To extend the out-door relief to such cases, would obviously be a great abuse, and even inflicting a moral injury upon the individuals to whom it might be so extended".¹⁹¹

No out-pensioners living in adjacent parishes could receive aid, and out-pensioners in distant parishes were required to submit a statement of their circumstances attested by the minister and two elders of the resident parish every two months.¹⁹²

Furthermore, no out-pension more than 4s. per month was given unless the circumstances were particularly distressing, and in no case was the amount to exceed the expense of keeping the individual in the House.¹⁹³

d. Problems of management

The Edinburgh Charity Workhouse had other problems besides those of finance. The occupants of the House were originally expected to work, but by 1800 this practice was discontinued because of its unprofitable nature. The inhabitants, and particularly the women, often refused to work, or worked slowly and produced items of very poor quality. There were also cases of theft and other illegal activities, as illustrated by the case of Mr. William Henderson, clerk, who was dismissed on charges of misconduct; he had wrongfully entered receipts and expenditures, and had undertakings for his own personal

191 First Report of the Managers, 1834 pp.28-9

192 SCW, 24 September 1833.

193 SCW, 10 February 1835.

profit, such as selling spirits to the inmates and buying bags from the inmates and selling them for a profit. He was given a pension of 15s. 5d. per quarter and his wife was given a pension of 10s. per quarter.¹⁹⁴ Another source of trouble was the inhabitants' freedom to come and go from the House at will, resulting in their leaving after breakfast to go into Edinburgh to beg, returning for the afternoon and evening meals. Nothing was done about this until 1824, when the following proposals were put into force: 1) males could leave only on Tuesdays between ten and four and females on Fridays between ten and four; 2) inhabitants could go out on Sundays after worship if they were going to another place of worship and would be back by four; 3) inhabitants would be locked up for drunkenness and immorality; 4) if an individual stayed out too long, he would not be allowed out for two weeks. To help to enforce these rules, a new fence was constructed and a gatekeeper was hired; the regulations, the gatekeeper and the fence proved ineffective, however, as a hole in the wall along the adjacent Greyfriar's graveyard was not mended, and proved to be an excellent escape route.¹⁹⁵

D. Paisley

The parish of Paisley was partly burgh and partly landward, each area developing its own system of poor relief administration. Management of the poor in the rural portions was controlled by the heritors and kirk session of Abbey, with the exception of the village of Johnstone where the inhabitants, by annual agreement with the heritors, retained and administered to their poor the collections made at the chapel of ease.¹⁹⁶ Prior to 1785 the funds for Abbey were derived entirely from voluntary sources and administered solely by the kirk session, however, as the expenditure had increased substantially in the years 1782-84, the heritors and session jointly met in 1785 and assessed the inhabitants according to their means and substance. the mode of

194 FCW, 27 March 1758.

195 ECW, 20 August 1824.

196 Rev. Robert Burns, 1819, pp. 336-7.

management was also changed. The parish was divided into 16 districts, each supervised by two voluntary overseers chosen from among the heritors, farmers, and householders. The overseers, heritors, and elders met annually in May to determine the assessment and review the pauper rolls; distribution of pensions were made quarterly.¹⁹⁷ In 1807 the feasibility of erecting a workhouse was considered, but the plan was rejected on the basis that the poor could be maintained better in their own homes.¹⁹⁸

The town of Paisley for ecclesiastical purposes was divided into three parishes which combined into a general session for the administering of poor relief. In May 1752 a small hospital was erected for the housing of orphans, destitute aged and infirm people, and lunatics.¹⁹⁹ To finance the Paisley Town's Hospital, the town council, kirk session, and several trades made the following annual contributions, until 1779, when a new mode of management was established:²⁰⁰

| | | | |
|--------------|-----|------|-----|
| Town Council | £10 | 0s. | Od. |
| Kirk Session | 30 | 0s. | Od. |
| Merchants | 7 | 10s. | Od. |
| Weavers | 15 | 0s. | Od. |
| Maltmen | 1 | 10s. | Od. |
| Shoemakers | 2 | 0s. | Od. |
| Tailors | 6 | 0s. | Od. |
| Wrights | 1 | 10s. | Od. |

Other sources of revenue included the proceeds from an assessment, the profits from the sale of work completed by the inmates, and donations.

Between 1752 and 1779 the Hospital was managed by a group of twenty-four men, three chosen from each of the above eight contributors. After 1779 the management consisted of three men from the town council, three from the kirk session, and nine chosen from the town at large. This change resulted from a decision to stop paying out-pensions, but to make the kirk session solely responsible for this category.²⁰¹ In spite of this new policy the Hospital had some rather curious cases listed on their rolls, such as Thomas Morison, who was allowed to sleep in his own house but had to eat his meals at the Hospital.²⁰²

¹⁹⁷ Abbey HR, 4 August 1785.

¹⁹⁸ Abbey HR, 27 May 1807.

¹⁹⁹ Burns, 1819, pp. 353-4.

²⁰⁰ Burns, 1819, p.355.

²⁰¹ Burns, 1819, pp. 356-8.

²⁰² PTH, 11 April 1786.

By 1789 the session's funds were inadequate to meet the needs of the out-pensioners, hence they approached the Hospital managers asking for assistance. The latter decided that as it was beneficial to the Hospital funds to have the session maintain the out-pensioners that the sessions should be allowed to keep the whole of the mortcloth dues.²⁰³ The sessions made another request for assistance in 1794 by placing some of the out-pensioners on the Hospital rolls, but the request was denied on the grounds that the managers could only provide in-door aid.²⁰⁴ Again, in 1802, because of increased prices, scarcity of provisions, and an adverse state of the funds, the general session asked for a portion of the money arising from the assessment, which request was also denied, but the Hospital managers agreed to pay the sessions £80 per year to defray the cost of maintaining foundling children; this payment increased to £100 by 1805.²⁰⁵ The sessions' financial troubles were not solved by this action, hence in 1809 the Hospital managers agreed to take in as inmates the highest class of pensioners on the session rolls, followed in 1812 by an agreement that the general session should annually receive from the assessment £100.²⁰⁶ Finally, in 1826, the Hospital managers proposed that they take care of all out-pensioners not belonging to the Established Church, and the general session support its own members, the sessions' funds to include only the church-door collections and the mortcloth dues. Both parties agreed and the new system was placed into operation in 1828 and remained in affect until 1845.²⁰⁷

The managers of the Hospital always pursued the policy of employing the inmates in some type of useful industry, the kind of work depending upon the general state of economic activity. In 1818 the types of employment were as follows: men--loom; boys--drawboys; girls--assisted in duties in the Hospital; women--washing and

203 PTH, 5 September 1789.

204 PTH, 3 June 1794.

205 PTH, 6 July 1802.

206 PTH, 7 July 1809 and 28 July 1812.

207 PTH, 3 January 1826 and 1844 Report, Evidence, vol.I, p.566.

attending the kitchen, winding yarn, sewing and knitting, spinning wool and flax.²⁰⁸

Conditions within the Hospital were reasonably good, even though at times it was over-crowded, as in 1838 when there were 245 inmates, although the Hospital was designed for only 190.²⁰⁹ At least in the earlier years the managers attempted to make the inmates comfortable because when the old people complained that their allowance of one penny a week was not sufficient to buy snuff and tobacco, they were given an additional half penny a week, or when it was reported that the adjacent foundry's lease from the town council was about to expire, the managers recommended that it not be renewed due to the foundry's prejudice to the health of the inhabitants.²¹⁰

E. Dumfries

The situation in Dumfries was rather strange, not only because the parish was partly rural and partly urban, but also because the basis of relief in the burgh was a private donation which stipulated the form in which assistance was to be provided. In 1753 the burgh realised the proceeds from an endowment established in 1739 by James Moorhead, a Dumfries merchant, and his brother William, a Carlisle merchant. The money was used for erecting a house in which to lodge and employ the poor of Dumfries. To encourage industry, the inmates were allowed to keep 1d. for every 1s. earned.²¹¹

The management of Moorhead's Hospital consisted of the Provost and eight each from the town council, kirk session and inhabitants at large for a total of twenty-five men, any thirteen constituting a quorum at the annual meetings. These men selected eight of their number to supervise the daily operation.²¹² The kirk session was the sole administrators to the poor in the rural districts of the parish,

208 Burns, 1819, p.361.

209 PTH, 15 August 1838.

210 PTH, 4 February 1796 and 18 October 1807.

211 Crosbie, 1953, p.7, and Dumfries KSM, 8 February 1753.

212 Dumfries KSM, 8 February 1753.

the Hospital caring for those of the burgh. But this situation changed at some unknown date, for by 1828 the session divided the town into 24 districts and the remainder of the parish into 6 districts, an elder or deacon appointed to each to oversee the affairs of the poor.²¹³ A final change in the system of management was made sometime between 1831 and 1834 by dividing the parish into forty-one districts, each having an overseer appointed who supplied the wants of the poor with his own money, which was reimbursed monthly by a board of control nominated by the magistrates, heritors, and session.²¹⁴ At this stage Moorhead's Hospital can be classified as a private charity, even though for legal purposes it must be viewed as being a private charity from its inception.

Initially the funds of the Hospital were two-thirds of the church-door collections, various donations and legacies, loans, subscriptions, and an annual charity sermon. Periodic extraordinary collections were ordered to prevent the imposition of a legal assessment. In 1831 it was decided that the session should keep its collections and assume sole responsibility for its poor.²¹⁵

F. Dundee

The parish of Dundee was divided into thirteen quoad sacra parishes, each administering relief to its own poor under the supervision of the General Session. These parishes were divided into districts, an elder assigned to each, who investigated the applications for relief and reported all cases to the General Session. As there was no poor house, most of the paupers lived in their own homes, the kirk treasurer paying the small monthly and weekly pensions which augmented the pauper's other sources of income.²¹⁶ Only those individuals legally entitled to relief were given parochial assistance; the able-bodied were relieved only during times of distress from funds

213 Dumfries KSM, 4 June 1753 and 6 May 1828.

214 Dumfries KSM, various entries 1831-34; NSA, vol. 4, pp.26-27.

215 Dumfries KSM, 18 February 1753, 9 December 1825, and 22 September 1831; Report of State of Dumfries Hospital.

216 1844 Report, Evidence, vol. 3, p.103.

raised by voluntary subscription.²¹⁷

The town council managed a separate set of funds, which, in 1791, was derived from the Hospital for Decayed Burghers (£130), from the Guildry (£46), and from an assessment (£400, which was divided among 120 pensioners).²¹⁸ The magistrates first levied an assessment upon the inhabitants of the burgh in 1788 for the purpose of suppressing beggars.

In 1803 a parish-wide assessment was levied by a body of sworn assessors chosen by a parish meeting consisting of the magistrates and town council, the heritors, and the session. Annual rents below £3 or £4 and incomes of less than £30 per year generally were not assessed. One-half of the assessment was paid by the heritors, according to the rental value of their property, and the other half by the inhabitants, according to their means and substance. The assessed amounts were publicly posted, and the persons concerned had the right of appeal to the assessors. The distribution of funds collected was made by the kirk treasurer.²¹⁹

In 1838 David Campbell was appointed the first Inspector of the Poor to visit the paupers in their homes at least once a year and to examine all applicants. Prior to March 1843, he only investigated persons after they were placed on the roll; examination of new applicants was the duty of the elders. He also issued passes enabling paupers to travel to other parishes, the value of each pass varying from 6d. to 1s. The following was the wording of the pass:²²⁰

ROYAL BURGH OF DUNDEE, IN SCOTLAND

These are to request all Magistrates, Justices of the Peace, Constables, and others whom it may concern, to permit the bearer, _____ a native of _____ who has been lately employed in Dundee

217 OSA, vol. 8, p.234.

218 OSA, vol. 8, p.234.

219 1844 Report, Evidence, vol. 3, p.103.

220 1844 Report, Evidence, vol. 3, p.107.

_____ to pass _____ route from Dundee to
 _____ and to afford _____ such assistance in
 _____ journey as may be judged necessary; _____
 always conducting _____ honestly and with propriety,
 and keeping the highway: Declaring that this pass shall
 continue in force for the space of _____ days from this
 date, and no longer. Given at Kirk-Treasurer's Office,
 Dundee, the _____ day of _____ 18__.

The number -of persons travelling via the pass method is startling,
 as illustrated by the following statistics showing the number of
 people granted passes between 1 January and 31 December 1842:²²¹

| | |
|---|------|
| Belonging to Ireland, and not 3 years in Dundee | 482 |
| Belonging to Ireland, more than 3 years in Dundee | 541 |
| Belonging to Scotland, and not 3 years in Dundee | 855 |
| Belonging to Scotland, more than 3 years in Dundee | 205 |
| Belonging to England, and not 3 years in Dundee | 91 |
| Belonging to England, more than 3 years in Dundee | 34 |
| Belonging to Foreigners, and not 3 years in Dundee | 9 |
| Belonging to Natives /perhaps this category represents individuals leaving Dundee after their birth, failing to establish residence elsewhere, and eventually returning to Dundee/, and not 3 years in Dundee | 464 |
| Total number of people | 2681 |
| Total number of passes | 1913 |

In an attempt to curb the increasing number of paupers a new
 system was initiated in July 1843. A Board of Managers was named to
 administer jointly with the session, but the session resigned its
 duties in August 1843. The new Board was composed of 100 members, who
 could be from any denomination provided they were members of the town
 council or an heritor. The town was divided into proportions, each
 under the supervision of two members. The effect of the Board is not
 known, as it was instigated only five months before the Poor Law
 Commission studied Dundee.²²²

Although members of dissenting congregations could receive
 relief from the funds administered by the Established Church, each of

221 1844 Report, Evidence, vol. 3, pp.107-8.

222 1844 Report, Evidence, vol. 3, p.103.

the dissenting churches in Dundee maintained poor members from their own church collections.²²³ Ironically, these congregations also made periodic contributions to the General Session in order to prevent the imposition of a legal assessment.²²⁴

G. Aberdeen

On 17 February 1739, the Aberdeen town council agreed to establish a Poor's Hospital, which was opened on 31 October 1739, for the purpose of housing idle and strolling vagrants, inhabitants who had no visible means of support, and boys and girls either orphans or children of poor inhabitants.²²⁵ The Hospital was managed by the magistrates and town council, members of the kirk session, and a number of "respectable" inhabitants of Aberdeen chosen annually by the magistrates and town council. The revenue consisted of the interest from a bequest left by John Kemp in 1713 for maintaining a free school for poor children, the quarterly collections of the Established Churches and several of the dissenting chapels, occasional donations and subscriptions, and the proceeds of one-half of the residual estate of Mr. Rickart of Auchnacant bequeathed in 1741 for the purpose of endowing a workhouse.²²⁶ Besides the inmates of the Hospital, the poor of Aberdeen also included a monthly pension roll administered by the kirk session.²²⁷

In 1767 it was claimed that unspecified abuses had crept into the system by having the kirk session administer funds to out-pensioners and the managers of the Poor's Hospital administer another set of funds for the use of the inmates. Therefore, it was proposed that the two funds be united and administered by one group of managers, resulting in the formation of the Aberdeen United Fund in 1768.²²⁸ Even though the session minutes of St. Nichols continue to refer to the "Poor's Hospital" up to 1835, other evidence indicates that with the inception of the United Fund that the adult and girl inmates became

223 Third United Secession KSM, 5 September 1836, 13 February and 18 December 1838; School Wynd KSM, 11 August and 15 October 1816.

224 School Wynd KSM, 24 November 1816, 21 February 1825.

225 A. Walker, 1885, pp.2-3, and NSA, vol. 12, p.48.

226 NSA, vol. 12, pp.48-9; St. Nichols KSM, 3 October 1748 and 25 November 1754.

227 St. Nichols KSM, 26 December 1748.

228 St. Nichols KSM, 19 January 1767.

out-pensioners of the Fund, only the boys continuing as inmates and the name changed to the Boy's Hospital. As the kirk session made quarterly contributions to the Fund, it would not be inconsistent with the content of the session minutes if "United Fund" was substituted for references to the "Poor's Hospital".²²⁹

The sources of funds for poor relief were composed entirely of voluntary contributions until 1838, when a legal assessment was imposed, one-half on the heritors and the other half on the inhabitants. This action caused the administrators to lose immediately £250 per year from the rental of lands at Kinnadie bequeathed by John Burnett of Dens in 1783, as the will stipulated that benefit was to be derived from these lands only as long as there was no legal assessment.²³⁰

Perhaps the best evidence of the nature of poor relief in Aberdeen can be gained from Hawkie, who stated,

I consider Aberdeen, although not abounding in charitable institutions, is the most charitable city in Scotland. In the meanest door you can enter, if they cannot relieve you, they will appear sorry for it, and treat you civilly. In Aberdeen, as in all large towns, impostors have settled to a considerable amount, and, by degrees, will turn the heart of the city against cadging.²³¹

H. Inverness

Information on poor relief administration in Inverness is extremely scarce, but it is known that the kirk session was the sole administrators of the voluntary funds. A legal assessment was introduced in 1843, one-half on the heritors according to real rent and the other half on inhabitants according to means and substance.²³² As the session, acting on their own, levied the assessment, the town council declared it was uncalled for and illegal as there was sufficient mortified sums in the session's hands and the heritors had not been consulted, therefore, the council would fight any collection attempts.²³³

229 St. Nichols KSM, yearly entries, 1768-1835; NSA, vol. 12, p.49; St. Nichols South KSM, 4 June 1829.

230 1844 Report, Answers, p.310; NSA, vol. 12, p.54.

231 Strathesk, 1888, p.67.

232 1844 Report, Answers, p.382.

233 Inverness Town Council minutes, 11 May 1844.

It is unfortunate that the kirk session minutes are not available for inspection due to the loss of some and the misplacement of a safe key.

I. Conclusions

In spite of legislation establishing different modes of administration for the rural and urban parishes, the distinctive urban framework developed between 1733 and 1750. Glasgow provided the initiative, adopting modes of administration suitable to the changing conditions, and in turn imitated to varying degrees by other towns. Yet despite certain basic similarities, each Scottish burgh examined developed a unique system of poor relief administration tailored to its own needs. The modes which developed were complex as a result of difficulties involved in the control of expenses and number of paupers, the complexities increasing with the greater pressures of urbanisation. The population densities of the burghs precluded in them the operation of the parochial system. The urban practices developed as a result of expediency and not because of any change in basic philosophy towards poor relief.

In each burgh examined the town council and magistrates delegated their poor relief administration responsibilities to other organisations. All except Inverness and Dundee adopted some variation of the 'Established Church-poor's hospital' scheme, each burgh placing different emphasis on the role of the Church. This system produced elder-layman conflicts similar to those arising between the elders and heritors in rural parishes. The elders represented the more liberal element of administration, held in check by the dictates of the elected lay officials. The latter's concern was centred upon the expenditure on relief, wishing to keep the amount as low as possible. Thus, they frequently ordered the sessions to scrutinise their rolls and purge them of the 'undeserving' recipients.

The burghs which had poor's hospitals initially attempted to exclude provision for out-pensioners on the hospital funds; the relief of this category was left to the sessions. This decision by the major burghs to provide in-door relief was a significant factor influencing

administration. If the burghs had been aware of the long-term effects of providing in-door relief, it is questionable whether the policy would ever have been adopted, for even the best run workhouses were expensive to operate. In all cases except Paisley it was discovered that it was not profitable to employ the inmates in manufacturing activities, hence 'workhouses' were essentially hospitals. In this respect Scottish 'workhouses' were crucially different from the English workhouses; indeed, the only basis of similarity was that in both countries these institutions were used as a 'means test'.

The emphasis on in-door relief undoubtedly placed a substantial burden upon the funds. The voluntary sources were inadequate, due primarily to the pressures caused by increased destitution and insufficient church sittings. These factors forced a major reliance to be placed upon legal assessments.

The establishment of hospitals and the imposition of assessments required the use of hired overseers to manage the daily affairs. These officials implemented the decisions of the voluntary directors.

All the burghs examined were plagued with vagrants. As a result each enacted local statutes regulating the settlement of strangers. Any person moving into the burghs without certificates from their former parish attesting to moral character and means of support were liable for removal. Landlords letting to individuals who failed to produce certificates were liable for the support of such individuals if they later applied for public relief.

The burghs developed systems which attempted to efficiently control pauperism. Each mode was dynamic, changing to cope with the prevailing conditions. Unlike the rural parishes, the administrative set-up in the burghs was not unified. Generally, the larger the town the more complex was the system of poor relief administration.

PART II: THE AGGREGATION PROBLEM

CHAPTER 4: THE DATA

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CHAPTER 4: THE DATA

Ideally, in order to understand the provision made in Scotland for the relief of paupers, it would be necessary to have figures of a reasonable degree of precision and comprehensiveness from at least a representative selection of parishes. Such data would specify the categories of those in receipt of relief, and the rates paid, systematically over a period of time. It would then be necessary to adjust such payments in terms of the price level, itself showing considerable variations throughout Scotland. To discover the 'net' income condition of paupers on the rolls, account would have to be taken of their other income both in money and in real goods. Unfortunately, the data are highly defective at all these levels. Parish accounts were kept not to provide a basis of systematic study, but simply as a record of payments made. It is necessary to try to reconstruct the picture from material that is partial and imprecise, even that part of it which is taken from the official Reports of 1818 and 1839.¹

A. Rural areas

Patterns emerging from the data can largely be explained by the stage attained in general economic development. On the supply side expenditure was conditioned by the available funds. The size of the fund for distribution to the poor was a direct function of the income generating capacity of the parish, together with the willingness and number of persons capable of giving. On the demand side the total amount of relief distributed was a function of the applications for assistance and the willingness of the administrators to grant relief. Both the supply of and demand for funds were influenced by the degree to which the market economy had developed.

¹ These Reports will be discussed in detail in Chapter 8.

In each society pauperism is an ascribed status, the level to a large extent depending upon the ability of the defining society to provide public relief. Such an ability cannot be entirely divorced from the degree of development of the market economy, particularly when relief is provided in the form of money allowances rather than in kind. Furthermore, the more developed an economy, the greater the reliance placed on money allowances. Also, the more developed the market economy, the greater the demand for such allowances. Therefore, a priori, one should expect money allowances to paupers to be greater in industrial urban areas than in unimproved agricultural areas.

One means of determining whether the degree of development of the market economy accounts for differing regional variations in money allowances would be to express relief payments in real terms by valuating relief in kind and adding it to money allowances and deflating by a wage-price index, a task which in the present state of our knowledge involves insurmountable difficulties. This is unfortunate, because, if the market-development hypothesis is correct, the computed real expenditure per pauper would exhibit less regional variation than money expenditure, the implicit assumption being, of course, that the more developed the market economy, the higher would be both wages and prices, and, as a result, the higher allowances to paupers needed to be.

The only nineteenth-century price index which currently exists for Scotland is one for Glasgow covering the 1810's and 1820's.² This, however, is not useful for the present purpose; since Gourvish demonstrates that indices for Glasgow and London are different, it would be improper to apply the Glasgow index to other urban areas in Scotland, and still less to rural areas, whose market mix was substantially different from that of Glasgow. Prior to the Gourvish article, it had been correctly pointed out that a series of regional indices was needed.³ No attempt has been made to construct for this period a set of indices for Scotland; the reason is clear after an examination of the available information on prices of goods, the quantities of

2 T.R. Gourvish, ECHR, February 1972.

3 T.S. Ashton, JEH, suppt., 1949, pp. 19-39.

which are stated in terms of diverse measures;--bolls, bushels, carts, loads, pecks, and barrels. To further complicate the issue, weight measures were not equivalent in all locations within Scotland. Finally, the number of observations is too limited and scattered to be of much value.

Table 6 contains the money expenditure per pauper data collected for the sample parishes, however, as the sample was so small that arbitrary phenomena may appear, it was decided to include the information contained in the 1818 and 1839 Reports. The relevant data appear in Table 32, Chapter 8, and are reproduced in Maps 3 and 4. Using this information and subjecting it to an analysis of variance test, in both cases it was determined at the .001 significance level that expenditure per pauper differed by region. It is clear, however, from Maps 3 and 4 that several expenditure areas can be detected which do not coincide with the initial five regional breakdown described in Chapter 2. The area of lowest mean expenditure included all the counties north of the Great Glen plus Inverness, Nairn and Elgin. The area consistently with the highest mean allowances was the counties between the Forth and the Tweed (Roxburgh, Berwick, Selkirk, Peebles, Haddington, Edinburgh, and Linlithgow). Indeed, in 1818, every county in the three southern regions, excluding Clackmannan, Wigton, Kirkcudbright, and Dumfries, was above the national average annual expenditure of £3-0-4. By 1839 all these counties, except Wigton were above the national average of £2-6-9; moreover, they were joined by the counties of Perth and Forfar in region 2. Clearly, relief money payments in southern Scotland were greater than in the northern parts. It should be noted that the sample data in Table 6 mainly agree with the above findings.⁴

4 It is possible that variations in money relief expenditure per pauper can also be partly explained by the fact that pauperism is an ascribed status, meaning that different areas can define the level more generously. This would particularly be the case for significant differences between adjacent parishes. This type of phenomenon might not be detectable in the present analysis, as the figures represent county averages, unless it is argued that each county adopted similar attitudes.

Can these observed differences be explained by the market-development hypothesis? The expenditure areas derived from the 1818 and 1839 Reports show that the Highland parishes had the lowest monetary level of expenditure per pauper in Scotland, and indeed in Britain. This is a situation not too surprising in the light of the existing conditions. The allowances in the Highlands were higher in the southern portion than the northern, and those in the eastern parts were greater than in the west, with the exception of Argyle and Bute, where the expenditure level was influenced by their proximity to the Clyde industrial basin. Clearly, the capacity to generate parochial funds for the poor was restricted by low money incomes. Conditions in part of the northern area can be drawn from Sutherland prior to 1815. In his recent book, Dr. Richards has maintained that

Life.....was characterized by scattered cultivation, low per capita incomes, high birth and death rates, poor communications, little capital per head, a high dependence on agriculture, major inequalities in the distribution of income, and a strong attachment to 'traditional' attitudes. Sparsity /sic/ of resources and geographical isolation, coupled with an ancient social system and a primitive technology, enforced an equilibrium of low-level subsistence.⁵

The inference to be drawn from this is that at least in the remoter north and west the clearances cannot be made to bear the sole blame for destitution, as many of the traditional props of the Highland economy collapsed, including the kelp industry, the domestic linen industry, the cattle trade and fishing. Moreover, there was a decrease in road construction and in the profitability of wool production.⁶ Many of the Highland landlords in this remoter area (many of Scottish blood)⁷ were by this date absentees, removed from the people and unaware of their needs, except those expressed by the tacksmen. Absenteeism

5 Eric Richards, 1973, p. 153.

6 Eric Richards, 1973, p. 157.

7 Board of Agriculture, Agriculture of Ross and Cromarty, 1810.

PULLOUT

also substantially reduced the proceeds of the church collections.

Factors on the demand side were also conducive in the Highlands to a low level of relief payments. Although the last remnants of the clan system were dying out, traditional attitudes probably conditioned the people not to question the policy of their chiefs or their agents, but to accept their circumstances without complaint. Besides, if the Highland ethos of self-reliance and independence was typical, perhaps the people were embarrassed in applying for an augmentation of an inadequate allowance.

It would appear that in many parts of the Highlands, parishes could provide substantially below average relief payments because the inhabitants were not dependent upon money incomes: rent was often paid in kind and by labour, peat was cut for fuel, fish provided an important source of food. These were all means of providing assistance in kind which could not easily be pursued in a developed market economy. Moreover, money relief payments had to remain low in many Highland parishes because the great amount of destitution (low ability to consume) derived from a low income generating capacity and an inability to give to the church collections, thus producing scanty funds for distribution. Indeed, Morgan's findings indicate that money wages in the Highlands north of the Great Glen were substantially below the national average.⁸

The expenditure aspects of the Highland scene is to be contrasted to those of the area between the Forth and the Tweed, where expenditure per pauper was the highest in Scotland, especially that in the southern districts adjacent to the English border. Although the market-development hypothesis cannot provide the sole explanation for the high level of relief payments, it is possible to demonstrate that factors which were dependent on the market economy influenced the level of allowances. If, as Morgan suggests in her article,⁹ there was a relatively low demand for general labourers, they would have left the area in

⁸ Morgan, 1971, p. 188.

⁹ Morgan, 1971, p. 186.

search of employment opportunities elsewhere. Such emigration would cause an upward shift in the age structure, diminishing the amount of support the aged received from younger relatives and friends. The net effect would be a growing demand for relief. Similar circumstances developed in the Highlands, but the crucial difference was an ability and a willingness to provide relatively high allowances from the public funds in the Forth-Tweed area.

In combination with the market-development hypothesis, an imitation of English poor relief practices can also account for the observed phenomena in the Borders. According to this argument, the paupers were aware of higher relief payments in England, and thus they demanded increased allowances as a right. This was a major conclusion of the 1818 Report.¹⁰ The evidence from the kirk session minutes and heritor's records, however, indicates that only individuals applied for augmentation of allowances and only as a result of a change in personal circumstances; there appears to have been no concerted appeal or demand. This theory, as stated, emphasises only the demand side and fails to allow for the possibility that it was the administrators who were the imitators. Perhaps the landlords, instead of caring for their own tenants, felt that their costs would be lower if relief was provided from the public funds, hence spreading the burden among all the assessable inhabitants of the parish.

The industrial area of the Clyde basin and agricultural parishes in near proximity was another area of relatively high expenditure per pauper. The Clyde basin was greatly dependent upon the market economy, as illustrated by the highest money wages in Scotland.¹¹ Indeed, the structure of urban areas was not conducive to the paternal rural approach to providing relief. Allowances in rural parishes close to major urban areas were

¹⁰ See Chapter 8.

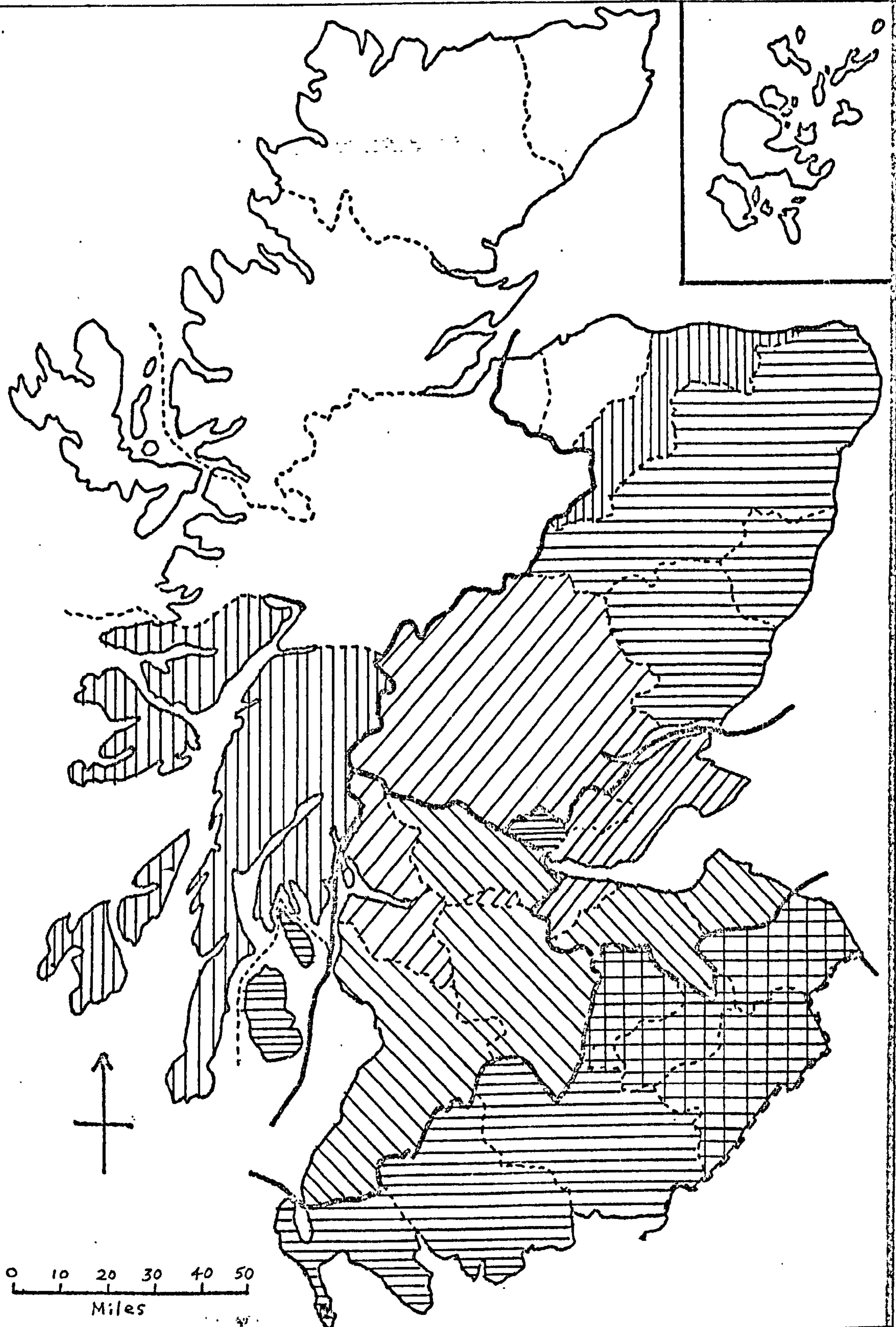
¹¹ Morgan, 1971, p. 186.

higher than in other rural areas, reflecting, perhaps, an intensive agriculture geared to meeting the demands of the urban populations. Such a situation would mean high agricultural wages in order to counter the attractions of industrial employment, resulting in a higher cost of living and a greater need to provide relatively greater allowances.

The data of the 1818 and 1839 Reports were also evaluated with respect to the percentage of the population who were paupers. In 1818 the percentages were above average (2.21) in most of the counties in the two northern regions and in the counties adjacent to the border; that for the industrial counties and the counties in the western half of the Southern Uplands was below average. The remainder of Scotland yielded near average values. By 1839 a very complex picture had emerged. Basically, the higher relative number of paupers relieved was again in the northern regions (1 and 2) and Borders, though the remainder of Scotland exhibits a random mix. Average percentages for 1839 were higher than for 1818. It is not surprising, therefore, that the data for the 1818 Report with respect to the percentage of population receiving relief, when tested for variance, exhibited a difference between the regions at the .01 significance level; no difference at any level of significance was found for the data in the 1839 Report.

It should be noted that, with the exception of those in the southwestern corner of Scotland, the counties with the lowest percentage of paupers were the industrial ones. This is perhaps what one would expect given the seasonal nature of agriculture, where relatives would not be able to provide a complete subsistence during the winter months. Indeed, most parish rolls exhibited a greater number of paupers during the winter than during the summer. The relative numbers relieved in parishes with advanced market economies should be less than in those where such an economy was less developed, as such aged persons who had a marginal propensity to become paupers could seek light industrial employment.

MAP 3: MEAN EXPENDITURE PER PAUPER, 1818

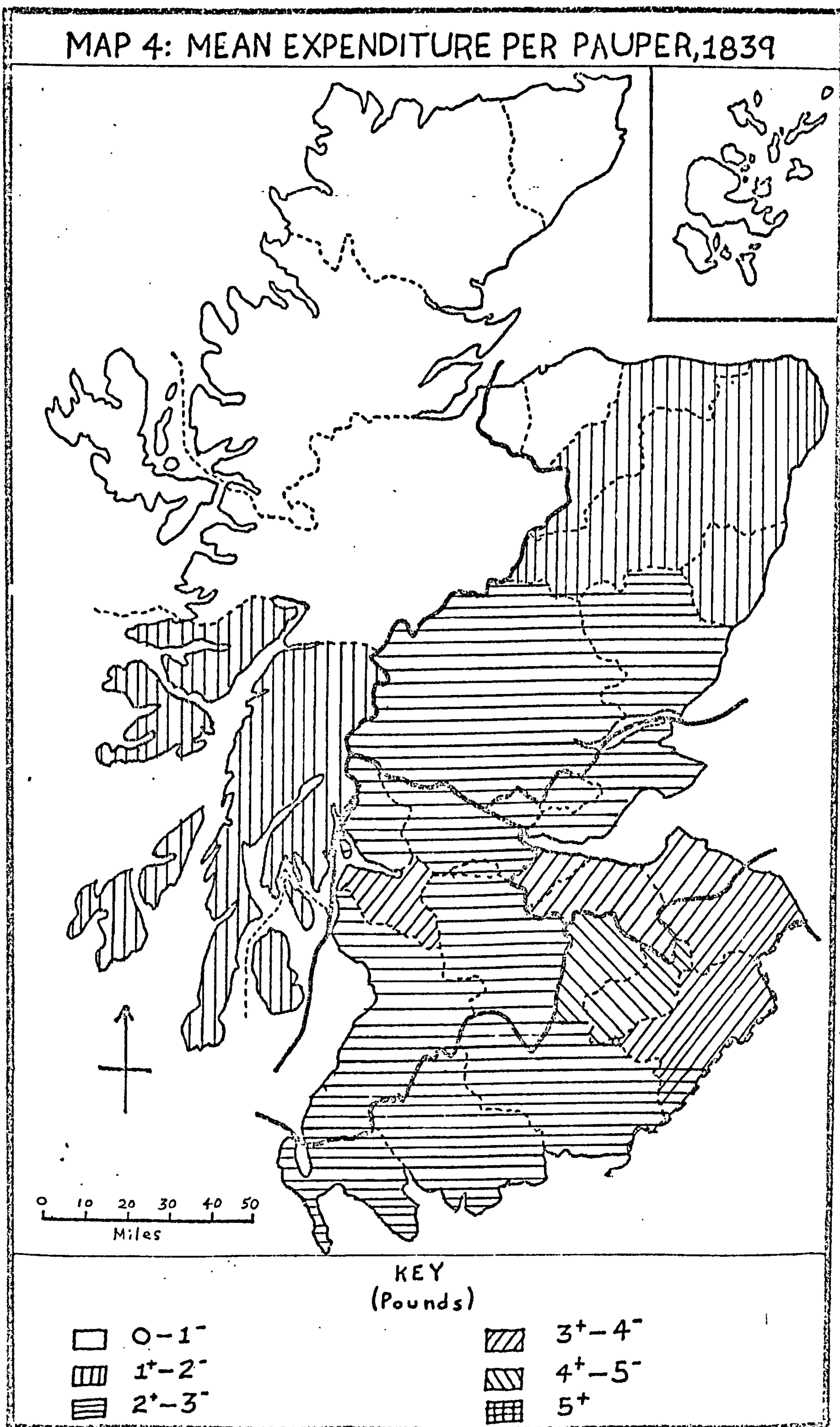


KEY
(Pounds)

□ 0-1⁻
 ▨ 1⁺-2⁻
 ▩ 2⁺-3⁻

▧ 3⁺-4⁻
 ▨ 4⁺-5⁻
 ▩ 5⁺

MAP 4: MEAN EXPENDITURE PER PAUPER, 1839



The high percentage of paupers in the western and northern Highlands can be accounted for by the collapse of the traditional forms of landownership and the economic framework. People were forced to coastal settlements where they could not always gain a means of livelihood, indeed serious over-crowding became a major social problem. The traditional relationships between the people and the landlords and that amongst the people had broken down.¹² The amount of destitution was so great that the inhabitants were unable to help each other.

The high percentage of paupers in the Borders perhaps was a reflection of general labourers leaving the area in search of employment, resulting in an upward shift in the age structure of the population, therefore causing an artificially high level of pauperism. Or, possibly the influence of the English system was being felt, the level of pauperism being defined more generously.

In most of the sample parishes the number of paupers remained at a remarkably constant level, but with considerable short term fluctuations (Table 7). The upper level represents a decision by the sessions to limit absolutely the number on the roll, sometimes for decades, in other words a problem of allocating scarce resources.¹³ The lower level perhaps represents the biological minimum percentage of population falling into the categories eligible for relief, a level which would increase as population increased. Fluctuations between the two levels can be accounted for by the deaths of paupers (decrease) or by deaths of persons upon whom the eligible categories were dependent (increase) or by orphans becoming too old to be eligible for relief (decrease). These first two factors, in significant numbers, would be caused by unusual conditions such as famines or epidemics.

12 Smout, 1969, pp. 334-6.

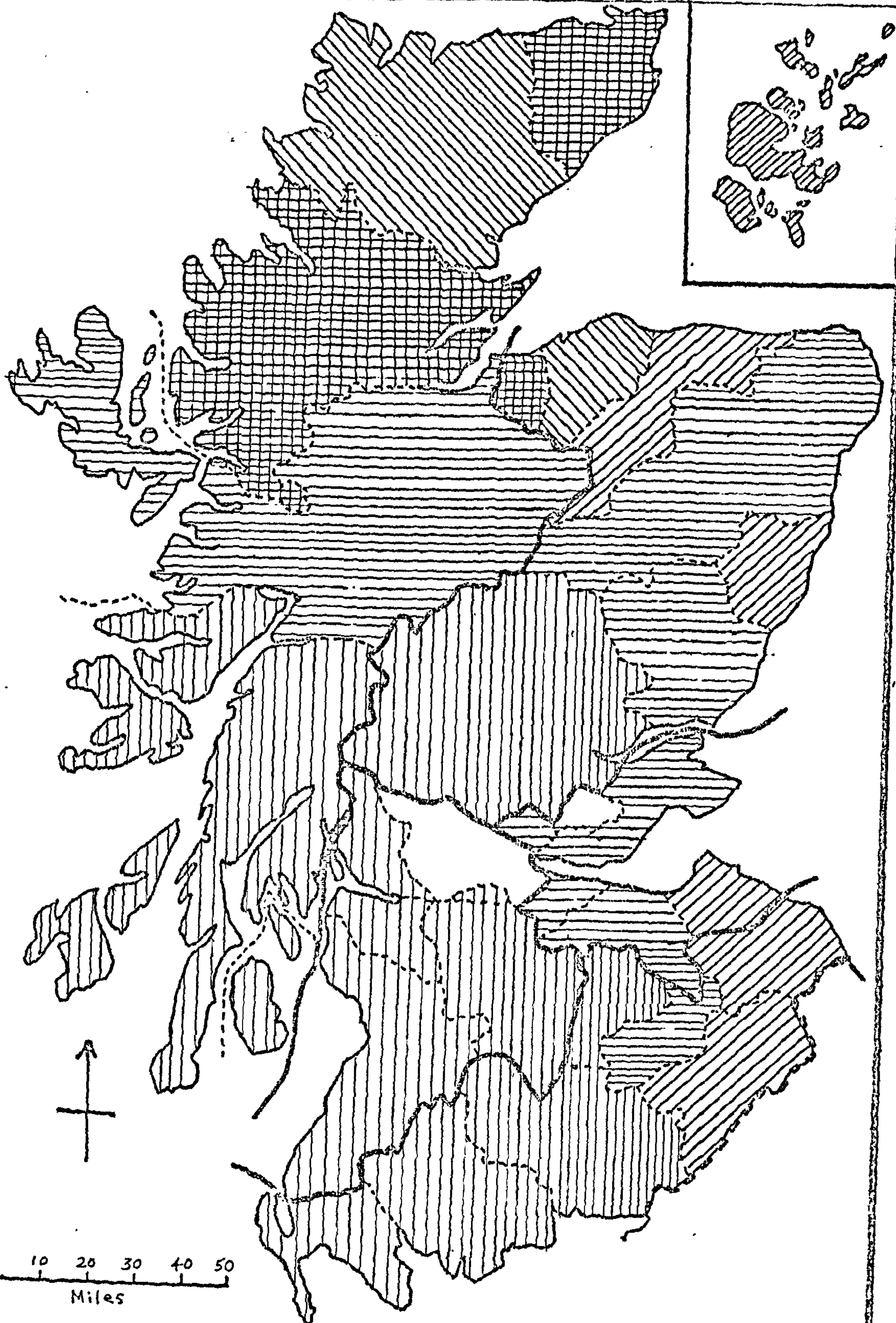
13 See Chapter 2.

