

Voices from the Far North: Pauper Letters and the Provision of Welfare in Sutherland, 1845–1900

Peter Jones and Steven King

Abstract This article explores the changing relationship between paupers and the parish authorities in Tongue, in the far north of Scotland, between the passing of the Scottish New Poor Law in 1845 and the end of the nineteenth century. It does so by focusing on Scottish pauper letters and petitions for relief. Such sources, though relatively abundant in the archives, have so far been ignored by welfare historians. The article begins with a discussion of the trials of Tongue's poor crofting community in the early years of the century, the impact of widespread land clearance, and the dislocation of long-established communities. Following on from this, through a close reading of pauper appeals alongside other official sources the authors demonstrate that, despite persistent hardship and inadequate resources, the relationship between paupers and the parish authorities changed markedly over the period. An attitude of supplication and entreaty, rooted in Highland traditions of deference and reflective of a rigid social hierarchy, gave way to a clear sense of entitlement and an expectation that paupers' appeals would—indeed, must—be heard toward the end of the century. This fundamental shift mirrored, and was profoundly influenced by, wider agitation among crofting communities for change.

The historiography of welfare in the British Isles has developed rapidly, if unevenly, over the past thirty years. England has been particularly well served by scholars who have not only sought to add to our understanding of the institutional context of welfare but who are increasingly turning their attention to the experiences of the poor themselves at the level of the parish and (for the post-1834 New Poor Law) the union.¹ As Tim Hitchcock recently suggested, in England “poor law studies,” broadly defined, is at the forefront of a “new history from

Peter Jones is a researcher in history at the University of Strathclyde and **Steven King** is professor of economic history at University of Leicester. The authors would like to thank Dr. Annie Tindley of the University of Dundee for her invaluable suggestions on an earlier draft of this article, the anonymous reviewers for their useful comments and suggestions on this version, and Colin Waller, archivist at the Highland Archive Service, Inverness, for alerting us to the pauper letters from Tongue on which much of the following discussion is based.

¹ For a review of English poor law historiography see Samantha Williams, *Poverty, Gender and Life-Cycle under the English Poor Law, c.1760–1834* (London, 2011), 1–20. For other recent contributions to the debate, see Steven King, “Negotiating the Law of Poor Relief in England, 1800–1840,” *History* 96, no. 324 (October 2011): 410–35; Alys Levene, *The Childhood of the Poor: Welfare in Eighteenth-Century London* (Basingstoke, 2012); Joanne McEwan and Pamela Sharpe, eds., *Accommodating Poverty: The Housing and Living Arrangements of the English Poor, c. 1600–1850* (Basingstoke, 2011); Keith D. M. Snell, “Belonging and Community: Understandings of ‘Home’ and ‘Friends’ among the English Poor, 1750–1850,” *Economic History Review* 65, no.1 (February 2012): 1–25.

below.”² Yet despite these advances we are a long way from realizing a truly British “welfare history” for the eighteenth and nineteenth centuries. In Wales, for example, the little work that has been carried out suggests that the universal application of the tenets of the law came very late and that local application of the poor law was often quite distinct from that in England, even though they shared a statutory framework.³ But arguably, the greatest gap in scholarship relates to the experiences of the poor in Scotland, something that was recently noted by Rab Houston.⁴ Studies do exist that address the poor law in eighteenth- and nineteenth-century Scotland, but Scottish welfare historiography has tended to follow a rather descriptive approach concentrating first and foremost on the intentions of legislators and how these were reflected in official discourse between central and local administrators.⁵ In order to address this gap in the historiography, the present article concentrates on evidence from Tongue, a rural parish in the Scottish Highlands.

Because the legislative framework was different in England and Wales as compared to Scotland, it could be argued that any attempt to apply the same, or even broadly similar, historiographical criteria to the two systems is misplaced. Scotland’s Old Poor Law was founded on similar principles to that of England and Wales and had similar early modern foundations, but it retained a separate welfare system even after Union in 1707, with no mandatory tax-funded relief until at least 1845.⁶ Even after reform in that year, and unlike the post-1834 situation in England and Wales, the Scottish Poor Law centered on the parish rather than on the larger administrative unit of the union. Moreover, workhouses were initially neither encouraged nor widely adopted in Scotland so that the relief of paupers took place in their own homes.⁷ In this sense, the Scottish New Poor Law after 1845 had more in common

² Tim Hitchcock, “A New History From Below,” review of Thomas Sokoll, ed., *Essex Pauper Letters 1731–1837* (Oxford, 2001), *History Workshop Journal* 57, no. 1 (Spring 2004): 294–98, at 297.

³ See, for example, John Stewart and Steven King, “Death in Llantrisant: Henry Williams and the New Poor Law in Wales,” *Rural History* 15, no. 1 (April 2004): 69–87; Megan Evans and Peter Jones, “A Stubborn, Intractable Body”: Resistance to the Workhouse in Wales, 1834–77,” *Family and Community History* 17, no. 2 (October 2014): 101–21.

⁴ Rab Houston, review of Steve Hindle, *On the Parish? The Micro-Politics of Poor Relief in Rural England, c.1550–1750* (Oxford, 2004), *Scottish Historical Review* 85, no. 2 (October 2006): 351–53, at 353. One important exception to this rule is the work of Andrew Blaikie on the northeast of Scotland. See especially his “Nuclear Hardship or Variant Dependency? Households and the Scottish Poor,” *Continuity and Change* 17, no. 2 (August 2002): 253–80; and idem, “Household Mobility in Rural Scotland: The Impact of the Poor Law after 1845,” *International Review of Scottish Studies* 27 (2002): 23–41.

⁵ See Robert Cage, *The Scottish Poor Law 1745–1845* (Edinburgh, 1981); Ian Levitt, *Poverty and Welfare in Scotland 1890–1948* (Edinburgh, 1988); Rosalind Mitchison, *The Old Poor Law in Scotland: The Experience of Poverty, 1574–1845* (Edinburgh, 2000). See also Jean Lindsay, *The Scottish Poor Law: Its Operation in the North-East from 1745 to 1845* (Ilfracombe, 1976); Audrey Paterson, “The Poor Law in Nineteenth-Century Scotland,” in *The New Poor Law in the Nineteenth Century*, ed. Derek Fraser (London, 1976), 171–93; Helen MacDonald, “Boarding Out and the Scottish Poor Law, 1845–1914,” pt. 2, *Scottish Historical Review* 75, no. 200 (October 1996): 197–220; Andreas Gestrich and John Stewart, “Unemployment and Poor Relief in the West of Scotland, 1870–1900,” in *Welfare Peripheries: The Development of Welfare States in Nineteenth and Twentieth Century Europe*, ed. Steven King and John Stewart (Bern, 2007), 125–48.

⁶ For the differences between the old and new systems in England/Wales and Scotland, see Cage, *The Scottish Poor Law*, chaps. 1 and 8.

⁷ Paterson, “The Poor Law,” 178.

with the Old Poor Law in England and Wales than it did with the New.⁸ Yet even this comparison to the English Old Poor Law is misplaced. For example, the lack of workhouse provision in nineteenth-century Scotland was in large part due to what contemporaries saw as the system's enduring success in an area of policy and practice where the English had largely failed under the Old Poor Law. At no point in Scotland was provision made for relieving the able-bodied poor—that is, anyone theoretically capable of maintaining themselves through paid employment—and the orthodox view is that this rule was almost uniformly applied from the sixteenth century to the end of the poor laws in the twentieth.⁹ There is little doubt that, despite similarities, the architecture of the Poor Law in nineteenth-century Scotland was quite different from that in England and Wales.

But these broad-brush distinctions based on national identities are far from the whole story, especially if we shift our focus away from the administrative intention of the law and on to its local application. The central lesson from the burgeoning stock of local studies in England is that, whatever the practical and ideological intentions of legislators and administrators, poor law practice varied widely, not only from region to region but intra-regionally too. If anything, it was this variation that characterized the poor laws in England rather than their administrative uniformity, and much of this has to do with the local environment within which welfare was negotiated.¹⁰ In contrast, the Scottish poor laws have suffered from a virtual absence of local studies.¹¹

Scotland in the nineteenth century was marked by great geographic, economic, and cultural diversity. Clear fault lines existed between the industrial epicenter of greater Glasgow and the rest of the country, and between pastoral and agrarian regions and the growing central urban belt. But the greatest cultural and economic contrast in nineteenth-century Scotland was (as, arguably, it still is today) between the Anglophone Scots-speaking lowlands and the then Gaelic-speaking Highlands. As scholars have long emphasized, the lives of ordinary Highlanders were almost completely hidden from the Anglocentric administrators of public policy in Edinburgh, let alone from lawmakers in London, except insofar as they represented a “problem.”¹² Clearly, it was optimistic to believe that a single administrative relief structure could serve the needs of the poor across the whole of this complex and highly differentiated landscape. Yet quite how these differences played out in the

⁸ For a useful comparative overview of the New Poor Laws in Scotland and England, see David Englander, *Poverty and Poor Law Reform in 19th Century Britain, 1834–1914: From Chadwick to Booth*, 2nd ed. (Oxford, 2013), 47–55.

⁹ Mitchison, *Old Poor Law*, 153; Paterson, “The Poor Law,” 171–93; Gestrich and Stewart, “Unemployment and Poor Relief,” 128.

¹⁰ Steven King, *Poverty and Welfare in England 1700–1850: A Regional Perspective* (Manchester, 2000), 49, 261–69.

¹¹ Exceptions to this rule are Blaikie, “Nuclear Hardship” and “Household Mobility”; Lindsey, *The Scottish Poor Law*; Annie Tindley, “‘Actual Pinching and Suffering’: Estate Responses to Poverty in Sutherland 1845–1886,” *Scottish Historical Review* 90, no. 2 (October 2011): 236–56; and Rab Houston, *Peasant Petitions: Social Relations and Economic Life on Landed Estates, 1600–1850* (Basingstoke, 2014), 230–48.

¹² The most complete and forceful expressions of this view can be found in three classic works on the Highland experience: James A. Hunter, *The Making of the Crofting Community* (Edinburgh, 1976); Tom Devine, *Clanship to Crofters' War: The Social Transformation of the Scottish Highlands* (Manchester, 1994); Eric Richards, *The Highland Clearances: People, Landlords and Rural Turmoil* (Edinburgh, 2000).

practice of the poor laws is almost entirely unknown. In this sense, there is a greater urgency for microstudies to enhance our understanding of local welfare practices in Scotland than there is in England or, arguably, even Wales.¹³

Using contemporary accounts, parish records and a particularly fruitful demotic source, pauper letters, we explore the culture of welfare in the parish of Tongue, in the Sutherland Highlands. Valuable in its own right, given the need for detailed microstudies in order to understand the local dimensions of welfare in Scotland, this study also resonates with a much wider agenda. Local studies in outlying locations from around Britain are needed to challenge an ingrained sense of English exceptionalism in terms of the structure and practice of welfare, and to create a unified picture of similarity and difference across the British welfare canvas. Moreover, there is a real sense in which both the structures of welfare and the experience of being poor in Scotland have much in common with wider northern-European welfare regimes, such that any attempt to conceptualize these European systems in a British context demands more research from Scotland.

Most importantly, this article focuses on the experiences of the poor themselves. As English and European welfare historiography move inexorably to a consideration of pauper agency, the nature of rights, entitlements, and obligations, and to understandings of the pauper “voice,” so we bring this agenda to bear on a parish which might be said to epitomize the Highland experience in the nineteenth century. As we make clear in the first section, Tongue was typical of many Highland parishes in a number of crucial ways: it experienced some of the most brutal and highly publicized clearance activity in the early nineteenth century, and its population of crofters (smallholding tenants) and landless poor was forced from the interior of the country onto inadequate plots on the overcrowded coastal fringe. Yet despite the hardships and disruptions they suffered, until the latter part of the century the relationship between paupers and parish officials remained rooted in traditions of deference and a strictly enforced social hierarchy.

The main source for this study is a significant cache of pauper letters, the very discovery of which is a useful corrective to a so-far decidedly Anglocentric reading of such documents.¹⁴ These letters offer a unique insight into the experience of being poor in a Highland parish under the Scottish New Poor Law; they also shed new light on the process of negotiation for scarce resources between paupers and parish officials. We argue that, notwithstanding the hardships and structural difficulties they faced, when it came to navigating the formal and informal precepts of the Scottish New Poor Law, the parish poor of Tongue were both astute and rhetorically sophisticated. It is clear that they were far from complacent or passive in their appeals for relief and that they fully understood the protocols that were most likely to lead to success. But it is also clear that at the beginning of the new welfare regime they recognized the limits of their entitlement and the interlocking obligations of parishes and paupers, and they adjusted both the vocabulary and the register of their written appeals accordingly. This register changed significantly in the last decades

¹³ Houston, review of Hindle, *On the Parish?*, 353.