Table 7: Average number of paupers for selected sample parishes, by region, 1750-1845.

| North & Western Scotland | | | | | | | North-east Lowland & Central Highl. | | | | | | | E.C. Lowl. S. Uplands | | | | | | |
|--------------------------|-----------|--------|-----|----------|---------|----------|-------------------------------------|-------|--------|----------|---------|--------|--------|-----------------------|--------|------------|--------|-----------|--------|-------|
| Kilmory | Craignish | Dunoon | Moy | Cromarty | Halkirk | Sandwick | Nigg | Tough | Kenmay | Deskford | Drainie | Cawdor | Orwell | Dollar | Uphall | Torphichen | Lauder | Sprouston | Tynron | Kells |
| 1750 | | | | | | | | | | | | | | | | | | | | |
| 51 | | 13 | | | | | | | 16 | 35 | | | | | | | 13 | 30 | | |
| 52 | | | | | | | | | 17 | 34 | 24 | | | | | | 17 | 33 | | 12 |
| 53 | | 17 | | | | | | | 6 | 28 | 12 | | | | | | 15 | 31 | | 14 |
| 54 | | 16 | | | | | | | 12 | 27 | 20 | | | | | | 19 | 28 | | 14 |
| 55 | | 20 | | | | | | | 14 | 32 | 19 | | | | | | 18 | 25 | | 13 |
| 56 | | 17 | | | | | | | 11 | 33 | 18 | | | | | | 20 | 23 | | 13 |
| 57 | | 13 | | | | | | | 12 | 40 | 19 | | | | | | 26 | 28 | | |
| 58 | | | | | | | | | 11 | 21 | 40 | | | | | | 27 | 28 | | |
| 59 | | 17 | | | | | | | 8 | 13 | 40 | 10 | | | | | 33 | 17 | | 12 |
| 1760 | | | | | | | | | 10 | 15 | 35 | 10 | | | | | 34 | 17 | | 12 |
| 61 | | 17 | | | | | | | 13 | 14 | 29 | 12 | | | | | 20 | 18 | | 13 |
| 62 | | 17 | | | | | | | 12 | 14 | 27 | 10 | | | | | 18 | 21 | | |
| 63 | | 18 | | | | | | | 9 | 16 | 24 | 12 | | | | | 26 | | | |
| 64 | | 16 | | | | | | | 13 | 14 | 24 | 11 | | | | | 22 | | | |
| 65 | | 21 | | | | | | | 15 | | 26 | 20 | | | | | 22 | | | |
| 66 | 10 | 22 | | | | | | | 12 | | 26 | 21 | | | | | 22 | | | |
| 67 | 11 | | | | | | | | 16 | 16 | 21 | 20 | | | | | 19 | 18 | | |
| 68 | 14 | 24 | | | | | | | 19 | | 24 | | | | | | 19 | 18 | | |
| 69 | 12 | 26 | | | | | | | 16 | 16 | 25 | 18 | | | | | 21 | 14 | | |
| 1770 | 13 | 22 | | | | | | | 14 | | 23 | 27 | | | | | 19 | 12 | | |
| 71 | 12 | 85 | | | | | | | 14 | | 23 | 28 | | | | | 18 | 14 | | |
| 72 | 9 | 90 | | | | | | | 16 | | 27 | | | | | | 21 | 17 | | |
| 73 | | 87 | | | | | | | 17 | | 25 | | | | | | 16 | | | |
| 74 | 10 | 96 | | | | | | | 14 | | 24 | 21 | | | | | 20 | | | |
| 75 | 10 | 41 | | | | | | | 13 | | 30 | 31 | | | | | 17 | | | |
| 76 | 6 | 112 | | | | | | | 16 | | 31 | 27 | | | | | 16 | | | |
| 77 | | 46 | | | | | | | 17 | | 29 | 30 | | | | | 15 | | | |
| 78 | 8 | 32 | | | | | | | 18 | 40 | 31 | 43 | | | | | 17 | | | |
| 79 | 8 | 45 | | | | | | | 17 | | 29 | 39 | | | | | 19 | | | |
| 1780 | 21 | 46 | | | | | | | 17 | 36 | 30 | | | | | | 20 | | | |
| 81 | 25 | 108 | | | | | | | 21 | 30 | 33 | 22 | | | | | 19 | | | |
| 82 | 28 | 106 | | | | | | | 26 | 35 | 29 | 20 | | | | | 21 | | | |
| 83 | 19 | 106 | | | | | | | 31 | 46 | 35 | 25 | | | | | 24 | | | |
| 84 | 20 | 118 | | | | | | | 30 | 39 | 42 | 26 | | | | | 27 | | | |
| 85 | 9 | 120 | | | | | | | 26 | 38 | 45 | 26 | | | | | 19 | | | |
| 86 | 9 | 32 | | | | | | | 23 | 40 | 47 | 24 | | | | | 17 | | | |
| 87 | 11 | 37 | | | | | | | 12 | 25 | 40 | 43 | 28 | | | | 17 | | | |
| 88 | 14 | 116 | | | | | | | 26 | 38 | 45 | 26 | | | | | 19 | | | |
| 89 | 11 | 120 | | | | | | | 31 | 12 | 23 | 45 | 45 | 35 | | | 16 | | | |
| 1790 | 32 | 116 | | | | | | | 27 | 11 | 23 | 50 | 42 | | | | 21 | | | |
| 91 | 38 | 119 | | | | | | | 26 | 6 | 24 | 49 | 37 | | | | 23 | | | |
| 92 | 14 | 42 | | | | | | | 27 | 8 | 30 | 48 | 40 | | | | 22 | | | |
| 93 | 13 | 29 | | | | | | | 22 | 9 | 31 | 48 | 35 | | | | 19 | | | |
| 94 | 11 | 94 | | | | | | | 29 | 8 | 28 | 38 | 35 | | | | 20 | | | |
| 95 | 10 | 28 | | | | | | | 32 | 5 | 27 | 48 | 38 | | | | 23 | | | |
| 1796 | 37 | 116 | | | | | | | 27 | 4 | 27 | 44 | 37 | | | | 25 | | | |
| 97 | 12 | 39 | | | | | | | 28 | 4 | 25 | 48 | 34 | | | | 24 | | | |
| 98 | 13 | 125 | | | | | | | 23 | 6 | 26 | 44 | 35 | | | | 24 | | | |
| 99 | 12 | 87 | | | | | | | 28 | 6 | 28 | 42 | 33 | | | | 20 | | | |
| 1800 | 45 | 31 | | | | | | | 35 | 5 | 30 | 50 | 32 | | | | 21 | | | |
| 01 | 12 | 36 | | | | | | | 41 | 5 | 30 | 48 | 36 | | | | 27 | | | |
| 02 | 11 | 145 | | | | | | | 27 | 5 | 26 | 42 | 37 | | | | 28 | | | |
| 03 | 11 | 89 | | | | | | | 20 | 8 | 27 | 44 | 35 | | | | 28 | | | |
| 04 | 11 | 42 | | | | | | | 29 | 8 | 26 | 47 | 31 | | | | 26 | | | |
| 05 | 14 | 147 | | | | | | | 31 | 10 | 23 | 43 | 33 | | | | 24 | | | |
| 06 | 14 | 86 | | | | | | | 28 | 11 | 23 | 46 | 35 | | | | 20 | | | |
| 07 | 11 | 87 | | | | | | | 28 | 8 | 23 | 45 | 31 | | | | 18 | | | |
| 08 | 15 | 87 | | | | | | | 29 | 10 | 26 | 44 | 36 | | | | 21 | | | |
| 09 | 17 | 74 | | | | | | | 26 | 9 | 26 | 37 | 35 | | | | 20 | | | |
| 1810 | 17 | 73 | | | | | | | 24 | 8 | 25 | 36 | 35 | | | | 18 | | | |
| 11 | 14 | 79 | | | | | | | 25 | 5 | 25 | 44 | 37 | | | | 15 | | | |
| 12 | 15 | 78 | | | | | | | 28 | 7 | 27 | 56 | 41 | | | | 12 | | | |
| 13 | 15 | 74 | | | | | | | 30 | 9 | 27 | 43 | 44 | | | | 11 | | | |
| 14 | 16 | 75 | | | | | | | 31 | 7 | 27 | 41 | 42 | | | | 11 | | | |
| 15 | 18 | 67 | | | | | | | 41 | 7 | 26 | 41 | 44 | | | | 10 | | | |
| 16 | 15 | 75 | | | | | | | 37 | 6 | 27 | 38 | | | | | 9 | | | |
| 17 | 15 | 77 | | | | | | | 31 | 8 | 27 | 40 | | | | | 8 | | | |
| 18 | 21 | 87 | | | | | | | 32 | 10 | 28 | 43 | | | | | 8 | | | |
| 19 | 21 | 81 | | | | | | | 30 | 10 | 30 | 41 | | | | | 9 | | | |
| 1820 | 23 | 81 | | | | | | | 29 | 11 | 29 | 39 | | | | | 8 | | | |
| 21 | 22 | 76 | | | | | | | 33 | 10 | 25 | 38 | | | | | 8 | | | |
| 22 | 21 | 78 | | | | | | | 35 | 11 | 24 | 42 | | | | | 9 | | | |
| 23 | 22 | 81 | | | | | | | 26 | 10 | 24 | 44 | | | | | 9 | | | |
| 24 | 22 | 81 | | | | | | | 25 | 10 | 23 | 38 | | | | | 11 | | | |
| 25 | 23 | 80 | | | | | | | 25 | 10 | 24 | 43 | | | | | 11 | | | |
| 26 | 23 | 79 | | | | | | | 38 | 12 | 24 | 47 | | | | | 10 | | | |
| 27 | 23 | 79 | | | | | | | 42 | 13 | 25 | 39 | | | | | 15 | | | |
| 28 | 23 | 79 | | | | | | | 40 | 14 | 26 | 35 | | | | | 15 | | | |
| 29 | 23 | 79 | | | | | | | 39 | 13 | 28 | 33 | | | | | 13 | | | |
| 30 | 23 | 79 | | | | | | | 40 | 14 | 26 | 35 | | | | | 17 | | | |
| 31 | 23 | 79 | | | | | | | 42 | 13 | 25 | 39 | | | | | 17 | | | |
| 32 | 23 | 79 | | | | | | | 45 | 14 | 25 | 42 | | | | | 16 | | | |
| 33 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 9 | | | |
| 34 | 23 | 79 | | | | | | | 47 | 14 | 28 | 31 | | | | | 14 | | | |
| 35 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 36 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 9 | | | |
| 37 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 38 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 39 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 40 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 41 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 42 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 43 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 44 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |
| 45 | 23 | 79 | | | | | | | 46 | 16 | 28 | 30 | | | | | 14 | | | |

Source: KSM and HR.

MAP 5: PAUPERS - POPULATION RATIO, 1818



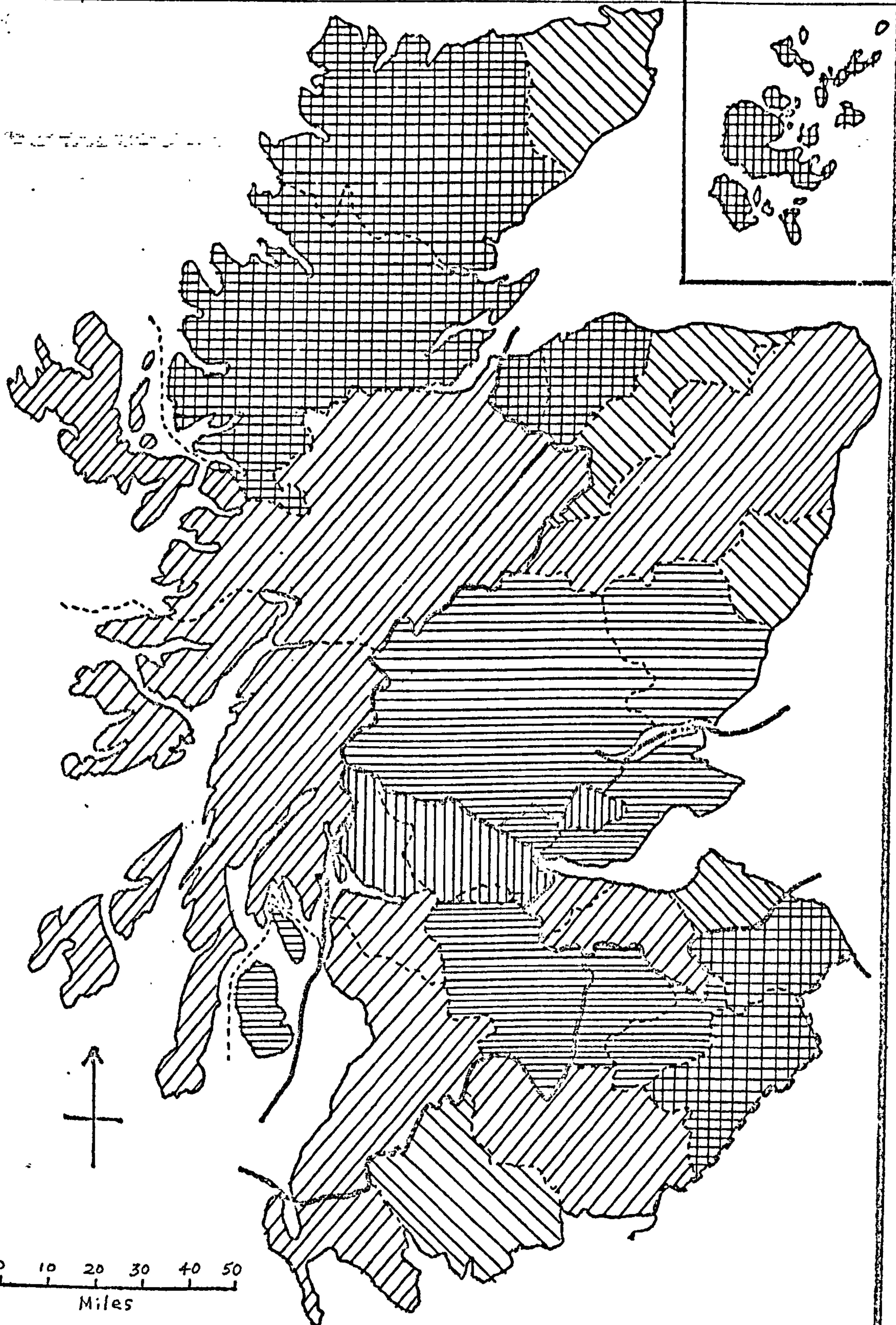
0 10 20 30 40 50
Miles

KEY
(Percent)

1.00-1.49
1.50-1.99
2.00-2.49

2.50-2.99
3.00-3.49
3.50+

MAP 6: PAUPERS - POPULATION RATIO, 1839



KEY (Percent)

□ 1.00-1.49
 ▨ 1.50-1.99
 ▩ 2.00-2.49

▤ 2.50-2.99
 ▥ 3.00-3.49
 ▦ 3.50+

The data on the number of paupers relieved exhibit considerable annual fluctuation, with no apparent pattern emerging between the regions. Thus, it would seem reasonable to conclude that seasonal variations can be explained by local conditions. There does appear to have been a tendency in the sample parishes for the number on the roll to increase both during periods of diminishing population growth rates and when there is an absolute fall in population; numbers on the roll were either stable, or decreased during periods of substantial increases in population (percentage rates of change of population appear in Table 8).

It has been stated that the kirk session minutes and the heritors' records cast little light on the type of person receiving relief, as the particulars of the recipients were rarely given;¹⁴ an insight, however, into this important question can be gained from the data included in the 1844 Report and summarised here in Table 9.¹⁵ Almost every parish gave relief to persons either wholly or partially disabled from work, and to old women. Few parishes in North and Western Scotland (1) claimed to give assistance to other categories; an examination of their returns, however, reveals that relief was given also to lunatics, widows with children, and to the children of such widows. Parishes in the Central Highlands and Northeast Lowlands (2) were supplying relief to all these categories, besides relieving mothers of illegitimate children, women whose husbands had deserted them, and orphans. They were also providing from the regular poor's fund for able-bodied men either because of temporary sickness or on account of casual failure of work. Parishes in the East Coast Lowlands (3) claimed that the proper

14 See Chapter 2.

15 The 1844 Report will be the subject of Chapter 9.

objects of assistance were the disabled, lunatics, and widows with children; nonetheless, mothers of illegitimate children and their children, and orphans also were given relief. The situation in the Central and Southwest Lowlands (4) and the Southern Uplands (5) was similar to that in the East Coast Lowlands (3), with the addition of vagrants and able-bodied men relieved on account of temporary sickness. Hence, with the exception of North and Western Scotland (1), there was little regional variation in the type of person granted public assistance.

Not enough cases are recorded to make it possible to examine the argument of contemporaries that the numbers given relief increasedⁱⁿ parishes where a legal assessment had been imposed for a number of years. The parish of Sprouston, however, had an assessment from 1744, and its number of paupers was fairly constant throughout the period, implying that the administration of relief in the parish did not become more lax. A comparison of the data in the 1818 and 1839 Reports in Chapter 8 indicates that increases in the pauper population ratio cannot be attributed solely to the imposition of a legal assessment.

The above conclusions must be seen in the light of a difficult data situation. First, in many cases it is hard to know what they represent. Entries in the session minutes often consisted only of amounts of expenditure and the number of the heads of household on the poor's roll. It was not always possible to determine whether the payments were to those regularly on the roll, to those occasionally relieved, or to both, or if the amounts given were the only sums given throughout the year. Moreover, relief in kind

Table 8: Percentage rate of change in population between selected dates for selected parishes, by region.

| North and Western Scotland | | | | | | | Northeast Lowlands and Central Highlands | | | | | |
|----------------------------|----------------|------------------|---------------|------------|-----------------|-----------------|---|--------------|---------------|-----------------|----------------|---------------|
| | <u>Kilmory</u> | <u>Craignish</u> | <u>Dunoon</u> | <u>Moy</u> | <u>Cromarty</u> | <u>Sandwick</u> | <u>Nigg</u> | <u>Tough</u> | <u>Kemnay</u> | <u>Deskford</u> | <u>Drainie</u> | <u>Cawdor</u> |
| 1755-1801 | 31.6 | 17.5 | -0.4 | -21.4 | 5.4 | - | -11.3 | 10.3 | -9.3 | -35.1 | -9.9 | 33.7 |
| 1801-1811 | -19.3 | -8.6 | 55.9 | 2.9 | 9.3 | -4.9 | 6.1 | -6.5 | -7.2 | 3.9 | -8.1 | -7.5 |
| 1811-1821 | 58.1 | 9.1 | 0.4 | -1.1 | 9.8 | 0.8 | 5.6 | 18.5 | 21.4 | 9.3 | 9.2 | 2.7 |
| 1821-1831 | -1.4 | -1.0 | 3.5 | -17.7 | 9.5 | 4.6 | 31.4 | 18.5 | -6.3 | 19.5 | 22.3 | 5.7 |
| 1831-1841 | -8.6 | -2.1 | 52.6 | -11.6 | -8.4 | 6.1 | -2.5 | -7.8 | 1.6 | 3.8 | 17.2 | -2.9 |

| East Coast Lowlands | | | | | Southern Uplands | | | |
|---------------------|---------------|---------------|---------------|-------------------|------------------|------------------|---------------|--------------|
| | <u>Orwell</u> | <u>Dollar</u> | <u>Uphall</u> | <u>Torphichen</u> | <u>Lauder</u> | <u>Sprouston</u> | <u>Tynron</u> | <u>Kells</u> |
| 1755-1801 | 7.7 | 34.1 | 13.9 | -20.7 | -1.6 | 1.5 | 21.6 | -0.8 |
| 1801-1811 | 6.7 | 7.2 | 1.8 | 10.2 | -1.0 | 8.5 | 1.9 | 20.9 |
| 1811-1821 | 16.5 | 74.9 | 27.0 | 5.8 | 5.8 | 12.6 | -10.7 | 17.3 |
| 1821-1831 | 18.9 | 11.3 | 23.4 | 8.7 | 12.1 | 2.5 | -3.9 | 2.2 |
| 1831-1841 | -9.7 | 14.5 | 16.9 | 8.9 | 6.6 | 3.9 | -3.9 | -0.6 |

Source: Computed from Census data.

Key to Table 9: Analysis of the paupers on the rolls of selected
parishes, by region, for 1844.

1. Single women, mothers of illegitimate children
 2. Children of such women relieved with their parents
 3. Widows with children
 4. Children of such widows relieved with their parents
 5. Wives whose husbands have deserted them
 6. Children of such wives relieved with their parents
 7. Wives whose husbands are in prison, or have been transported
 8. Children of such wives relieved with their parents
 9. Orphans
 10. Foundlings
 11. Insane persons, lunatics, or idiots
 12. Vagrants not included in the foregoing
 13. Persons wholly disabled from work, not included in the foregoing
 14. Persons partially disabled from work, not included in the foregoing
 15. Dependants, if any, on Nos. 13 and 14, and not included in the foregoing
 16. Able-bodied men relieved on account of temporary sickness
 17. Dependants on such men relieved with them
 18. Able-bodied men relieved on account of casual failure of work
 19. Dependants on such men relieved with them
 20. Able-bodied women, without children, relieved on account of temporary sickness
 21. Able-bodied women, without children, relieved on account of casual failure of work
 22. Number of paupers as given in return, but not classed under any of the heads in the above analysis
-
- A. How many individuals in above list are above 60 years of age
 - B. Which of the above classes are usually included in the Permanent Roll
 - C. How many in the above list received relief while resident in another parish
 - D. How many in above list are English
 - E. How many in above list are Irish.
 - F. How many in above list had not acquired a settlement in your parish and were receiving interim relief
 - G. How many in above list had resided 3 years, but not 7
 - H. 7 years, but not 10.

Source: 1844 Report, vol. 6, pages "F".

Table 9: Continued

*North-east Lowlands and
Central Highlands*

| Class | Aberfoyle | | Liff | | Nigg | | Fordoun | | Tough | | Kemnay | | Deskford | | Grange | | Drainie | | Elgin | | Cawdor | | Craig | |
|--------|-----------|-----|------|--------|------------------|----|---------|-----|-------------------------------|----|--------|-------------------------|----------|----|--------|----|---------|----|---------------|----|--------|----|-----------------|----|
| | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F |
| 1 | | | | 4 | | | | | 1 | 1 | | | | | 1 | 1 | | | 6 | 6 | | | 3 | 3 |
| 2 | | | | 5 | | | | | 1 | 2 | | | | | 1 | 1 | | | 6 | 6 | | | | 6 |
| 3 | | 2 | | 15 | | 22 | | | 1 | 1 | | | 3 | 3 | 3 | 3 | | | 21 | 21 | | | 9 | 9 |
| 4 | 1 | 2 | 21 | 30 | 26 | 28 | 54 | | 1 | 1 | | 4 | 2 | 6 | 11 | 11 | | | 43 | 43 | | | 21 | 21 |
| 5 | | | | 2 | | 1 | 1 | | | | | | 1 | 1 | 1 | 1 | 1 | 1 | 4 | 4 | | | 1 | 1 |
| 6 | | | 3 | 4 | | 1 | 1 | | | | | | | | | | | | 7 | 7 | | | | 2 |
| 7 | | | | | | | | | | | | | | | | | | | 3 | 3 | | | | |
| 8 | | | | | | | | | | | | | | | | | | | 8 | 8 | | | | |
| 9 | 2 | | 2 | 1 | 5 | | | | | | | | | | | | 1 | | | | | | | 2 |
| 10 | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | | | 2 | 4 | | | | | | | | | | | 1 | 2 | 1 | | 9 | 6 | | 2 | 1 | 3 |
| 12 | | | | | 3 | | | | | | | | | | 1 | 1 | 1 | | 30 | 30 | | | | |
| 13 | | | 14 | 10 | 13 | 3 | 16 | | 2 | 7 | 3 | 3 | 10 | 10 | 3 | 11 | 3 | 27 | 47 | 74 | 5 | 26 | 31 | 19 |
| 14 | | 4 | | | 5 | 38 | 43 | | 2 | 5 | 6 | 14 | 2 | 27 | 5 | 15 | 8 | 23 | 56 | 79 | 7 | 16 | 23 | 24 |
| 15 | | | | | 2 | 3 | 5 | | | | | | | | 2 | 2 | | | 19 | 19 | | | | 3 |
| 16 | | | | | 1 | | 1 | | | | 2 | 2 | 2 | | | | | | | | | | | 1 |
| 17 | | | | | 1 | 1 | 2 | | | | 7 | | 4 | | | | | | | | | | | 1 |
| 18 | | | 5 | | | | | | | | | | 2 | 6 | | | | | 31 | 31 | | 15 | 15 | 3 |
| 19 | | | | 17 | | | | | | | | | | | | | | | | | | | | 1 |
| 20 | | | | 1 | | | | | | | | | | | 2 | 2 | | | 25 | 25 | | | | 2 |
| 21 | | | | 4 | | | | | | | | | | | 1 | 1 | | | 42 | 42 | | | | 2 |
| 22 | | | | | | | | | | | | | | | | | | | | | | | | 2 |
| Totals | 3 | 8 | 11 | 144 | 56 | 97 | 153 | 100 | 6 | 15 | 35 | 61 | | | 59 | 24 | 42 | | 421 | | 66 | | 115 | |
| A | | 4 | | 35 | | 43 | | | 12 | | 23 | | | | | | | | | | 48 | | 28 | |
| B | | all | | *13,14 | *3,4,5,6,9,13,14 | | | | neither child nor able-bodied | | *13,14 | widows & aged spinsters | | | | | | | *3,9,11,13,14 | | | | *1-4,9,11,13-15 | |
| C | 1 | | | | 8 | | | | 2 | | 4 | 1 | | | 3 | | | | not above 6 | | none | | 3 | |
| D | none | | | | none | | | | none | | none | none | none | | | | | | scarcely any | | none | | none | |
| E | none | | | | none | | | | none | | none | none | none | | | | | | scarcely any | | none | | none | |
| F | none | | | | none | | | | none | | none | 1 | | | 2 | | | | not above 30 | | | | none | |
| G | none | | | | 1 | | | | none | | 2 | none | none | | | | | | 25 or 30 | | | | 1 | |
| H | none | | | | 3 | | | | 2 | | none | none | none | | | | | | 25 or 30 | | all | | | |

Table 9: Analysis of the paupers on the rolls of selected parishes, by region, for 1844.

North and Western Scotland

| Class | Kilmory | | | Craignish | | | Croy | | | Cromarty | | | Kiltearn | | | Halkirk | | | Canisbay | | | Sandwick | | |
|--------|---------|----|----|-----------|----|----|------|----|----|----------|----|----|----------|----|-----|---------|----|-----|----------|----|---|----------|---|----|
| | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T |
| 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | | 10 | 10 | | 2 | 2 | | | | | | | | | | | | | | 1 | | | | |
| 4 | | | 23 | 2 | 4 | 6 | | | | | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 1 | | 1 | | | | | | | | | | | | | | | | | | | 1 | | 1 |
| 10 | 1 | 1 | 2 | | | | 1 | 1 | 2 | | | | | | | | | | | | | 5 | | 5 |
| 11 | | | | | | | | | | 6 | 3 | 9 | | | | 2 | 1 | 3 | 3 | 5 | | | | |
| 12 | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | 12 | 20 | 32 | 6 | | 6 | 8 | 19 | 27 | 19 | 13 | 32 | | | 22 | 6 | 32 | 28 | 6 | 37 | | 2 | 1 | 3 |
| 14 | 8 | 16 | 24 | 3 | 19 | 22 | | 5 | 5 | 7 | 13 | 20 | | 32 | | 7 | 51 | 58 | 4 | 34 | | 5 | 6 | 11 |
| 15 | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | | | | | | | 1 | | 1 | | | | | | | | | | | | | | | |
| 17 | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | | | | 2 | | | | | | | | | | | | | | | | | | | | |
| 19 | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | 2 | | | | | | | | | | | | | | | |
| 21 | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 22 | 47 | 92 | 13 | 25 | 38 | 10 | 28 | 44 | 28 | 40 | 68 | 100 | | 100 | 15 | 89 | 104 | | | | 13 | 7 | 20 |
| A | | | | | | | | | | | | | | | | | | | | | | | | |
| B | | | | | | | | | | | | | | | | | | | | | | | | |
| C | | | | | | | | | | | | | | | | | | | | | | | | |
| D | | | | | | | | | | | | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | | | | | | | | | | | | |
| G | | | | | | | | | | | | | | | | | | | | | | | | |
| H | | | | | | | | | | | | | | | | | | | | | | | | |

orphan, idiots, persons
 8
 1
 none
 none
 none
 none
 none
 none

71
 *11,13,14
 none
 none
 none
 none
 none
 none

82
 *13
 none
 none
 none
 none
 -
 -

widow & old (unmar-
 ried women)
 none
 none
 none
 none
 -
 -

probably
 -
 1
 none
 1
 none
 -
 -

37
 *13, 14
 none
 none
 none
 none
 none
 none

35
 old women
 none
 none
 none
 none
 none
 none

*13
 none
 none
 1 idiot
 none
 -
 -

Table 9: Continued

| Class | Kilmarny | | Austrother E. Orwell | | Arngask | | Dollar | | Upshall | | Cranston Lowlands | | Torphichen | | Salton | | Trenant | | Cranston New Battle | |
|--------|----------------------|---|----------------------|---|---------------------------|----|----------|----|----------------|---|-------------------|----|------------|------|----------|----------------|-------------|-----|---------------------|-----|
| | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F |
| 1 | | | | | 1 | 1 | 2 | 2 | | | 3 | 3 | | | | | 2 | 2 | | |
| 2 | | | | | 2 | 2 | | | | | 3 | 3 | | | | | 1 | 1 | | |
| 3 | 1 | 1 | | | 2 | 2 | | | 2 | 2 | 12 | 12 | 3 | 3 | | | 8 | 8 | 10 | 10 |
| 4 | 2 | 1 | | | 2 | 2 | | | 2 | 3 | 10 | 14 | 1 | 3 | 4 | | 9 | 11 | 20 | 28 |
| 5 | | | | | | | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | 1 | 1 | | | | | | 3 | 1 | | | |
| 8 | | | | | | | | | 2 | 2 | | | | | | | | | | |
| 9 | | | | | 1 | 1 | | | | | 2 | 4 | 6 | | | 3 | 3 | 2 | 2 | |
| 10 | | | | | | | | | | | | | | | | | | | | |
| 11 | 1 | 1 | | | 1 | 1 | 1 | 1 | 1 | 1 | 4 | 2 | 6 | 2 | 2 | 1 | 5 | 2 | 7 | 1 |
| 12 | | | | | | 40 | 2 | 2 | | | | | | | | 1 | 5 | 6 | | |
| 13 | 2 | 1 | 3 | | | | 14 | 14 | 1 | 4 | 6 | 9 | 15 | 2 | 2 | 6 | 15 | 56 | 71 | 10 |
| 14 | 2 | 5 | 7 | | 5 | 5 | 4 | 4 | 9 | 9 | | | | 12 | 12 | 2 | 32 | 46 | 78 | 20 |
| 15 | | | | | | | | | | | | | | | | | | | | |
| 16 | | | | | | | | | | | | | | | | 2 | 4 | | 4 | |
| 17 | | | | | | | | | | | | | | | | 1 | | | | |
| 18 | | | | | | | | | | | | | | | | 1 | 2 | 2 | | |
| 19 | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | 2 | 2 | | | | | | 1 | 4 | 4 | | |
| 21 | | | | | | | | | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | | | | | | | | | |
| Totals | 6 | 9 | 15 | 1 | 12 | 13 | | | 28 | 3 | 24 | 27 | 22 | 27 | 69 | 20 | 29 | 71 | 138 | 209 |
| A | | 7 | | | 3 | | 1 | | 10 | | 14 | | | 12 | | 13 | about | 100 | | |
| B | aged and infirm | | | | *3 | | *13 & 11 | | *3, 11, 13, 14 | | *3 & 13 | | all | | | *3, 11, 13, 14 | *13 & 14 | | | |
| C | 2 | | | | none | | none | | 4 | | 3 | | none | none | 2 widows | 2 | 2 | | | |
| D | none | | | | none | | none | | none | | 1 | | none | none | none | none | none | | | |
| E | none | | | | none | | none | | none | | none | | none | none | 2 | 2 | none | | | |
| F | none | | | | none | | none | | none | | none | | none | none | none | none | none | | | |
| G | all above 7 except 1 | | | | at least 7 years | | none | | none | | 1 | | none | none | 4 | 4 | few, if any | | | |
| H | all except 1 | | | | all above 10 except child | | 1 female | | - | | none | | none | none | 2 | 2 | few, if any | | | |

Table 9: Continued.

Central & Southwest Lowlands

| Class | Falkirk | | | Arrochar | | | Cardross | | | Eastwood | | | Ballantrae | | | Sorn | | | Bothwell | | | Shotts | | |
|--------|-------------|-----|-----|----------|---|---|---------------|----|----|----------|----|----|------------|----|----|-----------------|----|-----|----------|-----|----|--------|------|----|
| | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T | M | F | T |
| 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 6 | 6 | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 15 | 15 | | | | | 14 | 14 | | 26 | 28 | | 3 | 3 | | 1 | 4 | 5 | | 7 | 7 | | 4 | 4 |
| 4 | 40 | | | | | | 26 | | | 38 | | | | 15 | | 5 | 5 | 5 | | 28 | 28 | | 4 | 4 |
| 5 | | | | | | | 1 | 1 | | 2 | 2 | | 1 | 1 | | 6 | 6 | 10 | | 69 | | | 10 | 9 |
| 6 | | | | | | | 2 | | | | | | | 4 | | | | | | | | | 19 | |
| 7 | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 2 | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 37 | | | | | | 10 | | | 6 | 11 | | | | | 4 | 4 | 9 | | 12 | | | 3 | 1 |
| 10 | | | | | | | | | | 2 | 1 | 3 | | | | | | | | 1 | 2 | | | |
| 11 | 7 | 4 | 11 | 1 | | 1 | 4 | 2 | 6 | | | 3 | | | | 4 | 2 | 6 | | | 1 | | 1 | |
| 12 | | | 30 | | | | 24 | | | 57 | | | | | | 2 | | 2 | | | | | | |
| 13 | 24 | 43 | 67 | 1 | | 1 | 2 | 9 | 11 | 23 | 18 | 41 | 5 | 6 | 11 | 12 | 24 | 35 | | 33 | | | 5 | 9 |
| 14 | 39 | 120 | 165 | | 6 | 6 | 3 | 45 | 49 | 21 | 30 | 51 | 3 | 8 | 11 | 5 | 24 | 29 | | 63 | | | 3 | 27 |
| 15 | | | | | | | 6 | | | | | | | | | | | | | | | | 2 | 2 |
| 16 | | | | | | | 2 | 2 | | 2 | 2 | | | | | 1 | | 1 | | 4 | | | | |
| 17 | | | | | | | 3 | | | | | | | | | | 1 | 1 | | | | | | |
| 18 | | | | | | | | | | | | | | | | | | | | 10 | 10 | | | |
| 19 | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | | | | | | | | | | 10 | 10 | | | | | | | | | 6 | 6 | | | |
| 22 | | | | | | | | | | | | | | | | | | | | 5 | 5 | | | |
| Totals | | | 440 | | | | 154 | | | 272 | | | 45 | | | 34 | 71 | 105 | | 250 | | | 30 | 58 |
| A | 145 | | | | | | 30 | | | 39 | | | 3 | | | | 53 | | | - | | | none | |
| B | *3,13,14 | | | | | | *3,9,11,13,14 | | | *3,13,14 | | | *3 | | | *3,4,9,11,13,14 | | | | - | | | *3 | |
| C | 6 | | | | | | 18 | | | 18 | | | 3 | | | none | | | | - | | | none | |
| D | very few | | | | | | 2 | | | none | | | none | | | none | | | | - | | | none | |
| E | 1/6th whole | | | | | | 10 | | | 28 | | | 7 | | | 19 | | | | - | | | 2 | |
| F | | | | | | | only vagrants | | | 5 | | | none | | | none | | | | - | | | 3 | |
| G | | | | | | | 20 | | | 19 | | | none | | | 2 | | | | - | | | 5 | |
| H | | | | | | | most 10 yrs. | | | 12 | | | none | | | all | | | | - | | | - | |

was not included; as most parishes regularly gave their paupers coal and clothing, and sold them grain at prices below those on the market, amounts of relief are therefore understated. It was possible to be confident about the nature of the data for only 21 parishes, less than three per cent of Scotland's parishes. This number is too small to support confidently generalised conclusions; this is particularly true since no data were found for the parishes in the Central and Southwest Lowlands and the western portion of the Highlands.

The data on the number of paupers include heads of households, the number of individuals dependent on the allowance is not known. This has the effect of over-stating expenditure per pauper. Unfortunately, the problem is compounded by not knowing the physical characteristics of those on the rolls, thus making it impossible to adjust for regional differences in dependency ratios — differences which could be substantial, given various stages of development of a market economy and differences in population growth rates.

B. Urban areas

The best and most comprehensive data for Scotland's burghs were obtained for Glasgow and Edinburgh. Data for the other burghs were

nearly non-existent or of limited use. As a result, the following discussion will be centred on Glasgow and Edinburgh, and an attempt will be made to explain the rather striking differences which emerged between the two towns. In order to help to set the scene the following table compares the population of the Royalities of Glasgow and Edinburgh for census years:

| years | Glasgow | | Edinburgh | |
|-------|---------|-----------|-----------|-----------|
| 1801 | 46,779 | (77,385) | 31,975 | (67,288) |
| 1811 | 58,334 | (100,749) | 36,259 | (82,624) |
| 1821 | 72,765 | (147,043) | 51,968 | (112,235) |
| 1831 | 89,847 | (202,426) | 55,239 | (136,301) |
| 1841 | 120,183 | (274,324) | 56,330 | (138,182) |

Note: the amount in the parentheses for Glasgow include the Barony and Gorbals, and for Edinburgh include Canongate and St. Cuthbert's

As can be seen, the population of the Royalty of Glasgow was greater than Edinburgh's by 1801 and by 1841 was more than double. It would seem reasonable to expect, therefore, that both the absolute extent of pauperism and the total expenditure on paupers in Glasgow was greater than in Edinburgh.

Table 10 presents a comparative view of the Glasgow Town's Hospital and the Edinburgh Charity Workhouse for the years 1791-1817, the only period with data conducive to comparison. Concentrating on the number of paupers on the rolls of each institution, several facts are immediately clear. First, though the number of observations for Edinburgh is limited, the Glasgow Town's Hospital placed greater emphasis on out-pensioners (column 7) than on inmates (column 1), whereas Edinburgh stressed the granting of in-door relief (column 2 vs. column 8, and for a more extended period see Table 11). Second, the total number relieved in Glasgow was greater than in Edinburgh, the difference being nearly in the same proportion as the difference in population between the two cities. This is a rather over-simplified view, however, as, unlike Edinburgh, Glasgow also had sessional rolls. The total number of out-pensioners on session rolls (Table 12 gives the amounts for the post 1819 period) was approximately the same as the number of out-pensioners on the rolls of the Town's Hospital. Thus, the extent of pauperism in Glasgow was proportionally greater, by a substantial amount, than in Edinburgh.

Table 10; Comparative View of Glasgow Town's Hospital and Edinburgh Charity Workhouse, 1791-1817, number of inmates, total expenditure on inmates, average expenditure per inmate, number of out-pensioners, total expenditure on out-pensioners, average expenditure per out-pensioner.

| Year | Inmates | | | | Out-pensioners | | | | | |
|------|---------|-----------|-------------------|-------------------|----------------|---------|-------------------|-------------------|------|---------|
| | Number | | Total Expenditure | | Number | | Total Expenditure | | | |
| | Glasgow | Edinburgh | £ | Glasgow Edinburgh | £ s. d. | £ s. d. | £ | Glasgow Edinburgh | | |
| 1791 | 335 | 471 | 1903 | 3000 | 5 13 7 | 6 6 2 | 337 | 773 | 1186 | 2 6 0 |
| 92 | 363 | 464 | 1985 | 2788 | 5 9 5 | 6 0 2 | 341 | 730 | 809 | 2 2 10 |
| 93 | 375 | 493 | 2073 | 2858 | 5 10 7 | 5 16 0 | 352 | 825 | 400 | 2 6 10 |
| 94 | 384 | 484 | 2477 | 2359 | 6 9 0 | 4 17 5 | 563 | 1425 | 204 | 2 10 7 |
| 95 | 384 | 458 | 2463 | 2342 | 6 8 3 | 5 2 2 | 926 | 2266 | 236 | 2 8 10 |
| 96 | 377 | 422 | 2552 | 2812 | 6 15 4 | 6 13 2 | 903 | 2604 | 248 | 2 15 5 |
| 97 | 387 | 413 | 2644 | 2545 | 6 19 11 | 6 3 1 | 710 | 2101 | 287 | 2 19 0 |
| 98 | 396 | 417 | 2558 | 2747 | 6 9 3 | 6 11 10 | 699 | 1872 | 294 | 2 13 7 |
| 99 | 397 | 414 | 2667 | 2746 | 6 14 4 | 6 12 7 | 674 | 2024 | 309 | 3 0 0 |
| 1800 | 395 | 420 | 3283 | 3349 | 8 6 3 | 7 19 5 | 728 | 3074 | 341 | 4 5 5 |
| 01 | 426 | 461 | 3879 | 4409 | 7 2 2 | 9 11 2 | 1050 | 5252 | 390 | 5 0 0 |
| 02 | 380 | 486 | 2803 | 3448 | 7 77 6 | 7 1 10 | 1128 | 3547 | 367 | 3 3 0 |
| 03 | 336 | | 2517 | | 7 9 10 | | 711 | 1933 | | 2 14 5 |
| 04 | 381 | | 2890 | | 7 11 9 | | 784 | 2402 | | 3 1 5 |
| 05 | 395 | | 3179 | | 8 0 11 | | 800 | 2624 | | 3 5 7 |
| 06 | 390 | | 3070 | 3677 | 6 17 5 | | 859 | 2492 | 505 | 3 18 0 |
| 07 | 394 | | 3178 | 3665 | 8 1 4 | | 651 | 2651 | 659 | 4 1 5 |
| 08 | 427 | 621 | 3494 | 3928 | 8 3 8 | 6 5 7 | 882 | 2181 | 900 | 3 12 2 |
| 09 | 412 | 684 | 3430 | 5139 | 8 4 11 | 7 10 2 | 818 | 3363 | 1226 | 4 2 2 |
| 1810 | 420 | 724 | 3362 | 6465 | 8 2 0 | 8 18 7 | 932 | 3472 | 1461 | 3 14 2 |
| 11 | 441 | 709 | 3476 | 5067 | 7 18 0 | 7 3 0 | 969 | 3546 | 1356 | 3 11 2 |
| 12 | 470 | 741 | 4083 | 4841 | 8 13 9 | 6 10 7 | 1333 | 4878 | 1420 | 3 13 2 |
| 13 | 482 | 842 | 4644 | | 9 12 8 | | 1329 | 6158 | | 4 12 10 |
| 14 | 430 | 917 | 4260 | | 9 18 2 | | 1409 | 5494 | | 3 17 10 |
| 15 | 436 | 856 | 4010 | | 9 3 11 | | 1208 | 4668 | | 3 17 10 |
| 16 | 426 | 837 | 3904 | | 9 3 3 | | 1201 | 4048 | | 3 5 5 |
| 17 | 497 | 884 | 4508 | | 9 1 5 | | 1079 | 6764 | | 6 5 5 |

Sources: Ewing, Town's Hospital of Glasgow, between pp.178-79; ECW for each year.

Table 11: Number of paupers on the rolls of the Edinburgh Charity Workhouse, by classification, 1745-1826

| Year | Number of people in house | | | | | Number of out-pensioners | | | | | | Total Relieved |
|------|---------------------------|-------|------|-------|-------|--------------------------|--------|-----------|-------------|---------------------|-------|----------------|
| | Men | Women | Boys | Girls | Total | Beggars | Weekly | Quarterly | Child/nurse | House of Correction | Total | |
| 1745 | 70 | 220 | 88 | 86 | 464 | | 64 | 121 | 26 | 9 | 220 | 684 |
| 1746 | 66 | 258 | 80 | 91 | 495 | | 52 | 116 | 20 | 7 | 195 | 690 |
| 1747 | 60 | 257 | 93 | 74 | 484 | | 46 | 105 | 34 | 2 | 187 | 671 |
| 1748 | 71 | 241 | 70 | 82 | 464 | | 38 | 95 | 40 | 3 | 176 | 640 |
| 1749 | | | | | 489 | | 33 | 86 | 27 | 11 | 157 | 646 |
| 1750 | | | | | 538 | | 31 | 84 | 24 | 30 | 169 | 707 |
| 1751 | | | | | 457 | | 31 | 81 | 25 | 14 | 150 | 607 |
| 1752 | 94 | 282 | 73 | 94 | 543 | | 31 | 78 | 26 | 9 | 144 | 687 |
| 1753 | 118 | 327 | 111 | 109 | 665 | | 31 | 72 | 4 | 12 | 119 | 784 |
| 1754 | 118 | 327 | 121 | 119 | 684 | | 33 | 72 | 14 | 12 | 131 | 815 |
| 1755 | 116 | 338 | 109 | 122 | 685 | | 27 | 69 | 15 | 6 | 117 | 802 |
| 1756 | 120 | 354 | 103 | 112 | 689 | | 24 | 73 | 10 | 6 | 113 | 802 |
| 1757 | 126 | 356 | 116 | 103 | 701 | | 18 | 77 | 10 | 10 | 115 | 816 |
| 1758 | 126 | 383 | 103 | 86 | 698 | 8 | 16 | 71 | 10 | 11 | 116 | 814 |
| 1759 | 119 | 347 | 87 | 74 | 627 | 12 | 17 | 72 | 12 | 15 | 128 | 755 |
| 1760 | 112 | 328 | 72 | 69 | 581 | 10 | 19 | 81 | 12 | 14 | 136 | 717 |
| 1761 | 121 | 338 | 85 | 87 | 631 | 5 | 44 | 79 | 27 | 15 | 150 | 781 |
| 1762 | 115 | 359 | 75 | 96 | 645 | 9 | 26 | 80 | 32 | 14 | 161 | 806 |
| 1763 | 109 | 373 | 92 | 115 | 689 | 5 | 27 | 81 | 87 | 10 | 210 | 899 |
| 1764 | 121 | 378 | 110 | 114 | 723 | 5 | 33 | 80 | 113 | 7 | 238 | 961 |
| 1765 | 105 | 358 | 100 | 101 | 664 | 7 | 28 | 77 | 123 | 7 | 242 | 906 |
| 1766 | 109 | 358 | 79 | 82 | 628 | 6 | 38 | 76 | 97 | 5 | 222 | 850 |
| 1767 | 103 | 344 | 86 | 91 | 624 | 7 | 38 | 76 | 103 | 5 | 139 | 863 |
| 1768 | 101 | 333 | 61 | 85 | 580 | 6 | 58 | 81 | 84 | 10 | 238 | 818 |
| 1769 | | | | | 595 | | | | | | | |
| 1770 | | | | | 608 | | | | | | | |
| 1771 | | | | | 586 | | | | | | | |
| 1772 | | | | | 607 | | | | | | | |
| 1773 | | | | | 645 | | | | | | | |
| 1774 | | | | | 664 | | | | | | | |
| 1775 | | | | | 667 | | | | | | | |
| 1776 | | | | | 653 | | | | | | | |
| 1777 | | | | | 626 | | | | | | | |
| 1778 | | | | | 642 | | | | | | | |
| 1779 | | | | | 629 | | | | | | | |
| 1780 | | | | | 580 | | | | | | | |
| 1781 | | | | | 581 | | | | | | | |
| 1782 | | | | | 638 | | | | | | | |
| 1783 | | | | | 726 | | | | | | | |
| 1784 | | | | | 639 | | | | | | | |
| 1785 | | | | | 635 | | | | | | | |
| 1786 | | | | | 619 | | | | | | | |
| 1787 | | | | | 524 | | | | | | | |
| 1788 | | | | | 531 | | | | | | | |
| 1789 | | | | | 626 | | | | | | | |
| 1790 | | | | | 509 | | | | | | | |
| 1791 | | | | | 471 | | | | | | | |
| 1792 | | | | | 464 | | | | | | | |
| 1793 | | | | | 493 | | | | | | | |
| 1794 | | | | | 484 | | | | | | | |
| 1795 | | | | | 458 | | | | | | | |
| 1796 | | | | | 422 | | | | | | | |
| 1797 | | | | | 413 | | | | | | | |
| 1798 | | | | | 417 | | | | | | | |
| 1799 | | | | | 414 | | | | | | | |
| 1800 | | | | | 420 | | | | | | | |
| 1801 | | | | | 461 | | | | | | | |
| 1802 | | | | | 486 | | | | | | | |
| 1803 | | | | | | | | | | | | |
| 1804 | | | | | | | | | | | | 500 |
| 1805 | | | | | | | | | | | | 712 |
| 1806 | | | | | | | | | | | | 782 |
| 1807 | | | | | | | | | | | | |
| 1808 | | | | | 621 | | | | 68 | | 379 | 1000 |
| 1809 | | | | | 684 | | | | 90 | | 510 | 1194 |
| 1810 | | | | | 724 | | | | 87 | | 616 | 1340 |
| 1811 | | | | | 709 | | | | 65 | | 575 | 1284 |
| 1812 | | | | | 741 | | | | 54 | | 661 | 1402 |
| 1813 | | | | | 842 | | | | 49 | | 708 | 1550 |
| 1814 | | | | | 917 | | | | 56 | | 823 | 1714 |
| 1815 | | | | | 856 | | | | 98 | | 896 | 1752 |
| 1816 | | | | | 837 | | | | 86 | | 938 | 1775 |
| 1817 | | | | | 884 | | | | 83 | | 997 | 1881 |
| 1818 | | | | | 890 | | | | 97 | | 1220 | 2110 |
| 1819 | | | | | 803 | | | | 113 | | 1160 | 1936 |
| 1820 | | | | | 711 | | | | 98 | | 1067 | 1778 |
| 1821 | | | | | 714 | | | | 107 | | 1054 | 1768 |
| 1822 | | | | | 641 | | | | | | | |
| 1823 | | | | | 664 | | | | | | | |
| 1824 | | | | | 581 | | | | | | | |
| 1825 | | | | | 604 | | | | | | | |
| 1826 | | | | | 615 | | | | | | | |

Note: For year ending 30 June.

Source: ECW.

Table 12: Yearly average number of paupers on rolls of individual sessions, Glasgow, 1819-45.

| Years | College ¹ | St. Andrew's Tron | St. Jame's | St. Enoch's | St. Mungo ¹ (High) | St. David's | St. Paul's | St. George's ¹ | St. John's ^{2,3} |
|-------------------|----------------------|-------------------|------------|-------------|----------------------------------|-------------|------------|---------------------------|---------------------------|
| 1819 ⁴ | 218 | 141 | - | 156 | 148 | 31 | 122 | 47 | 125 |
| 1820 ⁴ | 246 | 147 | - | 172 | 140 | 34 | 109 | 55 | 117 |
| 1821 ⁵ | 241 | 121 | 105 | 148 | 143 | 31 | 126 | 59 | 113 |
| 1822 ⁵ | 251 | 130 | 97 | 153 | 132 | 38 | 133 | 73 | 78 |
| 1823 | | | | | | | | | 74 |
| 1824 | | | | | | | | | 92 |
| 1825 | 173 | | | | 154 | | | | 110 |
| 1826 | 135 | | | | 164 | | | | 160 |
| 1827 | 125 | | | | 179 | | | | 165 |
| 1828 | 127 | | | | 173 | | | | 88 |
| 1829 | 147 | | | | 166 | | | 123 | 89 |
| 1830 | 167 | | | | 172 | | | 120 | 83 |
| 1831 ⁶ | 180 | | | | 169 | | | 124 | 83 |
| 1832 | 208 | 80 | 121 | 130 | 153 | 79 | 171 | 122 | 82 |
| 1833 | 246 | | | | 156 | | | 131 | 92 |
| 1834 | 270 | | | | 165 | | | 131 | |
| 1835 | 269 | | | | 172 | | | 132 | |
| 1836 | 298 | | | | 169 | | | 134 | |
| 1837 | 305 | | | | 152 | | | 129 | |
| 1838 | 318 | | | | 147 | | | 135 | |
| 1839 ⁷ | 255 | | | | 142 | | | 122 | |
| 1840 ⁷ | 217 | 99 | 149 | 113 | 130 | 75 | 160 | 109 | 77 |
| 1843 ⁷ | 187 | 88 | 151 | 116 | 151 | 76 | 172 | 136 | 124 |
| 1844 ⁷ | 174 | 90 | 147 | 118 | 140 | 66 | 174 | 118 | 126 |
| 1845 ⁷ | 164 | 96 | 144 | 122 | 142 | 54 | 164 | 113 | 120 |

1. Source: Session Minutes

2. For years 1828-1833 the number of foundlings, orphans, deserted children, lunatics, and occasional paupers are not included. For years 1820-1827 all classes of Paupers are included; decrease in 1822 represents formation of St. Jame's Parish.

3. Source: Cleland, James. Letter to His Grace the Duke of Hamilton, p.40.

4. Source: Glasgow General Session Minutes

5. Source: Rankin, p.12

6. Source: Tufnell, p.204a.

7. Source: *Glasgow Town's Hospital Minutes*.

In both Glasgow and Edinburgh there were annual fluctuations in the number of paupers on the rolls, though the pattern for each town varied due to differing local conditions. In both cases changes in the number of out-pensioners were more dramatic than those for the number of inmates. This phenomenon reflects the fixed capacity of the facilities for housing paupers and the practice that only the "hard-core" cases were granted in-door relief. Sharp increases in the number of out-pensioners represent the need to supply assistance to marginal cases during periods of unusual stress. For example, in Glasgow the rise in the number of out-pensioners from 728 in 1800 to 1,128 in 1802 (Table 10, column 7) was a result of the increase in grain prices due to the scarcity of grain in 1801-2, the rise from 969 in 1811 to 1,409 in 1814 and the continuance at a high level can be attributed to the additional stresses placed on the economy by the War of 1812 with the United States of America and also the fever epidemic and the depression in economic activity from 1815-18.¹⁹ Sharp decreases in this category of paupers can be accounted for by improvements in conditions and sharper scrutinies of the rolls. The observed fluctuations do not necessarily mean that all the new cases were either able-bodied individuals receiving temporary assistance or other individuals outwith the category of those legally entitled to relief. Most of the increase was probably due to proper recipients who under normal conditions were relieved by friends and relatives who were unable to offer the same assistance during periods of economic stress. Ample evidence exists that the able-bodied were relieved by private charity.²⁰

The minutes of the Edinburgh area workhouses²¹ provide information on the characteristics of inmates; this information is presented in Tables 11, 13 and 14. The largest group of inmates consisted of women (over one-half of the total for Edinburgh and one-half to one-third for Canongate), then that consisting of boys and girls under 14

19 See Robert C. O. an, 1840, p.271 and John Glaister, 1886, table following p.34.

20 See Chapter 5.

21 Besides the Edinburgh Charity Workhouse, there was also the St. Cuthbert's Charity Workhouse and the Canongate Charity Workhouse. These institutions were discussed in Chapter 4.

Table 13: Number of inmates of Canongate Charity Workhouse, by month, by sex, 1824-1843.

| Date | Men | | Boys | | Girls | | Total | Men | | Boys | | Girls | | Total | Men | | Boys | | Girls | | Total |
|-----------|-----|----|------|----|-------|----|-------|-----|----|------|----|-------|----|-------|-----|----|------|----|-------|-----|-------|
| 1824 | | | | | | | | | | | | | | | | | | | | | |
| 1825 | | | | | | | | | | | | | | | | | | | | | |
| January | 9 | 38 | 9 | 11 | 67 | 10 | 45 | 13 | 13 | 81 | 13 | 37 | 9 | 15 | 74 | 18 | 42 | 13 | 19 | 92 | |
| February | 9 | 37 | 10 | 11 | 67 | 10 | 43 | 13 | 12 | 78 | 15 | 37 | 11 | 17 | 80 | 17 | 40 | 13 | 19 | 89 | |
| March | 9 | 37 | 10 | 11 | 67 | 9 | 42 | 12 | 12 | 75 | 14 | 40 | 10 | 17 | 81 | 18 | 43 | 15 | 19 | 95 | |
| April | 9 | 37 | 9 | 9 | 64 | 11 | 43 | 8 | 11 | 73 | 15 | 39 | 11 | 18 | 83 | 17 | 42 | 14 | 19 | 92 | |
| May | 10 | 39 | 10 | 9 | 68 | 12 | 42 | 9 | 12 | 75 | 15 | 39 | 10 | 18 | 82 | 17 | 40 | 14 | 19 | 91 | |
| June | 10 | 39 | 9 | 9 | 67 | 13 | 41 | 9 | 12 | 75 | 15 | 43 | 9 | 17 | 84 | 18 | 41 | 19 | 13 | 91 | |
| July | 10 | 39 | 10 | 10 | 69 | 13 | 42 | 8 | 11 | 74 | 12 | 43 | 8 | 18 | 81 | 17 | 43 | 17 | 13 | 90 | |
| August | 10 | 39 | 10 | 10 | 69 | 13 | 41 | 9 | 12 | 75 | 13 | 42 | 13 | 17 | 85 | 17 | 43 | 18 | 13 | 91 | |
| September | 10 | 40 | 12 | 11 | 73 | 12 | 40 | 8 | 12 | 72 | 15 | 43 | 13 | 18 | 89 | 17 | 41 | 13 | 18 | 89 | |
| October | 9 | 42 | 12 | 10 | 73 | 12 | 40 | 9 | 13 | 74 | 16 | 43 | 14 | 19 | 92 | 16 | 39 | 13 | 18 | 86 | |
| November | 10 | 39 | 11 | 10 | 70 | 12 | 39 | 9 | 13 | 73 | 17 | 44 | 15 | 18 | 94 | 19 | 38 | 14 | 18 | 89 | |
| December | 10 | 42 | 13 | 11 | 76 | 13 | 37 | 9 | 14 | 73 | 17 | 44 | 15 | 20 | 96 | 18 | 43 | 13 | 19 | 93 | |
| Average | | | | | 68 | | | | | 75 | | | | | 85 | | | | | 91 | |
| 1826 | | | | | | | | | | | | | | | | | | | | | |
| 1827 | | | | | | | | | | | | | | | | | | | | | |
| 1828 | | | | | | | | | | | | | | | | | | | | | |
| 1829 | | | | | | | | | | | | | | | | | | | | | |
| January | 17 | 40 | 14 | 18 | 89 | 18 | 32 | 13 | 19 | 82 | 18 | 32 | 16 | 14 | 80 | 16 | 32 | 16 | 18 | 82 | |
| February | 17 | 37 | 12 | 19 | 86 | 18 | 34 | 13 | 19 | 84 | 18 | 32 | 15 | 17 | 82 | 15 | 32 | 19 | 16 | 82 | |
| March | 16 | 38 | 10 | 20 | 84 | 19 | 35 | 12 | 20 | 86 | 21 | 31 | 15 | 18 | 85 | 15 | 31 | 17 | 19 | 82 | |
| April | 17 | 36 | 20 | 10 | 83 | 18 | 31 | 14 | 19 | 82 | 17 | 33 | 14 | 18 | 82 | 19 | 36 | 15 | 19 | 89 | |
| May | 18 | 34 | 10 | 20 | 82 | 17 | 31 | 17 | 15 | 80 | 17 | 31 | 14 | 18 | 81 | 18 | 38 | 13 | 17 | 86 | |
| June | 18 | 34 | 11 | 21 | 84 | 18 | 31 | 12 | 17 | 78 | 16 | 35 | 19 | 15 | 85 | 18 | 38 | 12 | 16 | 84 | |
| July | 20 | 30 | 10 | 20 | 80 | 15 | 31 | 13 | 18 | 77 | 18 | 33 | 16 | 20 | 87 | 19 | 38 | 11 | 14 | 82 | |
| August | 18 | 34 | 11 | 19 | 82 | 16 | 29 | 14 | 18 | 77 | 18 | 33 | 16 | 20 | 87 | 19 | 36 | 12 | 13 | 80 | |
| September | 20 | 35 | 12 | 20 | 87 | 16 | 33 | 15 | 19 | 83 | 18 | 32 | 16 | 20 | 86 | 17 | 40 | 11 | 10 | 78 | |
| October | 19 | 36 | 12 | 18 | 85 | 18 | 32 | 16 | 18 | 84 | 17 | 31 | 15 | 20 | 83 | 20 | 38 | 11 | 15 | 87 | |
| November | 18 | 33 | 10 | 11 | 72 | 19 | 31 | 15 | 17 | 82 | 17 | 32 | 17 | 20 | 86 | 18 | 40 | 15 | 11 | 84 | |
| December | 17 | 33 | 12 | 19 | 84 | 18 | 32 | 18 | 14 | 82 | 15 | 32 | 17 | 20 | 84 | 18 | 36 | 15 | 11 | 80 | |
| Average | | | | | 83 | | | | | 81 | | | | | 84 | | | | | 83 | |
| 1830 | | | | | | | | | | | | | | | | | | | | | |
| 1831 | | | | | | | | | | | | | | | | | | | | | |
| 1832 | | | | | | | | | | | | | | | | | | | | | |
| 1833 | | | | | | | | | | | | | | | | | | | | | |
| January | 16 | 37 | 12 | 10 | 75 | 16 | 32 | 21 | 22 | 91 | 17 | 35 | 24 | 22 | 98 | 15 | 37 | 27 | 28 | 107 | |
| February | 17 | 33 | 10 | 12 | 72 | 14 | 30 | 25 | 20 | 89 | 16 | 37 | 25 | 24 | 102 | 14 | 37 | 27 | 28 | 106 | |
| March | 15 | 35 | 12 | 11 | 73 | 18 | 33 | 23 | 20 | 94 | 16 | 37 | 25 | 24 | 102 | 15 | 37 | 28 | 27 | 105 | |
| April | 15 | 35 | 12 | 14 | 76 | 18 | 33 | 20 | 19 | 90 | 16 | 35 | 25 | 24 | 100 | 15 | 37 | 28 | 27 | 105 | |
| May | 16 | 36 | 12 | 13 | 77 | 18 | 34 | 20 | 18 | 90 | 15 | 36 | 23 | 22 | 96 | 14 | 35 | 28 | 27 | 104 | |
| June | 16 | 33 | 12 | 13 | 74 | 18 | 33 | 20 | 18 | 89 | 15 | 36 | 25 | 22 | 96 | 15 | 37 | 29 | 28 | 109 | |
| July | 16 | 35 | 15 | 12 | 78 | 18 | 33 | 20 | 18 | 89 | 14 | 38 | 25 | 22 | 99 | 15 | 37 | 29 | 28 | 109 | |
| August | 16 | 35 | 16 | 15 | 82 | 18 | 32 | 23 | 21 | 94 | 16 | 38 | 25 | 23 | 102 | 16 | 38 | 28 | 28 | 110 | |
| September | 16 | 36 | 22 | 18 | 92 | 18 | 32 | 23 | 21 | 94 | 16 | 37 | 24 | 25 | 102 | 16 | 39 | 27 | 28 | 110 | |
| October | 17 | 35 | 22 | 18 | 92 | 18 | 35 | 23 | 20 | 96 | 16 | 37 | 24 | 25 | 102 | 16 | 38 | 27 | 28 | 109 | |
| November | 17 | 35 | 22 | 18 | 92 | 17 | 32 | 23 | 21 | 93 | 15 | 37 | 22 | 25 | 99 | 17 | 38 | 26 | 28 | 109 | |
| December | 16 | 32 | 21 | 22 | 91 | 17 | 36 | 24 | 21 | 98 | 15 | 37 | 27 | 25 | 104 | 17 | 38 | 26 | 28 | 109 | |
| Average | | | | | 81 | | | | | 92 | | | | | 100 | | | | | 108 | |
| 1834 | | | | | | | | | | | | | | | | | | | | | |
| 1835 | | | | | | | | | | | | | | | | | | | | | |
| 1836 | | | | | | | | | | | | | | | | | | | | | |
| 1837 | | | | | | | | | | | | | | | | | | | | | |
| January | 17 | 38 | 26 | 28 | 109 | 16 | 32 | 23 | 24 | 95 | 17 | 29 | 26 | 27 | 99 | 18 | 32 | 33 | 31 | 114 | |
| February | 17 | 38 | 26 | 28 | 109 | 15 | 32 | 23 | 25 | 95 | 18 | 32 | 25 | 26 | 101 | 18 | 30 | 32 | 32 | 112 | |
| March | 17 | 35 | 26 | 27 | 105 | 16 | 29 | 25 | 22 | 92 | 19 | 33 | 26 | 26 | 104 | 18 | 31 | 31 | 32 | 112 | |
| April | 16 | 36 | 26 | 27 | 105 | 17 | 31 | 25 | 23 | 96 | 19 | 33 | 26 | 26 | 104 | 17 | 31 | 32 | 31 | 111 | |
| May | 16 | 36 | 26 | 28 | 106 | 17 | 31 | 26 | 22 | 96 | 18 | 33 | 25 | 27 | 103 | 19 | 34 | 31 | 27 | 111 | |
| June | 16 | 34 | 25 | 29 | 104 | 16 | 30 | 26 | 23 | 95 | 18 | 33 | 25 | 26 | 102 | | | | | | |
| July | 16 | 31 | 24 | 24 | 95 | 15 | 31 | 25 | 25 | 96 | 18 | 32 | 24 | 27 | 101 | | | | | | |
| August | 17 | 32 | 24 | 27 | 99 | 15 | 32 | 25 | 25 | 97 | 19 | 32 | 29 | 27 | 107 | | | | | | |
| September | 17 | 29 | 24 | 24 | 94 | 16 | 28 | 27 | 26 | 97 | 20 | 32 | 30 | 29 | 111 | | | | | | |
| October | 17 | 29 | 24 | 24 | 94 | 17 | 29 | 27 | 26 | 99 | | | | | | | | | | | |
| November | 16 | 28 | 24 | 25 | 93 | 17 | 29 | 26 | 27 | 99 | 20 | 33 | 32 | 31 | 116 | | | | | | |
| December | 16 | 29 | 24 | 26 | 95 | 19 | 31 | 25 | 27 | 102 | 20 | 31 | 32 | 31 | 114 | | | | | | |
| Average | | | | | 101 | | | | | 97 | | | | | 106 | | | | | 108 | |
| 1838 | | | | | | | | | | | | | | | | | | | | | |
| 1839 | | | | | | | | | | | | | | | | | | | | | |
| 1840 | | | | | | | | | | | | | | | | | | | | | |
| 1841 | | | | | | | | | | | | | | | | | | | | | |
| January | 17 | 29 | 28 | 25 | 99 | 18 | 31 | 30 | 18 | 97 | 14 | 33 | 25 | 19 | 91 | 16 | 43 | 27 | 21 | 107 | |
| February | 17 | 29 | 28 | 21 | 95 | 17 | 30 | 31 | 17 | 95 | 14 | 33 | 25 | 20 | 92 | 16 | 42 | 26 | 21 | 105 | |
| March | 17 | 29 | 30 | 22 | 98 | 17 | 28 | 31 | 17 | 93 | 14 | 34 | 25 | 20 | 93 | 16 | 40 | 28 | 22 | 106 | |
| April | 17 | 30 | 30 | 22 | 99 | 17 | 28 | 31 | 18 | 94 | 14 | 32 | 24 | 20 | 90 | 16 | 40 | 28 | 21 | 105 | |
| May | 18 | 29 | 30 | 21 | 98 | 17 | 30 | 29 | 19 | 95 | 14 | 33 | 26 | 21 | 94 | 16 | 40 | 28 | 20 | 104 | |
| June | 18 | 29 | 30 | 18 | 95 | 17 | 29 | 29 | 19 | 94 | 16 | 37 | 26 | 21 | 100 | 17 | 40 | 27 | 19 | 103 | |
| July | 17 | 27 | 29 | 19 | 92 | 16 | 30 | 30 | 19 | 95 | 16 | 36 | 27 | 20 | 99 | 17 | 39 | 25 | 17 | 98 | |
| August | 17 | 29 | 28 | 19 | 93 | 16 | 34 | 29 | 20 | 99 | 16 | 37 | 27 | 20 | 100 | 19 | 38 | 25 | 17 | 99 | |
| September | 17 | 29 | 29 | 21 | 96 | 15 | 33 | 28 | 19 | 95 | 16 | | | | | | | | | | |

Table 14: Distribution by age of persons admitted to St. Cuthbert's Charity Workhouse between 1780-1790.

| <u>Age</u> | <u>Number of persons</u> | <u>Age</u> | <u>Number of persons</u> |
|------------|--------------------------|------------|--------------------------|
| 1 | 1 | 51-55 | 4 |
| 2 | 4 | 56-60 | 20 |
| 3 | 3 | 61 | 2 |
| 4 | 11 | 62 | 0 |
| 5 | 10 | 63 | 1 |
| 6 | 11 | 64 | 4 |
| 7 | 11 | 65 | 6 |
| 8 | 6 | 66 | 3 |
| 9 | 9 | 67 | 2 |
| 10 | 4 | 68 | 4 |
| 11 | 1 | 69 | 4 |
| 12 | 0 | 70 | 22 |
| 13 | 0 | 71 | 5 |
| 14 | 0 | 72 | 9 |
| 15 | 1 | 73 | 7 |
| | | 74 | 5 |
| 16-20 | 3 | 75 | 5 |
| 21-25 | 3 | 76 | 1 |
| 26-30 | 3 | 77 | 0 |
| 31-35 | 1 | 78 | 0 |
| 36-40 | 0 | 79 | 2 |
| 41-45 | 3 | 80 | 9 |
| 46-50 | 7 | 81-85 | 6 |
| | | 86-90 | 3 |

Note: As the age was not always given, this represents only about one-half of those admitted.

Source: SCW.

(approximately evenly divided between the two), and finally that of the men; only in Canongate did the total number of boys and girls exceed the number of women. It can be observed from Table 14 that the vast majority of inmates of the St. Cuthbert's Workhouse were either under the age of ten or over sixty. The fact that there were few children between 10 and 14 years of age indicates that children were apprenticed after reaching the age of 10.

Table 15 provides the following age and sex characteristics for the out-pensioners of the Edinburgh Charity Workhouse for 1840: 817 were female, 168 were male, their ages were nearly evenly distributed over the range from 28 to 80, but the bulk (or 437) of those under 50 received relief as either widows or widowers with a total of 992 dependent children. The average annual allowance for a single person with no dependents on the list was about £2 5s. 0d. The allowance for those with dependents varied according to the number and circumstances of the family.

Glasgow was spending more on its paupers than was Edinburgh, both in terms of total expenditure and expenditure per pauper (excluding the expenditure of the Glasgow sessions). This is clearly seen from Table 10, columns 3-6 and 9-12. Comparing expenditure per inmate for Glasgow and Edinburgh (column 5 and 6), it will be noticed that the amounts for Glasgow generally exceeded those for Edinburgh, in spite of the fact that Edinburgh housed more inmates. The difference is very striking for 1808, when expenditure per inmate for Glasgow was £8 3s. 8d. and for Edinburgh was £6 5s. 7d., the number of inmates being 427 and 621 respectively. Perhaps this can be attributed to the respective quality of conditions in the two institutions, implying that Glasgow made better provision for its inmates. Although information on diets is limited, it would indeed appear that provision in Glasgow was better than in Edinburgh.²² Furthermore, the financial difficulties perpetually facing the directors of the Edinburgh Charity Workhouse would suggest an inability to provide anything other than a minimum provision.²³ Similar

22 See Chapter 3.

23 See Chapter 3.

Table 15: Age distribution and sex of out-pensioners of Edinburgh Charity Workhouse, 1840.

| <u>Age</u> | <u>Number of persons</u> | <u>Age</u> | <u>Number of persons</u> | <u>Age</u> | <u>Number of persons</u> | <u>Age</u> | <u>Number of persons</u> | <u>Sex distribution</u> |
|------------|--------------------------|------------|--------------------------|------------|--------------------------|------------|--------------------------|-----------------------------|
| 19 | 1 | 40 | 26 | 60 | 22 | 80 | 10 | 817 Females |
| 20 | 0 | 41 | 21 | 61 | 14 | 81 | 5 | 168 Males |
| 21 | 1 | 42 | 21 | 62 | 24 | 82 | 8 | 992 Children |
| 22 | 2 | 43 | 16 | 63 | 29 | 83 | 9 | 437 Heads of |
| 23 | 1 | 44 | 9 | 64 | 26 | 84 | 6 | Household with |
| 24 | 3 | 45 | 24 | 65 | 14 | 85 | 4 | children |
| 25 | 2 | 46 | 18 | 66 | 23 | 86 | 3 | |
| 26 | 2 | 47 | 27 | 67 | 22 | 87 | 1 | |
| 27 | 3 | 48 | 16 | 68 | 26 | 88 | 2 | |
| 28 | 8 | 49 | 19 | 69 | 14 | 89 | 2 | |
| 29 | 8 | 50 | 20 | 70 | 29 | 90 | 2 | |
| 30 | 11 | 51 | 15 | 71 | 15 | 91 | 1 | Source: <u>List of Out-</u> |
| 31 | 9 | 52 | 13 | 72 | 20 | 92 | 0 | <u>pensioners of the</u> |
| 32 | 7 | 53 | 13 | 73 | 19 | 93 | 1 | <u>Charity Workhouse</u> |
| 33 | 9 | 54 | 20 | 74 | 22 | 94 | 3 | <u>of Edinburgh, 1843.</u> |
| 34 | 10 | 55 | 10 | 75 | 16 | 95 | 0 | |
| 35 | 13 | 56 | 19 | 76 | 19 | 96 | 0 | |
| 36 | 20 | 57 | 16 | 77 | 12 | 97 | 1 | |
| 37 | 18 | 58 | 11 | 78 | 15 | | | |
| 38 | 13 | 59 | 17 | 79 | 9 | N.A. | 23 | |
| 39 | 21 | | | | | | | |

observations can be made about the expenditure per out-pensioner. Comparing column 5 with column 11, it is clear that it was cheaper to provide relief in the form of out-pensions, as the expenditure per out-pensioner was less than half that per inmate. The reason for this being, of course, that the whole maintenance of inmates had to be provided, whereas out-pensioners received assistance from other sources.

The question arises whether differences in relief payments between Edinburgh and Glasgow can be explained in terms of economic activity? Unfortunately, the present state of our knowledge severely limits a comparison. Both cities were expanding during the period, though Glasgow's rate of growth was faster. These years could be called the "golden age" for Edinburgh, as the development of the New Town (construction started in 1769 and continued throughout the period), Leith Docks (1799-1817), and other substantial public work projects were undertaken, all of which absorbed workers during times of industrial unemployment.²⁴ In Glasgow the tobacco trade was dying, but the textile industry was beginning, resulting in tremendous industrial expansion. Remembering that the aged were the main recipients of relief and that their families were expected to provide all possible assistance, it is possible that the large scale public work projects of Edinburgh permitted lower relief payments by assuring steadier working-class incomes.

Factors which effected attitudes towards the poor, however, may have been more important. Glasgow was a city with many businessmen and merchants who had made large fortunes and were willing to risk them in the hope of increasing them, as opposed to the conservative, professional class make-up of Edinburgh.²⁵ Glasgow did not have the Edinburgh counterpart of the College of Justice, which steadfastly refused to waive their right of exemption from the stent.²⁶ Nor was Glasgow faced, as was Edinburgh, with a corrupt, debt-ridden town

²⁴ See Youngson, *Classical Edinburgh*, 1966.

²⁵ For a comparison of the two cities, see T.C. Smout, 1969, Chapter 15.

²⁶ See Chapter 3.

council bent on creating financial difficulties for the administrators of poor relief by refusing to impose the necessary rates of assessment in order to secure adequate revenue for the minimal operational requirements.²⁷ Glasgow made provision for medical relief for the out-pensioners by dividing the city into districts and assigning surgeons to each; medical relief in Edinburgh was provided on a voluntary basis by the surgeons.²⁸ Thus, possibly Glasgow was more charitable than Edinburgh.

An indication of the type of expenditure incurred by the administrators of public relief in the burghs is obtained from the Glasgow Town's Hospital. The accounts for 1776 have been reorganised according to expenditure on out-pensioners and inmates and are given here in Table 16. Total expenses for 1776 were £2,301 14s. 2d. of which £574 2s. 8d. was on out-pensioners, £1,049 9s. 4d. on food for inmates, and £678 2s. 2d. on other provisions for inmates. Thus, food for the inmates represented nearly one-half of the total outlay. It is clear that oatmeal was the largest factor in the inmate's diet. Although the accounts for the Edinburgh Charity Workhouse are not as comprehensive, it appears that the cost of food was also approximately half of total expenditure.

Most of Scotland's large cities found it necessary to impose a legal assessment, as the pressures of destitution caused by rapid growth created a situation in which church collections were inadequate to meet the increasing demands placed on the funds. Aberdeen was able to rely solely on church collections until an assessment was imposed in 1836, after which that played an increasing role, as the number of paupers increased by nearly one-third by 1841.²⁹ As can be seen from Graph 1, in Edinburgh church collections were consistently greater than the receipts from the assessment from 1744 until about 1820. Thereafter the amount of the assessment increased tremendously as a result of the debts which the Workhouse directors faced because of increasing prices and actions by the town council.³⁰

27 See Chapter 3. For a discussion of the financing of the Leith Docks and the eventual bankruptcy of the Corporation in 1833, see Youngson, *Classical Edinburgh*, pp. 257-65.

28 See Chapter 3.

29 Alexander Cormack, 1923, p.80.

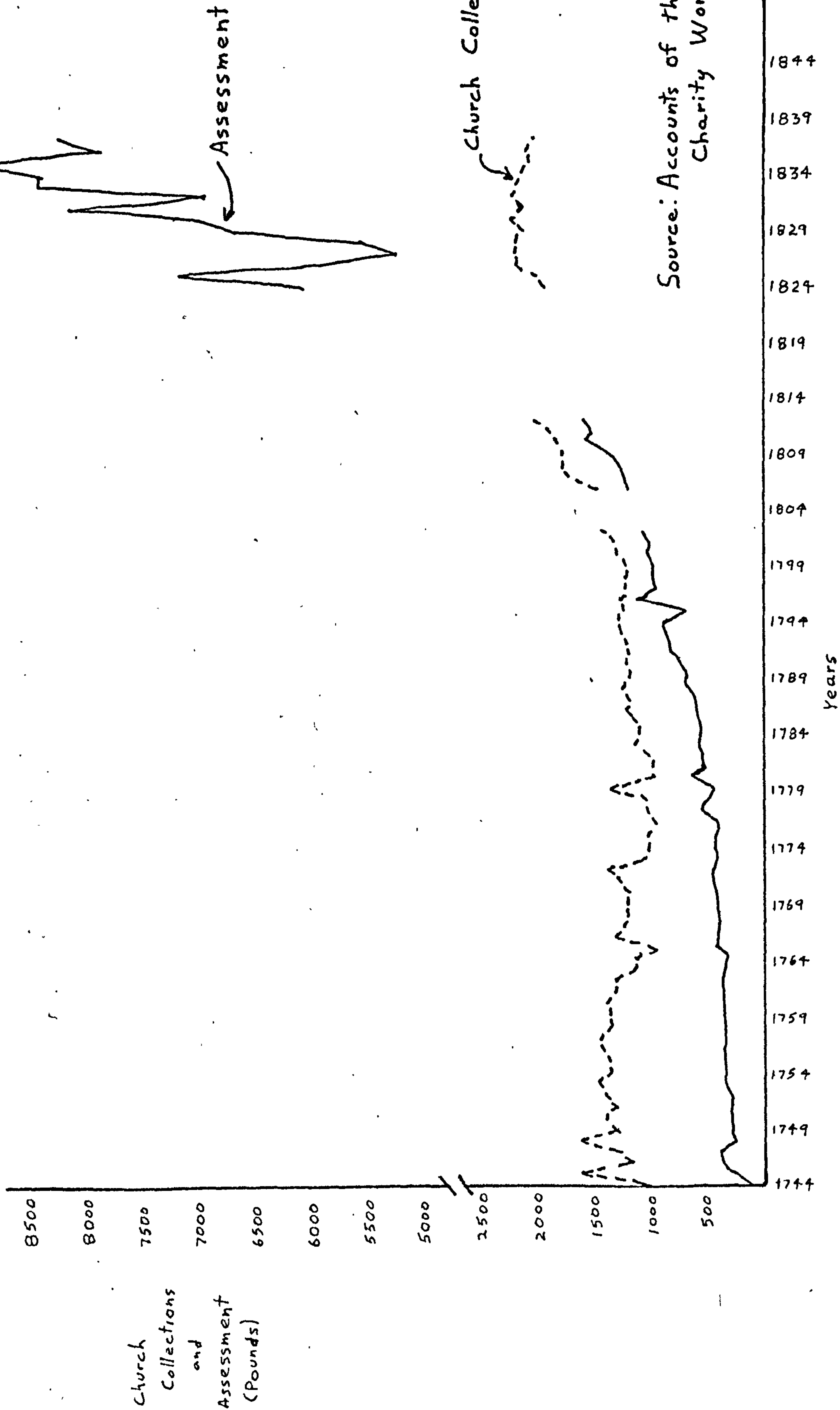
30 See Chapter 3.

Table 16: Detailed expenditure for Glasgow Town's Hospital, 1776

| <u>Classification</u> | <u>Amount</u> | | | | | | | | |
|------------------------------|---------------|----|----|-------|----|----|-------|----|----|
| | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| Out-pensioners | | | | | | | | | |
| 130 persons on meal | 300 | 16 | 0 | | | | | | |
| 36 children on nursing wages | 120 | 0 | 0 | | | | | | |
| 92 on half nursing wages | 153 | 6 | 8 | | | | | | |
| Total | | | | 574 | 2 | 8 | | | |
| Inmates | | | | | | | | | |
| Food | | | | | | | | | |
| Meal for house | 53 | 4 | 0 | | | | | | |
| Beans | 22 | 10 | 0 | | | | | | |
| Groats | 11 | 4 | 0 | | | | | | |
| Salt | 18 | 0 | 0 | | | | | | |
| Petty provisions | 36 | 16 | 9 | | | | | | |
| Flesh | 88 | 0 | 0 | | | | | | |
| Fish | 48 | 10 | 5 | | | | | | |
| Greens and roots | 12 | 14 | 10 | | | | | | |
| Butter | 32 | 10 | 0 | | | | | | |
| Cheese | 16 | 13 | 4 | | | | | | |
| Eggs | 28 | 9 | 8 | | | | | | |
| Barley | 48 | 11 | 3 | | | | | | |
| Snuff | 2 | 12 | 0 | | | | | | |
| Cut tobacco | 1 | 16 | 0 | | | | | | |
| Roll tobacco | 3 | 18 | 6 | | | | | | |
| Ale | 102 | 8 | 11 | | | | | | |
| Spirits | 4 | 16 | 0 | | | | | | |
| Sweet milk | 16 | 3 | 2 | | | | | | |
| Butter milk | 13 | 10 | 10 | | | | | | |
| Total | | | | 1,049 | 5 | 4 | | | |
| Other provision | | | | | | | | | |
| Woolen cloth | 76 | 5 | 3 | | | | | | |
| Linen cloth | 56 | 5 | 0 | | | | | | |
| Furniture | 36 | 11 | 11 | | | | | | |
| Shoes | 54 | 9 | 0 | | | | | | |
| Coal | 93 | 12 | 0 | | | | | | |
| Candles | 25 | 0 | 0 | | | | | | |
| Salaries | 83 | 12 | 8 | | | | | | |
| Washing materials | 42 | 6 | 1 | | | | | | |
| Household charges | 153 | 0 | 3 | | | | | | |
| Surgeon and medicines | 50 | 0 | 0 | | | | | | |
| Total | | | | 678 | 2 | 2 | | | |
| Total | | | | | | | 2,301 | 14 | 2 |

Source: John Gibson, The History of Glasgow, p.185.

GRAPH 1: CHURCH COLLECTIONS & ASSESSMENT, EDINBURGH, 1744-1837



Source: Accounts of the Edinburgh
Charity Workhouse

A legal assessment was imposed on a regular basis in Glasgow in 1774, the amounts, as can be seen from Table 17, steadily increasing, reaching a peak (£13,136) in 1820, after which they declined. The sharp drop in 1822 (from £12,560 to £9,213) resulted from lower prices together with a scrutiny of the rolls and a general improvement in the economic climate.³¹

Glasgow's mode of assessment on means and substance encouraged the wealthier inhabitants to move outside the boundaries of the Royalty in order to escape the rates. But the exodus occurred mainly after 1807.³² As can be seen from Table 18, this caused the total valuation to fall, requiring an increase in the rate of assessment and the number of people assessed.

C. Comparison of rural and urban areas

The data for rural and urban areas are consistent with the findings at Chapters 2 and 3, lending weight to the observation that there was two modes of poor relief operating simultaneously in Scotland, a rural system and an urban system. The evolution of these two general forms of providing assistance was dependent upon the circumstances of the two areas. The paternal rural system was not conducive to the densely populated and rapidly growing urban centres. Indeed, the differences between the two systems of granting relief can largely be explained in terms of the market-development hypothesis. The more highly developed the market economy, the more complex and rigid need be the mode of administering relief. Such a need was first experienced by Glasgow and was imitated by the other urban areas as they faced similar pressures. Because we are dealing with two distinct poor relief systems a comparison of them is extremely difficult.

The figure for total expenditure per pauper for urban areas was substantially greater than the corresponding figure for rural parishes, as the former is weighted by expenditure on inmates. Thus, a meaningful

31. See Chapter 3.

32 See Chapter 3.

Table 17: Amount of assessment raised, Glasgow, 1782-1830,
for year ending 9 August.

| <u>Year</u> | <u>Amount of Assessment Raised</u> <u>£ s.d.</u> | <u>Year</u> | <u>Amount of Assessment Raised</u> <u>£ s. d.</u> |
|-------------|---|-------------|--|
| 1782 | 1,057 0 0 | 1810 | 5,770 0 0 |
| 83 | 1,200 0 0 | 11 | 5,740 0 8 |
| 84 | 1,055 0 0 | 12 | 7,480 0 0 |
| 85 | 1,092 0 0 | 13 | 10,273 14 6 |
| 86 | 1,047 0 0 | 14 | 10,709 13 0 |
| 87 | 1,094 0 0 | 15 | 9,940 10 3 |
| 88 | 1,031 0 0 | 16 | 9,063 9 11 |
| 89 | 1,220 0 0 | 17 | 10,535 2 0 |
| 1790 | 1,420 0 0 | 18 | 11,864 16 6 |
| 91 | 1,480 0 0 | 19 | 10,303 2 3 |
| 92 | 1,673 0 0 | 1820 | 13,136 2 3 |
| 93 | 1,610 0 0 | 21 | 12,560 17 0 |
| 94 | 1,993 0 0 | 22 | 9,213 4 6 |
| 95 | 3,387 0 0 | 23 | 8,561 16 8 |
| 96 | 3,861 0 0 | 24 | 8,305 6 8 |
| 97 | 3,958 0 0 | 25 | 8,747 3 9 |
| 98 | 4,195 0 0 | 26 | 9,500 1 9 |
| 99 | 3,920 0 0 | 27 | 7,130 0 0 |
| 1800 | 4,534 0 0 | 28 | 6,403 1 0 |
| 01 | 7,180 0 0 | 29 | 8,007 16 0 |
| 02 | 7,955 0 0 | 1830 | 7,866 18 9 |
| 03 | 3,940 0 0 | | |
| 04 | 4,350 0 0 | | |
| 05 | 5,265 0 0 | | |
| 06 | 4,865 0 0 | | |
| 07 | 4,815 0 0 | | |
| 08 | 5,220 0 0 | | |
| 09 | 6,000 0 0 | | |

Source: Cleland, Statistical Tables, 1832, p.127 and
Enumeration, 1832, p.35.

Table 18: Statistics relevant to Glasgow's assessment,
1811-1828.

| <u>Year</u> | <u>Total</u> <u>Valuation</u> <u>£</u> | <u>Rate</u> <u>s. d.</u> | <u>Amount</u> <u>Raised</u> <u>£ s. d.</u> | <u>Number</u> <u>of people</u> <u>Assessed</u> |
|-------------|--|-----------------------------|--|--|
| 1811 | 5,989,600 | 1 11 | 5,740 0 0 | 2139 |
| 1812 | 5,875,800 | 2 7 | 7,589 11 6 | 2202 |
| 1813 | 5,830,700 | 3 6 | 10,233 14 6 | 2220 |
| 1814 | 6,119,800 | 3 6 | 10,779 13 0 | 2417 |
| 1815 | 6,447,900 | 3 1 | 10,010 10 3 | 2461 |
| 1816 | 7,016,900 | 2 7 | 9,133 9 11 | 2468 |
| 1817 | 7,023,400 | 3 0 | 10,605 2 1 | 2413 |
| 1818 | 6,779,900 | 3 6 | 11,934 16 6 | 2575 |
| 1819 | 6,683,100 | 3 1 | 10,377 14 9 | 2559 |
| 1820 | 6,181,700 | 4 3 | 13,205 2 3 | 2877 |
| 1821 | 5,582,600 | 4 6 | 12,630 17 0 | 2738 |
| 1822 | 5,264,700 | 3 6 | 9,338 4 6 | 3124 |
| 1823 | 5,084,100 | 3 4 | 8,609 10 0 | 3278 |
| 1824 | 5,056,100 | 3 4 | 8,561 16 8 | 3036 |
| 1825 | 4,902,200 | 3 4 | 8,305 6 8 | 3434 |
| 1826 | 4,817,300 | 3 7 | 8,747 3 8 | 3204 |
| 1827 | 4,401,700 | 4 3 | 9,500 1 9 | 3015 |
| 1828 | 4,197,000 | 3 4 | 7,163 1 5 | 2635 |

Source: Cleland, Maintenance of Poor in Glasgow.

comparison of the outlays of the two types of parishes can be made only by confining the examination to expenditure on out-pensioners. Such a comparison, however, is severely limited by the lack of data for rural parishes in the Glasgow area and for the city of Edinburgh.

Generally, expenditure per out-pensioner was greater in the urban areas than in rural parishes, except for parishes in the Borders and Lothians. Even the expenditure per pauper on the sessional rolls in Glasgow was higher than the national average for rural parishes; these paupers in Glasgow were not considered to be those with the greatest needs, as the more serious cases were placed on the rolls of the Town's Hospital.³³ Relief payments in urban areas had to be higher than in rural parishes because of a greater reliance on the market economy, over-crowded conditions, and a lack of help from friends and relatives due either to inability or ignorance of need. The simple, paternal system of rural Scotland could not cope, as Chalmers wished, with the intensity of the problems caused by rapid industrialisation and growth. Moreover, as one would expect, the absolute number of paupers on the rolls of urban areas was greater than for the rural parishes. The reason for this, of course, was the larger population of the urban areas.

An examination of the data contained in the 1818 and 1839 Reports for the sample parishes yield a peculiar pattern for expenditure per pauper and for percentage of the population on the rolls. The relevant data are contained in the following table:

| Region | Expenditure per pauper | | | | Percentage of population on the rolls | |
|--|---------------------------|------|---|------|---|------|
| | 1818 | 1839 | | | 1818 | 1839 |
| | £ | s.d. | £ | s.d. | | |
| <i>North & Western Scotland</i> | 0 | 15 9 | 0 | 16 9 | 3.12 | 3.24 |
| <i>Northeast Lowl. & Central High.</i> | 1 | 13 9 | 1 | 9 0 | 2.71 | 3.46 |
| East Coast Lowlands | 4 | 4 3 | 4 | 5 6 | 1.87 | 2.17 |
| Central Lowlands | 2 | 16 6 | 2 | 3 9 | 1.45 | 2.58 |
| Southern Uplands | 4 | 17 9 | 3 | 16 0 | 1.90 | 3.94 |
| Urban areas | 3 | 12 0 | 2 | 12 0 | 4.37 | 3.28 |
| Scotland | 2 | 19 6 | 2 | 10 9 | 2.54 | 3.09 |

33 See Chapter 3.

It must be emphasised that too much reliance should not be placed on conclusions derived from the data, as these represent only two points in time. Furthermore, the 1818 data are weighted by the increased expenditure during the war years; the expenses after 1818 decreased substantially both because of an improvement in general economic conditions and because of a response to what was generally held to be an undesirable increase in poor rates.³⁴

Dealing first with expenditure per pauper, it should be noticed that this value decreases between 1818 and 1839 in every region except the North & Western ^{Scotland} and East Coast Lowlands, and that the rate of decrease is greatest for the urban areas. Moreover, excluding the East Coast Lowlands, the differences between regions in 1839 were less than in 1818, indicating a convergence. A similar convergence can be observed with respect to the percentage of the population on the rolls, where the numbers for rural areas rose and those for urban areas fell between 1818 and 1839. The general decrease in expenditure per pauper can be explained in part by the increase in the percentage of the population on the roll, together with a failure of total funds available for distribution to increase. Perhaps these data also indicate a decrease in regional economic differences.

34 See Chapter 8.

CHAPTER 5: THE ROLE OF PRIVATE CHARITIES

CHAPTER 5: THE ROLE OF PRIVATE CHARITIES

Private charity played a very important role in augmenting the statutory provisions of poor relief. Indeed, the boundaries between the two were often indistinct, making it difficult to judge the extent of private charity, particularly with the scanty evidence available. Nonetheless, some indications of its significance and effectiveness can be given.

Most people argued that it was Christian to be charitable. Furthermore, private charity was regarded as the best form of charity, as far as it could be extended, for "It cultivates, while it gratifies, benevolence on the part of the giver, and induces gratitude on the part of the receiver".¹ But an anonymous writer felt that in an age of affluence the rich need diversions, hence they create private charities: "Philanthropy is therefore the foible of the present age". He continued by stating,

I fear this public mode of exercising charity will do much to diminish the extent of private benevolence. Benevolence exerted in secret is attended with no display; it may indeed purchase the blessing of the poor, but it brings no applause to its author. There is show and pomp however in a public contribution; and a man by subscribing his guinea, gets his name and his liberality published in the newspaper. He has likewise a chance of being elected to an office; and it gives one an air of superior wisdom, to be a manager or curator, to be a member of committees and councils. The vanity of this public charity deadens the conscience of many a man otherwise well disposed; it transforms a modest virtue into a gaudy vice; and makes a duty which ought to originate in tender pity, flow from the impure spring of ostentation.²

Private charity can be defined, for our purposes, as all aid to the poor, either monetary or non-monetary, supplied from sources other than those specifically mentioned in the law as belonging to

1 Robert Hamilton, 1822, p.20.

2. Anon/Dr. Crawford/, 1818, pp.198-9.

the poor's fund. Furthermore, charity is a gift for which no return is expected, and it can be bestowed either in an unorganised, individual fashion or by a group organised for a stated purpose. The existence of charities and the form they assume depend to a large extent upon the development of the market economy.

Unorganised charity constitutes the bulk of private philanthropy. It includes not only the occasional, indiscriminate hand-out to a beggar, but also any non-reciprocal exchange among relatives and friends in times of need. It plays a crucial role in man's well-being, for rarely are the old, infirm, and orphaned left to fend for themselves in times of need. Assistance in small communities was forthcoming without the necessity to form consciously an "action group". It is not measureable because of its whimsical nature.

Poor laws were the result of differing groups combining into a nation, creating some form of surplus and recognising a need to ensure a semblance of equity in caring for the weaker members. The passage of such laws did not imply that private charity had ceased to function; rather, they were an attempt to reinforce the attributes of private charity. Charities served another purpose: to fulfil a need which developed because of failures within the poor law to meet adequately the needs of the poor. This is clearly seen in the operation of the Scottish poor law, which placed a primary reliance on private charity.