¹⁴ These letters came to light during research for a major project conducted by the authors, along with professor Andreas Gestrich of the German Historical Institute in London, funded by the German Research Foundation and the UK Arts and Humanities Research Council: “Pauper Letters and Petitions for Poor Relief in German and Great Britain, 1770–1914.”

of the century as paupers, along with Highland crofting communities more generally, shed much of their traditional deference and built on a newly emerging rhetoric of entitlement and desert. Our emphasis on this clear chronological periodization in the letters blurs the conventional boundaries that define the development of welfare systems in Scotland, England, and Wales. These boundaries have arisen because of gaps in the comparative literature; there has, after all, been little work on pauper agency under the English and Welsh New Poor Law outside the work of David Green for London.¹⁵

THE PARISH POOR OF TONGUE IN THE EIGHTEENTH AND NINETEENTH CENTURIES

The parish of Tongue is situated on the far north coast of the county of Sutherland, in the Scottish Highlands (Figure 1). In the eighteenth and nineteenth centuries it experienced many of the challenges and disruptions endured by highland society more generally during this period. The majority of its population were crofters, smallholders who eked out an inadequate living from parcels of land let to them first by tacksmen (subtenants of the large highland landholders), and later by estate managers (known in Scotland as factors). In the second half of the eighteenth century the population grew by almost a third, leading to the subdivision of already inadequate smallholdings into even smaller units, and most of the population was clustered into small communities by the coast.¹⁶ The land was poor, the climate intemperate, and as a result scarcity was the norm and near-famine conditions were not uncommon.¹⁷ In addition, Tongue's poor still suffered the last remnants of feudal obligation, and crofters were required to work for their tacksmen landlords "to the almost utter neglect of their own small farms."¹⁸ Being a coastal parish, the population had access to a ready supply of fresh fish and seafood, particularly important during periods of agricultural hardship, and the widespread adoption of potatoes as a staple foodstuff alleviated some of the worst effects of other types of crop failure.¹⁹ But life was hard for Tongue's poor parishioners at the beginning of the nineteenth century, and it was set to get even harder.

By the time the General Assembly of the Church of Scotland compiled the second national Statistical Account in the 1840s, the status of Tongue's poor had declined steeply. The population of the parish had risen still further; the herring fisheries

¹⁵ David Green, "Pauper Protests: Power and Resistance in Early Nineteenth-Century London Workhouses," *Social History* 31, no. 2 (May 2006): 137–59; idem, *Pauper Capital: London and the Poor Law, 1790–1870* (Farnham, 2010), 157–87.

¹⁶ *The Statistical Account of Scotland drawn up from the Communications of the Ministers of the Different Parishes* (Edinburgh, 1792), iii, 523–24 (hereafter *Statistical Account*). A survey conducted by Alexander Webster in 1755 put the population at 1,093. By 1791, when the incumbent reported for the *Statistical Account*, the population was 1,439. The first and second Statistical Accounts of Scotland were compiled on a parish-by-parish basis by Church of Scotland ministers between 1791 and 1799, and 1834 and 1845.

¹⁷ Eric Richards, *The Highland Clearances*, 2nd ed. (Edinburgh, 2008), 157–58; Eric Richards and Annie Tindley, "After the Clearances: Evander McIver and the 'Highland Question,' 1835–73," *Rural History* 23, no. 1 (April 2012): 41–57, at 42.

¹⁸ *Statistical Account*, iii, 529.

¹⁹ *Ibid.*, iii, 524, 526.



Figure 1—Outline Map of Scotland, with the Parish of Tongue Highlighted.

(hailed by many as the salvation of Highland coastal communities) had failed along the whole of the northwest coast of Scotland, and sheep farming, the bane of established Highland communities, had been introduced to the parish on a substantial scale.²⁰ The introduction of sheep to traditionally farmed land was at the heart of the much-debated clearances of the Scottish Highlands. From the mid-1700s onwards, whole communities were displaced by extensive sheep farms that were often tenanted by farming entrepreneurs with little connection—let alone a sense of obligation—to the indigenous population.²¹ Strathnaver, the historic territory of the clan McKay that includes Tongue parish, witnessed some of the most brutal

²⁰ Richards and Tindley, “After the Clearances,” 36; *The New Statistical Account of Scotland. By the Ministers of the Respective Parishes . . .* (Edinburgh, 1845), xv, 184–85 (hereafter *New Statistical Account*).

²¹ Richards, *The Highland Clearances: People, Landlords and Rural Turmoil*, 92–105.

and notorious evictions of the Highland clearances between 1813 and 1820, sanctioned by the Countess of Sutherland and implemented by Patrick Sellar, her subfactor.²² The result of the clearances in Tongue was not so much the emptying of the landscape (so often lamented in Highland culture) as the further concentration on the coastal fringe of still more crofters and their even more marginal counterparts, landless cottagers or “cottars.”

In his account of the parish in 1841, the then minister, the Reverend Hugh McKay MacKenzie, stated that “The general standard [of living] is ... wretchedly low. No doubt a few of [the residents] are comfortable, but the generality seldom can rise above the commonest necessities of life.”²³ By this point, 244 crofting families had been joined by 116 landless cottars with no other form of subsistence but “the kindness of their neighbours.”²⁴ MacKenzie was in no doubt that the distress of the parish poor was due, in large part, to the “victory of the sheep.”²⁵

Some [of those evicted] wandered to Caithness, others sought an asylum in the woods of America, but most, clinging with a passion to their native soil, located themselves by permission in hamlets near the shore. In these places the land, already occupied by a few, but now divided among many, was totally inadequate to the maintenance of all The consequences were such as might be expected. Poverty soon overtook them, tending to keep alive their lacerated feelings, and rents, which became gradually extravagant, accumulated into a mass of arrears.²⁶

Inevitably, many of Tongue’s poor sought alms from their neighbors and the community at large. In 1792, the parish poor of Tongue totaled fifty; by 1841, it had risen to seventy.²⁷ Given the wretched circumstances of the post-clearance population, this latter figure seems surprisingly low, but these bare statistics are deceptive. In the early 1790s, those described as the “parish poor” were supported by church collections, but also by large private charitable donations.²⁸ In 1841, the seventy listed were only those who appeared on the “poor’s roll,” the list of those deemed entitled to relief from church collections on a regular basis (what in England were often called “pensioners”). Many more, perhaps even a majority of crofters and cottars, were in receipt of occasional relief in the form of charitable donations.²⁹ Even those entitled to regular relief received inadequate resources through voluntary church donations, as MacKenzie freely acknowledged. “There is no duty more unpleasant than that of distributing money to the applicants for relief in Tongue,” he told the 1844 *Scottish Inquiry into the Poor Law*:

The funds are so limited, and the cases of distress are so urgent and so numerous, that it is extremely difficult, if not impossible, to deal with the cases with satisfaction ... I am

²² See *ibid.*, 177–235, for the best account of the “Strathnaver Sensation.”

²³ *New Statistical Account*, xv, 177.

²⁴ *Ibid.*

²⁵ The phrase is borrowed from Eric Richards, *Highland Clearances*, 92.