Casual charity was able to cope efficiently with the situation only as long as communities remained small and simple in structure. Failure in large cities to meet the poor's needs is clear from the case of Edinburgh where, in 1840, in only 3 out of 120 poor families was there regular assistance from friends and relatives not living in the family.³ With the advent of industrialisation and substantial and rapid urbanisation the need for a more formalised means of private giving became apparent. To meet this need, new charities were established on a more formal basis. Their primary function was to ensure that the money collected for charitable purposes was wisely

3 Alison, "Illustrations", 1840, p.225.

spent. The individual donor no longer tried to assess the need and moral character of the recipient; the administrators of organised charities were supposed to be able to judge the merits of each case.

Basically, organised charities can be divided into two groups, preventive and positive. Educational and religious charities are intended to be preventive in that they attempt to instil into individuals sound morals, and, more important, provide the tools for obtaining a livelihood. Positive charities are those which grant assistance in times of need, preventing the recipient from becoming a pauper. The funds for both groups generally were derived from public subscriptions, the donor in effect, purchasing the right to recommend individuals for assistance. Periodic sermons preached for specified charities were another popular form of raising revenue, illustrated by numerous advertisements in newspapers.⁴ Other sources of funds included church collections,⁵ charity balls,⁶ and concerts of sacred music.⁷

Preventive charities particularly appealed to the Scots, for their purpose was to help the poor to help themselves. The first society in Scotland of this kind was concerned with supplying a religious education. One of the main functions of the Society in Scotland for Propogating Christian Knowledge, founded in 1709, was to supply parishes with schoolmasters and books. The need to establish such a charity was indeed a reflection that the provision for parochial education contained in the first book of discipline of John Knox had failed. The S.S.P.C.K.'s activities were not confined solely to Highland areas, for they made annual provision for educating the children in the Canongate Charity Workhouse.⁸

The need to provide poor children with either a free education or one at a nominal charge was clearly recognised before 1800. Charity schools were established in numerous parishes, financed by

4 See for example Edinburgh Advertiser, 14 January 1791.

5 Edinburgh Advertiser, 2 March 1792.

6 Scots Times, 12 January 1833.

7 Glasgow Courier, 5 April 1804.

8 CCW, 3 August 1762.

voluntary subscriptions and extraordinary church collections.⁹

Similarly, numerous schools were founded and financed from mortified funds. Two examples are Wilson's Charity School for boys founded in 1778 and Millar's Charity School for girls founded in 1790, both in Glasgow. The following extract indicates the conditions under which a boy could be enrolled in Wilson's School:

No boys are to be admitted to this charity below six, or above seven, and perhaps the first year, eight, years of age. Nor any who have the benefit either of Hutcheson's Hospital, or of the Town's Hospital, or whose parents are not able to maintain them with food and lodging while they are at school.¹⁰

Both schools annually advertised vacant positions for students and gave the conditions for admission.¹¹

Another important form of charity intended to promote self-help was savings banks. These institutions can be classified as charities as they were designed to accept small deposits and guarantee their safety without the cost of transactions falling on depositors.¹² The organisers appealed to the wealthier classes for both funds and voluntary help to run the system. They were designed to help the lower classes to save during their more prosperous periods with the hope of preventing them from becoming paupers in bad times, or in old age. Indeed it was suggested that there was a correlation between an increase in deposits and a diminution in the poor rates.¹³

The importance of savings banks and their effect upon the poor rates was the subject of a parliamentary debate in 1817. Wilberforce argued that a system of banks would contribute to the abolition of the rates, and that a feeling of independence would be nurtured. Sir Charles Monck countered that it was an idle dream to think that the rates would be eliminated by savings banks.¹⁴ Sir Gerard Noel

9 Glasgow GSM, 3 July 1783.

10 Glasgow Mercury, 8 June 1780.

11 See for example, Glasgow Courier, 7 and 16 February 1804.

12 Aberdeen Savings Bank, 1967, p.6.

13 Albert Fishlow, JEH, 1961, p.26.

14 Scotsman, 16 February 1817.

writing in the Scotsman felt that such banks would be used against the poor unable to save, for when forced to enter a workhouse they would be soundly rebuked for a failure to provide for their old age. Furthermore, savings banks should not be initiated during a period of need. "The people have little to thank their rich neighbours for in this anxiety for the poor to take care of themselves, and to deposit their little hoards in the hands of those who are the authors of their poverty."¹⁵

Rev. Henry Duncan first introduced savings banks in Scotland when he opened one in the parish of Ruthwell, Dumfries-shire in 1810. By 1818, there were over 130 savings banks outside of Glasgow and Edinburgh. Each established rules regulating deposits, the following Aberdeen arrangements being typical:

No sums under 2s. (it was more usually 1s.) or above £5 were to be received in deposit; no interest was to be allowed on any payments until they amounted to £1, on which interest at 5/- was to be allowed; and every additional sum of £1 lodged was to bear interest in the same manner, the interest to be calculated by months ... As the object of this institution is to encourage the deposit of small sums which a Bank will not receive, and which might otherwise be squandered away, unsafely deposited or lost altogether, whenever the sum amounts to £25 the owner will be required to withdraw it, and a new account will be opened for the small sums of his savings as formerly.¹⁶

It should be noted that the first site of the Aberdeen Savings Bank was located in that City's poor house, a factor probably causing a negative effect upon the propensity of the "respectable" poor to use the Bank.¹⁷

Preventive charities are generally of a self-help nature, but positive charities usually are not, since the recipient has reached a state of severe destitution. Not all positive charities, however, meet this description: friendly societies were established for the

15 Sir Gerard Noel, "Savings Bank, and other Ministerial Expedients and Delusions", in Scotsman, 28 March 1818.

16 Aberdeen Savings Bank, 1967, p.5.

17 Aberdeen Savings Bank, 1967, p.6.

purpose of relieving members during periods of distress. In exchange for this service the member paid an initiation fee and annual dues, thus purchasing insurance against loss of income from sickness or other causes. In Glasgow the first friendly society, Bell's Wynd Society, was formed in 1746; by 1828, the number had increased to 129.¹⁸ Clearly they played an important role in providing assistance.

The fourteen Incorporated Trades in Glasgow had procedures for caring for their destitute members. A member applied for relief by petition to the deacon or master of his trade, who appointed a committee to investigate the case. If relief was granted, the recipient was enrolled on a weekly, monthly, or quarterly list, the amount varying among the trades, from 5s. per quarter to 6s. per week. In 1819 the Trades distributed £2848 11s. 3d. to 876 persons.¹⁹ In addition to this amount the Incorporation of Tailors gave their usual annual distribution of £50 to the poor on their rolls.²⁰ Members of the Merchants' House had to pay a poor rate to the House of 5s. entry money and 4s. yearly thereafter. Failure to pay resulted in a loss of voting rights.²¹

Hospitals developed as a means of caring for the sick poor, many assuming the characteristics of legal public relief, except that the funds were drawn from voluntary subscriptions and the administration was independent of the poor law. One of the earliest hospitals in Scotland was Trinity in Edinburgh, established about 1460 for the purpose of housing the sick, pilgrims, orphaned children, aged and infirm poor.²² In 1579 the Edinburgh town council became the administrators. They decided that the Hospital would not maintain out-pensioners and that only burghesses would be admitted, provided all their goods became the property of the Hospital.²³ The revenue was derived from the rental of mortified lands and donations. Although

18 Cleland, Maintenance of the Poor, 1828, p.143.

19 Cleland, Maintenance of the Poor, 1828, p.144.

20 Glasgow Herald, 29 January 1819.

21 Scots Times, 16 October 1830.

22 James Colston, 1896, vol. 1, p.22.

23 Colston, 1896, vol. 1, pp.115-8.

the inmates were considered to be a class superior to those in the Edinburgh Charity Workhouse, Arnot, writing in 1780, stated that their behaviour was deplorable and they were only a 'cut above the vulgar'.²⁴

The Glasgow Lunatic Asylum was rather curiously organised: it was constructed mainly for the rich, but provision was made for pauper lunatics, their maintenance cost defrayed from the public legal funds, though the administration was separate. Parishes out-with Glasgow could have their pauper lunatics admitted at the same rates by making a £50 contribution.²⁵ In 1815 the number of paupers lodged in the Asylum was so great that several were in rooms furnished for patients of higher ranks; if any person of the latter category were to apply for admission, the paupers would have to be dismissed and admitted only in order of application.²⁶

The Edinburgh Public Dispensary, open four days a week in order to give free advice, was established in 1776, by Dr. Duncan, for the poor whose diseases were such as to render their admission into the Royal Infirmary either unnecessary or improper. The expenses were met by public contributions and small fees from students who attended lectures. It was managed by a president, two vice-Presidents, and twenty directors elected annually from among the contributors. One guinea entitled a contributor to recommend patients and to be a governor for two years; a contribution of five guineas gave the same privileges for life.²⁷

The Edinburgh Destitute Sick Society was formed in July, 1785. The following was the purpose, as stated in its regulations:

The prominent design which they pursue, is to administer to the wants and necessities of the industrious poor, when prevented by personal or domestic sickness, from following the occupations by which they are accustomed to provide for themselves and families, and who, having neither friends nor relations to support them, nor ascertained legal claims on parochial or other public charities, would, without such assistance, languish, or perhaps even die, amid all the horrors of helpless and hopeless misery. And, surely this is a description of the population of our country, which has peculiar claims on every patriotic, no less than on every humane and Christian mind.

24 Colston, 1896, vol.1, p.131 and p.137.

25 Report of Lunatic Asylum, 1814, p.19.

26 Report of Lunatic Asylum, 1815, p.11.

27 Encyclopedia Britannica, 1823, p.531.

In 1817, above 2,200 families or 5,800 individuals were relieved at a cost exceeding £1,100. Between 1785 and 1817, 55,093 people were assisted by this Society at an outlay of £12,226.²⁸

The Edinburgh Society for the Suppressing of Beggars and Vagrants was formed in 1812, for the purpose of ridding the City of common beggars, and was financed by voluntary subscriptions since it asked the public to give it the money normally given to beggars. The Society investigated all applicants before providing relief, and paid the poor in money for their work, otherwise they received tickets for soup, meal, and bread. Subscribers could buy tickets for 2d., which they could give to beggars.²⁹

The Paisley Female Benevolent Society was founded in November, 1811, for the purpose of providing assistance to aged indigent females in the Paisley area. Their funds were derived from public subscriptions and between 1811 and 1818 amounted to an average of £300 per year. In 1818, 534 females were relieved, principally with clothes, coal and other provisions. Monthly visitors inquired into the recipients' circumstances, those of bad character being denied relief. The visitors tried to persuade the applicant's friends and relatives to provide some assistance. In fact the duties of the visitors were considered so demanding that people were found only after great difficulty. Finally, the Society was concerned with the moral welfare of its recipients; all were supplied with Bibles.³⁰

Unemployed labourers presented a special problem, as they were not eligible for relief from the legal funds. Therefore, during periods of large scale unemployment, committees were established to raise funds by voluntary subscription and distribute them to the unemployed. An example is the Edinburgh Committee for Relief of Labouring Classes, founded in 1816. Between 16 December 1816 and 17 March 1817, subscriptions totalling £7188 1s. 6d. were received, of which £6813 14s. 0d. was expended on 1798 persons. The Committee employed 1100 in out-door work and paid them 5-6s. per week, besides

28 Burns, 1819, pp.447-50.

29 Minute of the Committee Relative to the Suppression of Common begging, and relieving of the Industrious and Destitute Poor,
8 December 1812.

30 Burns, 1819, pp.212-15.

giving those with families an allowance of soup, meal, and coal proportional to the number in the family.³¹ The epidemic in Glasgow in 1832 was responsible for a number of soup kitchens being established to aid labourers finding it inconvenient to cook in small quantities. The "Barley Broth Kitchen" on Great Clyde Street daily distributed bread and 600 quarts of broth. A kitchen managed by a Mr. Menzies also distributed soap, informing the recipient that dirty individuals would not receive soup. All the kitchens gave weekly tickets, those not wishing free soup could buy tickets.³²

Hundreds of charities existed all over Scotland, their common feature was the similarity in the managerial structure with that of the legal funds. This, combined with a system of inter-locking directorates,³³ enabled poor rates to be kept to a minimum by referring applicants for public relief to an appropriate charity. Captain Thomson, treasurer of the Edinburgh House of Refuge, stated that at least one-third of the persons who applied for admission were eligible for public assistance.³⁴

James Cleland made several attempts to measure the extent of private charity in Glasgow. His calculations for 1815-16 for organised charities, where the expenditure was known, have been re-arranged and are presented in Table 19, the total amount being £19,654 12s. 4d. Comparing this amount with total public relief expenditures of £13,388 19s. 8d., one can see that the amount supplied by organised charities was nearly one and a half times that of public relief. Table 20 gives Cleland's calculations of supplies forthcoming from unorganised sources. The estimate of £67,667 12s. 0d. may have inspired Chalmers to assert the importance of pennies from the masses. Cleland's calculations were probably realistic when one remembers that families often gave old clothes to relatives, friends, or servants, besides assistance during sickness.

An idea of the number of persons relieved is obtained from

31 Scotsman, 19 July 1817.

32 Scots Times, 3 March and 1 May 1832.

33 See Chapter 3.

34 Report of the Association for obtaining Inquiry into Pauperism in Scotland, p.5.

Table 19: Expenditure by organised charities, Glasgow,
1815-16.

Preventive

Educational

| | | |
|---|-------------|-------------|
| Wilson's Charity (1778) | £ 214- 1- 7 | |
| Millar's Charity (1790) | 264- 4- 2 | |
| Sunday Schools Society (n.d.) | 80- 0- 0 | |
| Anderston & Calton Sabbath Day School (1808) | 93-16- 6 | |
| Lancasterian School Society (1810) | 136- 7- 6 | |
| Auxiliary Society for Gaelic Schools (1812) | 218-12- 0 | |
| Auxiliary to the Society for Instructing the Deaf and Dumb (1814) | 500- 0- 0 | |
| Sabbath Evening School Society (n.d.) | 191- 9- 9 | |
| Charity Sewing School (1812) | 6- 0- 0 | |
| Fleshers' Free School (1802) | 120- 0- 0 | |
| Total | | £1,824-11-6 |

Religious

| | | |
|---|-------------|-------------|
| British and Foreign Bible Society (1804) | £ 751-12- 6 | |
| Auxiliary Bible Society (1812) | 1,199- 9- 4 | |
| Society of the Sons of the Clergy (1790) | 228- 0- 0 | |
| Association for Translating the Sacred Scriptures (1811) | 160- 0- 0 | |
| Religious Tract Society (1793) | 161- 9- 6 | |
| Total | | £2,500-11-4 |

Positive

Hospitals

| | | |
|-------------------------------|-------------|--------------|
| Lunatic Asylum | £ 443- 5- 1 | |
| Hutchesons' Hospital (1639) | 2,580- 2-11 | |
| St. Nicholas' Hospital (1456) | 30- 0- 0 | |
| Royal Infirmary (1792) | 3,593- 4- 7 | |
| Lock Hospital (1805) | 451- 0- 1 | |
| Glasgow Dispensary (1801) | 31-10- 0 | |
| Total | | £7,129- 2- 8 |

Friendly and "Name" Societies

| | | |
|--|-------------|-------------|
| Buchanans' Society (1725) | £ 418-15- 2 | |
| Grahams' Society (1759) | 164- 6- 1 | |
| Teachers' Society (1794) | 21- 0- 0 | |
| Dumfries-shire Society (1792) | 10- 0- 0 | |
| Grocers' Society (1789) | 95- 8- 4 | |
| Browns' Society (1769) | 12- 0- 0 | |
| Watsons' Society (1790) | 24- 7- 0 | |
| Stationers' Company (1740) | 4- 4- 0 | |
| Thistle and Rose Society (1807) | 61- 6- 0 | |
| Glasgow Galloway Brotherly Society (1791) | 49-10- 0 | |
| Total | | £ 860-16- 7 |

Table 19: (continued)

| | | |
|---|-------------|---------------|
| Others | | |
| Merchants' House | £ 805-12- 2 | |
| Trades' House | 667-11- 8 | |
| Fourteen Incorporations | 2,777- 3- 1 | |
| Faculty of Physicians and Surgeons (1599) | 35- 0- 0 | |
| Faculty of Procurators (1796) | 74- 0- 0 | |
| Mitchell's Mortification (1729) | 100- 0- 0 | |
| Tennet's Mortification (1739) | 46- 2- 8 | |
| Coulter's Mortification (1788) | 60- 0- 0 | |
| Highland Society (1814) | 375- 0- 7 | |
| Humane Society (1790) | 49-19- 0 | |
| Female Society (1789) | 467-16- 3 | |
| Magdalene Asylum (n.d.) | 485- 7- 9 | |
| M'Alpine's Mortification (1811) | 70- 0- 0 | |
| Old Man's Friend Society (1814) | 314-19- 0 | |
| Aged Women's Society (1811) | 219-12- 0 | |
| Sick and Destitute Stranger's Friend Society (1803) | 155-12- 6 | |
| Benevolent Society (1808) | 325- 3-10 | |
| Ruth Society (1809) | 93- 7-11 | |
| Stirlingshire Society (1809) | 22- 0- 0 | |
| Benevolent Society for Clothing the Poor (1812) | 340-13-10 | |
| Badge of Merit Highland Society (1797) | 12- 0- 0 | |
| Ayrshire Society (1761) | 41- 8- 0 | |
| Total | | £ 7,339-10- 3 |
| Total | | £19,654-12- 4 |

Note: This Table represents known expenditure on the poor in Glasgow in 1815-16. The various charities have been grouped into the above categories and the date of founding has been supplied.

Source: Cleland, Annals of Glasgow, pp.270-3.

Table 20: Expenditure by individuals on charity,
Glasgow, 1815-16.

Although there can be no method of ascertaining, with accuracy, the amount of Private Charities distributed within the Burgh, it is indisputably very great. The following is submitted as a moderate calculation.

| | |
|---|---------------|
| Amount of Population within the Burgh, | 63,635 |
| Deduct from do. two-thirds, viz. one-third for persons who are under the usual age for giving Charity, and one-third for poor persons, and those Members of the Community who are not disposed to give any Charity, | 42,423 |
| Supposed number of Persons within the Burgh who give Charity | 21,212 |
| 2712 Persons who may be supposed to give One Penny per week in Charity, | £ 587-12- 0 |
| 2500 Do. Twopence | 1,083- 6- 8 |
| 2500 Do. Fourpence | 2,166-13- 4 |
| 2000 Do. Sixpence | 2,600- 0- 0 |
| 2000 Do. Ninepence | 3,900- 0- 0 |
| 2000 Do. One Shilling | 5,200- 0- 0 |
| 1500 Do. One Shilling and Sixpence | 5,850- 0- 0 |
| 1500 Do. Two Shillings | 7,800- 0- 0 |
| 1400 Do. Two Shillings and Sixpence | 9,100- 0- 0 |
| 1000 Do. Three Shillings | 7,800- 0- 0 |
| 800 Do. Three Shillings and Sixpence | 7,280- 0- 0 |
| 700 Do. Four Shillings | 7,280- 0- 0 |
| 600 Do. Four Shillings and Sixpence | 7,020- 0- 0 |
| 21,212 Total of Private Charities | £67,667-12- 0 |

Note: This Table represents an estimate of the amount of casual charity given by individuals in Glasgow in 1815-16.

Source: Cleland, Annals of Glasgow, p.274.

Alison, who gave the following table for a few of Edinburgh's charitable associations in 1831:

| | |
|--|--------|
| Destitute Sick Society | 10,500 |
| Strangers' Friend Society | 1,900 |
| House of Refuge | 1,200 |
| Night Refuge | 600 |
| Royal Infirmary | 2,000 |
| Society for Incurables | 100 |
| Female and Old Man's Societies | 200 |
| Society for Clothing Industrious Poor | 200 |
| Subscription raised last winter for relieving the most destitute of the poor | 5,000 |
| | <hr/> |
| Total relieved not less than | 21,700 |

Source: Alison, "Illustrations", 1870, p.248.

In the same year the number relieved by the legal funds in the Edinburgh area was 5,004. These figures provide an idea of the extent of destitution, and indicate the degree to which the legal funds were inadequate.

The above statistics reveal that private charity played a vital role in providing assistance to the poor of Scotland. Without it many of them would not have been able to survive. Indeed, the existence of these charities enabled the administrators of the legal public funds to maintain their minimal allowances long after industrialisation and a changing price structure had made them totally inadequate even by the standards of the day.

CHAPTER 6: COMPARISON WITH THE ENGLISH EXPERIENCE

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CHAPTER 6: COMPARISON WITH THE ENGLISH EXPERIENCE

Much has been written about the English poor law; indeed so much emphasis has been laid upon it in historical discussion in both Britain and North America that the erroneous impression may have been gained by some that the system was applied to all parts of the United Kingdom. An outline of the major English poor relief legislation, followed by a comparison with the Scottish experience, reveals differences between the two systems that are striking and important.

A. The English poor law prior to 1834

The first English statute to be considered is 14 Elizabeth, c.5 (1572).¹ This Act, entitled "An Act for the Punishment of Vagabonds, and for Relief of the Poor and Impotent", is important in that its wording is reproduced in a nearly identical manner in the Scottish Acts of 1574 and 1579. This English Act may well be in part derivative, being remarkably like that of Emperor Charles V. of Holland, brought into effect on 7 October 1531.²

In this Act of Elizabeth, as with previous English Acts, begging was a licensed activity. Every person above fourteen years of age found begging without a license was to be committed to jail till the next session, and if convicted, he was for the first offence to be whipped and burnt through the gristle of the right ear with a hot iron once inch in compass, unless some person of honest repute was to take him into continuous service for one year. For the second offence he was to be judged a felon and suffer as such, unless taken into service for two years. For the third offence he was to suffer death and loss of land and goods, without benefit of clergy or sanctuary. Those defined as rogues, vagabonds and sturdy beggars included idle persons going about using "subtle craft" and "unlawful games", all persons able in body but having neither land nor master, nor able to give

1 Nicholls, English Poor Law, 1854, vol. I., pp.161-67.

2 Burns, 1818, pp.455-58.

an account of how they earned their living, and all common labourers loitering and refusing to work for the wages commonly given. Conviction of harbouring or relieving such individuals brought a penalty of 20s. Sterling.

After declared hostility to the sturdy beggars, the Act turned to aged and impotent poor persons. All such should be supplied with provisions and a convenient abiding place, so that none should have to beg or wander about. The justices of the peace were to compile a register of those impotent poor persons who had lived in their district for the last three years and from this list to determine the weekly amount necessary for their relief and sustenance. The justices were also empowered to tax the inhabitants within the division for the necessary amount, to appoint tax collectors, and to make a required annual appointment of overseers of the poor. It was further ordained that those poor who were able to do some work would be required to earn part of their livelihood; if they refused to work, they were to be whipped and stocked for the first refusal and to be treated as vagabonds for the second.

The Tudors placed primary emphasis upon discouraging by severe punishment all rogues, vagabonds and sturdy beggars, but it eventually became apparent that in the presence of actual want, punishment was not a deterrent for begging and vagabondage. In the light of this realisation and largely as a measure for protecting the security of the monarchy, the conviction developed that the first step in curbing the undesirable activities of begging and vagabondage was to ensure that no extremity of want should arise. Therefore, measures were taken which would leave no alternative between starvation and a breach of the law. These ideas are reflected in the codifying statute of 43 Elizabeth, c.2, (1601),³ which sets forth "... the principle that the relief of destitution must be undertaken as a public duty, and be provided for at the public charge"

The Act of 1601 established the parish as the unit of administration and declared that each parish was to provide work for

3 Nicholls, 1854, vol. I., pp.194-98.

the able-bodied unemployed, to provide for the old and infirm, and to provide technical education for poor children in the form of apprenticeships. Under the Act the parish magistrates were to appoint each year two or more inhabitants as overseers for the poor, an office lacking monetary compensation.

The overseers had the right to levy upon the inhabitants of the parish a tax in order to meet the relief expenditure. They, along with the magistrates, had absolute power over the poor and in assessing the poor rates. The overseers, within four days after the end of a year of service, were to present to two magistrates a full accounting of poor funds received and expended. If a parish was unable to gather sufficient funds, the magistrates were empowered to tax neighbouring parishes within the hundred, and if that was insufficient, the county was taxed. This "Rate in Aid" clause, however, seldom was used. The magistrates could issue a warrant of distress for recovering the non-payment of taxed sums and could commit to prison the offender until the assessed amount was paid. They could also imprison any able-bodied poor person who refused work ordered by the overseers. The parish now had a responsibility for the able-bodied unemployed.

Since it was argued that children should be put to work as soon as possible, because their being educated was a waste to society and the failure to put them to work would encourage idleness, the Act provided for the apprenticing of children of seven years or more. The overseers, with the consent of two justices, were empowered to bind into apprenticeship all children whose parents could not maintain them. Males were apprenticed until the age of twenty-four and females until the age of twenty-one or marriage.

The impact of the 1601 Act should not be measured by its immediate effects. Although the principles of the Act were revolutionary, especially the section providing employment for the able-bodied unemployed, its importance lies in the fact that its philosophy dominated English poor law legislation for some three hundred years. The Act, however, appears to have failed in solving the problem of rogues and vagabonds.

The enactment of 1 James I, c.7 (1603) re-defined rogues and vagabonds and reinstated the practice of branding them with a large Roman R; if the rogue did not reform, he was judged a felon and punished accordingly. Moreover, all persons were required, under a penalty of 10s., to apprehend all rogues, vagabonds, and sturdy beggars. Also in 1603, as a result of the increasing numbers of rogues, James proclaimed that they were to be banished from the kingdom. The Act 7 James I, c.4 (1609) provided houses of correction for setting to work idle and disorderly persons.

Besides the 1601 Act's failure to cope with rogues, there is evidence that it was not universally enforced. For example, in 1630, Charles I ordered the establishment of a commission whose duty was to put into execution the 1601 Act and all other laws pertaining to the relief of the poor. The commissioners were

authorized to call for assistance, and to give such directions to justices of assize and all other persons, as they deemed necessary for carrying the laws into operation; and ... to prevent a lax or faulty action on the part of the local authorities, and to secure an effective administration of the law throughout the country.⁴

Little happened in the way of poor law legislation during the Interregnum. The next major provision was "An Act for the Better Relief of the Poor", 14 Charles II., c.12 (1662), the important statute by which settlement and the power of removal were first legally established: it has been popularly named 'The Settlement Act'. Although it deals with several facets of poor relief, its most important aspect concerns the authority given to overseers over any person who had settled in a tenement with a yearly value under £10, and who was likely to become chargeable to the parish: the overseers, with the consent of two justices, could, within forty days, remove any such person to his place of original settlement. The only exception was that during harvest time a person could travel to another parish to work, provided he carried

4 Nicholls, 1854, vol. I., p.264.

"a certificate from the minister of the parish, and one of the church-wardens, and one of the overseers of the poor, that he has a dwelling and is declared an inhabitant there".⁵

George Coode, Esq., in his Report to the Poor Law Board on the Law of Settlement in 1851 described the origin and results of the Settlement Act. He felt that the Act was a result of action by the metropolitan members of Parliament who wanted to relieve the increasing pressure of poor persons in London and Westminster, by enabling the poor to be removed to the country parishes where they were legally settled. Thus, the Act was seen as a logical culmination of measures to prevent the convergence on London of the unemployed. The harvest-time exception was believed to have been a compromise measure to secure the support of country members.⁶

Prior to the 1662 Act, the poor could seek employment anywhere, and only individuals unwilling to work were forced to live in their parish of settlement. After 1662 however, any poor persons who migrated from their parish of settlement were liable for removal back to that parish. Furthermore, since the parish of settlement was charged for the removal expenses incurred, the probability of removal was high. In 1691 the law was changed so that the forty day period, during which persons likely to become chargeable to the parish must be removed, was defined as beginning with a public reading by the individual of his intent to settle. An Act in 1696 made it possible for people to migrate to another parish if their parish of settlement issued a certificate to their parish of residence. (As noted below, 'parish of settlement' was a legal term, therefore it was possible for a person's parish of residence to be different from his parish of settlement.) But the first major change in the settlement laws was not until 1795, when it was declared that a person could not legally be removed until he actually became chargeable, and that the parish of settlement did not have to pay the removal expenses incurred.⁷ Settlement laws remained in effect in

5 Nicholls, 1854, vol. I., p.301.

6 George Coode, 1851, pp.17-22.

7 Michael Rose, 1971, pp.29-30.

some form until as late as 1876.

Normally, an individual's parish of settlement was determined either by his place of birth, or, in the case of a married woman, by her husband's parish, or by residing in a parish for forty days after reading a statement of intent to settle. The 1691 Act provided the following four additional means of gaining settlement in another parish: 1) by being taxed at parish rates and paying these rates, 2) by being elected to an annual parish office and serving in that office for a year, 3) by serving an apprenticeship in the parish, and 4) by working in a job continuously for at least a year. The place of settlement for a bastard child was his mother's parish, otherwise children were settled in their father's parish. Occasionally there arose problems of settlement not without comedy. For example if an individual rented a tenement worth £10 which was situated in two parishes, his parish of settlement was the parish in which his bed was located. Thus to change his parish of settlement, it was only necessary to move his bed to the other parish.⁸

Enforcing the settlement laws was both expensive and time consuming.

From 1776 to 1815 the annual expense of litigation grew from £35,000 to £287,000. Constables in parishes on main roads sometimes spent the whole of their time transporting paupers, counties and parishes entered into pauper removal contracts with business men who specialised in the work ... Half the business of every quarter sessions consisted in deciding appeals on orders of removal, at an expense which, so it was alleged, would in many cases have covered the entire cost of the pauper's maintenance several times over and still left the contesting parishes a handsome profit.⁹

For approximately 100 years after the 1662 Act there was a striking lack of innovation. Such Acts as were passed during this period consisted primarily of re-wording previous statutes. An Act

8 W.E. Tate, 1969, p.200.

9 Tate, 1969, p.200.

in 1722 gave parishes permission to join together and build workhouses, and gave the overseers permission to deny relief to all who refused to enter them. This was later reversed.

In 1781-2 because of the 'incapacity, negligence or misconduct' of overseers 'the sufferings and distresses of the poor are very grievous,' so provisions were made for the inspection of workhouses, and for no poor being sent into a workhouse more than ten miles from their own parish. No persons except the indigent were to be sent to the workhouse. Orphan children and children with their parents might be sent, but other children might be boarded out, with a preference given to their parents or other relatives. No children of less than seven years were to be forcibly separated from their parents! The parish officers were authorized to give relief in augmentation of wages to deserving persons (*italics added*).¹⁰

In 1795 the magistrates of the parish of Speenhamland in the county of Berkshire, in an attempt to improve the conditions of agricultural labourers due to low wages and high prices caused by the Napoleonic wars and bad harvests, adopted a system of out-door relief designed to furnish a minimum standard of living. Thus, primarily for humanitarian reasons, the magistrates decided to provide relief in the form of wage supplements, and published their table of rates. The idea was to guarantee a subsistence level of income by augmenting wages when earnings fell below the established subsistence level. The level of aid was determined by the price of bread and the number of dependents of the head of the household. For the next several years the use of allowances-in-aid-of-wages tied to a proxy for a cost-of-living index gained greater use until, if we are to believe the results of the questionnaire sent to parishes by the 1824 Committee on Labourers' Wages, the Speenhamland System was extensively practised in eighteen English counties.¹¹

Although wage supplements were not new (several parishes adopted them after the 1871 Act gave authority to do so), Speenhamland was the first instance of established, published rates based upon a bread

¹⁰ Tate, 1969, p.194.

¹¹ See J.D. Marshall, 1968.

scale. This action was probably responsible for the spread of the use of wage supplements. Thus, there was a break from the old form of relief through providing work for the unemployed (either requiring farmers to hire unemployed workers or providing work otherwise through the parish) and giving relief under supervision in workhouses.

The bread scale never received statutory authority. Other parishes either adopted the Speenhamland scale, devised their own scale, or based wage supplements on some other standard. Relief was in the form of either money or flour. In some parishes it was given for children only after a certain number in the family was exceeded. But the characteristic which all Speenhamland counties held in common was the practice of giving relief in the form of wage supplements.

The funds for relief payments were obtained by taxing the occupiers of the land in each parish. Since the laws were vague as to what the rates were to be based on, the principle of assessment varied from parish to parish. The means used included levying the assessed rates on annual rent paid, land tax, stock in trade, personal property, and real property. It appears that the most popular approach was to assess the value of real property. Some parishes, besides assessing a rate tax, also grew crops, of which a portion was given to the poor and the remainder sold. The occupiers of land in some parishes had an alternative to paying the poor rate tax: they could hire a certain number of unemployed workers at a set wage.

It is important to note that a vigorous attack upon the Speenhamland System did not begin until after the Napoleonic wars had ended. But from 1815 there was a growing concern over the high and increasing relief expenditure. Commissions in 1818 and 1824 criticized the use of allowances-in-aid-of-wages. The final blow came in 1832, when the Poor Law Commission began collecting "insurmountable" evidence that the System was demoralising workers, inducing population growth, lowering wages, and, in short, was so bad that it should be abolished.¹² As a result, in 1834 the Poor Law Amendment Act was passed.

12 See Checkland, ed., 1974.

This Act abolished the parish as the principal unit of administration and established unions of parishes. A commission of three members was appointed to direct poor law policy at the national level. The Commission ordered that all out-door relief, and especially allowance systems, be abandoned; workhouses were to be established, and all relief was to be given in them. It has been argued that workhouses never became a reality on a large scale, for parishes found that it was cheaper to provide out-door relief in the form of wage supplements, than to provide workhouses where one-hundred per cent of the poor's expenses had to be met.¹³ Thus, the results which the drafters of the 1834 Act hoped to achieve were not obtained.

B. A comparison of the two systems

Until 1834 the administration of relief in rural areas in both Scotland and England was at the parish level. The English overseers were appointed to office on an annual basis by the justices of the peace, and on these overseers depended the operation of the law. They were legally compelled to serve, unpaid, for only a year, though they could be excused if they paid a fine. By this means the men most capable of serving escaped the unpleasant, time consuming business. Thus, most overseers were unfamiliar with the operation of public administration, being farmers engaged in earning their own living, and unwilling to devote much time to the troublesome duties of overseer. Moreover, as the duration of the office was for only one year, most overseers were unwilling to experiment, wishing to end their year of service with as little difficulty as possible. Economy was not forced upon them as the funds they administered were limited only by public opinion and the ability of ratepayers to pay. As the paupers could appeal to the justices of the peace concerning the amount of their allowance, the overseers were often willing to grant liberal payments in order to prevent being summoned before the justice.¹⁴

13 Michael Rose, ECHR, 1966, pp. 607-20.

14 Dorothy Marshall, 1926, pp. 9-10 and 58.

By contrast the Scottish elders were the respected man of the parish and were appointed for life, enabling them to become familiar with the needs of the inhabitants and providing an element of continuity in the administration. They were left with a free hand in administering relief, unless there was a threat of a legal assessment, at which time the heritors assumed an active role in the parochial affairs. The heritors provided a check on expenditure as they paid one-half of any stent levied for poor relief. Hence, they had a direct interest in keeping relief payments at a low level. Thus, in Scotland relief was administered by the cooperation of the most influential men of the parish. Any person who felt that he had not received a fair hearing by the kirk session and heritors, could appeal directly to the Court of Session, without having to incur any expenses.

The English never relied on voluntary contributions as a source of funds; they employed a compulsory assessment, levied on the inhabitants of the parish by the overseers. Because an overseer might not be a ratepayer, and because he held office for only a year, he felt little compulsion to keep the rates and levels of expenditure low.

In Scotland the prime method of financing poor relief expenditure was a reliance on voluntary contributions. The Scots felt that the strength of their system lay in the voluntary nature of the funds; there were dangers in relying on a compulsory assessment. With voluntary contributions the poor would be grateful for assistance; with an assessment it was feared they would demand relief as a right. Hence, a legal assessment would debase the morals of the lower classes, causing them to demand relief, thereby drastically increasing relief expenditure.¹⁵

Both countries recognized the right of the aged, young orphans, the impotent, the crippled, and the blind to receive relief. But the English took the crucial further step of requiring that aid be given to the able-bodied unemployed. The Scottish denial to this category of relief was adhered to in practice, even though the Court of Session in 1802 ruled that the unemployed during times of distress were entitled to relief.

15 The Bee, vol. 15, 26 June 1793, pp. 279-80.

The first mention of relief to the able-bodied unemployed in the English statutes was in the 1601 Act, which ordained that the parish was to provide work for the unemployed. Even though later legislation stated that relief was to be provided in workhouses, out-door relief was the most common means of providing employment. With the 1781 Act parishes were permitted to augment the wages of the lowest paid workers; this established the principle that the able-bodied were entitled to relief in spite of being employed and reportedly led to an increase in the amounts of relief given, resulting eventually in the change in the law in 1834.

As far as settlement is concerned, differences occurred not in practice, but mainly in the intent embodied in the legislation. The effect of the settlement laws in England is well documented and need not be an item of concern. The evidence for Scotland indicates that removal was standard practice in order to prevent a claim to the poor's roll.¹⁶

In terms of expenditure levels the English were spending more on relief per head of population before 1815 than were the Scots. But, Table 21 indicates a startling convergence of the amounts after 1815. The decrease in the English figures can be explained by the effective debates on the Speenhamland System in 1818. Perhaps, also, the English were paying heed to the arguments that the Scottish system was preferable, hence aiming at its expenditure levels. Unfortunately, at this juncture the data are too scanty to make anything other than extremely tentative hypotheses.

It is clear from the numerous Acts passed in the 15th and 16th centuries that the Scots, like the English, were plagued, or at least felt they were plagued, with a serious and apparently insoluble problem of vagabonds and strong, idle beggars. These Acts provided various types of severe corporal and capital punishment as a means of deterring begging, numerous re-enactments suggesting a failure in the achievement of their purpose. In these Acts, as in

¹⁶ See Chapter 2.

Table 21: Poor Relief in Glasgow, Birmingham, Liverpool and Manchester, for selected census years.

| | <u>Year</u> | <u>Glasgow</u> | <u>Birmingham</u> | <u>Liverpool</u> | <u>Manchester</u> |
|--------------------------------------|-------------|----------------|-------------------|------------------|-------------------|
| Population | 1801 | 46,779 | 73,670 | 77,653 | 70,409 |
| | 1811 | 58,334 | 85,755 | 94,376 | 79,459 |
| | 1821 | 72,765 | 106,722 | 118,972 | 108,016 |
| | 1831 | 89,849 | 146,982 | 165,175 | 142,026 |
| Poor's Rate | 1803 | £ 3,940 | £18,680 | £25,418 | £15,998 |
| | 1813 | 10,273 | 35,771 | 32,027 | 42,890 |
| | 1821 | 12,560 | 40,520 | 33,732 | 23,421 |
| | 1831 | 17,282 | 46,519 | 34,524 | 31,519 |
| Expense per head of population | 1803 | 1s. 9d. | 5s. | 6s. 6d. | 4s. 6d. |
| | 1813 | 3s. 6d. | 8s. 4d. | 6s. 9d. | 10s. 9d. |
| | 1821 | 3s. 5d. | 7s. 7d. | 5s. 8d. | 4s. 4d. |
| | 1831 | 3s. 10d. | 6s. 4d. | 4s. 2d. | 4s. 5d. |

Sources: Poor Law Commission, 1834 Report, and Clelland, Statistical Tables Relative to the City of Glasgow.

all later poor law legislation, the Scots made a distinction between those able to earn their own livelihood and those unable to support themselves by useful work. The laws stated that only those between the ages of 14 and 70, who could not earn their subsistence by any other means, were allowed to beg, thus creating the embryo of a system of poor relief, albeit only by the means of legalized begging.

The basis of the Scottish poor law was the Act of 1574, its wording nearly identical to that of 14 Elizabeth, c.5 (1572). This similarity is not surprising in the light of the political situation at the time. Mary had been deposed as queen because of her pro-Catholic leanings, and as James was still an infant, Scotland was ruled by regents. The Earl of Mar was Regent in 1574, the Earl of Morton in 1579. Both men, especially Morton, were protestants and looked to Elizabeth for support. Morton desired to see James succeed Elizabeth, hence it was only natural for Scottish Acts passed during this period to reflect English philosophy. As the protestant church was not yet firmly established, it is not surprising that the Acts contained no mention of the church as administrators.

Initially, the administration of the Scottish law was left to the justices of the peace in the rural parishes and the magistrates and town councils in the burghs. In legislation for the burghs, the administrators were never changed, but in the rural parishes the Act of 1597 changed the administration to the individual kirk sessions. Although by this time Presbyterianism was firmly established in Scotland, this was a curious move, as James VI was currently engaged in struggles which were to diminish the powers of the General Assembly of the Church of Scotland. The heritors were not made joint administrators with the kirk sessions until the Act of 1672, implying that the heritors were included because of increasing pressures to impose a legal assessment, and hence a feeling that the largest group of taxpayers should be represented to ensure a careful watch on expenditure.

Scottish legislation was similar to the English during periods of episcopalian ascendancy and was different during periods of presbyterian ascendancy. The divergence of the two systems after 1603

also can be explained in part by the Anglicised monarchs caring little about Scotland. Any attempts to force their will upon the Scottish Parliament would have required their presence in Scotland, a prospect not particularly appealing to those enjoying the relative comforts of England. After the Union of Parliaments in 1707, the complete lack of legislation in Westminster concerning Scottish poor relief until 1844, in spite of prodigious amounts of English legislation, would be a further indication of the British monarchs' apparent lack of interest in the Scottish scene. Furthermore, most English men during the eighteenth century were probably ignorant about and not interested in Scots law. This explains the initial movements in legislation and the lack of imposed legislation, but it fails to explain the lack of initiative on the part of the Scots.

Scotland's approach to the problems of poverty perhaps differed from the English because of differences of scale and stages of development. The smaller and less advanced the society, the less formal need be the system of poor relief. The English system reflected the imperatives of a larger society and one more advanced in specialisation through commerce and industry. Little wonder that opposition against the system as followed in Scotland gained numbers and strength only after the pressures of rapid urbanisation in the post-1800 period.

In terms of relief to the impotent the Scottish system was one of parochial paternalism where the elders were familiar with the conditions and needs of the inhabitants of the parish. This ideal situation was possible as long as the population of the parish was relatively small. But the parochial system could not cope with densely populated urban areas which forced the creation of a system where paid overseers implemented the policy decisions of voluntary managers. In other words increased population bought a greater formalisation of the law.

The population of the parishes in England had long reached the critical level, and this was reflected by the passing of numerous Acts designed to formalise the system and enable it to be uniformly administered by overseers, who were obliged to provide relief to the able-bodied during periods of sickness or unemployment. The market

economy was at a stage of development where it was essential to maintain a large pool of both agricultural and industrial workers; the cities were large and dependent upon the rural areas for food supplies during periods of unemployment; unemployed workers required monetary assistance in the form of public relief. The 1834 English Act was an attempt to adopt the individualism of the Scottish system. The failure to implement the Act's provisions reflects a need for formal public intervention within a complex social system. Scotland, too, had eventually to accept a far-reaching public responsibility.

CHAPTER 7: THE WORK OF THOMAS CHALMERS, 1819-37

CHAPTER 7: THE WORK OF THOMAS CHALMERS, 1819-37

An examination of pauperism in Scotland must include a discussion of the social philosophy of the country's famous divine, Thomas Chalmers (1780-1847), the most important personality in the realm of Scottish poor relief, whose following consisted of a large group of dedicated men. He represented and refined the old school of parochial relief, attempting to retain the principles of voluntary contributions, and refusing to recognise the trends of industrial development.

Chalmers' numerous writings on poverty have been largely neglected by scholars; the last major work incorporating and upholding Chalmers' belief in a parochial system of relief was published over fifty years ago, during the debates, which eventually culminated in the Poor Law Act of 1909, though all writers expounding the parochial system referred to the success of his famous Glasgow experiment, begun in 1819. But before attempting a revaluation of the St. John's experiment, it is necessary to present Chalmers' theories concerning pauperism.

Chalmers always made a distinction between poverty and pauperism. He wrote, "We are able to affirm, on the highest of all authorities, that the poor shall be with us always--or, in other words, that it is vain to look for the extinction of poverty from the world".¹ Yet, all his writings on this question were concerned with the establishment of a system which would eliminate pauperism. This apparent inconsistency is easily resolved, for Chalmers established that "a poor man is a man in want of adequate means for his own subsistence. A pauper is a man who has this want supplemented in whole or in part, out of a legal and compulsory provision" /italics added/.² Hence, to be poor is primarily to be in want. This, of course, is a relative concept: any person who is unable to maintain himself in the average style of his class of society may be poor, for he wants what he lacks. If his needs were supplied by means other than funds obtained by an authoritarian assessment, he would not be considered a pauper. Therefore, pauperism implied the reception of public relief from funds obtained by a legal assessment.

1 Chalmers, Political Economy, n.d., p.254.

2 Chalmers, Christian and Civic Economy, 1823, vol.2, p.51.

Given a state of poverty, Chalmers saw two 'springs' from which charity might flow, the 'natural' and the 'artificial'. The former eliminates the need, without producing pauperism, whereas the latter creates a pauper. He argued that the development of an artificial source of assistance through legal assessments caused the natural source to 'dry up'. Thus, he advocated the abolition of such assessments, thereby allowing the replenishment of the natural sources. These sources were referred to as 'the four fountains'. They were 1) the habits and economies of the people, 2) the kindness of relatives, 3) the sympathy of the wealthy for the poorer classes, and 4) the sympathy of the poor for one another. Pauperism reduces or destroys their flow.

Chalmers gave four reasons why a system of relief based upon compulsory assessments was doomed to failure:- first, people become systematically trained to expect relief as a right, therefore destroying the connection which Nature has established between economy and independence and between improvidence and want; second, the neighbours and kindred of the poor lose their private sympathies and abstain from providing relief; third, as the number of poor increase, they will be less adequately relieved, as the allowance per pauper tends to decrease; finally, an artificial system tends to be wasteful, owing to the increase both in expenditure on paupers demanding relief as a legal right, and in the number of individuals needed to administer relief.

Another crucial factor was that the area of administration should be small, since, by having such units, "Pauperism would become less noxious, simply by throwing it into such a form as might make it less noticeable".³ Smaller units would place the administrators in closer contact with the people's needs, and the role of watchdog could be performed more efficiently.

According to the Bible, blessed are those who give. An individual must give generously. But he must be secret in his alms-giving.

3 Chalmers, Christian and Civic Economy, 1823, vol.2, p.99.

This represents the true spirit of philanthropy. But Chalmers had other reasons for advocating giving in secret:- the public giver is assaulted with applications from false seekers, whereas the secret giver can quietly seek the 'true' deservers of relief.