²⁶ *New Statistical Account*, xv, 185.

²⁷ *Statistical Account*, iii, 526; *New Statistical Account*, xv, 183.

²⁸ *Statistical Account*, iii, 526.

²⁹ *New Statistical Account*, xv, 183–84; *Poor Law Inquiry (Scotland)*, Appendix 2, 296; *Parliamentary Papers*, 1844 (564) XX1.1.

intimately acquainted with the distress of the people, and yet I have no money to relieve it adequately.³⁰

These welfare structures, funding routes, and contemporary sentiments would not have looked out of place in many continental northern European communities at the same date, and contrast with much of the established historiography of the English and Welsh poor laws, Old or New.³¹

Clearly, pressure to relieve the impoverished post-clearance population in Tongue was great, but so was resistance to address the problem in any more systematic way. Despite the further devastation of a widespread potato famine in the later 1840s, landowners and their representatives in Sutherland remained firmly against any extension or further formalization of poor relief.³² In particular, they resisted any relaxation of the principal excluding the able-bodied from the poor's roll, reflecting a wider negative sentiment toward the entitlement of this group, which was common across European welfare regimes.³³ Evander McIver, the Sutherland estate's factor in the neighboring region of Scourie, spoke for most Highlanders in his position when he stated that the answer to the impoverishment of the crofter class was emigration, and that a formal requirement to relieve the able bodied out of the poor's fund would "annihilate Highland proprietors."³⁴ But by the mid-1840s, even before the potato blight took hold, many others who were directly concerned with the fate of the poor felt that the old methods of collecting and distributing relief—donations in church supplemented arbitrarily by personal charity, allocated piecemeal according to the current state of funds—were inadequate to meet the needs of a growing and increasingly impoverished population, and the urgent situation of Scotland's poor more generally resulted in the Scottish Poor Law Inquiry in 1844.³⁵

As a result of this debate new laws were formulated to govern the administration of relief in Scotland. The Poor Law Amendment (Scotland) Act of 1845 made a number of important changes at every level. A national Board of Supervision was established to oversee relief provision throughout Scotland, and parochial boards and paid inspectors were appointed annually for the better management of welfare in individual parishes.³⁶ One important result of the establishment of the Board of Supervision was that external pressure was brought to bear on parishes to ensure that levels of relief were adequate, something which in Tongue was clearly not the case before 1845. This in turn increased local pressure to establish viable methods for raising funds for relieving the poor. Under the Old Poor Law, Scottish parishes had always had the option to impose a local tax for the relief of the poor, but unlike in England and Wales few chose to do so.³⁷ Following the passing of the 1845 Act,

³⁰ Ibid.

³¹ Steven King, "Welfare Regimes and Welfare Regions in Britain and Europe, c.1750s to 1860s," *Journal of Modern European History* 9, no. 1 (April 2011): 42–65, at 50.

³² Tindley, "Actual Pinching and Suffering," 238.

³³ See A. Szcseny, *Der lange Weg in die Fuggerei: Augsburgs Armenbriefe des 19. Jahrhunderts* (Augsburg, 2012).

³⁴ Quoted in Richards and Tindley, "After the Clearances," 48.

³⁵ Mitchison, *Old Poor Law*, 156–60, 185–90.

³⁶ Paterson, "The Poor Law," 174–75.

³⁷ Ibid., 178.

many more Scottish parishes recognized the necessity of levying a local rate for the poor. Nonetheless a discrepancy remained between rural Highland parishes, which generally resisted compulsory assessment for a local “poor rate,” and lowland parishes, which were more likely to adopt it.³⁸ It is therefore important—and rather surprising—to note that the Parish Board of Tongue adopted compulsory assessment for the support of the poor at its very first meeting, in November 1845.³⁹ There is little in the records to suggest why this decision was taken, but given the strength of feeling exhibited by the Reverend McKay MacKenzie in evidence to the 1844 Inquiry it seems likely that, as minister of the parish, he was instrumental in pressing for a more effective means of financing relief.

This, then, was the background and the context for the administration of poor relief in Tongue after the passing of the Amendment Act in 1845. Real “pinching and suffering” (to borrow Annie Tindley’s phrase) was mitigated by a reformed system of relief raised by local taxation on landowners and occupiers of rented property worth more than two pounds (sterling) per annum.⁴⁰ Relief was to be given half in cash, half in oatmeal.⁴¹ For those who were deemed sufficiently deserving, relief in Tongue was neither especially generous nor particularly parsimonious in comparison to its immediate neighbors.⁴² These observations notwithstanding, and despite a more formal and reliable foundation for financing welfare after 1845, there is no doubt that those who were in the best position to provide assistance—landowners and factors—still resisted the extension of entitlement to any but the most needy and “deserving” cases. Who was entitled to this relief, how they established that entitlement, and how it was experienced under the Scottish New Poor Law are the questions that will be addressed in the remainder of this article. Initially, however, it is important to investigate further the key source for this analysis: the pauper letter.

PAUPER LETTERS AND THE SCOTTISH NEW POOR LAW IN TONGUE

Essentially, pauper letters were produced to solicit aid (in the form of poor relief) in times of particular hardship. They were usually written in the first person, are typically embedded in a range of parish correspondence from and about paupers, and often contain detailed information about the poor who wrote them, or in whose name they were written.⁴³ But, as historians have noted, they are far from simply a reflection of the needs of those whose poverty they describe. In the sense that they were produced at the junction between the needs and expectations of paupers and those of the bodies charged with dispensing relief, they also represent a

³⁸ Ibid.; John Day, *Public Administration in the Highlands and Islands of Scotland* (London, 1918), 92.

³⁹ Tongue Parochial Board Minutes, 8 November, 1845 GB0232/CS/6/12/1, Highland Archive Centre, Inverness (hereafter HAC).

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² The average amount of relief given to each pauper in Sutherland in 1847 was three pounds and four shillings; in Tongue, this figure was three pounds, seven shillings, and ninepence. *Poor Law (SCOTLAND). Returns in reference to the record of applications to the Board of Supervision for Relief of the Poor in Scotland for the year 1846 ... and for the years 1847 and 1848 ...*, 54–55; *Parliamentary Papers*, 1849 (450) XLVII.831.

⁴³ Steven King, “Pauper Letters as a Source,” *Family and Community History* 10, no. 2 (November 2007): 167–70.

unique lens through which to view local negotiations for scarce resources.⁴⁴ Up to now, scholarly attention has focused on letters from England. In part, this is because those who have used them have tended to assume that they were a particular product of the English settlement laws. Modified regularly between their inception in the 1660s and their effective abolition in the 1860s, these laws established the criteria by which a pauper might claim to belong to a parish or community. A combination of these laws and the wider statute and local law of the English and Welsh Old Poor Law meant that paupers could only apply for relief in their place of settlement, establishing a de facto citizenship and a means for gaining and changing its locus. For those paupers out of their place of settlement at the time they fell into poverty—an increasing number in England and Wales given economic development and associated migration—applying for relief either meant returning home or writing to settlement parishes requesting they be relieved in their parish or community of residence. The consequent “out-parish” system of relief generated extensive numbers of letters from paupers, from advocates of the poor and between officials in host and settlement parishes.⁴⁵

We now know, however, that pauper letters exist not only for England, but for every region of mainland Britain.⁴⁶ Certainly, they are found in greater numbers for some parishes and regions than others; in part, this may reflect local economic conditions and the operation of settlement rules.⁴⁷ Yet large collections of letters have been found in some surprising places. For example, the greatest number of remaining letters so far discovered for a single parish (496) are from Kirkby Lonsdale, a township in the modern county of Cumbria in the far northwest of England which was otherwise one of the most parsimonious and least document-rich regions of the country in terms of poor law documentation.⁴⁸ This suggests that the survival of pauper letters has at least as much to do with the clerical culture of particular parishes and welfare bodies as it does with the social and economic conditions (or the legal framework) that prevailed at the time, and it raises the likelihood that those pauper letters that have been uncovered so far represent only the tip of the iceberg in terms of the total number that were produced historically. Clearly, pauper letters were an important form of appeal across a range of parish and community types, and even national statutory frameworks.

⁴⁴ James S. Taylor, “Voices in the Crowd: The Kirkby Lonsdale Township Letters, 1809–36,” in *Chronicling Poverty*, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (Basingstoke, 1996), 109–26; Sokoll, *Essex Pauper Letters*, 3–75; King, “Pauper Letters as a Source.”

⁴⁵ See, e.g., Steven King, “It is Impossible for our Vestry to Judge His Case into Perfection from Here’: Managing the Distance Dimensions of Poor Relief, 1800–40,” *Rural History* 16, no. 2 (October 2005): 161–89, at 163–65; James S. Taylor, “A Different Kind of Speenhamland: Nonresident Relief in the Industrial Revolution,” *Journal of British Studies* 30, no. 2 (April 1991): 183–208, at 183–87.

⁴⁶ Such are the findings of the project whose archival work underpins the research for this article. See n.14 for details.

⁴⁷ Thomas Sokoll, “Negotiating a Living: Essex Pauper Letters from London, 1800–1834,” *International Review of Social History* 45, no. S8 (December 2000): 19–46, at 22–24.

⁴⁸ King, *Poverty and Welfare*, 268; Steven King, “Regional Patterns in the Experiences and Treatment of the Sick Poor, 1800–40: Rights, Obligations and Duties in the Rhetoric of Paupers,” *Family and Community History* 10, no. 2 (May 2007): 61–75. The Kirkby Lonsdale letters are held at Kendal Archive Centre, reference WPR 12.

Although we do not yet have a clear picture of the true number of pauper letters remaining in Scottish archives, substantial collections have been found for Kirkcudbright and Sanquhar in the south, and for the city of Perth in the central lowlands, and many appear in the substantial collection of applications for relief in the Inspector's Books held at the Mitchell Library, Glasgow.⁴⁹ One of the richest collections of pauper letters for a single location in the whole of Britain comes, perhaps surprisingly, from Tongue. Here, officials kept relief correspondence from the beginning of the New Poor Law in 1845, through to the end of the century.⁵⁰ In all, 165 letters from paupers themselves are contained in a collection of around 290 pieces of correspondence relating directly to the welfare of paupers. The letters in the Tongue collection are concentrated into two main periods, 1846–52 and 1887–99, with a handful of letters dating from 1854, 1863, and 1887. The most likely reason for this chronological concentration is simply that these were the periods when officials were most fastidious in their record keeping. There does not appear to have been a lessening of pauper letters during the earlier period or a gradual increase in the later years that might suggest rising and falling trends in their frequency.

All of the Tongue letters written in the initial decades of the new Scottish poor law, between 1846–52, were from paupers who were resident in the parish. It has already been noted that parish letters in England appear to have been almost exclusively the product of the “out-parish” relief system which developed in the last years of the Old Poor Law.⁵¹ Clearly, there is a logic to such an arrangement in a rapidly industrializing economy that required a flexible and highly mobile workforce.⁵² However, this is a practice that is unlikely to have been tolerated in an environment where the able-bodied—those most likely to claim temporary relief and to remain at a distance to take advantage of enhanced employment opportunities—were disqualified from claiming relief in the first place, and there is little evidence so far that it was a common practice in Scotland for most of the eighteenth and nineteenth centuries.⁵³ On the other hand, it is unsurprising to find that paupers or applicants for relief wrote to the parish authorities from within Tongue given that the parish comprised approximately 140 square miles of rough terrain with less than forty miles of road or track in total in 1841.⁵⁴ Maintaining regular face-to-face contact with the inspector or members of the Parish Board would have been extremely difficult, especially as most paupers were elderly, infirm, or otherwise impotent. Yet if considerations of distance and terrain are a proximate explanation for both the number and locus of the

⁴⁹ Sanquhar Parochial Board Vouchers, Reports and Correspondence, 1867–1896, Dumfries Archive Centre, and Sanquhar Parochial Board Correspondence, 1845–1866, CB848/5/1/12–39, CB848/5/5/5–22; Kirkcudbright Parochial Board, Record of Applications, 1883–1901, Ewart Library, Dumfries, K7/15/14–18; Documents Relating to the Administration of the Burgh of Perth, 1634–1850, B59/24/12, Perth and Kinross Council Archives; Mitchell Library, Glasgow, general classification D-HEW.

⁵⁰ Petitions to Tongue Parochial Board, GB0232/R/31/1/1 and GB0232/CS/6/12/61, HAC. The very fact that a remote Highland parish has so many extant pauper letters further suggests that it was clerical culture, rather than specific relief regimes, which led to certain parishes being better represented than others in this sense.

⁵¹ King, “It is Impossible,” 163–65.

⁵² Steven King and Geoff Timmins, *Making Sense of the Industrial Revolution: English Economy and Society 1700–1850* (Manchester, 2001), 222–35.

⁵³ Mitchison, *Old Poor Law*, 153; Paterson, “The Poor Law,” 171–93.

⁵⁴ *New Statistical Account*, xv, 165, 180.