The recipient also has a responsibility. He should be humble and grateful for the assistance, no matter how insignificant in amount, and under no circumstances should he demand assistance as a right. Chalmers argued that public assistance caused persons to demand relief, even when they were not eligible for it, resulting in a loss of gratitude and respect for the giver. This was clearly an undesirable situation.

For Chalmers, the achievement of a better system depended not merely on changing the mode of administration, but on changing the character of the fund. It should be freed from the attributes of certainty, legality, and apparent capability of infinite augmentation. Poor relief should stem from a voluntary fund, not from a legal assessment. And he believed that every extension of the poor's fund is followed by a more than proportional increase of actual poverty.

But the return to a voluntary system was only one fork in his two pronged attack on the elimination of pauperism. Education too played a crucial role in Chalmers' scheme. The most important aspect of education was to provide the pupils with a knowledge of the Bible. By using it as the major text, moral values would be instilled into the pupils. The teaching of reading, writing, and arithmetic played a secondary role. A good system should attempt to prevent pauperism, rather than relieve it, and the best method of prevention would be to encourage moral fortitude. "... the great instrument for thus elevating the poor, is that Gospel of Jesus Christ, which may be preached unto the poor."⁴

Chalmers argued that schools should be endowed to the point where teachers were able to provide education for the people. This would be accomplished by continuing to provide enough buildings to meet the demand for education. The cost of the education should be paid for by small fees.

4 Chalmers, Sermons, 1823, p.376.

Chalmers' ideas were formed primarily between 1802 and 1815, while he was minister of the small, rural parish of Kilmany, Fifeshire, though he did not begin to publish his views extensively until the 1820's. A study of his many volumes reveals the complete inflexibility of his social theories. He never publicly veered from his chosen position. The striking contrast between the administration of relief in Kilmany and that in Glasgow, where he moved in 1815, served to confirm his beliefs. After the simple, parsimonious system of Kilmany, Glasgow appeared as a nightmare, from which he quickly divorced himself. He informed the parishioners of the Tron that his duties were to look after their moral interest; the elders were to serve the poor.

At the time of his arrival in Glasgow poor relief was administered independently by the General Session and the Town's Hospital.⁵ Chalmers reacted against this system because "... the more wide the field of superintendence is, the greater must be the moral distance between the administrators of the charity and its recipients".⁶ Furthermore,

... each Session might have been regarded as having two doors -- one of them a door of admittance from the population who stand at the margin of pauperism; and another of them, a door of egress to the Town Hospital, through which the occupiers of the outer court made their way to the inner temple.⁷

The individual sessions had no incentive to minimise the number on their roll, as there was no correlation between their collections and their number of paupers, and because the Hospital was regarded as a vast reservoir upon which they could draw. Chalmers felt that if each session was allowed to keep its collection, then it would exhibit a greater interest in the management of relief.

For these reasons he asked the magistrates and town council for permission to establish a new parish, St. John's, and to administer

5 A detailed description of this system appears in Chapter 3.

6 Chalmers, Christian and Civic Economy, 1823, vol.2, p.100.

7 Chalmers, Christian and Civic Economy, 1823, vol. 2, p.116.

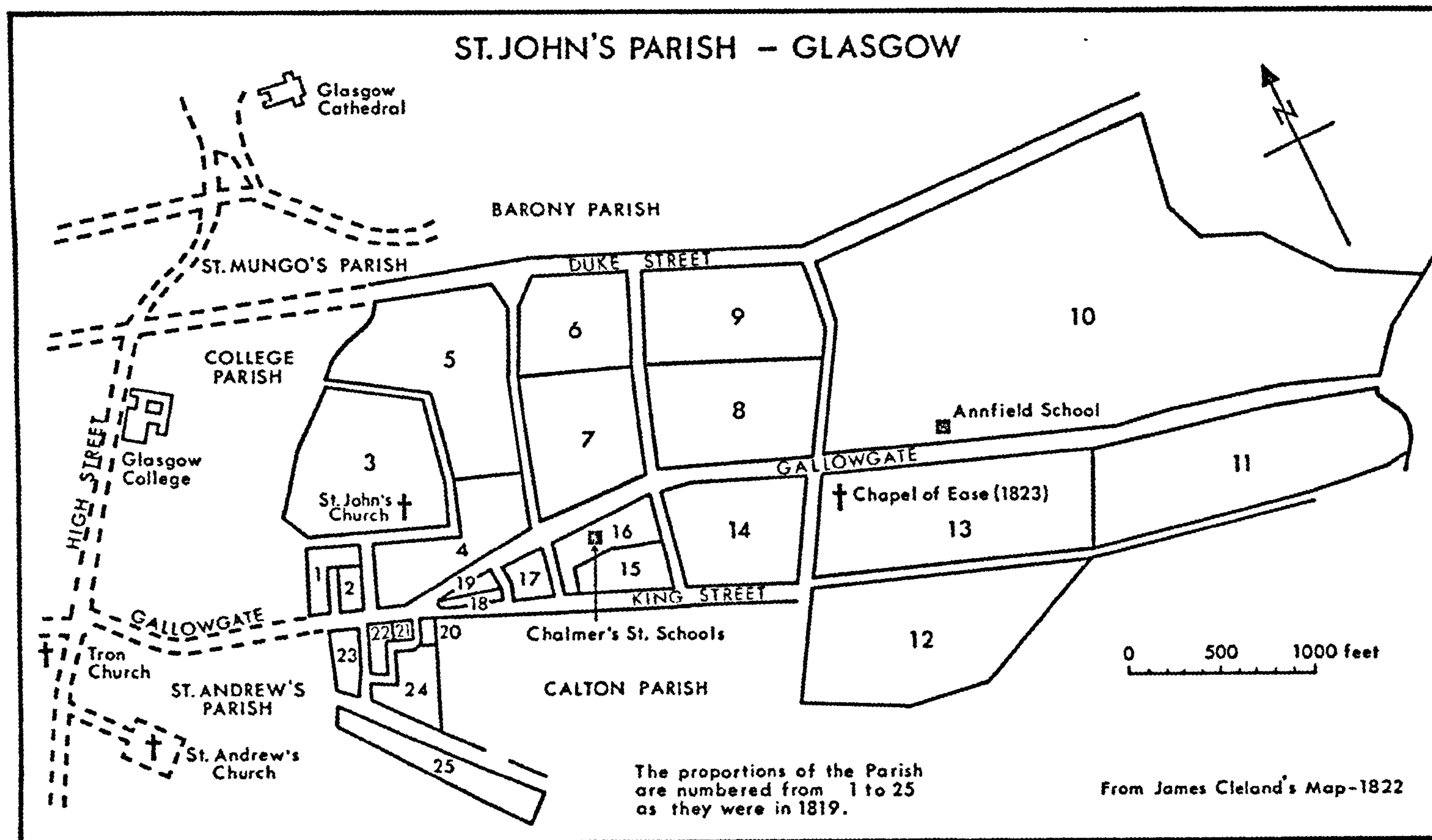
relief to the parish's paupers, independently of the current establishment, according to the principles of the parochial system, the rural method of relief he had known at Kilmany.

To implement his system, Chalmers partitioned St. John's into twenty-five districts and appointed a deacon to each as its overseer. (The office of deacon, fallen into disuse and now revived by Chalmers, was created by the First Book of Discipline of the Church for the purpose of serving the poor.) Map 7 shows the boundaries of the parish and each of the twenty-five districts. A detailed description of the parish is obtained from an 1819 survey.⁸ It contained the following information for each of the twenty-five proportions: name and occupation, total number in house, number of sittings in church, place of worship, number of persons between 6 and 15, children above 6 unable to read and not at school, children attending Sabbath schools, and children not attending Sabbath schools. The survey was taken after the formation of the parish, but before the Church was opened for worship.

As the total population for the parish was 10,513 and there were 2,237 households, the average number of persons per house was 4.70. The twelfth proportion had the greatest density of population with 5.91 persons per house and, indeed, the largest absolute population with 680 persons. The eighteenth proportion was the least dense with 3.59 persons per house. The population of the proportions varied from a low of 207 to a high of 680 and an average of 420.5. The details are contained in Table 22, which also presents the number of households with a given number of occupants.

Only 28.7 per cent of the population held church seats, of which 7.6 per cent of the population had seats in the Church of Scotland. This fact is significant for several reasons. First, if Chalmers refused to grant relief to members of non-Church of Scotland churches, then 21.1 per cent of the population were not entitled to relief. Second, the influence of the Church of Scotland must have been severely limited,

⁸ The manuscript was entitled "Statistical, Moral, and Educational Survey of St. John's Parish, Glasgow; for the year 1819", and "To the Rev. Dr. Chalmers, this Survey is respectfully presented by the Elders, Deacons, and Sabbath School Teachers, of St. John's Parish, Glasgow." Chalmers' Papers, New College Library, Edinburgh.



MAP 7

Table 22: Summary of population characteristics, by proportion, St. John's Parish, Glasgow, 1819.

| Proportion Population | Number of Households | Average number per House | Church Seats | | Number in House by Household | | | | | | | | | | Percent.of Population without seats | Ratio Church seats (All Churches) ÷ (Church of Scotland) |
|-----------------------|----------------------|--------------------------|--------------------|-----------------------|------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------------------------|--|
| | | | Church of Scotland | of All other Churches | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10+ | | |
| 1 | 339 | 77 | 33 | 88 | 201 | 8 | 12 | 12 | 11 | 11 | 8 | 6 | 3 | 3 | 1 | 59.3 |
| 2 | 335 | 75 | 47 | 104 | 189 | 2 | 13 | 11 | 19 | 10 | 5 | 8 | 4 | 1 | 2 | 56.4 |
| 3 | 439 | 102 | 40 | 176 | 229 | 5 | 21 | 22 | 13 | 9 | 13 | 7 | 5 | 5 | 2 | 52.2 |
| 4 | 346 | 73 | 8 | 158 | 184 | 6 | 11 | 9 | 16 | 4 | 11 | 7 | 3 | 1 | 5 | 53.2 |
| 5 | 362 | 77 | 34 | 42 | 286 | 3 | 9 | 14 | 12 | 16 | 9 | 5 | 4 | 2 | 3 | 79.0 |
| 6 | 414 | 88 | 27 | 75 | 310 | 6 | 6 | 9 | 16 | 24 | 11 | 9 | 7 | 0 | 0 | 74.9 |
| 7 | 528 | 114 | 39 | 92 | 401 | 3 | 20 | 22 | 18 | 17 | 8 | 11 | 7 | 5 | 3 | 75.9 |
| 8 | 508 | 102 | 20 | 106 | 382 | 2 | 11 | 13 | 17 | 20 | 17 | 10 | 6 | 4 | 2 | 75.2 |
| 9 | 279 | 61 | 27 | 60 | 190 | 1 | 11 | 12 | 7 | 11 | 9 | 4 | 2 | 2 | 2 | 68.1 |
| 10 | 680 | 115 | 96 | 88 | 500 | 1 | 8 | 14 | 16 | 19 | 13 | 12 | 10 | 9 | 13 | 73.5 |
| 11 | 453 | 92 | 27 | 47 | 382 | 1 | 14 | 13 | 18 | 15 | 9 | 6 | 4 | 11 | 1 | 84.3 |
| 12 | 464 | 88 | 28 | 84 | 351 | 1 | 10 | 8 | 19 | 11 | 10 | 15 | 8 | 3 | 3 | 75.6 |
| 13. | 521 | 93 | 29 | 71 | 421 | 2 | 7 | 10 | 13 | 13 | 12 | 17 | 8 | 9 | 2 | 80.8 |
| 14 | 469 | 94 | 19 | 84 | 367 | 5 | 8 | 14 | 9 | 19 | 17 | 8 | 10 | 3 | 1 | 78.3 |
| 15 | 468 | 107 | 27 | 86 | 359 | 6 | 18 | 17 | 22 | 14 | 13 | 5 | 6 | 4 | 2 | 76.7 |
| 16 | 426 | 99 | 27 | 64 | 334 | 3 | 19 | 18 | 17 | 15 | 16 | 1 | 7 | 2 | 1 | 78.4 |
| 17 | 461 | 99 | 35 | 101 | 325 | 6 | 15 | 15 | 21 | 11 | 8 | 11 | 4 | 3 | 6 | 70.5 |
| 18 | 497 | 139 | 18 | 108 | 373 | 10 | 30 | 38 | 24 | 12 | 11 | 8 | 2 | 1 | 1 | 75.1 |
| 19 | 487 | 123 | 41 | 102 | 343 | 12 | 22 | 20 | 23 | 17 | 20 | 3 | 5 | 1 | 1 | 70.4 |
| 20 | 352 | 81 | 34 | 74 | 234 | 5 | 14 | 17 | 9 | 12 | 8 | 9 | 5 | 1 | 1 | 66.5 |
| 21 | 393 | 85 | 24 | 109 | 254 | 3 | 12 | 9 | 12 | 18 | 8 | 13 | 2 | 4 | 1 | 64.6 |
| 22 | 207 | 39 | 17 | 82 | 109 | 0 | 2 | 9 | 4 | 4 | 7 | 7 | 2 | 4 | 1 | 52.7 |
| 23 | 267 | 51 | 54 | 54 | 163 | 2 | 6 | 10 | 5 | 8 | 5 | 6 | 3 | 1 | 5 | 61.7 |
| 24 | 380 | 80 | 14 | 94 | 259 | 2 | 12 | 9 | 13 | 15 | 9 | 11 | 5 | 1 | 2 | 68.2 |
| 25 | 441 | 83 | 25 | 70 | 348 | 2 | 6 | 11 | 18 | 13 | 8 | 4 | 7 | 5 | 7 | 78.9 |
| Totals | 10,513 | 2,237 | 792 | 2,219 | 7,494 | 97 | 317 | 356 | 372 | 338 | 265 | 203 | 129 | 85 | 68 | 71.3 |
| | | | | | | | | | | | | | | | | 2.80 |

Source: Computed from 1819 Survey of St. John's.

particularly as 71.3 per cent of the population held no church seats. The figures, presented in Table 22, are not too surprising in the light of the limited number of seats available. Within the parish were four churches other than the Church of Scotland, and five more were in the near proximity. The opening of St. John's probably changed the situation, as an evening congregation of parish residents was established, and they were charged lower seat rents; the Survey contains numerous references to petitions for seats for the evening service. Still, the vast majority of the parishioners were not able to obtain seats, either because of high seat rents or limited quantity of seats, or because of inability or lack of desire to attend church. Families with young children often rented only one seat, as one of the parents had to remain at home with the children. This would be reflected in the fact that 59.9 per cent of the households held at least one church seat. Seats in the Church of Scotland were held by 15.2 per cent of the households. This obviously affected the elder's tasks, as he would be welcomed in very few households during his visitations. Indeed, at least one dissenter informed Chalmers that members of St. John's session would not be allowed in his house.⁹

Table 23 presents the data relevant to the children and their educational status. Approximately one fifth of the population was between the ages of 6 and 15. Given the surprisingly low number of children unable to read and the great discrepancies in the figures, it would seem that the information was collected carelessly. If it is accurate it is more than astonishing that nearly half of the children attended the Sabbath Schools, particularly as most of the Survey was taken in August before the final arrangements for St. John's were made.

The final aspect of the Survey to be examined was the information on occupations. The largest single element of the working force was the weavers, with 411 or 18.9 per cent of the stated labour force. The textile group contained 26.3 per cent of the labour force. Besides

9 Chalmers' Papers, Letter from George Martin, 12 October 1819.

Table 23: Additional population characteristics, by proportion, St. John's Parish, Glasgow, 1819.

| Proportion | Persons between | | Children above 6 unable to read and not at school | Children attending Sabbath schools | Children not attending Sabbath schools | Households with Church seats | | | | | |
|------------|-----------------|---------------------|--|---|---|------------------------------|---------------------------|----------------|---------------------------|------------|---------------------------|
| | 6 and 15 | | | | | Church of Scotland | | Other Churches | | St. John's | |
| | Number | per cent of pop. | | | | Number | per cent of households | Number | per cent of households | Number | per cent of households |
| 1 | 59 | 17.4 | 2 | 41 | 11 | 16 | 20.8 | 44 | 57.1 | 0 | 0.0 |
| 2 | 52 | 15.5 | 1 | 25 | 21 | 16 | 21.3 | 51 | 68.0 | 0 | 0.0 |
| 3 | 67 | 15.3 | 0 | 42 | 22 | 19 | 18.6 | 63 | 61.8 | 0 | 0.0 |
| 4 | 59 | 17.1 | 3 | 12 | 43 | 3 | 4.1 | 51 | 69.9 | 0 | 0.0 |
| 5 | 77 | 21.3 | 9 | 42 | 29 | 11 | 14.3 | 19 | 24.7 | 2 | 2.6 |
| 6 | 54 | 13.0 | 4 | 29 | 10 | 13 | 14.8 | 40 | 45.5 | 0 | 0.0 |
| 7 | 108 | 20.5 | 7 | 26 | 68 | 16 | 14.0 | 45 | 37.5 | 0 | 0.0 |
| 8 | 111 | 21.9 | 14 | 36 | 57 | 10 | 9.8 | 55 | 53.9 | 0 | 0.0 |
| 9 | 46 | 16.5 | 2 | 11 | 27 | 13 | 21.3 | 24 | 39.3 | 0 | 0.0 |
| 10 | 147 | 21.6 | 11 | 25 | 33 | 21 | 18.3 | 34 | 29.6 | 5 | 4.3 |
| 11 | 100 | 22.1 | 16 | 69 | 3 | 11 | 12.0 | 27 | 29.3 | 0 | 0.0 |
| 12 | 106 | 22.8 | 11 | 61 | 31 | 13 | 14.8 | 33 | 37.5 | 0 | 0.0 |
| 13 | 118 | 22.6 | 25 | 65 | 36 | 16 | 17.2 | 38 | 40.9 | 0 | 0.0 |
| 14 | 87 | 18.6 | 10 | 40 | 26 | 11 | 11.7 | 43 | 45.7 | 0 | 0.0 |
| 15 | 112 | 23.9 | 7 | 68 | 39 | 13 | 12.2 | 53 | 49.5 | 2 | 1.9 |
| 16 | 94 | 22.1 | 16 | 52 | 23 | 14 | 14.1 | 31 | 31.1 | 0 | 0.0 |
| 17 | 94 | 20.4 | 5 | 34 | 48 | 12 | 12.1 | 55 | 55.6 | 2 | 2.0 |
| 18 | 97 | 19.5 | 2 | 62 | 35 | 13 | 9.4 | 59 | 42.2 | 0 | 0.0 |
| 19 | 89 | 18.3 | 8 | 42 | 32 | 21 | 17.1 | 56 | 45.5 | 3 | 2.4 |
| 20 | 80 | 22.7 | 2 | 35 | 21 | 16 | 19.8 | 43 | 53.1 | 0 | 0.0 |
| 21 | 93 | 23.7 | 8 | 43 | 24 | 7 | 8.2 | 49 | 57.6 | 1 | 1.2 |
| 22 | 38 | 18.4 | 0 | 14 | 18 | 6 | 15.4 | 24 | 61.5 | 0 | 0.0 |
| 23 | 37 | 14.0 | 1 | 15 | 8 | 15 | 29.4 | 17 | 33.3 | 0 | 0.0 |
| 24 | 87 | 22.9 | 8 | 51 | 15 | 9 | 11.3 | 18 | 22.5 | 0 | 0.0 |
| 25 | N.A. | | N.A. | N.A. | N.A. | 9 | 10.8 | 26 | 31.3 | 0 | 0.0 |
| Total | 2000 | 19.0 | 172 | 960 | 681 | 324 | 14.5 | 998 | 44.6 | 15 | 0.7 |

Source: Computed from 1819 Survey of St. John's.

this, it would be safe to assume that a number of the widows, labourers, and others unspecified was engaged in the manufacturing of textiles. Hence, the well-being of the parish was obviously susceptible to variations in economic activity. The classification of weavers, widows, those unspecified, and labourers accounted for 54.4 per cent of the given jobs. As can be seen from Table 24, the types of occupations were varied, and the parish contained many elements of a self-sufficient community.

It is unfortunate that such detailed information has not been located for other parishes. Some indication of St. John's position, however, can be obtained from Cleland's Description of the Ten Parishes, 1820. The information is shown in Table 25. St. John's, after the formation of St. James', had a population of 8,366 and 1,774 households for an average family size of 4.7. The density of St. George's and St. David's was greater with average family sizes, respectively, of 5.2 and 5.1. The average family size for Glasgow was 4.5. Hence, the density of St. John's was not much greater than that for Glasgow.

The funds for the poor in St. John's came from the church collections of the day congregation (the wealthy, non-parish residents) and of a night congregation (the poor, parish residents). The funds from the day collections were administered by the elders, and were used only for the support of the poor on the roll at the formation of the parish, and for the endowment of parish schools. The elders' duties, it was believed, would quickly cease because, "... generally speaking, in Scotland pauperism implies considerable age--so that a generation of pauperism passes rapidly away".¹⁰ Only money from the evening collection was used to support the new cases.¹¹ The deacons were responsible for administering relief to the new cases. They had to inquire thoroughly into the circumstances and claims of every applicant. The following instructions were issued to the deacons:

10 Chalmers, Christian and Civic Economy, 1823, vol. 2, p.144.

11 Chalmers, Last Eight Years, 1823, p.12.

Table 24: Summary of occupations in St. John's Parish, Glasgow,
1819, by industrial groups.

| <u>Textiles</u> | | <u>Services</u> | |
|-----------------------|-------|--------------------------|--------|
| Weavers | 411 | Jobber | 1 |
| Spinner | 47 | Barber | 3 |
| Warper | 25 | Brewer | 4 |
| Dyer | 10 | Milliner | 4 |
| Tanner | 10 | Confectioner | 5 |
| Furrier | 6 | Servant | 4 |
| Twister | 5 | Teacher | 10 |
| Cloth-capper | 4 | Clerk | 24 |
| Starcher | 4 | Beadle | 3 |
| Fringe-maker | 1 | Jeweller | 3 |
| Carder | 49 | Poulter | 1 |
| Total | — 572 | Minister | 8 |
| | | Publican | 7 |
| | | Watchman | 7 |
| | | Doctor | 3 |
| | | Baker | 17 |
| | | Fruiter | 2 |
| | | Porter | 25 |
| | | Hostler | 8 |
| | | Grocer | 68 |
| | | Accountant | 2 |
| | | Policeman | 8 |
| | | Total | — 217 |
| <u>Metal Industry</u> | | <u>Others</u> | |
| Pipemaker | 4 | Widows | 261 |
| Tinsmith | 2 | Unspecified | 325 |
| Toolmaker | 1 | Labourer | 186 |
| Coppersmith | 1 | Unclassified | 465 |
| Wright | 46 | Total | — 1237 |
| Blacksmith | 8 | | |
| Ladler | 1 | | |
| Smith | 25 | | |
| Cooper | 5 | | |
| Total | — 93 | | |
| <u>Construction</u> | | <u>Total occupations</u> | |
| Joiner | 2 | | 2175 |
| Builder | 1 | | |
| Sawyer | 20 | | |
| Mason | 17 | | |
| Cabinet maker | 2 | | |
| Slater | 15 | | |
| Carpenter | 1 | | |
| Total | — 58 | | |

Source: 1819 Survey at St. John's Parish.

Table 25: Selected Population Statistics of Glasgow, 1820.

| <u>Parish</u> | <u>Population</u> | | | <u>Families</u> | <u>Average in Family</u> | <u>Proportion</u> ¹ | <u>Proportion</u> ¹ | <u>Proportion</u> ¹ | <u>Average in</u> ¹ | <u>Proportion</u> ¹ |
|--------------------------|-------------------|---------------|--------------|-----------------|----------------------------------|-------------------------------------|---------------------------------|-----------------------------------|--------------------------------|--------------------------------|
| | <u>Males</u> | <u>Femal.</u> | <u>Total</u> | | | <u>of children under 12</u> | <u>of married males</u> | <u>of married females</u> | | <u>of Servants</u> |
| Inner High | 3571 | 4223 | 7794 | 1796 | 4.3 | 3.9 | 2.9 | 3.5 | 2.2 | 19.3 |
| Tron | 3291 | 3826 | 7117 | 1615 | 4.4 | 3.6 | 3.0 | 3.5 | 2.5 | 21.4 |
| College | 3183 | 3730 | 6913 | 1674 | 4.1 | 3.7 | 3.1 | 3.7 | 2.1 | 32.6 |
| Outer High (St. Paul) | 3614 | 4071 | 7685 | 1772 | 4.3 | 3.6 | 3.3 | 3.7 | 1.9 | 16.3 |
| St. George's | 4312 | 5329 | 9641 | 1863 | 5.2 | 3.3 | 3.2 | 4.0 | 1.5 | 8.8 |
| St. David's | 2723 | 3566 | 6289 | 1230 | 5.1 | 4.0 | 3.8 | 5.0 | 1.3 | 6.8 |
| St. Andrew's | 2663 | 3152 | 5815 | 1309 | 4.4 | 3.4 | 3.3 | 3.9 | 1.9 | 13.0 |
| St. Enoch's | 3220 | 4036 | 7256 | 1896 | 3.8 | 3.9 | 3.4 | 4.3 | 1.9 | 14.7 |
| St. John's | 4000 | 4366 | 8366 | 1774 | 4.7 | 3.3 | 3.3 | 3.3 | 2.3 | 33.9 |
| St. James | 3202 | 3718 | 6920 | 1549 | 4.5 | 3.5 | 3.3 | 3.8 | 2.3 | 18.7 |

1) These values read 1: (whatever in appropriate column). Example - Servants for St. John's = 1: 33.9.

This is not a percentage figure.

Source: Cleland, Description of the Ten Parishes, pp.5-14.

When one applies for admittance, through his deacon, upon our funds, the first thing to be enquired into is, if there be any kind of work that he can yet do, so as either to keep him altogether off, or, as to make a partial allowance serve for his necessities. The second, what his relations and friends are willing to do for them. The third, whether he is a hearer in any dissenting place of worship, and whether its Session will contribute to his relief. And, if after these previous enquiries, it be found, that further relief is necessary, then there must be a strict ascertainment of his terms of residence in Glasgow, and whether he be yet on the funds of the Town Hospital, or is obtaining relief from any other parish.

If, upon all these points being ascertained, the deacon of the proportion where he resides, still conceives him an object for our assistance, he will enquire whether a small temporary aid will meet the occasion, and states this to the first ordinary meeting. But, if instead of this, he conceives him a fit subject for a regular allowance, he will receive the assistance of another deacon to complete and confirm his enquiries, by the next ordinary meeting thereafter, -- at which time, the applicant, if they still think him a fit object, is brought before us, and received upon the fund at such a rate of allowance as, upon all the circumstances of the case, the meeting of deacons shall judge proper.

Of course, pending these examinations, the deacon is empowered to grant the same sort of discretionary aid, that is customary in the other parishes.¹²

These instructions were amplified in a letter to Deacon Campbell Nasmyth, dated December 1, 1819.¹³ In the letter Chalmers described three applications from Nasmyth's proportion and gave the appropriate action to take on each. All should be denied relief, as they were grounded on either a want of work or a defect of wages; this type ought never to be granted assistance from the ordinary funds. Only applications requesting relief because of age or bodily infirmity should be accepted. When undertaking investigations of cases, residence

12 Chalmers, Christian and Civic Economy, 1823, vol. 2, pp.151-52.

13 Henry Hunter, 1912, pp.345-47.

should be determined by either receipts of rents from landlords or assertions of creditable neighbours, and evidence for income obtained from people who furnish them with work. He reminded Nasmyth that men were presently working in the Green for 6s. a week, which provides an income criterion. Furthermore, if drunkenness be a habit of the applicant, this represents an income and the application should be refused. The deserving poor are those of sound moral character.

These constitute the clearest descriptions as to how a deacon was to perform his duties. He was to be a friend and advisor to the people, a task which could be fulfilled only if he did not provide them with assistance from the session's funds. The deacon's chief function was to help the poor to help themselves, or to serve as the moral guardian of the people.

The town council's permission to establish St. John's came at a particularly bad time, for the winter of 1819-20 was one of severe economic depression for Glasgow. Especially hard hit was the cotton industry. This was important for St. John's, because, as has been stated, a large proportion of the inhabitants were weavers. The fact that Chalmers insisted, under these circumstances, in implementing his scheme is puzzling. Perhaps the explanation lies in Chalmers' character. He was a man of great self confidence, and firmly believed in the soundness of his proposals. Besides, if St. John's was able, alone, to provide for its own poor during times of great stress, there could be no better proof of the feasibility of the parochial system. This particularly would be the case if Chalmers' claim that the parish was the poorest in Glasgow was justified.

He reached this conclusion thus:

From two decisive criteria, both of them verified by Mr. Cleland -- that is its smallest number of household servants, and its smallest proportion of the general assessment, it was and is still the poorest as well as most populous parish in the city.¹⁴

14 Chalmers, On the Sufficiency, 1841, p.100.

Table 26 presents the relevant data concerning the number of servants. As can be seen, St. John's had the second lowest number in absolute terms and the lowest in relative terms, though he failed to mention the inclusion of delivery boys in these figures. The implicit assumption underlying Chalmers' remarks was an indication of a lack of wealthy households in the parish. As St. John's was primarily a residential parish, the low number of servants, as defined by Cleland, should not be too surprising. Nonetheless, there could not have been a very large number of wealthy households, as the amount of the assessment paid by the inhabitants of St. John's in 1823 was only £140.¹⁵ As the assessment for Glasgow in 1823 was £8,561, the £140 represented only 1.6 per cent of the total assessment. This indicates the absence of a large number of wealthy individuals within the parish, as only persons with means valued above £300 were assessed. On this basis Chalmers may have been correct. Unfortunately, a breakdown, by parish, of amounts of assessment paid has not been found.

Despite Chalmers' position that poverty and pauperism were not equivalent, perhaps a better measurement of the relative poverty of the parish would be the number of paupers. If St. John's were the poorest parish, one would expect the number of paupers to be relatively large, regardless of the type of administration, but Table 27 shows St. John's, under the Chalmerian system in 1821, as having the third lowest number of paupers. Indeed, as can be seen in the same Table, at its inception the number of poor, under the non-Chalmerian system, was the fourth lowest in Glasgow. It should be noted that Chalmers' former parish, Tron, had the greatest number of paupers in 1819, but not in 1821. (Legal restrictions would have made it impossible for the parochial system to have been tried in the Tron).¹⁶ It should be noted also that of the decrease of thirty-six on the rolls of St. John's, nineteen can be accounted for by being transferred to the rolls of St. James' when that parish was formed in 1821.¹⁷ The fact

15 Chalmers, Last Eight Years, 1823, pp.8-9.

16 See Chapter 3.

17 Chalmers' Papers, Letter from John Wilson dated May 23, 1822.

Table 26: Number of Servants by parish, Glasgow, 1830.

| <u>Parish</u> | <u>Population</u> (1831) | <u>Number of Servants</u> (1830) | <u>Per Cent</u> |
|---------------|-----------------------------|-------------------------------------|-----------------|
| St. George's | 15,242 | 1,109 | 7.3 |
| St. John's | 11,746 | 203 | 1.8 |
| St. Mungo's | 10,295 | 311 | 3.0 |
| St. Paul's | 9,137 | 389 | 4.2 |
| St. Jame's | 8,217 | 453 | 5.6 |
| St. Enoch's | 7,921 | 567 | 7.2 |
| College | 7,569 | 179 | 2.4 |
| Tron | 7,529 | 299 | 3.9 |
| St. David's | 6,268 | 630 | 10.0 |
| St. Andrew's | 5,923 | 302 | 5.1 |

Source: Tufnell, E.C. "Report on Scotland" in Poor Law Commission Report, Appendix A, 2-3, p.204a, 1834.

Table 27: Number of poor on session rolls by parish, Glasgow,
1819 and 1821.

| <u>Parish</u> | <u>Number of Poor</u> <u>2 September 1819</u> | <u>Number of Poor</u> <u>4 February 1821</u> |
|---------------|--|---|
| Tron | 271 | 187 |
| College | 218 | 241 |
| St. Enoch's | 156 | 148 |
| St. Mungo's | 148 | 143 |
| St. Andrew's | 141 | 121 |
| St. John's | 125 | 89 |
| St. Paul's | 122 | 126 |
| St. George's | 47 | 59 |
| St. David's | 31 | 31 |
| St. James | --- | 105 |

Sources: Minutes of the General Session of Glasgow and Andrew
Ranken, A Letter Addressed to the Rev. Dr. Chalmers,
1830, p.12.

that all but four parishes witnessed a decrease in the number on their rolls between 1819 and 1821 indicates an improvement in the economic conditions of Glasgow. Another proof of the relative smallness of pauperism in St. John's is found in the rolls of the Town's Hospital. For the year ended 9 August 1819 there were 1,529 cases listed on the Hospital rolls, of whom only 40 were from the area formed by St. John's.¹⁸ Thus, its percentage of paupers on the list of the Hospital was three and one-half, not a significant amount. Given these facts, it is possible to conclude that St. John's was not the poorest parish in Glasgow.

The total expenditure for the year ended 30 October 1820 was only £317 18s. 3d., including £44 1s. 3d. spent on a soup kitchen. Chalmers later tried to capitalise on this seemingly low expenditure by stating that since the population of St. John's was ten per cent of Glasgow's population, the cost of St. John's pauperism should have been ten per cent of the assessment, or £1,400.¹⁹ He failed, however, to state that the cost of sessional pauperism of the area formed by St. John's prior to 1819 was only £225.²⁰

In 1821 the elders and deacons were so pleased with their work that they decided to exceed the original intentions of the scheme and relieve the Hospital of all paupers currently on its rolls. Chalmers did not approve of this action, as he felt the Agency was taking on an additional burden which would jeopardise the experiment.²¹ Nonetheless, on 17 May 1821, he requested a list of out-pensioners and inmates of the Hospital who were residents within the parish of St. John's. He also informed the Hospital directors that steps were

18 Cleland, Statistical Tables, 1823, p.127 and Chalmers, Last Eight Years, 1823, p.23.

19 Chalmers, On the Sufficiency, 1841, p.100, It should be noted that Chalmers never stated that he decreased the cost of pauperism in St. John's from £1,400 to £280, as Hanna claims. Hanna, Life of Chalmers, vol. 2, p.297.

20 GSM, 2 September 1819.

21 1844 Report, Appendix, part I, p.267.

in progress for placing such persons on the funds of St. John's.²² This action was succeeded by a letter from Robert Brown, an elder at St. John's, dated 7 January 1822, to the Hospital directors. In the letter Mr. Brown stated that the session was now ready to relieve the Hospital of these cases. They were to remain in the Hospital, and, provided they received the average Hospital allowance, St. John's would not interfere with their management. Mr. Brown also stated that if the collections at St. John's suffered a serious decrease, the arrangement might have to be ended.²³

Dr. Chalmers, having left Glasgow in November 1823 to assume the Chair of Moral Philosophy at St. Andrew's, later wrote that, during his stay at St. John's,

The whole number of regular paupers who have been admitted on the parochial funds of St. John's, for three years and nine months, is twenty, at a monthly expense of £5 10s. 6d. and a yearly expense of £66 6s. during which period there has not one been sent to the Town Hospital,²⁴ or made chargeable in any way, on the fund by assessment.

The number admitted on the grounds of general indigence was thirteen (monthly expense of £2 13s. 4d.); the number admitted on the grounds of extraordinary and hopeless disease was two, one lunatic and one deaf and dumb individual for a monthly expense of £1 4s. 8d.; the number admitted on the grounds of necessity springing from crime was five, two illegitimate children and three families of runaway husbands for a monthly expense of £1 12s. 6d. Chalmers felt that only those of the first group were the proper recipients of relief; the second group should be cared for by publicly supported institutions and the third group should not receive relief.²⁵ But he failed to present an accurate picture; St. John's was indeed sending cases to the Town's Hospital. Moreover, the session refused to grant aid to any person who had previously received relief, regardless of its source. This policy is clearly evident from two items contained in the

22 THM, 17 May 1821.

23 THM, 1 January 1822.

24 Chalmers, Last Eight Years, 1823, p.15

25 Chalmers, Last Eight Years, 1823, pp.14-16.

Chalmers' Papers. The first is a letter to Chalmers from William Sym, Clerk to the Weekly Committee of the Town's Hospital, dated 26 October 1819.

Regarding the principle assumed and intended to be acted upon by Dr. Chalmers and his Session, namely that a person who has at any time received a Temporary Supply from the Charitable Funds of any parish, becomes in all time subsequent inseparably attached to that parish in so far as a right to charity is concerned -- and that that person cannot obtain a legal claim to Support from any other parish at any after period however distant, and however changed his circumstances may have been in the outcoming period. This principle the Committee do not understand to be correct in Law and know it to be contrary to the practice of all neighbouring parishes.

The Committee conceive that it would be equally unwarrantable and more inequitable for the Session of St. John's to refuse aid to every poor person who may be long resident in that ???, on the Sole ground that they had at some time received even a Small Temporary Supply from the Managers of the Town's Hospital the more especially as the poor part of the population of that parish is so numerous, and their circumstances so much subject to change.

The Committee further conceive that if the Session of St. John's go upon the data they propose they will be able to guard their funds very effectually as it is believed that on investigation it will be found that by far the greater number of the Lower class in that parish have at some time or other received aid in some shape from the legal charitable funds of the City.

The second piece of evidence of inaccuracy in Chalmers' picture is an undated (1820?) note to himself.

In Mr. McVeys proportion a woman blind in years, and received 1/6 a week several years from the Hospital, and 3/- a month from the female Society. The latter Society have with-drawn their support on the plan that I was to take on all their cases. Mr. McVey on being told of it by the woman referred her to the Town Hospital for the necessary ??? -- and they sent her back to him on the plan that I was to support all the poor of my parish. And not till after a good deal of counter statements and altercations at the Hospital between two of my people and the Committee was the woman restated upon their funds.

Besides these cases, all cases of medical relief were referred to the Hospital.²⁶ Chalmers' careful and arbitrary definition of the classes eligible for relief artificially reduced the problem as concerned and measured in St. John's parish, the harshness of his measures falling on those less able to bear them.

Dr. Patrick MacFarlan was appointed to replace Chalmers as minister. His stay at St. John's was short, for eighteen months later, the town council appointed him to the vacant charge of St. Enoch's. Dr. Thomas Brown became minister in 1826. He continued in that capacity for the remainder of the period under consideration. Unfortunately, events during this period are largely unknown. As one would expect, the session minutes for St. John's contain few entries relative to poor relief. It is clear that the foundling children were boarded out with respectable people, with an elder checking on them once a month to ensure that they were properly fed, clothed, and instructed in religious principles. On 10 December 1827, a decision was made to arrange for

raising the funds necessary to pay the Salaries of the Parochial Teachers which had hitherto been paid from the Collections for the poor — but which collections it was considered proper to relieve if possible from that burden in time coming.²⁷

It was agreed to have two collections annually, both in the Church and the Chapel of Ease, and that that intention be stated from the pulpit on the previous Sunday. All costs of educating orphans and foundling children were to come from these collections. On 7 September 1832, an extraordinary collection for the poor was made, because of the great additional burden imposed by a severe epidemic leaving orphaned children in its wake, and because the funds had been considerably affected by the church's closure for repairs during several weeks.²⁸

26 Chalmers' Papers, note to himself, 16 May 1823.

27 St. John's KSM, 10 December 1827.

28 St. John's KSM, 7 September 1832.

The events leading to the end of the experiment are clearly stated in the Hospital minutes. On 20 November 1832, a communication was received from Robert Dalglish, former Lord Provost recommending the liquidation from the funds of the Hospital of a claim for £11 5s. 4d. expended by the deacons of St. John's on extraordinary aid to persons and families suffering from typhus fever. This request was granted, as an agreement with the Hospital in 1819 stated that the parish could draw on the Hospital funds for any unusual expenditure.²⁹ This was the first time they drew from the Hospital. The next mention was on 29 March 1836, when a delegation from St. John's called upon the Weekly Committee to report the sad state of their funds and to remind the Committee of the agreements made between the session and the directors in 1822, which have previously been stated. The Weekly Committee agreed to submit the session's petition to the directors, who appointed a committee to examine the claims. This committee reported on 1 April 1836, that it would be contrary to law to meet the claim for aid by the session on the basis of accumulated arrears of the last fourteen years on a particular class of paupers. But if

... the Session be enabled to shew that from recent claims of unusual magnitude, they have been involved in debt which they have not the means of discharging, the Committee would recommend the claim to the favorable consideration of the Directors.³⁰

This statement received the following response from William Buchanan dated 28 April 1836:

The Committee of St. John's Session having considered the Minute of the Committee of the Town's Hospital, of date 1 Current, and advised with St. John's Session, beg leave to state that their debt has arisen principally since 1832 -- that a principal cause has been the increase of expenditure consequent upon the cholera which raged in 1832 followed by Typhus Fever in 1833, and from the unlooked for great extent of Lunatic cases principally augmented in 1834 & 35. This Committee respectfully remind the Committee of the Town's Hospital, that their application is for reimbursement of the £461 duly verified by Mr. Hill, as actually paid to the Hospital, under the Second or Supplementary undertaking of 1820.³¹

29 THM, 20 November 1832.

30 THM, 1 April 1836.

31 THM, 28 April 1836.

This represented a convenient rewording of the original petition which claimed that the balance against the session had arisen because of payments to the Town's Hospital for support of the poor on the Hospital's rolls at the formation of the parish. As a result of this sacrifice of principles, the directors agreed to pay St. John's the amount requested and expressed their hope that the session would be able to carry on as before. But on 21 May 1836, a directive was received from the town council that the £461 was not to be paid to St. John's until acted on by the council, which also demanded the documents and extracts of the proceedings relative to the application from the session. The directors voted to ignore this directive on the grounds that the council had delegated their responsibility to the poor to the directors.³² Finally, on 3 October 1837, the session reported that the state of their funds was such that they needed assistance from the Hospital on the same grounds as the other nine parishes. The directors agreed to the request and stated that all persons receiving more than 5s. per month would be placed on the Hospital rolls, as would all orphans, deserted children, and lunatics.³³ With this decision, the eighteen year experiment came to an end.

After leaving the parish, Chalmers kept in close contact with events there. In his last article on the experiment, written in 1841, he offered several reasons for the system's failure. He felt it was a success if the expenditure for religious and educational objects was not taken into account. This would be true. However, since education played such a crucial role in the parochial system, it does not seem reasonable to exclude the expenditure when evaluating the system. He also felt that the parish should never have undertaken the obligation to support its poor in the Town's Hospital. Finally, he stated that the system was doomed to failure as long as the magistrates refused to impose a law of settlement between the parishes within Glasgow, and as long as they refused to exempt the inhabitants of St. John's from paying the assessment.³⁴ Both of these demands were unrealistic.

32 THM, 21 May 1836.

33 THM, 3 October 1837.

34 Chalmers, On the Sufficiency, 1841, pp.135-37.

Table 28: Abstract from treasurers accounts of income and expenditure, for St. John's Parish, 1 October 1819 to 1 October 1833

| Income | | | | | | | | | | Expenditure | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------|---|---|----|----|--|----|----|----------------------------|----|-------------|--|----|----|--|----|----|---|----|---|-------------------------------|----|----|---|----|---|---|----|----------------|--|----|----|--|----|----|---------------------------------|----|----|--------------------|--|--|
| Years | Number of Regular & Occasional Sessional Poor (1) | Collections at Church and Chapel Doors £ s. d. | | | General Session Fund and Sundries Including £142-13-9 Donations, During 13 Years £ s. d. | | | Total Income £ s. d. | | | Paid to Regular Session Poor (2) £ s. d. | | | Paid to Occasional Poor £ s. d. | | | Foundlings, Deserte Children, etc. £ s. d. | | | Lunatic Paupers £ s. d. | | | Coffins & Funeral Expenses (3) £ s. d. | | | Expense of Parochial Schools £ s. d. | | | Religious and Charitable Institutions, Collected for £ s. d. | | | Church Officers, and Sundries £ s. d. | | | Total Expenditure £ s. d. | | | Balance £ s. d. | | |
| 1820 | 117 | 713 | 7 | 6 | 22 | 9 | 5 | 735 | 16 | 11 | 222 | 8 | 9 | | | | | | | | | | 95 | 9 | 6 | 154 | 1 | 10 | 168 | 12 | 0 | 44 | 17 | 5 | 685 | 9 | 6 | 50- 7- 5 | | |
| 1821 | 113 | 734 | 18 | 1 | 24 | 13 | 8 | 739 | 11 | 9 | 193 | 15 | 6 | | | | | | | 4 | 17 | 6 | 10 | 14 | 6 | 51 | 19 | 0 | 268 | 17 | 8 | 16 | 10 | 4 | 546 | 14 | 6 | 213- 3- 3 | | |
| 1822 | 78 | 739 | 11 | 0 | 54 | 1 | 8 | 793 | 12 | 8 | 149 | 12 | 0 | | | | | | | 8 | 0 | 2 | 13 | 5 | 6 | 107 | 0 | 0 | 298 | 2 | 10 | 26 | 7 | 8 | 602 | 8 | 2 | 191- 4- 6 | | |
| 1823 | 74 | 570 | 8 | 1 | 39 | 4 | 9 | 609 | 12 | 10 | 264 | 2 | 4 | | | 1 | 17 | 6 | | 4 | 0 | 4 | 10 | 0 | 0 | 581 | 9 | 0 ⁴ | 134 | 9 | 0 | 28 | 4 | 6 | 1024 | 2 | 8 | (414- 9-10) | | |
| 1824 | 92 | 535 | 8 | 3 | 171 | 17 | 1 | 707 | 5 | 4 | 201 | 10 | 9 | 8 | 5 | 6 | 25 | 17 | 0 | 6 | 16 | 11 | 11 | 18 | 6 | 207 | 0 | 0 | 113 | 5 | 0 | 38 | 8 | 3 | 613 | 1 | 11 | 104- 3- 5 | | |
| 1825 | 110 | 422 | 14 | 6 | 28 | 10 | 8 | 451 | 5 | 2 | 169 | 3 | 10 | 11 | 17 | 0 | 19 | 0 | 2 | 8 | 18 | 10 | 7 | 16 | 0 | 80 | 0 | 0 | 161 | 3 | 0 | 45 | 6 | 1 | 503 | 4 | 11 | (52- 9- 9) | | |
| 1826 | 160 | 465 | 11 | 4 | 46 | 10 | 3 | 512 | 1 | 7 | 227 | 16 | 4 | 9 | 1 | 0 | 53 | 12 | 3 | 29 | 3 | 9 | 6 | 17 | 0 | 72 | 17 | 6 | 74 | 0 | 0 | 79 | 11 | 11 | 552 | 19 | 9 | (40-18- 2) | | |
| 1827 | 165 | 535 | 16 | 5 | 60 | 11 | 11 | 596 | 8 | 4 | 279 | 9 | 7 | 13 | 9 | 0 | 54 | 15 | 8 | 17 | 2 | 0 | 22 | 11 | 6 | 72 | 1 | 0 | 173 | 0 | 0 | 65 | 6 | 8 | 697 | 15 | 5 | (101- 7- 1) | | |
| 1828 | 88 | 523 | 13 | 10 | 80 | 16 | 1 | 604 | 9 | 11 | 287 | 6 | 10 | 8 | 2 | 6 | 88 | 6 | 7 | 20 | 10 | 0 | 11 | 8 | 6 | 72 | 17 | 8 | 109 | 0 | 0 | 41 | 12 | 3 | 639 | 4 | 4 | (34-14- 5) | | |
| 1829 | 39 | 493 | 0 | 1 | 43 | 1 | 0 | 542 | 1 | 1 | 176 | 3 | 4 | 26 | 9 | 6 | 127 | 17 | 4 | 41 | 8 | 3 | 23 | 0 | 0 | 85 | 8 | 0 | 102 | 0 | 0 | 72 | 15 | 2 | 655 | 1 | 7 | (113- 0- 6) | | |
| 1830 | 83 | 468 | 14 | 7 | 43 | 2 | 6 | 511 | 17 | 1 | 186 | 19 | 0 | 21 | 0 | 11 | 86 | 10 | 2 | 41 | 8 | 10 | 13 | 18 | 3 | 103 | 10 | 6 | 21 | 0 | 0 | 49 | 9 | 2 | 523 | 16 | 10 | (11-19- 9) | | |
| 1831 | 83 | 491 | 17 | 3 | 43 | 0 | 0 | 534 | 17 | 3 | 182 | 1 | 6 | 25 | 3 | 1 | 69 | 17 | 0 | 29 | 14 | 4 | 21 | 1 | 0 | 123 | 0 | 6 | 56 | 0 | 0 | 62 | 5 | 4 | 569 | 2 | 9 | (35- 5- 6) | | |
| 1832 | 82 | 561 | 5 | 5 | 45 | 19 | 0 | 607 | 4 | 5 | 187 | 11 | 6 | 28 | 1 | 1 | 107 | 18 | 7 | 30 | 7 | 9 | 24 | 7 | 3 | 78 | 7 | 0 | 84 | 0 | 0 | 69 | 1 | 5 | 609 | 14 | 7 | (2-10- 2) | | |
| 1833 | 92 | 542 | 12 | 9 | 41 | 7 | 4 | 584 | 0 | 1 | 205 | 7 | 10 | 32 | 11 | 3 | 117 | 13 | 3 | 20 | 18 | 6 | 10 | 8 | 6 | 95 | 12 | 9 | 106 | 16 | 8 | 53 | 11 | 3 | 643 | 0 | 0 | (58-19-11) | | |
| Totals | | 7804 | 19 | 1 | 745 | 5 | 4 | 8550 | 4 | 5 | 2933 | 9 | 1 | 184 | 0 | 10 | 753 | 5 | 6 | 263 | 7 | 2 | 282 | 16 | 0 | 1885 | 4 | 9 | 1870 | 6 | 2 | 693 | 7 | 5 | 8865 | 16 | 11 | (315-12- 6) | | |

(1) For years 1820-1827 all classes of Paupers are included. For years 1828-1833 the number of foundlings, orphans, deserted children, lunatics, and occasional paupers are not included.