Tongue letters, they do not offer a sufficient explanation in themselves. Many northern English, Cornish, Welsh, and Welsh border parishes were extremely large and could boast equally difficult terrain and poor transport links, but there is little evidence of letters written to officials or ratepayers from within these places. On the other hand, the practice of pauper applicants from within the parish addressing their appeals to the Board in writing has very considerable resonance with wider continental approaches to establishing entitlement. German paupers in particular seem to have used written appeals to officials and others they felt could help their cause even if they lived in the same street or district.⁵⁵

A consideration of the rhetorical form of the Tongue letters and the nature of the parochial social order which informed their authors is revealing. The most striking aspect is that 134 out of a total of 165 letters from paupers (or 81 percent) were written in the form of petitions, the most formal variant of written appeals by paupers and one which, though rare in English collections, was the dominant form in Northern Europe until at least the 1860s (figure 2). In fact, 133 out of 139 letters written by paupers between 1845 and 1847 took the form of petitions. The shift away from the petitionary form later in the century is something we discuss in detail below, but its predominance in the period between the 1840s and 1860s is important. Thomas Sokoll describes the petition as “a written plea for assistance addressed to a higher authority,” which obeys “strict formal rules” and is essentially “an act of rhetorical subjection in writing.”⁵⁶ However, as Sokoll also points out, very few English pauper letters were constructed as formal petitions.⁵⁷

The preponderance of petitions for relief in Tongue in the first half of the nineteenth century appears to confirm that the relief relationship between paupers and parish authorities was far more formal than it was in England and Wales at the time. It also suggests that what many have identified as a culture of “residual deference” among the Highland poor in the nineteenth century toward landlords and their representatives is closely reflected in the relief relationship.⁵⁸ It has been argued that this attitude was a hangover from traditional clan loyalties which, though perhaps misplaced in an age of widespread clearance and rampant economic and agrarian rationalism, was nonetheless deeply rooted, culturally entrenched and remarkably long lasting.⁵⁹ Rab Houston recently noted that until at least the middle of the nineteenth century, appeals from tenants to the landowners and managers on the Breadalbane estate in north Perthshire were also written almost exclusively in the form of highly stylized petitions.⁶⁰ This again invites direct comparison with continental

⁵⁵ For an overview, see Andreas Gestrich and Steven King, “Pauper Letters and Petitions for Poor Relief in Germany and Great Britain, 1770–1914,” *Bulletin of the German Historical Institute* 35, no. 2 (November 2013): 12–25.

⁵⁶ Sokoll, “Writing for Relief,” 7–8.

⁵⁷ Sokoll, *Essex Pauper Letters*, 59 (original emphasis).

⁵⁸ Hunter, *Making of the Crofting Community*, 136–42.

⁵⁹ See, for example, James Symonds, “Toiling in the Vale of Tears: Everyday Life and Resistance in South Uist, Outer Hebrides, 1760–1860,” *International Journal of Historical Archaeology* 3, no. 2 (June 1999): 101–22, at 116; Iain Robertson, *Landscapes of Protest in the Scottish Highlands after 1914: The Later Highland Land Wars* (London, 2013), 128, 148–49.

⁶⁰ Houston, *Peasant Petitions*, 82–83.

Unto the Directors of the Parochial Board for the Poor
in the Parish of Tongue

Petition of Effemy McKay Braclongue

Humbly sheweth
That the Petitioner is in indigent
circumstances having no means to support her,
being 80 years of age upwards, that she is thankful
for the small allowance of two shillings p^r. month
out of the Poor's funds. but she would most humbly
beg the consideration of the Board to her
present condition being quite destitute of the means
of subsistence. she would therefore earnestly pray
that an adequate portion of Parochial relief would
be granted her to prevent miserable consequences
and the Petitioner shall
ever pray

Braclongue
9th March 1848

Effemy McKay

Figure 2—Petition to Tongue Parochial Board by Effemy McKay, 1848 (GB0232/R31/1/1, image courtesy of Highland Archive Centre, Inverness).

Europe.⁶¹ The German experience cannot be explained by clan loyalties, but the shared form of appeal points to an ingrained sense among many of the European poor that they did not have rights to relief, that local elites had an expectation that

⁶¹ See Rudolf Dekker, ed., *Egdocuments and History: Autobiographical Writing in its Social Context since the Middle Ages* (Hilversum, 2002); and contributions to Anke Sczesny, Rolf Kießling, and Johannes Burkhardt, eds., *Prekariat im 19. Jahrhundert: Armenfürsorge und Alltagsbewältigung in Stadt und Land* (Berlin, 2014).

formal support would be residual, and that law and welfare practice was contestable only at the margins. The contrast with English paupers of the same period, who expected to contest welfare and for whom statute law and local practice were always fluid, is clear.

A consideration of the relationship between pauper letters and official decisions allows us to elaborate this argument further. The Parochial Board in early nineteenth-century Tongue was a place where parochial business and the priorities of the Sutherland estate inevitably came together. One of the most influential members of the new board in 1845 was the local factor, Robert Horsburgh. He and the minister, the Reverend McKay McKenzie, appointed the first inspector of the poor, constituted between them the Cash Committee to oversee all financial affairs, and decided upon admissions to the poor's roll.⁶² As Annie Tindley recently pointed out, it was the factor who bore almost total responsibility for the welfare of tenants, large and small, on Ducal lands; as the subsistence crisis deepened from the 1840s onward, factors were brought into ever more frequent contact with their tenants, whose worsening fate became a major preoccupation.⁶³ But Tindley also demonstrates that factors were, on the whole, kept aloof from their charges, both by their excellent salaries and employment benefits, and by a conscious decision to employ men from outside the area in order to forestall undue influence and familiarity between themselves and their tenants.⁶⁴ The Tongue letters confirm Tindley's conclusions in this regard. The social and economic distance between those in authority in Highland parishes and small tenants is also likely to have been exacerbated by the erosion and, finally, the loss (with clearance and resettlement) of older community structures, which inevitably had far-reaching consequences for the treatment of the poor.

Another important consideration is that none of the Tongue letters was written by able-bodied paupers.⁶⁵ Even in the case of the very few letters that were obviously from the heads of nuclear households (that is, households containing parent[s] and children) applicants were anxious to emphasize either their total incapacity for work or some other misfortune which rendered some or all of them impotent: George MacKay wrote that "in consequence of the Petitioners [*sic*] state of health, his weak numerous family, consisting of eight persons ... the age of his children, [and] his other destitution and helplessness," he required an addition to his monthly allowance; John Munro applied for assistance, not because of destitution alone (he being able bodied) but because of the plight of his son who "at the age of Twenty years ... are clean destitute of his rational senses;" and Charles McKay, after mentioning his own unemployment, went on to state "that his eldest child ... a girl of 8 years of age is a helpless object dumb and unable either to walk or

⁶² Tongue Parochial Board Minutes, 24 October, 8 November and 26 December 1845, GB0232/CS/6/12/1, HAC.