(2) Includes payments to Town's Hospital

(3) In 1820 about £70 was expended in providing Mortcloths for the use of the Parish.

(4) Includes £500 invested in Corporation funds for an endowment of £25 per annum to one of four parochial schools.

Source: Cleland, James. Letter to His Grace the Duke of Hamilton, p.40.

Since Glasgow, for the purposes of civil law, was one parish, a law of settlement could not be established between the quoad sacra parishes. The second demand should have had no influence on the system, as most of the residents of the parish did not have enough means to be assessed. The largest percentage of St. John's income came from the wealthy, non-resident members of the congregation.

Chalmers was right in one respect; the experiment was doomed to failure. This can be seen clearly from Table 28. This abstract of the treasurer's accounts has been selected, as it agrees with manuscript abstracts found in the Chalmers' Papers for the years 1820-23. It also correctly reflects the categories of expenditure one would expect to find included in the Chalmerian parochial system. One fact is immediately clear; income was greater than expenditure only for the years 1820, 1821, 1822, and 1824; from 1825 until 1837, the session had to receive some form of outside help. Could this be the secret subsidies referred to by his critics, J.H. Burton, Andrew Ranken, and W.P. Alison.³⁵ The Table also illustrates that the allusion, addressed to the directors of the Town's Hospital, to the session's financial difficulties arising in 1832 because of the cholera epidemic was not true. The session's financial difficulties were a long-term matter, arising because of faulty managerial decisions and an over-zealous agency. If the session had not undertaken the relief of the cases in the Town's Hospital, they would have had a balance in their favour of £146 instead of a deficit. The blame cannot be placed on expenditure for education and the relief of paupers not considered to be proper objects of parochial relief, since these expenses represented managerial decisions and correctly reflect the fact that they had to be made. If St. John's had been a rural parish, it would have been legally responsible for the type of expenditure given in the Table.

³⁵ Burton stated in "Poor Laws and Pauperism in Scotland," in Westminster Review, 1841, p.23, that "We admit that it is not unlikely that it would be found, on inquiry, that the poor of St. John's did obtain more of the comforts of life than their neighbours, but if they did so, it was from circumstances which the friends of the scheme would keep in the background. The project required the aid of several respectable citizens to act in the capacity of deacons, and administer the fund. These consisted of the most wealthy citizens of all parts of the town. They were men chosen out and distinguished, and a good deal was expected of them. It was a pet scheme, in short, of the aristocracy of Glasgow, who were bound to come in personal contact with the poor of a small section of the city. The influence of these gentlemen, in the way of procuring employment, and in various other forms, was thus in a manner at the service of their clients; we have heard, too, that their purses were frequently appealed to, and that the honour was a somewhat expensive one."

Perhaps Chalmers could foresee impending difficulties; hence, his rather untimely exit in 1823. His appointment to the Chair at St. Andrew's was not announced until his election to the Chair.³⁶ In announcing his decision to leave, he informed his Agency that the move was necessary because of his health.³⁷ This was the first reference to a poor state of health at this period of his life. The Agency was shocked. In a letter to Chalmers on 20 January 1823, William Collins stated "In general, they /the elders and deacons/ could have wished you had remained a year or two longer until your Parochial measures had been more fully matured."³⁸ It is evident in a letter from Harry Rainy that the experiment relied heavily on Chalmers. Rainy stated that the circumstances of the Agency were not on as harmonious a footing as could be wished, and that the Church was poorly attended, with collections consequently considerably decreased.³⁹

The only successful undertaking by Chalmers at St. John's was in the area of education.

Within two years from the commencement of his ministry four efficient teachers, each endowed to the extent of £25 per annum, were educating 419 scholars; and when he left Glasgow in 1823 other school buildings were in process: of erection capable of accommodating 374 additional pupils; so that the fruit of four years' labour was the leaving behind him the means and facilities for giving at a very moderate rate a superior education to no less than 793 children out of a population of 10,000 souls.⁴⁰

As for the allusion to secret subsidies, surely one should not criticise the system on the grounds that wealthy persons provided donations to the poor in order to keep them off the rolls. After all this function was one of Chalmers' four fountains, and under the parochial system everything should be done to prevent a person from suffering the moral degradation of receiving aid from the sessional funds. Moreover, Chalmers never tried to hide the fact that the wealthy were making substantial donations to the poor. Campbell Nasmyth

36 Chalmers' Papers, Letter from Francis Nicoll, St. Andrew's, 11 January -1823.

37 Chalmers' Papers, 20 January 1823.

38 Chalmers' Papers, Letter from William Collins, 20 January 1823.

39 Chalmers' Papers, Letter from Harry Rainy, 28 February 1824.

40 Hanna, Life of Chalmers, 1832, vol. 2, p.236.

in his testimony before the 1844 Commission when asked the question, "And some of them /the deacons/ tried to get work for the applicants?" responded,

Yes; wherever I could I used my influence; and even although I did not know personally the persons to whom I applied, I stated to them in writing, or otherwise, that the poor person for whom I sought work was deserving, honest, and well disposed, and that it might be safe to give them work.⁴¹

Chalmers claimed that he relieved from his own resources (£20) all the cases in Archibald Newbegging's proportion in 1819-20.⁴² These subsidies, however, could be criticised on the grounds that their extent and necessity were never made known. Apparently, the system was able to survive only because of such subsidies. Without this information, Chalmers' statements on St. John's are misleading.

Evidence has been presented which indicates that the experiment was not financially successful. But another aspect of the system needs to be examined: Chalmers argued that the system of independent management saved Glasgow a substantial amount, therefore permitting a reduction in the assessments. Was this claim warranted? Although the evidence is extremely scanty, such as it is indicates that the experiment was costly to Glasgow. First, using Chalmers' own figures, we learn that in 1823, St. John's cost of maintaining its poor in the Town's Hospital was only £90. In the same year the assessment for Glasgow was £8,561, of which the inhabitants of St. John's paid £140.⁴³ As £90 is only one per cent of the assessment, this could not be considered a substantial saving to Glasgow. Furthermore, by an agreement made in 1819, as the poor from St. John's in the Hospital died, a proportional sum from the assessment was to be remitted to the parish.⁴⁴

41 1844 Report, vol.1, p.350.

42 1844 Report, vol.1, p.269.

43 Chalmers, Last Eight Years, 1823, pp.8-9.

44 St. John's Session. Statement from the Session of St. John's Parish, Glasgow, to the Directors of the Town's Hospital, in Regard to the Management of Their Poor. 1836.

Secondly, the General Session foresaw difficulties. At their meeting of 2 September 1819, they proposed to allocate the expected collections among the nine parishes so that the average allowance per pauper would be 2/9. But if Dr. Chalmers were to

... retain his Collections at £8 a week, or £416 a year, and consequently parochial poor 125 withdrawn, the other parishes would only have monthly allowances per pauper of 2/6. But if Dr. Chalmers will give up £184 3s. 6d. of his collections to the Common Funds of the Session this will raise the whole to 2/9.⁴⁵

Chalmers would not agree to this proposal, hence on 7 October 1819, the General Session resigned its management of the sessional poor, but after negotiation with the town council they agreed to continue until 15 February 1821.⁴⁶ This action complicated the system of management in Glasgow; now, each session had to negotiate separately with the Town's Hospital for funds. Of the ten parishes only four initially drew upon the Hospital's funds; the other six decided to rely on their own collections. However, by 1832, all parishes except St. John's were drawing from the Hospital. St. George's parish on 5 February 1821, decided to yield to the majority opinion and distribute from their own collections. They expressed the feeling, however, that Glasgow needed some central court, such as the General Session, to supervise the distribution of funds in order to preserve a uniformity in distribution, and that Glasgow was a parish quoad civilia and therefore each separate parish within the City could not legally act on its own.⁴⁷

Thirdly, the Chalmerian system forced the assessments in Glasgow to be greater than they would have been under the former system. It must be remembered that, prior to the resignation of the General Session, each session gave its collections to the General Session, who redistributed the amount to the various parishes in proportion to the

45 GSM, 2 September 1819.

46 See Chapter 3.

47 St. George's KSM, 5 February 1821.

number on their rolls. Any deficiency in required amounts was to be made up by the Town's Hospital. After the resignation of the General Session each parish retained its collections. Thus, any balance in its funds would remain with the parish and would be lost to the system, hence it could not be used to help to offset the deficits of the other parishes. As can be seen from Table 29, the total balances in hand on 1 November 1822, were £1195 3s. 6½d. Moreover, over one-half of this balance, or £604, was in the hands of St. John's. As the other parishes had deficits of £687, the amount of the assessment for Glasgow had to be greater by the £687. Thus, the system could not have been considered as creating savings to Glasgow.

Chalmers also claimed that his own popularity increased the total church collections of Glasgow, due to his afternoon sermons. The collections for the year ending 31 December 1818, for eight parishes were £1,896 19s. 9½d. The collections for the year 1 November 1821 to 1 November 1822, for ten parishes were £2,033 4s. 11½d. The difference between the collections on the two dates is £126 5s. 2d., which might well have been due solely to the establishment of two new churches:-

It seems quite obvious, therefore, that the large amount of collections at your church, arose altogether from a transference from the adjoining parishes, by which their collections suffered a diminution in the same ratio as that of St. John's gained an increase.⁴⁸

Chalmers' claim that the old system was too extravagant does not seem warranted. Table 30 leaves the impression that the relief of pauperism in all parishes was held to a minimum. The vast majority of the recipients were widows. The fact that the majority were also born outside Glasgow is an indication of the City's growing importance as an industrial centre.

In conclusion, it does not seem possible to state that the experiment was a success in terms of its effect on the other parishes. Besides increasing the cost of pauperism in Glasgow, it created a certain chaos by eliminating the important element of uniformity in the system.

⁴⁸ Andrew Ranken, 1830, p.19.

Table 29: Church door collections and expenditures on sessional poor, by parish, Glasgow, from 1 November 1821 to 1 November 1822.

| <u>Parish</u> | <u>Collections</u> | | | <u>Expenditures</u> | | | <u>Balances on Hand</u> | | |
|---------------|--------------------|----|----|---------------------|----|----|-------------------------|------|----|
| | £ | s. | d. | £ | s. | d. | 1 November | 1822 | |
| | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| St. Andrew's | 101 | 19 | 11 | 270 | 19 | 5 | 0 | 0 | 0 |
| St. Enoch's | 120 | 7 | 8 | 277 | 19 | 0 | 6 | 19 | 3 |
| College | 99 | 17 | 8 | 457 | 13 | 9 | 0 | 0 | 0 |
| St. Mungo's | 77 | 7 | 9 | 257 | 0 | 6 | 39 | 4 | 3 |
| Tron | 181 | 10 | 10 | 241 | 7 | 2 | 0 | 0 | 0 |
| St. David's | 111 | 19 | 10 | 85 | 15 | 8 | 62 | 12 | 1 |
| St. George's | 333 | 11 | 5 | 137 | 2 | 6 | 295 | 6 | 2 |
| St. John's | 455 | 13 | 7 | 149 | 14 | 0 | 604 | 13 | 3 |
| St. Paul's | 282 | 19 | 11 | 236 | 18 | 6 | 57 | 9 | 2 |
| St. James | 267 | 16 | 5 | 199 | 8 | 10 | 128 | 19 | 5 |
| Totals | 2033 | 5 | 0 | 2413 | 19 | 4 | 1195 | 3 | 7 |

Source: Ranken, p.12.

Table 30: Selected characteristics of paupers on sessional rolls,
Glasgow, 1823 (?)

| Characteristics | Parishes | | | | | | | | Totals |
|---|-------------|------------|--------------|--------------|------------|--------------|-------------|----------|-------------------|
| | St. Mungo's | St. Mary's | Blackfriar's | St. Andrew's | Outer High | St. George's | St. Enoch's | Ramshorn | |
| General number on roll of each parish | 199 | 194 | 182 | 180 | 149 | 125 | 97 | 56 | 1182 ¹ |
| General number of Males on each parish | 18 | 30 | 31 | 27 | 11 | 14 | 10 | 5 | 146 |
| General number of Females on each parish | 181 | 164 | 151 | 153 | 138 | 111 | 87 | 51 | 1036 |
| Females | | | | | | | | | |
| Under 40 years old | 4 | 12 | 7 | 8 | 4 | 4 | - | 2 | 41 |
| Above 40 and under 50 | 6 | 19 | 19 | 15 | 19 | 9 | 8 | 10 | 105 |
| Above 50 and under 60 | 51 | 44 | 34 | 49 | 41 | 25 | 26 | 12 | 282 |
| Above 60 and under 70 | 75 | 58 | 66 | 45 | 43 | 53 | 32 | 16 | 388 |
| 70 years old and upward | 45 | 31 | 25 | 36 | 31 | 20 | 21 | 13 | 222 |
| Males | | | | | | | | | |
| Under 40 years old | 1 | - | 1 | 3 | - | - | - | 1 | 6 |
| Above 40 and under 30 | 1 | - | 3 | 2 | 1 | 1 | - | - | 8 |
| Above 50 and under 60 | 5 | 6 | 4 | 5 | 1 | 3 | 1 | - | 25 |
| Above 60 and under 70 | 6 | 12 | 10 | 5 | 4 | 6 | 2 | 1 | 46 |
| 70 years old and upward | 5 | 12 | 13 | 12 | 5 | 4 | 7 | 3 | 61 |
| Number of Females deserted by husbands | 2 | 7 | 2 | 3 | 2 | 2 | 4 | - | 22 |
| Number of do.who have children under 10 yrs. | 6 | 17 | 18 | 12 | 11 | 6 | 7 | 1 | 78 |
| Number of do. with children above 10 yrs. | 52 | 53 | 65 | 51 | 48 | 28 | 32 | 15 | 344 |
| Number of Widows | 121 | 130 | 133 | 122 | 115 | 89 | 71 | 44 | 825 |
| Number of Females who have not been married | 28 | 16 | 11 | 24 | 11 | 21 | 9 | 8 | 128 |
| Number of poor who belong to the Established Church | 178 | 148 | 141 | 146 | 114 | 110 | 81 | 49 | 967 |
| Number, who are Dissenters | 21 | 46 | 41 | 34 | 35 | 15 | 16 | 7 | 215 |
| Natives of Glasgow | 57 | 44 | 39 | 59 | 38 | 39 | 17 | 12 | 305 |
| Natives of Scotland | 134 | 127 | 109 | 109 | 106 | 81 | 77 | 44 | 787 |
| Natives of Ireland | 8 | 23 | 34 | 12 | 5 | 5 | 3 | - | 90 |

1 Although the poor amounted to 1350 persons, there were only 1182 who appeared before the Committee, the others were prevented from attending by sickness, or other sufficient causes.

Source: Cleland, Statistics Relative to Glasgow, p.109.

The parochial system was never adopted on a large scale by those parishes that had resorted to an assessment. Chalmers himself stated that he did not feel sorry about the abandonment of the system at St. John's, as the deacons would not have any impetus to work on what was considered an experiment unlikely to be adopted.⁴⁹ His greatest opponent, W.P. Alison stated, with respect to a voluntary system being established, that Chalmers' own statements show its impracticability when he confessed that his "Contest of twenty-five years with public functionaries has been weary and ineffectual" and that no other parish in Glasgow had followed his example.⁵⁰ Perhaps the system was not adopted elsewhere because it was an attempt to reverse the social impact of industrialisation. It was therefore bound to fail because of the new tide of social conscience that was sweeping Britain. The following comments by a contemporary, Sheriff Archibald Alison, provide an excellent evaluation of Chalmers' attitudes on poor relief:

His ideas about the management of the poor were those of benevolent and visionary rather than a practical and sagacious man: they presupposed a greater amount of talent in the minister, and zeal in his associates, than is to be expected from the average of men.⁵¹

In spite of its failure and its attempt to turn back the clock, the system embodied several important and surprising innovations. First, it emphasised that the problems of poverty could be solved only by attacking the source of poverty, not by attempting to relieve poverty; treating the symptoms will only disguise and perpetuate the problems of poverty.⁵² Second, if an over-supply of labour existed in an industry, the superfluous workers should, at public expense, be fitted out for other jobs. Finally, Chalmers developed the important principle of 'locality': the poor should be helped at the local level by individuals familiar with their needs; the social worker should be viewed as an understanding friend.

49 Chalmers, On the Sufficiency, 1823, p.145.

50 Alison, Reply to Dr. Chalmers' Objections, 1841, p.3.

51 Lady Jane Alison, 1883, p.448.

52 Chalmers, The Works, "Influence of Parochial Associations on the Temporal Necessities of the Poor," (1814), vol. 12, p.134.

CHAPTER 8: THE DEBATE

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CHAPTER 8: THE DEBATE

As in England, large scale disagreement about the operation of the poor laws occurred only after 1815. The war years (1795-1815) had caused both the number of paupers and expenditure on them to increase dramatically, resulting in the introduction of assessments and an increase in the rates. By tracing the course of discontent, an understanding of the reasons for changing the law in 1845 can be obtained.

Isolated cases of discontent periodically occurred in Scotland throughout the period. Not surprisingly urban areas, particularly Glasgow, were the main centres. The first example found was dated 1785 and opened with the statement: "He that oppreseth the Poor, reproacheth his Maker".¹ The author's purpose was to criticise the views of a collection of letters by a writer calling himself 'A Citizen', who claimed that individuals receiving public assistance should descend at least one step below the station he held during periods of health and industry.² The protagonist of the poor believed these views to be irrelevant, as the allowances to the poor were far from sufficient.

A fellow anonymous author was opposed to a legal assessment, but he was also hostile to any voluntary system not based upon church collections. It was only in a church that "Habit closes the grudging eye of avarice; and vanity, in the presence of the church where there are so many spectators to note a close-fisted Christian, comes forward as a friendly auxiliary to virtue". Ironically, a family of Christians "... bestow this sum cheerfully, and never think more of it."³ Individuals who desert the Church, however, and are approached at the end of the year feel that the sums asked of them are unjustly high.

Finally, considering parochial relief in Glasgow, one writer criticised the administrators and low relief payments. "... the quantum of which too frequently corresponds with the favourable or

1 Anon, Glasgow Polity, 1785, p. 1.

2 Anon, Glasgow Polity, 1785, pp.27-8.

3 Anon, A Letter on Poor Rates, 1807, pp. 26-7.

unfavourable representation of their Elders, and which is at best by no means sufficient for supporting life."⁴

A. The 1818 Report

In order to evaluate the impact of differing types of legislation, the Select Committee on the English Poor Law early in 1817 asked the General Assembly of the Church of Scotland to undertake a study of the Scottish poor law. The General Assembly agreed in May of that year, appointing a sub-committee with George H. Baird, Principal of Edinburgh University, as convener, and presenting the results to the Select Committee the following May.

To accomplish their task, the sub-committee compiled a set of queries (see Appendix 8/1) and sent them to each parish minister of the Church of Scotland, receiving back 717 completed returns, representing nearly one-hundred per cent of Scotland's parishes.

The sub-committee apologized

... for the time unavoidably consumed in conducting so wide a correspondence as the case required, and for extracting, and arranging and comparing the contents of nearly 700 Parochial Returns; each of which contained so great a variety of sums, and dates, and minute facts, relative to all the multiplicity of points to which they necessarily referred; this last being a work too, with advantage and accuracy, by the single unassisted hand of the same individual, who received, only recently, many of the returns.⁵

It is amazing that the task could be conducted largely by one individual in such a short span of time. This lends weight to a contention of the present thesis that the main conclusions of the Report were pre-determined.

Mistakes in data representation were later admitted, and a supplementary Report was issued in 1820 giving corrections. The conclusions, however, were not modified, being representative of the existing political and social conditions.

4 The Glasgow Chronicle, 17 August 1819.

5 1818 Report, p.22.

The Report had a more extensive data base than the English Report of 1817 and, indeed, than that of 1834. There is no problem of defining a statistical sample, as nearly all the Scottish parishes are represented. Moreover, it is possible to determine which parishes did not submit returns, thus avoiding a complaint Blaugh registered against the 1824 Report of the Select Committee on Labourers' Wages.⁶ Other complaints which Blaugh⁴ expressed against the 1834 English Report⁷ are not applicable to the Scottish Report, as the questionnaires were analysed and reduced to summary form, though many important questions were, seemingly, overlooked. The summary tables presented only information on church collections, assessments, expenditure, and number of poor, thus eliminating a vast quantity of other useful information. The questions were clearer and better designed than those for the English Report of 1834, though it is evident from the summary data that confusion existed in the answers, reflecting, perhaps, more the haphazard manner in which records were kept rather than any weakness in the form of the questions.

As the original returns could not be located, one must rely on the data abstracts which appear in the published Report. The information was arranged by parish according to synod and presbytery and included for each parish the population in 1811, the average funds for the poor for 1808-17 including contributions by the heritors, amount of general session funds, amount of annual assessments, and the average annual number of paupers for 1808-17, including both those regularly and occasionally on the poor's roll. The conclusions of the Report purport to be based on abridged answers to the forty queries.

The Report's main theme was to stress the evils of a legal assessment, a reiteration of the basic Scottish tenet that a legal assessment was necessary only if the voluntary sources of funds were insufficient.⁸ Moreover, the assessment was to be conceived only as a supplement to the voluntary contributions, the power to determine the amount resting with the persons liable to its payment. The Report

6 Mark Blaugh⁴, "Myth of Old Poor Law," JEH, 1963, p.159.

7 Blaugh⁴, "Poor Law Report Re-examined", JEH 1964, p.229.

8 See for example, David Monypenny, Remarks, 1836, p.46; William Stark, Considerations, 1826, p.53.

emphasises the "goodness" of this approach, for

... it is the practical application of these statutes thus characterised, combined with what has been an essential means of the lower classes of the people, that has hitherto maintained in so desirable a degree, the high character of this great branch of our national institutions, and has long contributed so largely to the industry and comfort of the poor, without producing any general injurious oppression on the rich.⁹

The committee members' opinions were clarified and strengthened at a later point, emphasising that

... they do not mean to enter into any general reasonings, respecting the various bearings of assessments on national policy and morals, or the relative interests of the rich and of the poor; but they cannot avoid expressing their conviction, that the full and accurate details furnished by the numerous returns from the ministers of parishes that are assessed, have enabled them to produce an extent and kind of evidence more conclusive than has ever been collected hitherto in Scotland, not only of the pernicious tendency in general of these compulsory sic taxations, but of their having already made a progress in this country, which ought to excite the alarm of all who take an interest in its welfare.¹⁰

The Report continues by examining the available evidence concerning assessments. The results are not always consistent: the number of assessed parishes in Scotland was stated as 145,¹¹ but is given as 152 in a table, reproduced here as Table 31; elsewhere in the Report, a simple calculation reveals the number of assessed parishes as 388,¹² while a tally of returns places the number at 149, probably the number likeliest to be correct. Furthermore, the Report states that in the Synod of Merse and Teviotdale, adjacent to the English border, all the parishes were assessed,¹³ which was not the case according to Table 31.

9 1818 Report, p.25.

10 1818 Report, p.29.

11 1818 Report, p.29.

12 1818 Report, Table III, p.83.

13 1818 Report, p.30.

Table 31: State of assessed parishes and assessments in the different synods having assessed parishes, annual averages for 1808-17.

| Synods | Number of Parishes in each synod | Number of assessed parishes | Population of assessed parishes | Total Poor in assessed parishes | Proportion of poor in the 100 of the Population | Amount of Assessments | | | Amount of General funds | | | Total amount of assessments and General funds | | | Paid to the poor per annum | | |
|----------------------|----------------------------------|-----------------------------|---------------------------------|---------------------------------|---|-----------------------|----|----|-------------------------|----|----|---|----|----|----------------------------|----|----|
| | | | | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | |
| | | | | | | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| Lothian & Tweeddale | 96 | 45 | 79,336 | 1,770 | 2½ | 4,927 | 17 | 7 | 3,528 | 2 | 0 | 8,455 | 19 | 7 | 4 | 15 | 6½ |
| Merse and Tevoitdate | 66 | 52 | 53,550 | 1,845 | 3½ | 8,923 | 1 | 7 | 1,713 | 7 | 11 | 10,636 | 9 | 6 | 5 | 14 | 0½ |
| Dumfries | 53 | 7 | 18,147 | 507 | 2½ | 1,110 | 10 | 0 | 1,030 | 10 | 0 | 2,141 | 0 | 0 | 4 | 4 | 5½ |
| Glasgow and Ayr | 115 | 26 | 144,143 | 3,116 | 2 | 11,696 | 14 | 9 | 7,552 | 7 | 1 | 19,249 | 1 | 10 | 6 | 3 | 6 |
| Galloway | 37 | 3 | 3,993 | 66 | 1½ | 58 | 0 | 0 | 130 | 16 | 1 | 188 | 16 | 1 | 2 | 17 | 2½ |
| Perth and Stirling | 77 | 9 | 22,157 | 429 | 1½ | 522 | 15 | 0 | 1,349 | 11 | 8 | 1,872 | 6 | 8 | 4 | 7 | 3½ |
| Angus and Mearns | 75 | 5 | 11,486 | 547 | 4½ | 390 | 3 | 2 | 500 | 14 | 4 | 890 | 17 | 6 | 1 | 12 | 6½ |
| Fife | 66 | 5 | 7,067 | 105 | 1½ | 324 | 10 | 9 | 274 | 16 | 10 | 599 | 7 | 7 | 5 | 14 | 2 |
| Total | 585 | 152 | 339,879 | 8,385 | | 27,953 | 12 | 10 | 16,080 | 5 | 11 | 44,033 | 18 | 9 | | | |

Source: Third Report, Table II, p. 82

The Report next examined the progressive rise in assessments using the Synod of Merse and Teviotdale to illustrate how the amounts increased substantially over the ten year period under consideration, concluding that the increase was due to a

... decisive and striking practical proof, that compulsory assessments will soon be found unavoidable, wherever the feelings of the lower classes become habituated to the view of the claims made, and allowances received under them elsewhere.¹⁴

It further argued that the imposition of assessments caused church collections to decrease. From information contained in the heritor's minutes¹⁵ it is clear that legal assessments were introduced only if the voluntary sources of funds were insufficient to meet the demands placed upon them. The number of people demanding or requiring help increased during the Napoleonic Wars since families of soldiers were supported by the parishes. In addition absenteeism by landlords led to a falling off of collections, and the large scale movement of rural population to urban areas, without any new church building led to a lowering of church attendance, and therefore of church collections, in urban areas. Thus it seems that assessments were augmented because of worsening economic conditions; they did not cause a drop in church collections, as the Report contends.¹⁶

The Report repeatedly argues that the introduction of a legal assessment caused the numbers on the rolls to multiply, for all moral constraint was removed. Introduce a legal assessment, and the poor demand relief as a right, the shame of applying for it will be effaced. An assessment "... multiplies the number of paupers, by debasing and corrupting one class of the population, and leading to an extravagant expenditure in supporting them, it unjustly and unnecessarily oppresses the other".¹⁷

14 1818 Report, p.30.

15 See Chapter 2.

16 1818 Report, p.27.

17 1818 Report, p.31.

If this is true, why, as Table 32 illustrates, was the percentage of the population who were paupers greater in the northern synods where there were few assessed parishes? (Ironically, the Report explains the extremely low relief allowances per pauper in the northern synods by stressing the industrious habits of the poor and the humanity and benevolence among the people in general.¹⁸) Further evidence casts doubt on this conclusion, as the population of the unassessed parishes was nearly twice that of the assessed (640,015 and 339,879 respectively), but the number of paupers in the unassessed was more than twice that of the assessed (19,786 and 8,700 respectively).¹⁹

The Report correctly states that paupers rarely received full support from the parish allowance, except in a few cases of friendless lunatics and foundlings. In determining the amount of the allowance, real poverty was always relieved, but not to the full extent of need. The amount and kind of allowance bestowed was influenced by the applicant's character and known habits.²⁰ As the Scottish poor law directed that the amount of relief should be sufficient to provide the pauper with the means of subsistence, without having to resort to begging, the relief prescribed by the law exceeded that actually awarded and was a reflection of the prevailing philosophy of the administrators, as is evident from the kirk session and heritors' minutes.²¹

On the important question of removal, the Report presents a half-truth, arguing that there was never an instance of removal of a pauper from one parish to another involuntarily or by legal means. Furthermore, this practice of not removing an individual after he becomes chargeable to public charity was stated to be beneficial to the industrial development of Scotland by permitting free circulation of the labour force.²² The beneficial nature of this practice is uncertain if, as reputedly was the case, only the old, young, and disabled were relieved.

The positive effects of a mobile labour force cannot be questioned. But this was an over-simplification. Paupers were indeed not sent back

18 1818 Report, p.32.

19 1818 Report, pp. 82-3.

20 1818 Report, p. 33.

21 See Chapter 2.

22 1818 Report, p. 33.

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Table 32: Selected annual means for total expenditure, expenditure per pauper, expenditure per head of population, and paupers as a percentage of population, including related statistics by county, 1818 and 1839.

| County | 1818 | | | | | | | | | | 1839 | | | | | | | | | | Per Cent of Parishes | | | | | | |
|-------------------|-------------|-------|-------|-------|-----------|---------------------------|-------|-------|-------|-------------|-------------|-------|-------|-------|-----------|---------------------------|-------|-------|-------|-------------|-------------------------|-------|----------|-------|-------|-------|------|
| | Expenditure | | | | | Z of pop. who are paupers | | | | | Expenditure | | | | | Z of pop. who are paupers | | | | | Expenditures per pauper | | Increase | | | | |
| | £ | | s. d. | | Exp/ head | £ | | s. d. | | Exp/ pauper | £ | | s. d. | | Exp/ head | £ | | s. d. | | Exp/ pauper | £ | | | s. d. | | | |
| | £ | s. d. | £ | s. d. | | £ | s. d. | £ | s. d. | | £ | s. d. | £ | s. d. | | £ | s. d. | £ | s. d. | | £ | s. d. | | | | | |
| Orkney | 14 | 8 | 9 | | 0 | 8 | 3 | 0 | 0 | 1 | 2.70 | | 15 | 7 | 7 | 0 | 6 | 9 | 0 | 0 | 1 | 3.93 | 0.00 | 0.00 | 61.1 | 72.2 | 72.2 |
| Caithness | 27 | 9 | 0 | | 0 | 6 | 10 | 0 | 0 | 2 | 3.80 | | 39 | 18 | 9 | 0 | 8 | 8 | 0 | 0 | 2 | 3.13 | 0.00 | 0.00 | 90.0 | 30.0 | 40.0 |
| Sutherland | 21 | 7 | 3 | | 0 | 10 | 4 | 0 | 0 | 1 | 3.37 | | 27 | 6 | 10 | 0 | 7 | 2 | 0 | 0 | 3 | 5.38 | 0.00 | 0.00 | 92.8 | 50.0 | 57.1 |
| Ross and Cromarty | 31 | 3 | 2 | | 0 | 9 | 9 | 0 | 0 | 2 | 3.74 | | 31 | 8 | 3 | 0 | 7 | 8 | 0 | 0 | 2 | 3.69 | 0.00 | 0.00 | 68.7 | 75.0 | 62.5 |
| Inverness | 40 | 5 | 2 | | 0 | 12 | 4 | 0 | 0 | 2 | 2.48 | | 26 | 16 | 10 | 0 | 8 | 9 | 0 | 0 | 1 | 2.95 | 0.00 | 0.00 | 69.3 | 66.7 | 69.3 |
| Argyle | 37 | 4 | 0 | | 1 | 1 | 9 | 0 | 0 | 3 | 1.65 | | 66 | 1 | 10 | 1 | 5 | 6 | 0 | 0 | 8 | 2.60 | 0.00 | 5.13 | 74.4 | 56.3 | 76.9 |
| Bute | 74 | 2 | 8 | | 2 | 3 | 9 | 0 | 0 | 9 | 1.84 | | 97 | 12 | 6 | 1 | 4 | 6 | 0 | 0 | 6 | 2.26 | 0.00 | 0.00 | 66.7 | 100.0 | 83.3 |
| Nairn | 26 | 13 | 0 | | 0 | 10 | 7 | 0 | 0 | 2 | 3.75 | | 34 | 1 | 7 | 0 | 9 | 6 | 0 | 0 | 3 | 4.07 | 0.00 | 0.00 | 60.0 | 50.0 | 70.0 |
| Elgin | 43 | 6 | 10 | | 0 | 17 | 10 | 0 | 0 | 6 | 3.11 | | 60 | 13 | 9 | 0 | 16 | 0 | 0 | 0 | 8 | 3.87 | 0.00 | 0.00 | 65.6 | 56.5 | 82.6 |
| Banff | 60 | 10 | 10 | | 1 | 9 | 2 | 0 | 0 | 9 | 2.91 | | 84 | 6 | 8 | 1 | 7 | 9 | 0 | 0 | 9 | 3.17 | 0.00 | 0.00 | 86.3 | 58.6 | 65.6 |
| Aberdeen | 64 | 19 | 9 | | 2 | 1 | 0 | 0 | 0 | 9 | 2.38 | | 121 | 15 | 6 | 1 | 16 | 6 | 0 | 0 | 9 | 2.76 | 0.00 | 1.12 | 83.1 | 61.4 | 74.7 |
| Kincardine | 63 | 15 | 9 | | 2 | 0 | 1 | 0 | 0 | 10 | 2.58 | | 98 | 10 | 6 | 1 | 19 | 6 | 0 | 1 | 0 | 3.02 | 0.00 | 4.76 | 76.2 | 52.3 | 71.4 |
| Forfar | 128 | 1 | 10 | | 2 | 18 | 6 | 0 | 1 | 0 | 2.31 | | 204 | 11 | 0 | 3 | 3 | 9 | 0 | 1 | 2 | 2.36 | 5.45 | 10.91 | 72.7 | 45.4 | 65.5 |
| Perth | 117 | 2 | 6 | | 3 | 7 | 0 | 0 | 0 | 9 | 1.67 | | 121 | 8 | 6 | 2 | 18 | 0 | 0 | 1 | 2 | 2.34 | 13.92 | 22.78 | 72.2 | 57.0 | 79.5 |
| Fife | 84 | 5 | 1 | | 3 | 2 | 4 | 0 | 1 | 0 | 2.05 | | 113 | 11 | 0 | 2 | 11 | 4 | 0 | 1 | 0 | 2.49 | 12.70 | 14.30 | 68.2 | 58.7 | 58.1 |
| Kinross | 52 | 18 | 0 | | 3 | 17 | 8 | 0 | 0 | 11 | 1.31 | | 55 | 7 | 0 | 2 | 12 | 4 | 0 | 0 | 8 | 1.53 | 0.00 | 0.00 | 28.6 | 71.4 | 42.9 |
| Clackmannan | 221 | 15 | 0 | | 2 | 19 | 2 | 0 | 1 | 1 | 2.17 | | 250 | 15 | 8 | 2 | 7 | 6 | 0 | 0 | 10 | 2.19 | 16.67 | 16.67 | 83.3 | 83.3 | 50.0 |
| Linlithgow | 87 | 5 | 4 | | 3 | 8 | 9 | 0 | 1 | 2 | 2.04 | | 135 | 16 | 3 | 3 | 15 | 5 | 0 | 1 | 6 | 2.90 | 14.44 | 21.30 | 79.2 | 50.0 | 85.7 |
| Edinburgh | 564 | 16 | 0 | | 4 | 8 | 4 | 0 | 1 | 6 | 2.23 | | 676 | 8 | 9 | 3 | 7 | 8 | 0 | 1 | 7 | 2.71 | 56.25 | 71.87 | 75.0 | 59.4 | 71.9 |
| Haddington | 155 | 2 | 0 | | 4 | 12 | 3 | 0 | 2 | 0 | 2.56 | | 164 | 15 | 1 | 3 | 9 | 9 | 0 | 2 | 0 | 3.05 | 50.00 | 54.16 | 54.2 | 70.8 | 66.7 |
| Stirling | 128 | 16 | 6 | | 4 | 11 | 6 | 0 | 1 | 1 | 1.42 | | 141 | 1 | 6 | 2 | 7 | 7 | 0 | 0 | 10 | 1.97 | 11.54 | 19.23 | 69.2 | 84.6 | 76.9 |
| Dumbarton | 92 | 8 | 6 | | 3 | 4 | 4 | 0 | 0 | 9 | 1.51 | | 152 | 0 | 0 | 2 | 15 | 9 | 0 | 1 | 0 | 1.86 | 0.00 | 16.67 | 91.5 | 50.0 | 75.0 |
| Renfrew | 523 | 8 | 0 | | 3 | 19 | 7 | 0 | 1 | 2 | 1.67 | | 540 | 5 | 8 | 3 | 3 | 8 | 0 | 1 | 1 | 2.53 | 31.56 | 47.78 | 78.9 | 63.2 | 68.5 |
| Lanark | 417 | 15 | 9 | | 4 | 9 | 2 | 0 | 1 | 0 | 1.57 | | 411 | 7 | 10 | 2 | 12 | 3 | 0 | 1 | 0 | 2.31 | 29.27 | 36.10 | 75.6 | 82.9 | 73.0 |
| Ayr | 126 | 18 | 7 | | 4 | 2 | 11 | 0 | 1 | 0 | 1.51 | | 177 | 6 | 9 | 2 | 6 | 9 | 0 | 1 | 0 | 2.73 | 17.40 | 32.61 | 84.8 | 84.8 | 69.6 |
| Berwick | 146 | 10 | 10 | | 5 | 7 | 0 | 0 | 2 | 8 | 2.84 | | 168 | 3 | 7 | 3 | 17 | 0 | 0 | 2 | 9 | 3.76 | 48.48 | 48.48 | 57.6 | 72.7 | 78.8 |
| Peebles | 58 | 4 | 1 | | 5 | 3 | 0 | 0 | 1 | 7 | 1.90 | | 64 | 17 | 9 | 4 | 12 | 6 | 0 | 1 | 9 | 2.38 | 26.67 | 33.33 | 66.7 | 80.0 | 73.3 |
| Selkirk | 122 | 14 | 6 | | 5 | 14 | 5 | 0 | 2 | 6 | 2.28 | | 124 | 15 | 8 | 4 | 0 | 0 | 0 | 1 | 11 | 2.42 | 55.56 | 55.56 | 66.7 | 88.9 | 66.7 |
| Roxburgh | 208 | 6 | 9 | | 6 | 19 | 10 | 0 | 3 | 4 | 2.80 | | 211 | 16 | 0 | 3 | 15 | 6 | 0 | 2 | 7 | 3.82 | 51.11 | 51.11 | 48.5 | 88.5 | 71.3 |
| Dumfries | 88 | 17 | 3 | | 2 | 14 | 6 | 0 | 1 | 0 | 1.93 | | 135 | 13 | 2 | 2 | 10 | 5 | 0 | 1 | 4 | 2.89 | 16.28 | 37.21 | 88.3 | 65.1 | 74.4 |
| Kirkcudbright | 47 | 10 | 8 | | 2 | 16 | 8 | 0 | 0 | 10 | 1.67 | | 83 | 13 | 0 | 2 | 9 | 0 | 0 | 1 | 2 | 3.19 | 00.00 | 10.60 | 89.3 | 60.8 | 85.7 |
| Wigton | 55 | 2 | 9 | | 2 | 3 | 3 | 0 | 0 | 9 | 1.64 | | 99 | 13 | 2 | 2 | 2 | 8 | 0 | 0 | 10 | 2.50 | 00.00 | 00.00 | 100.0 | 58.8 | 76.5 |
| Scotland | 130 | 3 | 2 | | 3 | 0 | 4 | 0 | 1 | 0 | 2.21 | | 159 | 2 | 8 | 2 | 6 | 9 | 0 | 1 | 1 | 2.85 | 14.49 | 20.22 | 74.2 | 63.8 | 71.3 |

Source: Computed from data contained in 1818 and 1839 Reports.

to their place of settlement. But ample evidence exists that poor persons were removed from a parish before they could acquire a three-years residence. The instrument of removal was not, however, provided by the poor law as such, but by zealous sheriffs who soon evicted persons who did not possess certificates from their parish of settlement attesting to their moral character and ability to support themselves.²³

Important insights can be gained by a detailed examination of data contained in the Report, as set out in Table 32. There the facts have been reorganized on a county basis, each grouped according to region. Several additional computations were made, so that it is possible to determine by county the level of total expenditure on relief, the expenditure per pauper, the expenditure per head of population, and the percentage of the population who were paupers. Though these categories were examined in the Report, the data were never systematically presented, the authors relying on selected conclusions.

The average annual level of total expenditure per county for the whole of Scotland during the ten years preceding 1818 was £130 3s. 2d. The highest was in Edinburgh and amounted to £564 16s. 0d., whereas the lowest was £14 8s. 9d. in Orkney. Generally, the level of total expenditure was highest in those counties with industrial centres and areas of high population densities, as is illustrated in Table 33, where it can be seen that the greatest total expenditure was in the Central and Southwest Lowlands and the East Coast Lowlands.

Expenditure per pauper was substantially higher in the Borders than elsewhere, the average annual amount for Roxburgh being £6 19s. 10d., more than twice the Scottish average of £3 0s. 4d. The figure for *North and Western Scotland* exhibits a remarkably low level of assistance, being only 14/4, and if the counties of Argyle and Bute are excluded, the figure drops to about 9s. per pauper per year. Clearly, paupers in the northern portions of Scotland must have been receiving other forms of assistance.

The figures for expenditure per head of population illustrate the same relationships between the regions as those for expenditure per pauper. The amount for the Southern Uplands was higher than the national average. Nonetheless, it cannot be claimed that the assessed

23 See Chapter 2.

Table 33: Selected annual means for total expenditure, expenditure per pauper, expenditure per head of population, and paupers as a percentage of population, including related statistics, by region, 1818 and 1839

| Regions | 1818 | | | | | | | | | | 1839 | | | | | | | | | | Per Cent of Parishes | | | | | | | | | |
|--|---------|----|----|-------------|----|----|-----------|----|----|----------------------|------|----|---------|-----|----|-------------|----|----|-----------|----|----------------------|----------------------|------|----|----------------------------------|-------|------------------------|------|----------------------|------|
| | Expend. | | | Exp./pauper | | | Exp./head | | | percent. of populat. | | | Expend. | | | Exp./pauper | | | Exp./head | | | percent. of populat. | | | % of assessed parishes 1818 1839 | | Expenditure per pauper | | % of pop. are pauper | |
| | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | £ s. d. | | | Increase | | Decrease | | Increase | |
| | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| North and Western Scotland | 33 | 3 | 10 | 0 | 14 | 4 | 0 | 0 | 4 | 2.72 | | | | 39 | 16 | 8 | 0 | 12 | 10 | 0 | 0 | 4 | 3.36 | | | 0.00 | 0.72 | 77.6 | 64.3 | 65.9 |
| Northeast Lowlands & Central Highlands | 86 | 15 | 2 | 2 | 7 | 1 | 0 | 0 | 10 | 2.34 | | | | 123 | 11 | 4 | 2 | 3 | 10 | 0 | 1 | 0 | 2.77 | | | 2.77 | 5.65 | 73.7 | 54.5 | 72.8 |
| East Coast Lowlands | 206 | 0 | 2 | 3 | 14 | 0 | 0 | 1 | 4 | 2.14 | | | | 250 | 6 | 6 | 3 | 0 | 0 | 1 | 4 | 2.61 | | | 25.01 | 29.72 | 64.7 | 65.6 | 62.6 | |
| Central & Southwest Lowlands | 257 | 9 | 0 | 4 | 4 | 1 | 0 | 1 | 0 | 1.53 | | | | 284 | 1 | 8 | 2 | 11 | 4 | 0 | 1 | 0 | 2.38 | | | 17.95 | 30.48 | 80.0 | 73.1 | 72.6 |
| Southern Uplands | 111 | 17 | 0 | 4 | 6 | 10 | 0 | 1 | 10 | 2.21 | | | | 138 | 1 | 1 | 3 | 4 | 0 | 1 | 10 | 3.17 | | | 26.30 | 33.76 | 73.9 | 73.5 | 75.2 | |
| Scotland | 130 | 3 | 2 | 3 | 0 | 4 | 0 | 1 | 0 | 2.21 | | | | 159 | 2 | 8 | 2 | 6 | 9 | 0 | 1 | 1 | 2.85 | | | 14.49 | 20.22 | 74.2 | 63.8 | 71.3 |

Source: Computed from data contained in 1818 and 1839 Reports.

parishes were being over-generous in providing relief, when the annual cost of relief per person was less than two shillings a year. True, even that amount was large when compared with the one and two pence per year figures for the extreme northern counties, emphasising the supplementary nature of the poor law in Scotland.

The data and their implications will be discussed at greater length when the 1818 and 1839 Reports are compared. At this stage it will be sufficient to state that the 1818 Report's major conclusion that assessments caused the number of paupers and the expenditure on them to increase is not substantiated by the evidence. It appears that the conclusion was pre-conceived in fear of a growing trend, and there was concern that payments had become too liberal, making it necessary to return to the 'established and sound' principles of the legislation.

Ironically, the same movement was occurring in England. Statements in the Select Committees' Report demonstrate that certain elements there admired the Scottish system and wanted its adoption. The English Committee concluded that assessments

have been highly prejudicial to the moral habits, and consequent happiness, of a great body of the people, who have been reduced to the degradation of a dependence upon parochial support; while the rest of the community, including the most industrious class, has been oppressed by a weight of contribution taken from those very means which would otherwise have been applied more beneficially to the supply of employment.²⁴

This statement was in print before the Scottish study was undertaken. The English Report concludes that England should restore the system as used in Scotland, "where the local management and maintenance of the Poor has been best conducted".²⁵ Was the Scottish Report designed to uphold these conclusions and demonstrate to the Scots the perils in deviating from a strict interpretation of the poor law? From the data presented in Chapter 4 it would appear that the more generous minded in Scots society lost the argument, for the rolls and

24 Report from Select Committee on the Poor Laws, 1818, p.4.

25 Select Committee, 1818, p.28.

expenditure were substantially lowered after 1818. This reduction, ironically, came at a time of severe unemployment and epidemics. The prevailing philosophy was more closely followed for the next twenty years, the 1818 General Assembly Report in part producing the desired effects, though opening the debate on the merits of the Scottish poor law.

B. The 1824 Bill and its rejection

On 6 April 1824, Mr. Thomas Kennedy, a Scottish M.P., introduced into the House of Commons proposed legislation entitled the 'Poor in Scotland Relief Bill'. Mr. Kennedy stated that he wished to create uniformity within the system and to revive a spirit of independence among the poor by abolishing legal assessments and introducing a compulsory reliance on voluntary funds, thus forcing parishes to adopt the parochial system, and allowing Scotland to enjoy all the benefits of possessing an ideal mode of providing relief. Under the provisions of the Bill the ministers and elders were vested with the administration of all funds arising from church collections and other sources except assessments; the minister and heritors were to administer the funds arising from an assessment, which could be used only for the support of existing paupers; hence, eventually, voluntary collections would be the sole source of funds. There was no right of appeal, all decisions of the kirk session being final.²⁶

This was Mr. Kennedy's second attempt to reform the Scottish poor law, the first occurring in 1819 and designed to accomplish the same objectives.²⁷ There was a great deal of behind-the-scenes activity to determine the best time and means of introducing the 1824 Bill, its backers wishing to sneak it through parliament, but at the same time realising the impossibility of such an attempt.²⁸ Chalmers was persuaded to write a series of articles expounding the benefit

26 T.C. Hansard, Parliamentary Debates, vol. II, New Series, p.226.

27 Hansard, Parliamentary Debates, vol. 39, pp.1469-1476.

28 Henry Cockburn, Letters, 1874, pp.38-9.

of the measures included in the Bill, without referring to it directly. Chalmers feared the opposition of the larger towns, particularly Edinburgh, Glasgow, and Greenock, and of the clergy in the border parishes, where he expected "... a shout of most vehement clamour and opposition" if each parish was not allowed to decide whether to continue the use of legal assessments.²⁹ Cockburn stated that "... if the pauper had no right to compel relief to be given, the progress of knowledge would be allowed to operate, and might drive them out of the land", therefore, let us "... conceal the apparent hardship of denying redress to the pauper alone by letting nobody appeal".³⁰ The Earl of Minto also felt that the only means of abating pauperism would be to eliminate assessments.³¹

After the introduction of the Bill, opposition against it swelled. On 25 April at a meeting of the Presbytery of Edinburgh Dr. Inglis gave a speech denouncing the Bill, resulting in the Presbytery's petitioning against it to both Houses.³² Cockburn wrote to Kennedy on 7 May that "... the whole fools in the kingdom are up against the Poor Bill".³³ The following were extracts from the debate in the Commons:

Lord A. Hamilton said, that with respect to the measure being a boon to the poor of Scotland, he could only observe, that the poor of Scotland themselves thought it a great grievance. The bill proposed by the hon. member was considered by all who had paid any attention to the interests of the poor, and who were in the habit of administering to their wants, to be most objectionable in principle.

The Lord Advocate said, that the proposed measure had never received the slightest encouragement from any public body in Scotland; on the contrary, they all concurred in reprobating it. He strongly recommended the hon. member to pause before he again brought it forward.

Mr. W. Dundas observed, that the poor of Scotland might be left wholly without resource if the system of assessments were abolished.³⁴

29 Cockburn, Letters, 1874, pp. 94-6.

30 Cockburn, Letters, 1874, p. 30.

31 Cockburn, Letters, 1874, pp. 100-1.

32 Caledonian Mercury, 25 April 1824

33 Cockburn, Letters, 1874, p. 118.

34 Hansard, Parliamentary Debates, vol. II, p. 902.

An example of opposition from public bodies comes from the managers of the St. Cuthbert's Charity Workhouse in Edinburgh, urging that the provisions of the Bill were "totally inapplicable to the situation of the Parish, and incapable of being carried into effect without doing the most essential injury to the interests of the poor". In particular the managers objected to the removal of the right to appeal to the Court of Session against kirk session decisions. By removing the right to assess the parish, it would be impossible comfortably to relieve the poor. In St. Cuthbert's only one-seventh of the necessary funds arose from voluntary sources, thus if the parish was forced to rely solely on them, the poor would be forced either to beg or to be thrown entirely on the general and casual charity of the public. Finally, they stated that since the imposition of a legal assessment, there had never been

... any general disposition on the part of the poor to claim parochial aid as their legal right, nor on the other hand was there produced any complaint on the part of those from whom the assessment is levied as being oppressive in its amount.³⁵

Not only was there such hostility to the Bill, but it is worth noting Chalmers' ambivalent attitude which may have ensured the Bill's failure. After a speech before the General Assembly of the Church of Scotland in which Chalmers upheld the principles in the Bill, he seconded a motion that the Assembly should oppose its passage on the grounds that its clauses were compulsory rather than permissive.³⁶ Chalmers' attitude to Kennedy's Bill supports the view that he knew he had failed in St. John's, Glasgow; maybe he even regarded it as not politically advantageous to support the Bill.

But, since the general philosophy of Scotland upheld the merits of the parochial system, why was the opposition to Kennedy's Bill so widespread and adamant? The landowners, as represented by Lord Hamilton, were opposed to any legislation which interfered with a natural social bond. They preferred the plurality and flexibility of a paternal administration, which enabled them to meet the challenges of changing

35 SCW, 11 May 1824.

36 Cockburn, Letters, 1874, p.120.

circumstances. The Kennedy Bill proposed a set of mechanistic rules and eliminated an element of choice. The administrators of relief in urban areas were opposed to the Bill on practical grounds: being responsible for relief on a daily basis, they were acutely aware of the problem of allocating resources: they were responsible for distributing the limited funds to the multitude of applicants, and realised that their available funds would decrease if assessments could no longer be imposed. Thus, they would be in a helpless position in the face of even greater human misery. Chalmers objected to the Bill on the grounds that he was against any legislation forcing the parishes to adopt a certain method, so that a parish could no longer choose its methods of financing poor relief expenditure. But Chalmers saw another evil in abolishing legal assessments: forcing a sole reliance on voluntary collections without increasing the number of churches would cause heavily populated areas to suffer from inadequate funds; Kennedy failed to understand that the success of the parochial system depended upon the existence of sufficient places of worship.

As a response to the opposition, Kennedy withdrew his Bill on 27 May 1824.

C. The 1839 Report

In May 1838, Her Majesty's Secretary of State wrote to the General Assembly of the Church of Scotland requesting it to undertake a study of the maintenance of the poor for the years 1835-36-37. The reasons for the study were not given: it probably was intended to determine if the growing murmurs of discontent were justified. If the 1839 Report was meant to dispel misgivings about the adequacy of relief payments in Scotland, it failed in this purpose. Instead, the Report caused a growing number of people and groups to become concerned about the treatment of the poor and eventually led to changes in the law.

The men chosen to be on the Committee responsible for the investigation were, with few exceptions, from Edinburgh and were mainly

advocates of the parochial system of relief.³⁷ It was hardly a representative section of the responsible community, being void of representatives of commerce or industry and too heavily weighted by the representatives of Church and law. Nonetheless, it appears that a careful study was made, and in contrast to 1818 the conclusions were supported by the evidence gathered from questionnaires sent to each parish minister.

Basically, the Report concluded that relief payments were higher in the assessed parishes. By 1839 it was widely known that church provision did not match population, consequently assessments were imposed because

the difficulty in many parishes of maintaining the poor by means of the collections made at the churches, has been greatly augmented by the rapid increase of population in the country, without a corresponding increase of the Ecclesiastical Establishment.³⁸

Collections were sufficient in those parishes with adequate church facilities and where the people regularly contributed their small amounts. In a good many cases frequent and regular contributions by numerous people provided sufficient funds.³⁹

37 The following men were on the Committee: Alexander Dunlop (solicitor, Edinburgh), Rev. William Muir (St. Stephen's, Edinburgh), Rev. Alexander Brunton (The Tron, Edinburgh), Rev. David Dickson (St. Cuthbert's, Collegiate charge, Edinburgh), Rev. Robert Gordon (St. Giles, Edinburgh), Rev. Patrick Clason (Buccleuch, Edinburgh), Rev. A. L. Simpson (Kirknewton, Edinburgh), Rev. John Hunter (The Tron, second charge, Edinburgh), Rev. John Paul (St. Cuthbert's, Edinburgh), Rev. William Cunningham (Trinity, Edinburgh), Rev. James Grant (S. Leith, Edinburgh), Rev. Thomas Guthrie (Old Greyfriars, Edinburgh), Sir James W. Moncrieff (judge, Edinburgh), Sir Charles D. Fergusson (5th baronet, Kilkerran, Ayrshire), Sir James Forrest (Bart., Colinton, Mid-Lothian), David Monypenny (solicitor, St. Andrews), Robert Bell, John C. Swinton (solicitor, Dunse, Berwick), and John Shaw Stewart.

38 1839 Report, p. 5.

39 1839 Report, pp. 5-6.

The Report emphasised that a pauper's allowance was a supplement to other resources. When presenting figures on the relief payments, it stressed that the data did not afford information on the adequacy of the allowance, but simply on the amount distributed. After making that important point, the Report failed in its recommendation to take into account the extent of the pauper's plight and needs, confining its discussion to provision only. Hence, when stating that relief per pauper was higher in the assessed parishes than in the unassessed, the Report should have argued that the greater the amount of available resources in a parish, the greater the likelihood of providing relief in accordance with need.

The Report presented some valuable data, reproduced here in Table 34. It appears that the propensity to impose a legal assessment increased the greater the population of the parish, except for those parishes shown in columns 3 and 4. The percentage of the population on the permanent pauper roll was nearly constant for all population groups, except that in column 6, which was substantially greater than those in the other categories. On examination of the percentage of the population receiving occasional relief, it is evident from column 1 that these parishes were providing occasional support as a means of reducing the permanent roll; the extremely high value for column 6 suggests either a great amount of assistance to individuals travelling through the parish or a necessity to supply temporary support while procuring employment or during recession periods; the very low value for column 8 can probably be accounted for by the existence of well-organised private charities designed to supply temporary relief. Ironically, the average amount of relief per pauper on the permanent roll was highest for column 1, a situation where one would expect relief payments to be low because of interaction between friends and neighbours; the explanation for the rather erratic pattern of average maintenance is independent of population levels, but must depend on local attitudes towards relief. With the exception of the information given in column 8, church door collections per head of population decreased as population increased, illustrating an insufficiency of churches, especially as there is no apparent relationship between the rate of legal assessment per head of population and the level of population.

Table 34: Selected results by population groups, 1839.

| Note: <u>Corrected value</u> <u>in parentheses</u> | ¹ <u>Not above</u> <u>500</u> | ² <u>Above 500</u> <u>not above</u> <u>1,000</u> | ³ <u>Above 1000</u> <u>not above</u> <u>2,000</u> | ⁴ <u>Above 2000</u> <u>not above</u> <u>5,000</u> | ⁵ <u>Above 5000</u> <u>not above</u> <u>10,000</u> | ⁶ <u>Above 10,000</u> <u>not above</u> <u>25,000</u> | ⁷ <u>Above 25,000</u> <u>not above</u> <u>50,000</u> | ⁸ <u>Above</u> <u>50,000</u> |
|--|--|--|---|---|--|--|--|---|
| Total | 71 | 191 | 312 | 234 | 52 | 7 | 8 | 4 |
| Parishes not assessed | 45 | 118 | 204 | 131 | 19 | - | - | - |
| Voluntarily assessed | 4 | 21 | 40 | 50 | 10 | 1 | - | - |
| Legally assessed | 22 | 52 | 68 | 53 | 23 | 6 | 8 | 4 |
| Paupers on permanent roll, exclusive of lunatics | 651 | 3,288 | 11,896 | 16,024 | 8,641 | 4,392 | 6,199 | 6,878 |
| Rate per cent of these to the population | 2.42 | 2.12 | 2.71 | 2.33 | 2.46 | 4.04 | 2.41 | 2.33 |
| Amount applied to their support | £ s. d. 2,078 13 8 | £ s. d. 8,291 0 0 | £ s. d. 19,109 11 2 | £ s. d. 25,395 19 2 | £ s. d. 17,451 16 0 | £ s. d. 7,371 5 8 | £ s. d. 14,474 0 2 | £ s. d. 17,548 14 4 |
| Average rate of maintenance per pauper | 3 3 10 ⁴ | 2 4 4 ¹ | 1 12 1 ⁷ | 1 11 8 ⁴ | 2 0 4 ⁴ | 1 13 6 ⁹ | 2 2 10 ⁵ | 2 11 0 ⁴ |
| Average burden on each individual of population | 0 1 6 ⁶ | 0 1 0 ¹⁰ | 0 0 10 ⁷ | 0 0 8 ¹⁰ | 0 0 11 ¹¹ | 0 1 4 ³ | 0 1 1 ⁷ | 0 1 2 ⁴ |
| Paupers not on roll, but receiving occasional relief | 417 | 1,369 | 3,666 | 5,889 | 2,798 | 3,019 | 2,205 | 986 |
| Rate per cent to population | 1.56 | .88 | .83 | .86 | .79 | 2.78 | .86 | .33 |
| Amount distributed to them | £ s. d. 303 14 9 | £ s. d. 1,244 3 11 | £ s. d. 2,478 18 3 | £ s. d. 4,408 6 9 | £ s. d. 1,991 0 4 | £ s. d. 2,147 14 5 | £ s. d. 743 2 2 | £ s. d. 1,666 8 1 |
| Average rate to each | 0 14 6 ⁹ | 0 18 2 ¹ | 0 13 6 ³ | 0 14 11 ⁷ | 0 14 2 ⁹ | 0 14 2 ⁹ | 0 6 8 ¹⁰ | 0 13 9 ⁷ |
| Rate per head of the burden on population | 0 0 2 ⁹ | 0 0 1 ¹¹ | 0 0 1 ⁴ | 0 0 1 ⁷ | 0 0 1 ⁴ | 0 0 4 ⁸ | 0 0 0 ⁹ | 0 0 1 ⁴ |
| Total poor | 1,085 | 4,722 | 15,704 | 22,161 | 11,553 | 7,446 | 8,597 | 8,160 |
| Rate per cent to population | .40(4.00) | .30(3.00) | .36(3.60) | .32(3.20) | .33(3.30) | .69(6.90) | 3.35 | 2.78 |
| Population in 1831 | 26,890 | 155,011 | 438,907 | 686,679 | 350,393 | 108,589 | 256,220 | 293,337 |
| Amount of church door collections | £ s. d. 1,054 19 4 | £ s. d. 4,202 2 10 | £ s. d. 9,135 1 8 | £ s. d. 10,571 10 1 | £ s. d. 5,005 9 9 | £ s. d. 1,332 15 11 | £ s. d. 2,067 18 8 | £ s. d. 4,930 11 11 |
| Rate per head to the population | 0 0 9 ⁵ | 0 0 6 ⁶ | 0 0 4 ¹¹ | 0 0 3 ⁹ | 0 0 3 ⁵ | 0 0 2 ¹¹ | 0 0 1 ¹¹ | 0 0 4 |
| Amount of other voluntary contributions | 326 7 0 | 1312 0 1 | 4,630 8 0 | 7,261 1 4 | 2,880 8 5 | 1,309 5 9 | 392 5 4 | 864 14 2 |
| Rate per head to the population | 0 0 2 ¹¹ | 0 0 2 | 0 0 2 ⁶ | 0 0 2 ⁶ | 0 0 1 ¹¹ | 0 0 2 ¹⁰ | 0 0 0 ⁴ | 0 0 0 ⁸ |
| Amount of legal assessment | 858 19 5 | 3,573 4 9 | 7,489 8 5 | 13,019 4 10 | 11,889 16 10 | 8,473 2 11 | 10,769 14 11 | 21,166 6 11 |
| Rate per head on the population | 0 0 7 ⁸ | 0 0 5 ⁶ | 0 0 4 ¹ | 0 0 4 ⁵ | 0 0 8 ² | 0 1 6 ⁸ | 0 0 10 ¹ | 0 1 5 ³ |
| Total expense of management | 85 5 6 | 277 7 4 | 632 5 3 | 995 3 2 | 835 7 0 | 970 18 6 | 1,521 4 5 | 2,691 9 10 |
| Average rate for each pauper | 0 1 6 ¹⁰ | 0 1 2 ¹ | 0 0 9 ⁸ | 0 0 10 ⁹ | 0 1 5 ⁴ | 0 2 7 ³ | 0 3 6 ⁶ | 0 6 7 ² |
| Rate per head on the population | 0 0 0 ⁹ | 0 0 0 ⁵ | 0 0 0 ⁴ | 0 0 0 ⁴ | 0 0 0 ⁷ | 0 0 2 ² | 0 0 1 ⁵ | 0 0 2 ³ |

D. A comparison of the 1818 and 1839 Reports

In order to make the Reports more meaningful and comparable, they have been reorganised on a county basis, making several assumptions. First, the 1818 Report did not include family members in the number of paupers, but only the head of the household. The 1839 Report in some cases made a distinction between the head of the household and dependent family members, in some cases included only the head of household, and in some cases included both. Thus, in an attempt at consistency, only the head of the household was counted when possible, otherwise both were included. It was possible to determine the true facts in only sixty-six per cent of the parishes, hence the percentage of the population who were paupers in 1839 is probably overstated relative to 1818. Second, concerning the question of population for the 1818 Report the 1811 Census was used, as it represented nearly the mid-point in the ten years' data contained in the Report. The 1839 Report used the 1831 Census for its calculations, because the information in the Report was for an average of 1835-36-37, however, it seemed more reasonable to use the 1841 Census. In most cases this tends to make the computed values lower than those in the Report. Third, in the 1818 Report the data under 'Total Funds' show the amounts available for distribution, not the actual amounts distributed, therefore, overstating the expenditure for 1818. Fourth, as portions of twenty-four parishes are in more than one county, and as it would have been impossible to determine the proportion of expenditure and -number of paupers to allocate to each respective county, the values for these parishes were included in both counties, producing a minimal effect on the results. Fifth, it was assumed that the information contained in the Reports was correct. Finally, in both Reports, approximately three per cent of the parishes did not make returns, not a significant amount and not affecting the conclusions derived from the calculations.

In order to make meaningful comparisons with the available information, the following calculations were made: average relief per pauper, average relief per head of population, and the percentage of the population receiving relief. These computations were made on a

parish, county, and regional basis, where the regions were those previously defined.⁴⁰ Many of the calculations differ from those in the 1839 Report simply because of the use of different population statistics, but for the purposes of comparing the two Reports, this is not detrimental as the trends were the same.

The percentage of parishes assessed in 1818 and 1839 are listed on a county basis in Table 32 and on a regional basis in Table 33. As can be seen, 14.5 per cent of the parishes in Scotland were assessed in 1818 and 20.2 per cent in 1839. The figures given here were arrived at by counting the number of assessed parishes presented in the Report. For some unknown reason they do not tally with those of the 1839 Report. It should be mentioned that these figures may be overstated as the lists were compiled on the basis of the date of the establishment of an assessment. Many parishes used the practice of ordering an assessment only during periods of unusual stress and only for a stated period of time, nevertheless they would be included in this list. Table 33 also illustrates that very few of the parishes in *North and Western Scotland and Northeast Lowlands* and Central Highlands had assessments. Illustrated, also, is the fact that the relative density of assessed parishes was equally distributed among the other three regions, disproving, as stated in the 1839 Report, that the bulk of assessed parishes was located along the English border.

Both Reports stated that assessments tend to increase the number of paupers. The 1839 Report gives the percentage of the whole poor to the population in the unassessed parishes as 3.53, in those voluntarily assessed it was 3.03, in those legally assessed it was 3.44, and for the whole country it was 3.42.⁴¹ As these figures do not support their conclusion, they proceed by stating "When assessments have long and generally prevailed, however, the proportion of the poor to the population differs from the above". They then presented data which show that the percentage of the population who are paupers was greater in the parishes along the English border. The calculations, on a county basis, using

40 See Chapter 2.

41 1839 Report, p.18.

their data, do not support this conclusion. Both Tables 32 and 33 illustrate that the poor, as a percentage of the population, were greater in the Highland areas, where there was no assessment. Nonetheless, it must be pointed out that the increase in the ratio of the poor to the population between 1818 and 1839 was greatest in the Southern Uplands. If we examine this increase in terms of the *two northern* ^{regions (1 & 2)} and the rest of Scotland (which is, of course, the real issue as these were the assessed as opposed to the unassessed parishes), we find that the increase in the Lowland areas was nearly twice that of the *northern* ^{regions (1 & 2)}. On the other hand, of the parishes which adopted a legal assessment between 1818 and 1839, the percentage of parishes where there was an increase in the poor as a percentage of the population was 67.3, as compared to an increase for all of Scotland of 71.3 per cent. Hence, it can be concluded that the increase in the poor as a percentage of the population cannot be attributed solely to the imposition of a legal assessment.

The 1839 Report states that with assessments the expenditure per pauper increase. True, expenditure per head was greater in assessed parishes, but if the individuals writing the Report had compared the expenditure per pauper in 1818 with that of 1839, they would have discovered that such expenditure was in fact decreasing for the whole of Scotland! Of the parishes undertaking assessments between 1818 and 1839, total expenditure increased in 92.4 per cent and expenditure per pauper decreased in 48.1 per cent. Admittedly, the latter figure is a lower per cent than the average figure for all of Scotland (63.8 per cent). The corresponding value for the *two northern* ^{regions (1 & 2)} is about 60.1 per cent and for the rest of Scotland is about 70.2 per cent. Thus, for the parishes establishing an assessment for the first time between 1818 and 1839, the decrease in expenditure per pauper is less than the national average, lending support to the Report's conclusion. This is negated in part, however, by the fact that the decrease of expenditure per pauper was greater in the assessed areas as compared with the non-assessed. Furthermore, the decrease for the three counties along the English border was 80.5 per cent. This information could indicate that the parishes were responding to changing economic conditions, such as a lowering in price level, with the response of the assessed parishes more closely correlated to the needs of their paupers. Another possible explanation would be that, since total funds were used for the total expenditure value for 1818, and the two values are not necessarily the same, the

expenditure per pauper figures for 1818 are overstated, creating an apparent downward movement, but this probably was not the case, as most parishes generally spent the bulk of available annual funds.

Why, if the same data were used, do the conclusions of this thesis differ from those of the two Reports? It seems likely that the 1839 Report was undertaken as an attempt to quell a growing opposition to low relief payments. The physicians of the period, particularly Alison, Buchanan, and Baird, were claiming that fever epidemics were made worse by the destitute state of the population: the only way to rid the country of serious epidemics would be to eliminate destitution. Statements that men cannot live by the Bible alone, but require food, became more numerous and frequent -- the amount of relief must be increased! The attack was renewed and strengthened with the epidemic of 1836-38. Writing in 1840, Alison stated

... that the higher ranks in Scotland do much less (and what they do, less systematically, and therefore less effectually) for the relief of poverty and sufferings resulting from it, than those of any other country of Europe which is really well regulated: and much less than experience shews to be necessary in any long inhabited and fully peopled country, in order that the lower ranks may be maintained in tolerable comfort, and a proper foundation laid for their religious and moral improvement.⁴²

E. The medical profession

The first, and indeed the only, massive attack upon the Scottish poor law system was led by the doctors, and occurred after the English Report of 1834, which praised the Scottish system.⁴³ The physicians' arguments were clear and concise, strengthened by a wealth of data concerning the out break of epidemic fever. The equation of poverty with moral failure was a sterile starting point: instead, thought about a cure should begin with basic physiological needs.

42 Alison, Observations, 1840, p. viii.

43 See Tufnell's report, appendix A, 1834 English Poor Law Report.

Dr. W.P. Alison of Edinburgh was responsible for initiating the attack, publishing a series of pamphlets in 1840. Earlier criticisms in 1830 by Dr. Andrew Buchanan of Glasgow resulted in him losing the post as editor of the Glasgow Medical Journal. He later explained that because of his article "the door was closed against me to all public medical appointments, which younger men were passed over my head to fill".⁴⁴ Dr. Buchanan based his comments in 1830 on observations made in an area of Glasgow bounded by the Trongate, Bridgegate, Stockwell, and King Streets, claiming this was the most densely populated area in the Royalty. He described the grossly over-crowded and filthy housing conditions and the ill-clothed state of the inhabitants. The diet and state of the people, he felt, required the provision of better food, and argued that this need was critical, as many of the poor died of starvation. He fulminated against the Corn Laws: "The people are starving, and there is a Law against the importation of FOOD".⁴⁵ The immediate and only effect of his criticisms was the reorganisation of the Medical Department of the Glasgow Town's Hospital to facilitate the dispensing of medical relief.⁴⁶

By 1840 Dr. Alison⁴⁷ was writing after the severe fever epidemics of 1832-34, 1835-~~7~~3, and 1838-39. From his personal observations and

44 Memoirs and Portraits of One Hundred Glasgow Men, 1886, p.45.

45 A. Buchanan, 1830, p.447.

46 See Chapter 3.

47 W.P. Alison was born in 1790 near Edinburgh, the son of a minister. In 1815 he became one of the first medical officers of the Edinburgh New Town Dispensary, a medical charity supported by private subscription. During his first 18 months at the Dispensary, he was an advocate of home visitation of the sick poor; over one-quarter of his 8062 patients during this period were attended to in their homes. At this time of his life, however, it does not appear that he made the connection between destitution and fever. In the cholera epidemic of 1831-2, he represented the College of Physicians on the Board of Health, leading the struggle to remove patients to houses of refuge. He stated that the 1845 Act was "framed with studious conservatism." His public activities ended with his first epileptic attack suffered in 1846. See. W.T. Gairdner, Physician as Naturalist, pp.388-425. Professor Flinn has stated that Dr. Alison occupied "... a similar position in Scotland in relation to poor law and public health reform to that held by Chadwick in England". See Report on Sanitary Condition, M.W. Flinn, ed., p.23.

those of others in the medical profession he reasoned that the epidemics were most concentrated in those areas of extreme destitution, areas where the amounts of poor relief were minimal or non-existent. He presented data indicating a strong correlation between years of bad harvests and high unemployment and epidemic years of fever.⁴⁸ To support his argument, Alison gave the following table showing the proportion of deaths from fever to the whole mortality for selected British urban areas in 1838:⁴⁹

| | |
|----------------|-------|
| London | 7.7% |
| Manchester | 7.7% |
| Liverpool | 6.9% |
| Birmingham | 5.0% |
| Leeds | 3.6% |
| Glasgow (1837) | 20.4% |

It should be noted that there was a typhus epidemic in Glasgow in 1837, nonetheless, he concluded that

The prevalence of epidemic diseases depends on various causes, but the most influential of all is poverty and destitution. In every one of the epidemic fevers which have ravaged Glasgow, the progress has been slow, unless extreme destitution has existed.⁵⁰

Not content with his own observations, Alison circulated a set of queries to his colleagues in Edinburgh. Generally, the responses indicated a deplorable state of destitution: unemployed persons were forced to pawn their furniture and clothes in order to obtain food and shelter; they could receive assistance, even from private charities, only after their own resources were exhausted; help was forthcoming only after the people were sick and in an extreme state of poverty. To one query Drs. Paterson and Wood responded "That they had visited many whose disease might strictly be termed 'want of proper support'".⁵¹

48 Alison, Observations, 1840, pp.12-3.

49 Alison, "Further Illustrations", 1842, pp.305-6.

50 Alison, "Further Illustrations", 1842, p.309.

51 Alison, "Illustrations", 1840, p.220.

Mr. Wilson stated that destitution arose from circumstances over which the people had no control, such as want of employment, old age, infirmity, widows with young children and wives deserted by their husbands.⁵² The Rev. Dr. Lee, Minister of the Old Church, described the situation of a mother with five daughters. They were living in a house with another woman; there were no tables, chairs, beds, blankets, or cooking utensils. Ironically, this woman was receiving the highest allowance given by the Edinburgh Charity Workhouse, 2s. 6d. a week.⁵³

Alison argued that relief payments were kept low because the persons responsible for the administration were also those upon whom any levy would fall, demonstrating the dichotomy between the kirk session and the heritors. The kirk session was viewed as the liberal, kind-hearted element of administration, checked by the stinginess of the heritors who essentially controlled the purse strings. Furthermore, the only recourse a pauper had in attempting to increase his allowance was to appeal to the Court of Session, which was not easily within his reach. Alison felt the only way to correct the situation was to subject the decisions of the heritors and kirk session to an easily accessible local court.⁵⁴

He also criticised the practice of granting relief on the basis of moral character. By excluding sinners from the assistance of public relief, the innocent often were the ones to suffer.

... we punish children along with parents; we punish in many instances neighbours and acquaintances among the poor themselves, who supply, in a certain degree, from their own scanty resources, the deficiency of other charity; and in many instances we punish a much larger number of the public, to whom such sufferers, rather than starve in silence, will make their wants known in some way or other, and who have not the means of granting relief with the same discrimination as public charities.⁵⁵

The moral demerits of the applicants should serve only as a guide to the kind of relief to be granted.

52 Alison, "Illustrations", 1840, p.220.

53 Alison, Observations, 1840, pp.11-12.

54 Alison, "Illustrations", 1840, p.212 and p.250.

55 Alison, Observations, 1840, pp.140-41.

Alison desired that provision be made for a general, uniform legal assessment, with the amounts considerably increased. This practice would be more just for both the higher and lower orders. The higher would benefit as all its members would be forced to contribute their full share, rather than some shouldering the burdens of others. The lower orders would benefit as the amounts would be more easily adapted to their real needs. Moreover, he felt that relief received from a legal fund would not be as degrading as relief from private charity; the former would be a secure amount, whereas the latter depends upon the whims of the giver. Furthermore,

... he had long and painfully experienced, what so many have done in similar circumstances, the utter inadequacy of private benevolence, in relieving the widespread distress of an old and densely peopled community; and he felt an natural and well-founded indignation at the much-praised system, which, relieving almost entirely the rich and selfish of the burden of maintaining the destitute, whom their expenditure had created, laid it on the comparatively poor and benevolent.⁵⁶

The unemployed also should be given assistance. Indigence should be the only requirement for relief. Wherever possible, workhouses should be established, with fever wards connected to them.⁵⁷

These three terrible epidemics of 1832, 35, and 38 did not discriminate and affected middle class families, although to a lesser extent, as well as the poor. For this reason Alison's "Observations" were warmly received and his arguments received strong support where only a decade earlier Andrew Buchanan's writing had resulted only in his ostracism.

As a result of Alison's endeavours, in 1840 an association was formed in Edinburgh for the purpose of obtaining an inquiry into pauperism in Scotland. Its 64 members included influential landowners, merchants, ministers, professors, physicians, and advocates. At their first meeting they unanimously adopted several resolutions. First, there were reasons for believing that the poor in parts of Scotland were subject to a greater degree of want and misery than those in England

⁵⁶ Lady Jane Alison, 1883, p.458.

⁵⁷ Alison, Observations, 1840, pp.108-11.

and most other civilised countries. Second, the miserable conditions of the poor in Edinburgh were attributable mainly to the inadequacy of the sum legally raised for their support, to the influx of poor from other parishes without a legal assessment, and to the ravages of disease. Third, the peace and well-being of all ranks of society were affected by the conditions of the poor. Fourth, it was the obligation of Christian benevolence that the provision to the poor should raise them permanently above the moral degradation and vice to which they are so readily exposed. Fifth, as the existing state in Scotland could not have arisen without defects in either the system or administration of the poor law, an official commission should be established to determine the defects and propose remedies.⁵⁸ The managers of the Paisley Town's Hospital sent a similar memorial to the Secretary of State.⁵⁹ Indeed, by 1842, the town councils of thirteen of the principal towns in Scotland, including Edinburgh, Glasgow, Paisley, Greenock, Ayr, Perth, Dundee, and Aberdeen had petitioned the government requesting an official inquiry.⁶⁰ The tide had turned. A commission was established in 1844, its findings the subject of Chapter 9.

F. Discontent of the lower classes

No evidence exists that destitute people expressed, either singularly or as a group, any discontent with the operation of the law. This should not be construed to mean that they were content with their lot. Given the beliefs and practices of the middle class, the lower classes possibly were afraid that any protest would mean a denial of relief.

Working class protests against the poor law in Scotland were centred around the Glasgow-Paisley industrial area. Furthermore, such protests were made only when there was large scale unemployment among the operatives, particularly the handloom weavers, and were concerned with providing such men with assistance from the public funds.

58 Report of the Association for Obtaining Inquiry into Pauperism in Scotland, 1840, pp.1-2.

59 PTH, 17 February 1841.

60 Alison, "Further Illustrations", 1842, p.294.

Apparently, the Radical movement of 1815-22 did not champion the cause of the destitute.⁶¹ Ironically, the Scottish Chartist, unlike their English brethren, did not take issue with Scottish poor relief administration, other than to oppose the 1845 Poor Law Amendment Act (Scotland).⁶²

In a petition to the Govan kirk session in 1816, twelve unemployed handloom weavers requested relief from the poor's fund.⁶³ One petitioner stated he

was induced to put his name down, from his being told, by different persons, whom he declined naming, that operative weavers, in the present state of the trade, were entitled to the same assistance, from Heritors of parishes in Scotland, as in England.

Another stated he

had not seen the petition before putting his name to the paper now affixed to it; did not sign his name himself, but gave authority to a meeting to do it for him, which meeting was held at the water side on Saturday last, and convened by, he does not /know/ whom.

All the petitioners testified that their wages had decreased between one-half and two-thirds of the former level, with the hours of work being about twelve per day. The kirk session agreed to give each two pecks of meal until the heritors could be consulted, who decided that the petitioners could not be relieved from the poor's fund, but that a subscription should be undertaken on their behalf. Finally, in an act of humanity the heritors stated they

sincerely regret & strongly condemn the total want of economy, when trade was good, which appears in the declarations of some of the petitioners; and, on this occasion, deem it their duty warmly to recommend industry, good management, & careful economy, to the operative classes in this parish, for the time to come.

61 William Roach, 1970.

62 Leslie Wright, 1953, and Alexander Wilson, 1970.

63 Govan HR, 28 July 1816.

In 1819 about 150 men went through the streets of Bridgeton, Glasgow, carrying a sign proclaiming "public begging for want of work". One or two of their number went into every shop, while the others remained outside. As a result of this action, a large soup kitchen was established. Its funds were "precariously supplied by voluntary contribution".⁶⁴

The troubles of the handloom weavers in Paisley brought forth a flood of petitions, two of which, in 1839, are presented in Appendix 8/2. They were clearly written by well-educated individuals thoroughly versed in the law, possibly one being the rebel minister Patrick Brewster,⁶⁵ a champion for the poor; he represented the weavers' cause before the session and heritors. Apparently, the overseers for the poor in Paisley and the kirk session had agreed to aid all destitute children under fourteen years of age and the old and infirm. The heritors felt that this action should be postponed until a committee could study the situation, effectively ending the issue.⁶⁶

Rift within the Paisley administration was further widened in 1841, when another petition was presented to the session and heritors. Brewster again represented their cause, referring to a resolution passed on 2 July 1841, that the overseers should ensure that no case of starvation occurred in the parish. Hence, Brewster moved that the petitioners should be relieved under the terms of the resolution. At this point the Rev. Mr. Burns moved an adjournment, which was seconded by Mr. Wilson of Deanside. Without taking a vote most of the members left the meeting. Those remaining seized the opportunity and approved Brewster's motion. Their efforts, however, were in vain. The heritors declared the meeting illegal.⁶⁷

Brewster was perhaps the most outspoken of the Established Church's ministers against the administration of the Scottish poor law. He argued that "... the administration of the Poor Law in Scotland has entirely failed to accomplish its object, and that great evil has resulted to the country, and much suffering to the poor, from unrelieved

64 Glasgow Chronicle, 7 December 1819.

65 See Stewart Machie, 1960, Chapter 7.

66 Abbey KSM, 25 November 183.

67 Abbey KSM, 5 January 1843.

destitution".⁶⁸ Unemployment caused by economic depression was not the fault of the labourer, hence justice demands from the wealthy an adequate and ample relief for the disabled and unemployed poor.⁶⁹

G. Secession from the Established Church, 1740-1845

As the Established Church was responsible by law for administering poor relief, any secession movement which fragmented its strength put to the hazard the pitifully small sums available for poor relief.

The general decrease in church door collections during the period under consideration can be accounted for by two factors. First, the period witnessed a substantial increase in absentee landlords. Second, there was secession from the Established Church and the shift of members to dissenting places of worship. The effect of these factors was to create a situation where the poor's funds were insufficient to meet emergencies.

The cause of the first secession from the Church was the restoration in 1712 of patronage in appointing the clergy. Patronage was not forced upon the parishes until the General Assembly Act of 1732, which stated that only the heritors and kirk session could choose the minister. Ebenezer Erskine, minister at Stirling, led a group which argued that a minister should not be forced upon the congregation. After a period of compromises the General Assembly of 1740 voted to depose eight ministers. These men were responsible for the formation of the Burghers. The result of the Secession was that the kirk session funds were unable to meet unusual emergencies.⁷⁰

The numbers in the Established Church were further reduced by the Second Secession in 1761. It was led by Thomas Gillespie and was also a result of opposition to patronage. This group founded the Relief Church.

The problem, however, did not become critical until the Disruption of 1843. Again, the dispute centred primarily around the question of patronage. The split resulted in approximately two-fifths of the clergy leaving the Establishment and forming the Free Church, which,

68 Patrick Brewster, 1843, p.97.

69 Brewster, 1843, p.86.

70 1839 Report, pp. 4-5.

under the leadership of Chalmers, carried out a massive building programme and became a strong, viable competitor to the Establishment.⁷¹ Evidence in the kirk session minutes indicates that church collections fell markedly, as illustrated by the following:

The meeting most seriously considered the increasing burdens that are falling upon the funds, and the inadequacy of the ordinary revenue to afford anything like a moderate allowance to adults for the absolute necessities of life while there are fully as many children and dependents who have hitherto got little or nothing from the funds, but which can not continue to be the case.⁷²

Besides decreasing church collections, secession had another important effect upon the operation of the poor law. The dissenting congregations had no legal restrictions placed upon their funds, whereas the Established Church was required to spend one-half of its collections on poor relief. As the kirk sessions could not discriminate on a religious basis in the granting of relief, many elders argued that an unfair burden was placed upon the members of the Church, particularly if there was no legal assessment. Hence, only a small percentage of the population were contributing towards the support of the poor. Under these circumstances it is not surprising that the Church, through its representatives, the ministers, demanded before the 1844 Commission, a change in the administrative framework with respect to poor relief.

Even before the Disruption of 1843 it was evident that the Church wished to divest itself of its administrative duties. The General Assembly of 1841 passed a resolution stating it was their belief that statements concerning the destitution and sufferings of large portions of the population were all too true. And as long as the heritors refused to construct new churches and pay the ministers' stipends from the tithe administered by them, these expenses would have to be made

71 For an evaluation of the Disruption in socio-economic terms, see Johnston R. McKay, Jr., "The Disruption: An Examination of some Statistics", in The Philosophical Journal, vol. 6, 1969, pp.143-50; and A.A. MacLaren, "Religion and Social Class in mid-Nineteenth Century Aberdeen", unpublished Ph.D. Thesis, Aberdeen University, 1971.

72 Nigg KSM, 27 December 1843.

from the church collections, decreasing the amount available for poor relief. Hence, it was proposed that the government make an official inquiry into the subject.⁷³ This action came only two years after the publication of their Report of 1839 -- a Report expressing favourable opinions towards the Scottish system of poor relief. The memorial, however, did stress that the Church believed that the "two great principles of the Scottish system of poor relief" should be maintained: legal allowances should only be supplementary to assistance from private charity, and relief should not be granted to the able-bodied unemployed.⁷⁴

H. Conclusions

The Scottish poor laws were rarely questioned prior to 1815, because the intensity of destitution had never been sufficient to place pressure on their operation. The war years, 1795-1815, increased the expenditure on the poor, as a result of rising prices and a need to provide for the widows and children of deceased soldiers. Appeals to patriotism probably prevented any out-cry against the soaring trend in poor relief expenditure. But the war years also witnessed the formation of another factor: industrialisation and the resultant urbanisation intensified the magnitude of destitution to such a degree that it could no longer be ignored. Ironically, parallel events were occurring south of the border, the outcome, however, yielding different results: the English eventually tightened their poor laws, the Scots ostensibly liberalising theirs.

The 1818 and 1839 Reports were Church inspired attempts to demonstrate the evils of a system of legal assessments. These backward looking, whitewash Reports, especially that of 1818, also received English guidance and encouragement, as conclusions upholding the Scottish poor relief philosophy would lend substantial weight to those in England fighting the 'allowance in aid of wages' system. Kennedy's 1824 Bill, indeed, was an attempt to ensure the perpetuation in Scotland of the sacred principles of the parochial system of relief. Its defeat

73 Proceedings of the General Assembly, 1841, pp.324-25.

74 Proceedings of the General Assembly, 1841, p.44.

placed its backers in a defensive position from which they were never able to recover.

The working class movements to obtain public relief in times of unemployment could not dissolve the apathy of the middle classes, who failed to realise that unemployment was not the fault of the workers. The teachings of Brewster caught the imaginations of only a few men. The security of the middle class was not sufficiently jeopardised.

The only effective opposition to the poor laws came from the doctors, ironically gaining support from the epidemics which failed to make class distinctions. The doctors began their reasonings at the nether end of society where the ills of deprivation were most concentrated; the moralists of the poor law couched their case in terms of an irremediable residual. This dichotomising of approach is general in poor law discussion: that between concern with immediate and cumulative degradation among the poorest, and that which sees society as a totality.

The doctor's case would have eventually led to a change in the laws, but the Disruption of 1843 effectively sealed the fate of the old system. It is surely significant that Chalmers was instrumental in achieving the destruction of the old parochial system which he so much admired and of which his famous St. John's experiment was a vivid example. The majority of the middle class did not leave the Establishment, so solely with them was placed the burden of financing the system of relief in those parishes without a legal assessment. They were unwilling to meet this responsibility. Indeed, it was only when the middle class felt the direct effects of epidemics and increased financial burdens that movements to change the old Scottish poor law were successful.

APPENDIX 8/1: List of queries, 1818 Report

Class I

1. What is the average annual amount of the collections at the church-doors for the last ten years ?
2. Are any voluntary contributions (independent of the collections) made annually or occasionally by resident heritors or others, and to what amount, for the last ten years ?
3. Do non-resident heritors give such voluntary contributions, and to what amount, for the last ten years ?
4. What is the average annual amount, during the last ten years, of poor funds (exclusive of the collections and voluntary contribution,) which have been under the management of the kirk-session, and of what items are they made up ?
5. What has been the average annual expense of managing the poors funds under the charge of the kirk-session, during the last ten years ?
6. Is there a regular and legal assessment for the support of the poor ?
 - A. What is its amount ?
 - B. By what rule or what rate is it proportioned and levied, and in particular, is it levied in proportion to personal as well as heritable property ?
 - C. By what authority is the amount fixed, and the levying enforced ?
 - D. When did it commence ?
 - E. What has been its progressive annual rise, especially for the last ten years ?
7. What is the annual expense of collecting and applying the assessment, if it is collected and applied by others than the kirk-session ?
8. Is dependence on the assessment lessening, in your opinion, the reluctance of the people to apply for aid from the parochial charity ?
9. Although there may not have been an annual assessment hitherto, is it your opinion, that reluctance to apply for parochial charity is generally diminishing among the people of late years ?
10. Have you reason to believe, from instances falling under your own observation, that the reluctance to apply for parochial charity has been diminished by the practice of drawing allowances under the militia act ?
11. What is the number on the poors roll of the ordinary poor (specifying males and females respectively,) who can earn nothing for their own maintenance but are supported wholly from the poors funds ?