⁶³ Annie Tindley, "'They Sow the Wind, They Reap the Whirlwind': Estate Management in the Post-Clearance Highlands, c.1815–c.1900," *Northern Scotland* 3, no. 1 (May 2012): 66–85, at 68; eadem, "Actual Pinching and Suffering," 239–42. See also Houston, *Peasant Petitions*, 234.

⁶⁴ Tindley, "'They Sow the Wind, They Reap the Whirlwind,'" 68, 70.

⁶⁵ For the Highland context, see Houston, *Peasant Petitions*, 230–34, 237–44; Mitchison, *Old Poor Law*, 185–215; Paterson, "The Poor Law," 171–93. For a still excellent general discussion of the situation in the Highlands, see Day, *Public Administration*, 91–120.

stand on her feet.”⁶⁶ It is clear that petitioning paupers were aware that their appeal was unlikely to succeed if unemployment was used as the sole point of leverage.

If the pauper petitioners of Tongue were rarely, if ever, the unemployed or able-bodied poor, then who was applying for relief using this method? Predictably, the great majority of petitioners were the aged, the widowed, those who were burdened by severe sickness or disability, or those who had a family member who was so burdened. Unsurprisingly, the needs represented in the letters do not fall quite so easily into one or other of these categories, and the same letter may contain complaints of one or several of these conditions. Nonetheless, the status of pauper letter writers in Tongue does reflect in just about every case this narrow range of misfortunes. In terms of those letters that seek to establish explicit or implicit grounds for deservingness, only sixty-five (or 39 percent) actually point directly towards age as a reason for making the application. In many others (eighty-five letters, or 51 percent of the total) the attendant condition of “infirmity” or “incapacity” (very likely the result of advancing years) is at the heart of the appeal. This makes good strategic sense: even when an applicant was of an advanced age, the Tongue Board was keen to establish whether or not they were in a position to make shift for themselves in any way at all. Descriptions of those in their sixties and even seventies on the poor’s roll often list their trade or occupation, give details of what they *can* do (“can knit a little,” “can knit and spin”), or categorize them as only “partially disabled” from working.⁶⁷

Other explicit reasons for seeking admission to the poor’s roll—or for an increase of existing relief—include disability, temporary or permanent sickness, the presence of an “idiot” child or relative, and loss of land or stock. All but the last of these reasons will be very familiar to those working on pauper letters from England. Despite the very different linguistic registers used by paupers in the two countries, there is no doubt that these categories of misfortune were shared as some of the most fundamental markers for establishing deservingness. Yet given the formality of applications from mid-nineteenth-century Tongue when compared to those made in early nineteenth-century England, it is possible to suggest that applications founded on sickness, old age, and disability were framed quite differently and carried very different meanings under the two regimes. In England, until at least the advent of the New Poor Law, paupers had a clear sense that such categories of need conferred an almost unanswerable entitlement to relief, and parishes found it difficult to counter these expectations given the potent mix of customary precedent and legal obligation which surrounded the implementation of relief at the local level.⁶⁸ In Tongue, however, there is very little sense in the early years of the Scottish New Poor Law that incapacity or infirmity in themselves conferred an automatic entitlement to relief, even when they had been clearly established. Such petitions were most commonly made on the basis that “it [would] indeed be an act of charity”

⁶⁶ George MacKay to the Parochial Board, 15 April 1847; John Munro to the Inspector of the Poor, 27 June 1848; Charles McKay to the Parochial Board, 8 February 1847, GB0232/R31/1/1, HAC.

⁶⁷ Tongue Parochial Board, Register of Poor, 1845–64, GB0232/CS/6/12/58, HAC. English vestry books much more rarely focus on capacity as opposed to incapacity.

⁶⁸ Steven King, “Negotiating the Law of Poor Relief,” 412–13.

for the board to consider them, or in the hope that a pauper's case may "be taken into consideration" or that the board will simply "look into" their case.⁶⁹

The conditions and experiences of infirmity or incapacity might be ubiquitous in pauper appeals, but the loss of land or stock spoke directly to local conditions in the Scottish Highlands. In all, the loss of land or stock is mentioned in twenty-seven letters (or 16 percent of the total) and frequently (more often than not) it occurs in letters from the aged or otherwise infirm. It is rarely advanced as a primary means of establishing deservingness but is often mentioned in passing, as though to emphasize that this particular means of making shift is no longer available. So, for example, Bell Reid first states of herself, that she is "a sickly woman not able to support herself by her labour," but then goes on to write that "she is quite out of stock (save a two year old Heifer, which she is to sell for the purpose of cleansing herself out of debt)," and is "now deprived of the small Lot of land she formerly occupied, [which was] her only support."⁷⁰ Land occupation was the primary means by which individuals, families, and communities would have been expected to subsist in the Highlands in the nineteenth century and beyond.⁷¹ The clearances challenged this basic fact of Highland life by replacing the traditional clan-based systems of apportioning land with crofting.⁷² But, as the Tongue letters demonstrate, they did not fundamentally alter it. New applicants for relief, as well as those who sought an increase to their existing levels, were anxious to emphasize that they had lost the land they had been allotted or that the land they retained was inadequate for subsistence.

On the one hand, we know that the allocation of land to crofters in Sutherland was intentionally inadequate for subsistence in order to encourage them to seek alternative employment. On the other, it was the failure of such alternatives to absorb the excess population which compounded the problem of "poor land [and] small plots."⁷³ This paradox is at the heart of Hunter's seminal work on crofting communities. In particular, he quotes critics of the Strathnaver clearances, where tenants were "thickly settled along the sea coast of the parish, in some instances about 30 lotters occupying the land formerly in the possession of 12," and around the Kyle of Tongue, where land which had been "occupied by a few" was "divided among many," making it "totally inadequate for the maintenance of all."⁷⁴ Yet evidence from the parish records makes it abundantly clear that the poor were still expected to remain largely independent of relief as long as they had access to any land at all. The minutes of the Parochial Board in the 1840s and 1850s frequently recorded the refusal of applications on the grounds that an individual "has land," or even that a close family member had land and was therefore bound to support them. Alexander Campbell of Braekirkiboll, was "Rejected, being able to work and his father [a] tenant of a good lot of land," and William McKay's mother was similarly rejected because the "son with whom she lives [occupies] land & [is therefore] bound to

⁶⁹ Hugh MacKenzie to the Parochial Board, 4 February 1851, Charles McKay to the Parochial Board, December 1846, and Catrin McKay to the Parochial Board, 6 April 1847, all under reference GB0232/R31/1/1, HAC.

⁷⁰ Bell Reid to the Inspector of the Poor, 26 June 1848, GB0232/R31/1/1, HAC.