12. What is the highest and lowest rate of regular relief allowed (where there is no charity workhouse) to the ordinary poor, described as above ?
13. What is the number of industrious poor, who, during the last ten years, have received regularly partial relief from the kirk-session, though, in general, able to earn a proportion of maintenance for themselves or families ?
14. What is the highest and lowest rate of regular relief allowed to the industrious poor, described as above ?
15. Is relief given occasionally to individuals or families of the industrious poor, from the common poors funds, in order to prevent them coming permanently on the poors roll; and if so, to what average amount, in each case, or of the whole, annually, during the last ten years ?
16. What is the sum total of allowances distributed by the kirk-session in each year, for the last ten years, to the ordinary and industrious poor, who have been regularly on the poors roll ?
17. In admitting a pauper on the poors roll, and fixing the amount of his allowance, is the moral character, as good or bad, considered ?
18. Has any pauper (and if so, how many) who had no right from residence to your parish charity, been removed from your parish by the kirk-session to another parish, where he or they had such a right; or, has any, on similar grounds, been removed from another parish to yours ?
19. If such removal has taken place, how was the expense of it paid; and what has been the sum total of such expense during the last ten years ?
20. Has any litigation taken place between your parish and any other, as to a pauper's residence and right to the parish charity; and what has been the expense of such litigation during the last ten years ?
21. Has your kirk-session paid or received allowances for such paupers as were permitted to remain in the parish where they happened to reside when they became chargeable; and to what amount during the last ten years ?
22. Was any stipulation made between the kirk-sessions concerned, as to the rate of allowance to be given to such paupers; and has the session paying the allowances ever objected, and with what result, to the rate given by the session where the pauper happened to reside ?
23. Does the kirk-session claim a right to the effects of paupers who are on the poors roll at their death; and does this claim seem to have any effect in disinclining the people to come on the poors roll ?

24. Has there been any instance of a pauper, or of others for his behoof, attempting to enforce by law a higher allowance than the kirk-session were willing to give, and what was the result ?

25. What are the names (and the numbers as nearly as you can compute) of the religious sects in your parish; are there any (and if so, how many) of their poor on the poors roll of the parish, and what is the annual sum total of relief given to them ?

26. What, as nearly as you know or can compute, is the number of paupers belonging to these sects, who are not on the poors roll of the parish, but are supported by these sects themselves respectively ?

27. Are stranger poor allowed to beg in the parish; do the parish poor beg; and if so, do they wear badges ?

Class II

1. Are there occasionally extraordinary collections or contributions for individual instances of misfortune or distress among the industrious poor; what may be the amount of these; and do they ever keep a particular person or family from coming permanently on the poors roll ?

2. What is the number in the parish,

1. Of persons blind;

2. Of persons deaf and dumb;

3. Of persons deaf, and dumb, and blind;

If any of these three classes are poor, how are they employed and supported ?

3. Can you state the sums raised in 1816-18 for the occasional relief of the industrious poor, the way in which the relief was given, and the number of those relieved ?

4. Is there a savings bank in your parish; when was it established; and what is the number of depositors ?

5. If there is no savings bank, have the poor other opportunities afforded them of accumulating their savings safely; and have they been in the practice of so accumulating them as to prevent their coming on the poors roll ?

6. Are there difficulties in the way of establishing a savings bank, from local circumstances or otherwise; and how could these be obviated ?

7. Are there any friendly societies in the parish, and if so, how many are there; and what is the number of persons belonging to them ?

8. Is there, from local circumstances or otherwise, any comparative want of opportunity or means of common or of religious education among the poor ?

9. Are there any, and if so, what, in your opinion, may be the number who have not been taught to read ?

10. What are the fees payable by the poor for the different branches taught in the parish school; and does the kirk-session pay from the parish funds the school fees of any poor scholars; and, if so, of how many ?

11. Is there a sunday school in the parish; how many scholars at an average attend it; and how is the expense of it defrayed ?

12. Are there in the parish any families, who, to your knowledge or belief, do not possess, from their poverty, a copy of the Bible; and, speaking generally, is there, from poverty, a want of copies of the Bible among any individuals or families in the parish ?

13. Are there any mortifications, or other charitable institutions or funds, for the benefit of the parish poor, which are not under the management of the kirk-session ?

A. What is their object ?

B. What is the amount of their funds, as nearly as you know, or can compute ?

C. What may be the number of the parish poor benefited by them, as nearly as you know, or can compute ?

Source: 1818 Report, pp.42-3.

APPENDIX 8/2: Two petitions presented by the Paisley
handloom weavers to the Abbey Session, 1839

Petition 1: 25 November 1839

The Memorial and Petition of the Unemployed Operatives, with the concurrence of any other of their Fellow Townsmen who Kindly consider the present distressed state of their poor Brethren,

Revd. Sirs

It has been known to you that the bad state of trade has for a considerable time deprived many of us of our usual employment, and exposed us and our Families to much privation and distress. We had expected that you, being at once the ecclesiastical and legal Guardians of your poorer brethren, would have, ere this time, adopted the measures prescribed by Law for our relief, and we are sorry that we still lie under the necessity of addressing to you the present memorial and Petition touching this subject.

As Ministers of the Gospel, you are well aware, that the whole Law of God between Man and Man is comprehended in this -- 'Thou shalt love thy neighbour as thyself', and that the blessed Saviour, extending this duty even to enemies, and enforcing it by his own example, left it as his new and peculiar commandment to the Christian Church.

Loving their neighbours as themselves, Christians are plainly required to carry out their affection to practical results, in doing what in them lies to render all their brethren as comfortable as they themselves are.

So John the Baptist expounded the law when he said, 'He that hath two Coats let him impart to him that has none, and he that has Meat let him do likewise.

In like manner the Saviour also applied it to the rich young ruler, and enjoined him to dispose of all his surplus property and relieve /sic/ the wants of his poor brethren.

The primitive Church, accordingly, reduced the law literally to practice when 'they that beleived /sic/ were together, and had all things common, and parted their goods to all, as every man had need'.

Thus to a certain limited extent,-- to the extent, namely, of a competent supply of the necessaries of life to all, a community of goods was established in the Christian Church as the fair, legitimate, and only consistent application of the paramount law of brotherly love.

Hence, too, this reasonable and righteous principle was restored in the Churches of Britain, as one on the early fruits of its Protestant Reformation, and became the national Law of Scotland by the Act 1579. By the subsequent Act of 1592, the Ministers and Kirk Session were empowered to meet with the Heritors to vote the necessary supplies for the Poor, and to the Minister was entrusted the power of convening what may be justly described as the parochial Parliament of Scotland.

Thus Revd. Sirs you are not only permitted to teach this generous

and ennobling principle of Christian Brotherhood; but you are established and paid by the nation for the express purpose of maintaining it. Nay, you are not only supported for the purpose of inculcating it, but you are armed with power to enforce it, as the law of the Kingdom, and protect your poor brethren from all injustice and oppression. And not only so, but to prevent the possibility of the neglect of this paramount Christian duty, you are bound and obliged under a penalty to enforce it, and preserve the whole nation from the deadly sin of oppressing God's heritage in his poor and afflicted people.

But, Revd. Sirs, observe now, we pray you, the present state of your Parishes of Paisley. You, with many of your wealthy Parishioners, met yesterday to celebrate the supper of our dying Lord. You met in the adjoining Churches to profess the Gospel -- we meet in Church today to plead for the practice of it. You met to commemorate our Lord dying in weakness -- we meet to maintain his right to reign in power. You met in fair and costly raiment -- we meet clad in filthy garments or in rags. You returned home to your well furnished tables -- we return to a scanty and unwholesome meal or to our little ones crying in vain for bread. You and your families are living in pleasure on the wealth accumulated from our hard labour -- we, our wives and our children, are shivering, naked or ill-clothed in the winter blast, or languishing under the disease which want is engendering among us. "And yet our flesh is as your flesh, and our children as your children", and by your own profession, we are all brethren in the common Lord.

Oh ! Sirs, we are plain Men. We cannot speculate upon the word of God, but if we read our Bibles aright, we think this cannot be the religion of our dying Saviour. We fear much that worship offered in such circumstances is what the Almighty by his prophet (Isaiah 1.10-15) describes as a vain oblation, which his soul hateth, and which he is weary to bear; that prayers offered, without correcting these evils, are an abomination to the Lord; and that till such a state of things is removed, the taking of the Lord's supper may be eating and drinking damnation to the Souls of those that are at ease in their possessions.

We must not conceal from you, Revd. Sirs, that we cannot but consider you as chiefly to blame in suffering this state of things to remain. The law of the Land and the Gospel both furnish you with ample powers to relieve our distress; and until you exert to the utmost these powers in our behalf, it is against you, in the first instance, that the cries of the oppressed and the sighing of the needy are entering, as we believe, into the ears of the Lord of Sabbath, who will not despise the destitute's prayer.

We do not reproach you, Revd. Sirs, and our wealthy neighbours, in making these plain statements. Distressing as our temporal poverty is, we apprehend the spiritual pauperism of our rich brethren is still more dreadful than ours -- and that they are more truly objects of our pity than we are of theirs. You stand, at present, in the becoming attitude of penitents, confessing your past sins, and, by seeking a revival of religion, declaring your willingness to forsake them. -- Here, then, a precious opportunity is presenting itself to you of restoring among us the pure religion and undefiled that is pleasing to God the Father of us all. -- Seek for your wealthy Parishioners

the revival that Daniel, Isaiah, and all the Prophets and Apostles recommended of old -- 'to break off their sins by righteousness, and their iniquities by shewing mercy to the Poor; -- to seek judgement, to relieve the oppressed, to judge the fatherless, and plead for the Widow; -- to deal their bread to the hungry, and to bring the poor that are cast out to their house -- and that they no longer, as heretofore, bid their poor brethren' Depart in peace, be warmed and clothed; but give them not these things that are needful for the body at this inclement Season of the year.

That thus, Revd. Sirs, the fruits meet for repentance may be produced, we earnestly call upon you to concur with the Worshipful Magistrates in calling forthwith a Meeting of the Heritors of your Parishes, in order to grant, according to law, the supplies necessary for the relief of our present distress, and to put our families in as comfortable a situation as yours now are. This and nothing less than this is what the Christian law of brotherly love requires; and surely, both as the professed Ministers of Christ and as the Ministers of the Established Church, you will feel yourselves bound, as you are both by the law of God and man, to employ all the means in your power, to give effect to a requirement so glorious to God in the highest, and so benevolent and beneficial to the people for whom you are appointed to spend and be spent. N.B. The unemployed Weavers, on the 16th November, amounted to 1513, and the number is still increasing.

The wages of many of them had been previously so low that they are in debt, and cannot sustain want of employment for one week without great hardship; and how unreasonable is it, therefore, in the Public Committee to require them to starve a whole month before relief is afforded ?

Many have large families, six, seven or eight small children to support, and if one of them should remain in employment, it is equally unreasonable to require the whole to live on the small earnings of one young member.

Fever and other diseases are on the increase in several cases, evidently from want of sufficient food and the fuel and clothing requisite at the Inclement season of the year; and if death, in such cases, take place, the blood of the sufferers plainly rests on those who, having this world's goods, shut up their bowels of compassion against their poor brethren. Paisley, 25th November 1839.

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Petition 2: n.d.

Unto the Honorable Heritors, Reverend Ministers and Kirk Session of the Abbey Parish of Paisley, in Parochial Meeting Assembled, The Representation and Petition of the Unemployed Operatives and other Inhabitants of said Parish,
Respectfully Sheweth,

That this Court, composed, as it is, of Honourable Heritors, Reverend Ministers, and Kirk Session, assembles on the ground that Christianity is still part and parcel of the law of the land, and confirms the just principle of Jurists that the commandment of God is the paramount Law which must rule and determine all other laws both common and statute. Your Petitioners, therefore, may at once proceed to argue their case from an authority which this Court will surely delight to acknowledge, namely, the Law of the Most High.

This Court is well aware that the whole law of God between man & man is comprehended in this 'Thou shalt love thy Neighbour as thyself', and that the blessed Saviour, extending this duty even to enemies, and enforcing it by his own example, left it as his new and peculiar Commandment to the Christian Church.

Loving their Neighbours as themselves, Christians are plainly required to carry out their affection to practical results, in doing what in them lies to render all their brethren as comfortable as they themselves are.

Thus John the Baptist expounded the Law when he said, 'He that hath two Coats let him impart to him that hath none, and he that hath meat let him do likewise.'

In like manner the Saviour also applied the Law to the rich young ruler, and enjoined him to dispose all his surplus property and relieve /sic/ the wants of his poor brethren.

The Primitive Church, accordingly, reduced the law literally to practice, when, 'they that beleived /sic/ were together and had all things common, and parted their goods to all, as every man had need.'

Thus to a certain limited extent, to the extent, namely, of a competent supply of the necessaries of life to all, a community of Goods was established in the Christian Church, as the fair, legitimate and only consistent application of the paramount law of brotherly love.

And this, though enforced in the Gospel by a new motive, was no new principle. It was just the original law of nature, expressly proclaimed by the Creator, as the fundamental law of property, designed to secure, to all the creatures he had formed, the necessary means of Subsistence, and hence, in the Mosaic Code, so strongly confirmed by an elaborate series of enactments, proceeding so far as to authorize any individual to enter his neighbour's premises and supply the demands of hunger, and thus preventing the very possibility of any of God's rational Creatures suffering from want in the midst of plenty, as they are now doing in Paisley.

Hence this righteous and reasonable principle was restored in the British Churches, as the early fruit of the Protestant Reformation, and became the national Law of Scotland by the Act of 1579. This Law, as the Honourable and Reverend Members of this Court well know, was enacted in favor of 'poor aged and impotent persons', and in its provisions two things are particularly worthy of notice. First, as the Law of God had expressly commanded the rich to give their poor brethren 'sufficient for their need', so this Law of Scotland declares that poor persons should receive a 'needful sustentation', that is, plainly, a competent supply of the necessaries of life, and not such a wretched pittance as is now frequently given in such cases. Secondly, as the Law of God had commanded that poor brethren should be kindly treated, on the principle of doing to others as we would others should do unto us, so this law of Scotland declares that friendly enquiry should be made 'to see what they might be made content, of their own consents, to receive daily to live without begging'. Thus the poor brethren were to be consulted, as consenting parties, having a common interest in the soil of their native land, that the Christian freeman of Scotland might never be ground down to the condition of modern paupers, depending on the caprice of others for their very existence.

As to the relief of the Unemployed, this Act, we admit, did not, and in the state the country then was, could not contemplate, as a probable event, the destitution of any considerable number of industrious persons. But that it did not preclude the relief of these, should the event occur, is evident from the provision that those able to work and refusing to do so, when required, should be liable to punishment. The Proclamation of August 11th 1692, having the authority of an Act of Parliament, more fully brought out the principle and expressly 'authorises and requires the Heritors to put able bodied persons to work, either within the Parish or in the adjacent Manufactories'. And the decision of the Court of Session, January 17th 1804, granting relief to able bodied persons, puts, we humbly conceive, the legal right of the unemployed beyond all controversy.

The objection of Dunlop and others that a different practice has almost universally obtained, and that the laws, on this point, have become obsolete by disuetude, cannot be fairly admitted. Most heartily, indeed, do we wish that the state of the country were always such as to allow this part of the law to remain forever in abeyance. But when the emergency for which the law was expressly made and provided does arise, no disuetude can annul a law, which is not only still the statute law of the realm, but the law of common sense, of common humanity and of the Almighty. No disuetude can annul the law of God. The longer the disuetude, the more urgently the necessity to repent of our neglect, return to the good old way of duty, and deliver the nation from quilt and the poor from oppression.

And we entreat the Honourable and Reverend Members of this Court to consider candidly that we -- the unemployed Operatives claim. We seek not to eat the bread of idleness. We fully admit the principle that if any able bodied man will not work, neither should he eat. We claim merely the right to earn our bread by the sweat of our brow.-- We claim the right to supporting ourselves and our families by our hard labour.-- We claim the right of employing our strength and our skill to promote to the utmost the welfare of the Community.

The concession of this right surely common humanity demands, as well as true religion. National interest demands it as well as public duty. Public safety demands it as well as all law both human and divine. There can be no social confidence, while one class of the Community is destitute of the necessaries of life in the midst of superabundance. There can be no sound commercial prosperity while a large body of home customers are without the means of livelihood. There can be no permanent security to property, while the denial of the necessaries of life to a multitude of able bodied men subverts the fundamental law of all the property of the Nation.

With respect to the Manufacturers Association for Affording Work to the Unemployed, we beg to say that we shall be happy to receive any employment by which we can honestly earn a livelihood. But we earnestly appeal to the Honourable and Reverend Members of this Court, as the legal Guardians of their poor brethren, to secure for us such wages as shall provide the necessaries of life for us and our families, and this Court need not be reminded that in referring us to that Association, for work, they are required, by law, to provide for us, in the meanwhile, necessary subsistence and not to leave us destitute till our work shall be finished.

Seeing, then that the law of our God gives us an indefeasible right to a competent supply of necessaries, seeing the law of our Country admits this as one of our natural rights as industrious parishioners; seeing this court is expressly constituted, authorised and required by law to secure us in the enjoyment of this right, and seeing it has obtained by Acts of the Legislature full statutory powers to determine both respecting the validity of our claims and the amount of relief to be afforded us. We your Petitioners, cast ourselves upon this Court to adopt such measures as shall seem to you most expedient to relieve us effectually from the severe distress which we our Wives and our Children have been so long suffering.

And in order to lay before this Court, the facts which prove the extent of our distress, we have appointed a Deputation to present this Petition and support the prayer of the same, if necessary, by farther arguments, and for this Deputation we also respectfully crave a hearing from the Honourable and Reverend Members of Court now assembled.

The second petition was signed by 1208 unemployed men.

**CHAPTER 9: THE 1844 REPORT AND THE POOR LAW
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CHAPTER 9: THE 1844 REPORT AND THE POOR LAW AMENDMENT ACT (SCOTLAND)

The growing discontent with the operation of the Scottish poor law was not seriously lessened by the 1839 Report, which raised more questions than it answered. The Disruption in 1843 precipitated the final crisis, for, because of the drastic fall in church door collections the Established Church felt it could not continue supplying all the parish poor under the voluntary system. Accordingly, a special commission was appointed in 1844 to make a thorough inquiry into the operation of the poor law in Scotland and to make recommendations on ways of changing that system in order to eliminate existing defects.

A. The 1844 Report

The following men were appointed to the Committee: Robert Viscount Melville,¹ Robert Montgomerie (8th Lord Belhaven), Henry Home Drummond,² James Campbell of Craigie (Ayr, Ayrshire), Edward Twisleton,³ Patrick Macfarlan,⁴ and James Robertson (Minister of Ellon, Aberdeenshire). Besides sending questionnaires to all the parishes, at least two members personally visited and examined every presbytery. These visits were beneficial, as the answers received from the questionnaires exhibited considerable misunderstanding of the questions.⁵ The visits also caused the Committee to stress that the conditions of the poor should be compared with those of the working class, otherwise an exaggerated impression of the poors' discomfort might be received.⁶

1 Robert Saunders Dundas (1771-1851), 2nd Viscount; in 1794 was elected M.P. for Hastings; in 1800 chosen as one of the keepers of the signet for Scotland; in 1801 elected M.P. for Midlothian; in 1830 retired from political life and returned to Edinburgh.

2 Elected M.P. for Stirlingshire in 1821 and served until 1831; in 1841 elected M.P. for Perthshire.

3 Was an assistant Poor Law Commissioner in England in 1839; in 1845 chosen Poor Law Commissioner for Ireland.

4 In 1824 replaced Chalmers at St. John's and the following year moved to St. Enoch's where he stayed until 1832, when he became the minister of the West Kirk at Greenock.

5 1844 Report, vol. 1, p.i.

6 1844 Report, vol. 1, p.ii.

In terms of general poor law history the 1844 Scottish Report is significant, when compared with the English Report of 1834; indeed, similar methods were used on both occasions. Nearly one-hundred per cent of Scotland's parishes submitted returns, and the evidence given before the Committee and the returns received are contained in seven volumes, nearly 15,000 pages. It produced a comprehensive study of the life and conditions of the poorer classes and a detailed understanding of the operation of the poor law.

The picture was one of abject poverty. The Commissioners were overwhelmed by Scotland's problem of destitution, and their Report was an attempt to redress the situation. Even so, they stressed that the legislature should amend and repair the existing system, rather than introduce a new one, foreign to the feelings and habits of the country.

The Committee recommended that no changes in the law be made with respect to the type of individuals eligible for relief:- the impotent, old, infirm and orphaned continued to be regarded as proper objects of public charity. In general, if need could not be proven, any claim to relief was strongly resisted in order to avoid the encouragement of vice by too ready advances made at the public expense. No fault could be found in this practice.⁷

The Committee also agreed with the prevalent mode of handling the able-bodied unemployed. Such persons were often given temporary relief from the funds during periods of sickness; rarely were they given aid from the poors' fund when unemployed.⁸ The following expresses the Committee's attitude towards relieving the able-bodied:

While in the case of the able-bodied again, all that humanity or even Christian philanthropy requires to be done, is that we furnish them with the means of developing their own resources. We learn, upon an authority which, if rightly understood and applied, is no less conclusive in political economy than in religion, and the disregard of which in any relation of human life, cannot fail to be attended with injurious results, that if a man will not work, neither should he eat. The overlooking of this salutary maxim in the provisions of statutes

7 1844 Report, vol. 1, p.iii.

8 1844 Report, vol. 1, pp.iii-iv.

appointed to regulate the administration of charitable funds, -- a maxim, on the incontrovertible equity of which it were mere waste of time to insist, -- has been proved by experience to be productive of the most serious evils in the social system.⁹

The Committee believed that beneficial results would be obtained if workhouses were provided for the relief, under discipline, of the able-bodied unemployed. They referred to the English Act of 1834, which established workhouses as a means and character test, indicating a willingness to conform to the English pattern by using English legislation as a sanction and control. It was felt that only the most destitute and deserving would be willing to undergo the rigours of a workhouse.¹⁰

Generally, however, the Committee accepted the Scottish tradition that the able-bodied should never be relieved from the public funds. If circumstances indicated a need to provide the unemployed with assistance, the source of funds should be voluntary subscriptions. The Committee thus recommended no change in the existing practices, even though they recognised that relief from voluntary subscriptions was invariably slow in coming, and was given only after severe hardships had been endured. Unemployed labourers frequently were relieved during periods of severe unemployment by public voluntary subscriptions administered independently of the poor's funds. The Committee lauded this practice, as

the operation of the present law makes as near an approach as is attainable, under existing circumstances at least, to the system of relief which sound principle points out as applicable to the case of the able-bodied poor. It preserves to the objects relieved their status in society; it keeps the family circle with all its invaluable relations unbroken; it administers relief through a friendly community both an opportunity and the means of dispensing their charity, in supplement of its own allowances, with judgment and discrimination. Thus, while it relieves the wants of the needy, it excites in them at the same time emotions of gratitude, makes them realize the value of good conduct and character, probably opens up to them, if deserving, in case of their strength being impaired, new sources of employment suited to their

9 1844 Report, vol. 1, p.xlv.

10 1844 Report, vol. 1, p.xlvi.

diminished capabilities and by all these means, and others of a like nature, fosters in them through a powerful appeal to every better principle the full development of a contented, thankful, and independent industry.¹¹

The Committee recommended that the sole means of preventing mass unemployment, such as occurred in the hand-loom weaving industry, would be to encourage employment of a different nature or in a different locality.¹²

With respect to the Highlands, the Committee felt that any assistance to the able-bodied would substantially reduce industry. They argued that the Highland labourer, under the stimulus of immediate reward, was willing to exert himself in order to accomplish a given task. When the work was finished, he relapsed "into his wonted lethargy".¹³

After briefly reviewing the sources of funds for poor relief, the Committee stated it was their opinion "That the funds raised for the relief of the poor, and the provision made for them out of the funds raised for their relief, is, in many Parishes throughout Scotland, insufficient".¹⁴ Nonetheless, the Committee was opposed to a compulsory assessment, as that still would not ensure an adequate allowance.¹⁵ But the Committee did not condemn assessments: the necessity of imposing one depended upon local circumstances. Furthermore, they stated that the general feeling against assessments was gradually diminishing; that more parishes would adopt that means of raising funds, and that no evidence could be found to indicate that the imposition of a legal assessment reduced church collections.

The amount of the church collections is influenced by many different local circumstances, the number who attend church, the amount of dissent, the comparative wealth of congregations, the existence of other modes of providing for the poor, and sundry other causes.¹⁶

11 1844 Report, vol. 1, p.xlviii.

12 1844 Report, vol. 1, pp.lvi-lvii.

13 1844 Report, vol. 1, p.xlix.

14 1844 Report, vol. 1, p.xiv.

15 1844 Report, vol. 1, pp.xviii-xix.

16 1844 Report, vol. 1, p.v.

The Committee recommended that in every parish where an assessment was imposed, the church collections should be left to the sole disposal of the kirk session in order to provide occasional charity, that is small payments designed to prevent people coming on the roll. By leaving the church collections at the disposal of the kirk session in assessed parishes, the amount of such collections would probably increase. Moreover, the character and condition of the poor would be likely to improve if they were not regarded as 'registered' paupers. These policies were adhered to primarily as a result of the testimony of Rev. Dr. Gordon, who stated that his influence over the people was greater than he was able to give some pecuniary assistance.¹⁷

Although the Committee felt that allowances to paupers were often inadequate, they decided that it would be detrimental to allow any outside interference to arise in determining the amount. Only people familiar with local circumstances could possess adequate information to establish the allowance. Even though first impressions may indicate inadequate allowances, closer examination may reveal a different situation.

... there are many parishes in various parts of Scotland, in which, on examining the actual state of the paupers on the roll, and comparing their condition with that of independent labourers, we have found it little inferior. The amount of the money allowance made by the administrators of the poor funds gives, in most cases, but a very imperfect notion of a pauper's resources and actual means of livelihood. There are very few of those receiving relief in the country parishes who are not able, in some way or other, to earn a little towards their own subsistence: besides which, the standard of living varies so much in different parts of Scotland, that with 1s. a week in one parish a pauper may be in fully as good a condition, as compared with the independent labourer, as he would be with 2s. a week in another.¹⁸

Furthermore, when determining the amount of assistance to be given, the pauper's character should be taken into account.¹⁹ For these

17 1844 Report, vol. 1, pp. xxxvii-xxxviii.

18 1844 Report, vol. 1, p. xv.

19 1844 Report, vol. 1, p. liv.

reasons, the Commissioners felt that the decision of the parochial managers concerning the amount of the allowance should be final; there should be no right of appeal.²⁰

The Report then described how social change could affect the operation of the law. Under the old crofting system the inhabitants of the Highlands were closely connected with one another, each willing to offer whatever help lay in his power to relatives or neighbours who were less fortunate. After the clearances the crofters either migrated or were collected into villages on the coast. As a result, many who were able to help others now found themselves facing great difficulties in obtaining their own livelihood. The clearances also altered the degree of sympathy between the paupers and the occupants of the land.²¹

The Committee deplored that so little medical assistance was available to the poor, and recommended the provision of much more medical relief which was, they judged a proper charge upon the poor's fund. This policy would be very beneficial, as the susceptibility of contagion is increased greatly whenever the constitution is weakened by destitution, dissipation, or an unhealthy atmosphere.²² The policy would be easier to implement and the poor better provided for if a poorhouse was established in every parish with a population in excess of 6-8,000.²³ Thus, the Committee argued in favour of establishing a system of poorhouses.

The Committee were highly critical of Scotland's settlement laws. If a pauper could not prove his settlement, all relief was refused him, even though he was in a state of destitution. Furthermore, people were often denied admission to infirmaries because of doubts as to their parish of settlement. The Committee argued that great abuses arose from the pass system; the parishes were sending people to their claimed parish of settlement without ascertaining precisely where they belonged. In order to correct these wrongs the Committee recommended that the parish in which a person was found destitute be required immediately to relieve him, and that such relief should continue until the parish of settlement was known. The expenses of

20 1844 Report, vol. 1, p. xviii.

21 1844 Report, vol. 1, p.xvi.

22 1844 Report, vol. 1, pp.xxvi-xxviii.

23 1844 Report, vol. 1, p.xxv.

interim maintenance, and other expenses, would be recoverable from the parish ultimately found liable.²⁴ Only one exception to this policy should be allowed: English and Irish paupers should be removed immediately to their respective countries. Implementation of this policy would bring Scottish legislation in line with English and Irish legislation.²⁵

The Committee felt that the allegation that people flocked to towns for the purpose of obtaining relief was much exaggerated.

... we are fully justified in stating that, generally speaking, throughout the Lowland parishes of Scotland, the condition of the poor is greatly superior, in point of comfort, to that of the paupers in the towns; and that in many parts of the Highlands they are better provided for, than in Edinburgh and Glasgow. It would seem, therefore, a most untenable proposition to maintain that the poor would voluntarily seek to abandon their former settlement in the country, for the sake of obtaining a provision in a town, by which their condition would not be improved, but positively deteriorated.²⁶

The Committee argued it would be truer to state that agricultural labourers leave the country for the towns after they are unable to do heavy work, thus migrating to towns in search of some form of light employment. Furthermore, it was difficult for retired farm labourers to procure cottages in their vicinity, and so were often thus being forced to leave.²⁷

After making these observations the Committee recommended that the necessary period of residence for obtaining a settlement be increased from three to seven years. The reason for this proposal was that the parish where an individual spent most of his life enjoyed the benefit of his labour, hence it should support him in old age. During the seven years' period the person would be required to maintain himself without parochial relief or having recourse to common begging.

24 1844 Report, vol. 1, pp. xxxi-xxxiv.

25 1844 Report, vol. 1, p. xxxiv.

26 1844 Report, vol. 1, p. xxxix.

27 1844 Report, vol. 1, p. xl.

Furthermore, a settlement by residence could be acquired only by a native of Scotland.²⁸

The only major change in the law which the Committee proposed was in the area of administration. They recommended that a Board of Supervision on a national basis, consisting of unpaid members, be established for a limited period of time. Each parish would submit semi-annual statements to the Board showing the numbers and condition of their poor and the amount of relief supplied to each. All complaints against the local managers were to be made to the Board, which was to have the fullest power of inquiry and remonstrance. The Board was to submit annual reports to the Secretary of State on the condition and management of the poor throughout Scotland. Furthermore, the parochial managers would be required to appoint a salaried clerk to make the reports to, and to conduct all correspondence with the Board. The clerk's salary was to be fixed by the local managers.²⁹

If a rural parish was not assessed, the management would remain with the kirk session and heritors. Heritors were redefined to include all persons who held a valued rent to the amount of at least £5 Scots (8s. 3d. Sterling). If a rural parish was assessed, or became assessed at some future date, the management was to be undertaken by the kirk session, heritors, and a certain number of persons chosen by the ratepayers who were not heritors. Thus, all persons paying the assessment would be represented in the management.³⁰

For the purposes of poor relief and settlement all parishes within the parliamentary boundaries of any burgh should be united and held as one parish. The managers in such a situation would consist wholly or chiefly of individuals elected by the ratepayers, plus the provost and chief magistrate, ex officio. Each ratepayer would possess a number of votes in proportion to the amount of property on which he was assessed.³¹

28 1844 Report, vol. 1, p.xliii.

29 1844 Report, vol. 1, pp.xix-xx.

30 1844 Report, vol. 1, p.xxii.

31 1844 Report, vol. 1, p.xxiii.

In the short period of time available to them the Committee were unable to digest and analyse the large quantity of data collected from the parochial returns. They based their Report and recommendations upon the evidence collected in personal testimony. The Committee was not unanimous; Edward Twisleton presented a dissenting report. He felt that the Committee had not gone far enough in its recommendations: equality throughout Scotland could be obtained only by having a national compulsory assessment, and appeals to the sheriff courts should be allowed. Furthermore, he felt that the able-bodied unemployed should be provided with relief in workhouses, as was the case in England.

B. The Poor Law Amendment Act (Scotland) of 1845

Action on the Committee's Report was swift. On 11 February 1845, Lord Dalmeny asked if a bill was to be introduced to change the Scottish system of poor relief, as recommended by the late Committee. Sir James Graham, the Secretary for the Home Department, answered that the government needed time to consider the matter, as any Act changing a system which had been in operation for nearly 200 years must be undertaken with caution.³²

On 2 April 1845, the Lord Advocate rose to introduce the Bill, which was necessary, he said, because of the great public pressure to correct the abuses with regard to the poor of Scotland. Little opposition to the Bill was recorded. Indeed, only one change was suggested; Mr. Edward Ellice argued, without success, that a compulsory assessment was needed and should be levied by people other than local authorities. On 12 June 1845, the Bill received its second reading.³³

The Act's provisions were similar to the recommendations of the 1844 Committee, and the law as it existed before 1845 was not materially changed. Indeed, the Act only provided machinery for the administration of relief to the poor; no change was made in the description of persons legally entitled to relief. The most significant provisions were two: the establishment of a national Board of

32 Hansard, vol. 77, third series, pp.244-46.

33 Hansard, vol. 78, third series, pp.1399-1424.

Supervision, and the provision that if an assessment was in the future imposed, it had to be laid annually thereafter.

The Board of Supervision was the first central poor law authority in Scotland.³⁴ Its nine members met twice yearly on the first Wednesday of February and August; all gave their services gratuitously except one, who was paid to carry on the daily duties of the Board. The following were the nine members: the Lord Provosts of Edinburgh and Glasgow, the Solicitor-General, the Sheriffs-Depute of Perth, Renfrew, Ross and Cromarty, and three others nominated by the Crown. The Board was empowered to inquire into the management of the poor in every parish and burgh in Scotland and to conduct any special inquiries it might think necessary. If a pauper felt that his pension was inadequate, he could appeal to the Board of Supervision, a provision going beyond the recommendation of the Commissioners.

In every parish and burgh the administration of relief was vested in a group of men called the Parochial Board, their composition depending upon local circumstances. In all unassessed rural parishes the kirk sessions and heritors were to continue with the administration of the law. If an assessment was imposed, the Parochial Board was to consist of a fixed number of heritors, a fixed number from the kirk session, and a fixed number elected at large by the ratepayers. In each case the number chosen was to be determined at the local level, every arrangement being subject to the approval of the Board of Supervision. For the purposes of providing relief, rural parishes were permitted to combine. Moreover, if the population of a parish or combined parishes exceeded 5,000, a poorhouse could be erected. In combined parishes and in all burghs the Parochial Board was to consist of not more than 30 members elected by the ratepayers, four chosen by the magistrates, and four chosen by the kirk session. All elected officials served for one year and were eligible for re-election.

The Parochial Boards were required to meet on the first Tuesday of February and August. They were to compile a list of the poor and appoint a paid inspector of the poor, who was to keep all the records concerning poor relief, and to visit the poor in their homes at least

34 Unless otherwise stated, the information in this section is from A Collection of the Public General Statutes, 8 & 9 Victoria, 1845, pp.893-923.

twice a year. The Boards were empowered to raise funds by assessment, but, once imposed an assessment became an annual levy, unless the Board of Supervision agreed to a change. Furthermore, funds raised by assessment were applicable to the relief of occasional poor. If an assessment was imposed, the church collections were to be at the sole disposal of the kirk session.

In assessed parishes the Boards were to fix the amount of the assessment annually and to make a list of those liable to it. One of the following three modes of assessment had to be specified with the initial imposition: a) one-half on owners and one-half on the occupiers and tenants of lands and heritages within the parish, the rate laid according to the annual value of rent; b) one-half on owners according to the annual value of rent and one-half on the whole inhabitants according to their means and substance; c) equal percentage on the annual value of lands and heritages within the parish and on the estimated income of all the inhabitants. If the second mode was used, means and substance under £30 could not be assessed.

Several provisions for medical assistance were made. The Parochial Boards were ordered to supply necessary medical relief to all paupers, with the expense of such relief to form a proper burden on the poor's fund. The Boards also were required to provide clothing and education to those in need of such items. All lunatic paupers on the rolls were to be placed in asylums.

A number of changes were made with respect to settlement. The period for acquiring a settlement by residence was increased from three to five years, and as was previously the case, during this time the individual could not have recourse to begging or public charity. Destitute persons were to be relieved, although having no settlement in the parish to which they applied, and the parish providing assistance could later recover all expenses from the parish of settlement. Finally, parishes were empowered to remove to their respective countries all English and Irish paupers who had not acquired a settlement in Scotland.

The effect of the Act was immediate. Increases in the number of poor, in total expenditure, and in the number of parishes levying a legal assessment took place within the year. Out of 878 parishes in

1842-3, 230 had a legal assessment; by 1845-6 the number had increased to 448, of which 379 used annual value of rent as the mode of taxation.³⁵ Total expenditure on the poor for the year ended 1 February 1845 was £258,814 19s. 11d., and for 1 February 1846 was £295,232 8s. 1d. The number of poor on the rolls for the two periods was 63,070 and 69,432, respectively.³⁶ The number of parishes levied increased much more than did expenditure on the poor.

Change in the Scottish poor law came eleven years after changes in England. The English Act of 1834, however, represented a major shift in philosophy; this was not the case for the Scottish Act of 1845. Despite an apparent encouragement to impose a legal assessment, the establishment of the Board of Supervision, and the granting of medical relief, the basic tenets of Scottish poor relief were upheld. The able-bodied unemployed still were denied assistance from the public funds; only the aged, orphaned, and impotent were regarded as proper objects of charity. Allowances continued to be viewed as supplementary in nature. Little was gained by the poor in Scotland.

35 Nicholls, Scottish Poor Law, pp.185-6.

36 Nicholls, pp.196-7.

CONCLUSIONS

The starting point for discussion of the treatment of the poor must be the parameters set by the law. With respect to poor relief administration the Scots had a well-defined legal framework, established by the Scottish Parliament and modified by the interpretations of the Court of Session. According to it, poor relief in each rural parish was to be administered by its kirk session and heritors and in each burgh by the magistrates and town council. The fund for the regular poor (the enrolled paupers) was composed of one-half of the church-door collections, certain fines and fees, legacies, voluntary contributions, and, when necessary, the proceeds of a legal assessment. The proper objects of relief were held to be the aged, impotent, and orphaned. Their allowance was to be sufficient to enable them to survive without the necessity of resorting to begging.

Although the Scottish system of poor relief clearly established those eligible for relief, the sources of funds, and the administrators, considerable flexibility was present, for each parish determined the criteria for the granting of relief and the amount of the allowance. The decisions by the administrators on these important aspects did not embody the intent of the legislation, for the philosophy of self-reliance and relief only as a supplement became the prevailing guideline.

The Scottish poor law consisted of two sub-systems, the rural and the urban. Even though this dichotomy was initially the result of the legislation, the pressures of urbanisation and industrialisation caused the division to be more marked. Prior to 1700 the burghs studied were so small that poor relief administration in them could not be distinguished from that in the rural parishes, as the magistrates and town councils of the burghs usually delegated their administrative responsibilities to the Church. But as the population of the burghs increased and became more dense, the Church as administrator was either replaced or supplemented by elected lay officials.

Within the two sub-system structure several characteristics were held in common. In both rural parishes and burghs an important

distinction can be made between the kirk session on the one hand and the heritors and elected lay officials on the other. The former group can be viewed as the more liberal element of administration, wishing to ease the sufferings of the deserving destitute. This desire, however, was held in check by the latter group, who had ultimate control over the outlays. In order to minimise expenditure and to try to recompense the fund many parishes developed the idea of relief as a loan. Paupers were 'tied to the box' at the time of enrolment upon the regular funds by being forced to sign dispositions making the poor's fund heir to their property.

The administrative practice followed in the rural parishes between 1745 and 1845 was generally that the kirk sessions assumed sole responsibility, unless financial difficulties arose and the imposition of a legal assessment became a threat, when the heritors often took emergency action. The heritors were more active in management in the ^{southern} Lowlands and the Borders than in the northern regions (122). In the burghs the magistrates and town councils delegated their authority to elected lay officials, and a system of in-door relief evolved.

In rural parishes legal assessments did not easily come into existence, as there was a prevailing fear that the poor might demand relief as a right if the source of funds was other than voluntary. It was also feared that the church-door collections in legally assessed parishes would decrease. The limited available evidence indicates that neither view was warranted.

Unlike the situation in rural parishes, most of the burghs examined imposed a legal assessment. The greater density and larger number of people in the urban areas meant that major reliance could not be placed upon the voluntary sources of funds, particularly as church accommodation became acutely inadequate. The use of a legal assessment enabled the administrators to meet the changing circumstances caused by epidemics and economic depressions.

Generally, in rural parishes only individuals entitled by law to relief were granted assistance from the regular funds. But ample evidence exists in the kirk session minutes that the able-bodied employed also received assistance. It must be noted, however, that such cases represent only a small proportion of the total number of

paupers. Moreover, the able-bodied were seldom granted relief from the parochial funds during periods of unemployment. The granting of occasional assistance to the able-bodied during times of temporary sickness or personal disaster, such as the death of a horse or cow, was more prevalent. Such aid was held to be a means of preventing individuals from becoming regular paupers. The source of funds for these distributions was the one-half of the church-door collections left to the disposal of the kirk sessions, hence independent of the poor's funds.

Relief in the burghs was generally restricted to those legally entitled to it. The able-bodied, whether in or out of work, were rarely granted assistance from the public funds. These individuals in times of need were forced to rely on the help of private charity, which flourished in Scotland's major towns. Nonetheless, examples were found of the able-bodied employed receiving assistance from the workhouse funds, as for example when a wet nurse was provided when wives died during child-birth.

The rural system of relief in Scotland was less harsh than that in the urban areas; it was more responsive to the pauper's needs. Both rural and urban modes failed to provide an adequate subsistence, but much can be said in favour of a paternalistic approach of the rural kind, where the poor's requirements are better known.

The Scottish system of poor relief differed significantly from the English. The Scots never had a 'Settlement Act' whereby applicants for relief could be forceably removed to their parish of legal settlement. Rather, the method in Scotland enabled a pauper to reside in the parish of his choice, even though receiving assistance from his parish of settlement. If, however, a pauper living in another parish desired to return to the one of legal residence, a pass system was available which entitled him to receive assistance from all parishes en route. Despite the clarity of the law, forced removal did occur in Scotland as a means of keeping the number of paupers at a low level. Sanction for such removals was independent of the poor law; they apparently resulted from local rulings concerning the moral character of strangers. Any individual moving into a parish was subject to removal if he could not produce a certificate from his former parish attesting to his moral character and ability to support himself.

The second difference arose from the treatment of the able-bodied poor. In England, provision was made for such persons, and as a consequence, they were set to work at such tasks as road construction and in-door employment in workhouses. The Scots, on the other hand did not officially provide for the able-bodied. Consequently, they never actively pursued a policy of setting their poor to work, since those granted relief were largely disabled in some way. The Scottish workhouses quickly discontinued their policy of employment for profit, thus becoming hospitals for the housing of the incapacitated, friendless and destitute.

No dramatic causal link can be demonstrated between the working of the Scottish poor law and any other leading element in the situation. It is impossible to sustain statements of the order 'the operation of the Scottish poor law hindered the economic development of Scotland', or that poor relief had an assignable effect upon the level of wages. The implementation of the poor law in Scotland was a neutral factor with respect to income levels, simply because relief generally was granted only to a select few, and only as a last resort, the allowances being regarded as a supplement to other forms of income. Indeed, the process of Scottish industrialisation had little effect upon the operation of the law; by establishing separate rural and urban modes of administration, the legislation of the seventeenth century had created an adaptable framework, within which the basic philosophy of poor relief was maintained, even after 1845. Furthermore, it is not possible to construct an aggregative 'model' due to the nature and limitations of the available quantitative data. The evidence does suggest, however, that regional variations in expenditure per pauper and in the relative number of paupers can be explained, in part, by the stage of development of the market economy.

Serious large-scale debate concerning the humanity and importance of the Scottish poor law did not occur until after 1815. Indeed, even then such discussion probably was a result of enquiries by the English Poor Law Commission of 1818. In the post-1815 period the existing tenets became an emotive rather than a rational topic of discussion. A particular view of the Highland ethos and a stress on the evils of assessment were notions tenaciously held. It is curious that the Scottish radical movements between 1816 and 1820 did

not attempt, except in a few isolated cases, to establish a link with the poor. Perhaps the reason for this lay in the fact that the belief that the able-bodied unemployed were not entitled to public relief had been so ingrained in the minds of the Scots that any attempt to procure allowances for them would have been futile.

When changes finally came in Scottish poor law legislation in 1845 they were not the result of an upsurge of popular protest or the development of middle class humanitarianism, but were rather the product of fear and finance. Dr. Alison's appeals to legislators were potent because the fever epidemics of the 1830's although based on poverty and malnutrition, also scourged the middle classes. Moreover, the Disruption of the Church of Scotland in 1843 placed a greater financial burden on the middle classes, as they were the ones who mainly stayed with the much reduced Established Church. The loyalists thus had an interest in helping the Church to divest itself of its role as poor law administrator. But the 1845 Poor Law Amendment Act (Scotland) was not symmetrical in its operation: it eased the pressures on the better off without improving the conditions of the poor. Only the shape of the system was changed, the basic philosophy remained.

The century (1745-1845) was one of radical change for Scotland. It witnessed the fastest rates of increase in population in Scotland's history, rising from 1,265,380 in 1755 to 2,620,184 in 1841. It was a period of rapid industrialisation, with the resulting growth of urban areas and improvements in communication. Severe employment problems were caused by depressions in 1819, 1825-6, 1829, 1832, 1837, and 1840-3. In the light of these events it is surprising that the Scots' traditional views on the causes of poverty did not change. So far as the Lowlands were concerned, no contemporary Scottish observer seems to have made a serious attempt to relate the problem of poverty to the great changes being engendered by the industrial revolution. So far as the specific causes of indigence in Scotland were concerned few writers defined them in terms of economics. Poverty was largely taken to be the result of personal behaviour and "moral degradation".

But in spite of the inadequacy of the provision it seems reasonable to conclude that the structure and intents of the pre-1845 Scottish system of poor relief, as embodied in the statutes, contained much that was humane. Many facets of the practices which evolved, such as parochial visitation and education for the poor, were admirable. But the system between 1745 and 1845 became increasingly harsh, as it failed to cope with the changing structure of society resulting from the development of a market economy, disruptive of the older social bonds and productive of precariousness through trade fluctuations. The self help philosophy of the administrators was moralistic rather than environmental. By blaming destitution on personal behaviour and morality, rather than on the conditions within which they had to operate, theorists, politicians, and administrators failed to make the crucial link between destitution and unemployment, a factor often beyond personal control. Furthermore, by inducing the view among the labourers, themselves that the taking of public assistance was a badge of disgrace, the number of applications was severely limited. Thus, the funds available for distribution were restricted by equating the imposition of a legal assessment with the degeneration of the moral standards of the poor. As the administrators of poor relief were also the moral guardians of the community, it was convenient for them to equate low poor relief doles with a high moral standard and to express their satisfaction when no one applied for aid. This epitomises the attitude of Chalmers in St. John's. Little wonder then that private charity necessarily assumed a crucial role within Scotland; through it the condition of Scotland's poor was thus eased to some degree compensating for the inadequacy of the legal provision made for them.

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