⁷¹ Hunter, *Making of the Crofting Community*, 41–42; Richards, *Highland Clearances*, 44–47.

⁷² Hunter, *Making of the Crofting Community*, 65–67.

⁷³ Tindley, "Actual Pinching and Suffering," 255.

⁷⁴ Unattributed critics of the crofting system quoted in Hunter, *Making of the Crofting Community*, 64.

support her.”⁷⁵ The continuing assumption that access to land, however inadequate, should equate to subsistence illustrates the “double-bind” in which the Highland poor found themselves after the clearances. Furthermore, without the support offered by an extended social network such land was effectively useless if poor crofters were unable to work it for themselves.

While the clearances may not have been the only reason for the impoverishment of the Highland poor, they were undoubtedly instrumental in loosening the ties of kinship and obligation among displaced communities. Traditionally, close-knit Highland communities had cared for their own, as Hunter points out, not “as a beggar, but as someone *ag iarraidh a’chodach*, seeking or asking his portion” of the common weal.⁷⁶ In the post-clearance Highlands, even if close neighbors and the wider community were minded to provide assistance, it is unlikely they would have been able to do so. George MacKay and his wife were close to starvation, having had “no food whatever for some days except what they were getting from the neighbours,” despite the fact that they were already receiving a (clearly inadequate) allowance from the parish; and the friends of Mary McKay of Clashaidy wrote that “she is absolutely dependent upon the kindness of her neighbours for what keeps herself and 5 children from utter starvation” but also emphasized that this was now totally inadequate for their support.⁷⁷

Unfortunately, those in authority continued to insist on the obligations of kith and kin as a means of limiting relief and to “sentimentalise aspects of the familial relationship” that were assumed to keep the poor from needing relief in the first place.⁷⁸ For the likes of Christy McKay Down—destitute and blind, and whose daughter had “left for service and cannot attend upon her”—and widow Cathrine McKinzie, seventy-two years of age, who “lives separate from her sons who have families of their own and have enough to do to support them,” such sentimentalism was meaningless.⁷⁹ By the late 1840s it was clear that the largesse of friends and neighbors could no longer be relied upon, something of which Catharine McKay was keenly aware:

[T]he Petitioner is 80 years old; that she is much troubled with the rheumatism and is on that account unable to work or to provide anything for herself—That she has no means and is a burden upon her neighbours—Her husband John McKay alias Downes is receiving 3/- per month which is too little for a man of his age who is upwards of 70 years old—They are both old and are unable to work and are supported by the public—But the people are getting so poor now that they are unable to give to poor people.⁸⁰

⁷⁵ Tongue Parochial Board Minutes, 13 March 1846, GB0232/CS/6/12/1, HAC.

⁷⁶ Hunter, *Making of the Crofting Community*, 120.

⁷⁷ George MacKay to the Inspector of the Poor, 17 April 1847, GB0232/R31/1/1, HAC; Donald McLeod, William Ogilvie and John Ogilvie to the Inspector of the Poor, 13 March 1863, 0232/CS/6/12/61, HAC.

⁷⁸ Houston, *Peasant Petitions*, 245.

⁷⁹ Christy McKay Down to the Inspector of the Poor, 9 April 1847, and Cathrine McKinzie to the Inspector of the Poor, April 1847, GB0232/R31/1/1, HAC.

⁸⁰ Catharine McKay to the Parochial Board, February 1851, GB0232/CS/6/12/61, HAC.

PAUPER LETTERS AND CHANGING PARISH RELATIONS IN THE LATER NINETEENTH CENTURY

The previous section demonstrated that pauper letters can be of great use in illuminating aspects of the relief relationship, particularly in poorly documented regions such as the Highlands of Scotland, where that relationship has yet to be explored through other means. Nonetheless, the content of pauper letters and petitions is rarely, if ever, a straightforward description of the needs of the applicant or of the expectations of the poor law authorities. Peter Jones has noted in an English context that “that the poor were highly self-conscious and discriminating in their requests ... filtering their material and practical needs through a fine rhetorical mesh so that such requests to a greater or lesser extent fulfilled, or corresponded to, the expectations” of parish authorities.⁸¹ Notwithstanding the very different cultural and legal context, evidence for the same kind of “filtering” can be found in the Tongue letters.

Applicants were keen to emphasize those aspects of their hardship that were likely to be considered favorably, such as the loss of or lack of access to land, advanced age and infirmity, and a lack of family or “friends” who might support them; and they were just as keen to downplay those aspects which would disqualify them (access to land if they had it, family or community support, and, above all, fitness for work). However, the Tongue letters also demonstrate some of the more subtle rhetorical devices and strategies found in pauper letters elsewhere. These include the culturally-charged motif of nakedness and lack of clothing in phrases such as “the Petitioner has neither night or day clothing” and “the small sum she is getting it will hardly put on her a pair of shoes ... and she is as needfull of clothing and bedcloth as that.”⁸² Paupers also demonstrated a keen understanding of the law as it related to relief when they wrote that a successful application would “render an appeal to the Central Board unnecessary,” or “I pray the Board ... will be Pleased to provide me with such things as are allowed [*sic*] by acts of Victoria + Chapt. 83 Page 79.”⁸³ The most pervasive device of all in pauper letters across the board was the threat to leave the object of an application entirely in the board’s care, and this is also prominent in the Tongue letters.⁸⁴ Despite the fact that almost all of these early letters to the Parish Board were constructed as formal petitions, in the first decade after the Scottish New Poor Law the Tongue poor appear to have been as rhetorically sophisticated as their English counterparts despite the fact that they wrote within the confines of a more rigid supplicatory form.

⁸¹ Peter Jones, “‘I cannot keep my place without being deascent’: Pauper Letters, Parish Clothing and Pragmatism in the South of England, 1750–1830,” *Rural History* 20, no. 1 (April 2009): 31–49.

⁸² Effemy McKay to the Parochial Board, n.d. and Catharine McKenzie to the Parochial Board, n.d., GB0232/R31/1/1, HAC.

⁸³ Dolina McKay to the parochial board, 7 February 1854, and John McKay Down to the Parochial Board, 27 November 1850, GB0323/CS6/12/61, HAC.

⁸⁴ See, for example, Angus McKay McNeil to the Parochial Board, n.d., HAC, and Catharine MacKay Kirkball to the Parochial Board, 31 October 1850, GB0323/CS6/12/61. For motifs of clothing and nakedness in English pauper letters, see Jones, “‘I Cannot Keep my Place,’” 31–49. For the legal awareness of English paupers, see King, “Negotiating the Law of Poor Relief.” For English paupers’ threats to return “home” see, for example, Jones, “‘I Cannot Keep my Place,’” 40; King, “Distance Dimensions,” 183; Snell, “Belonging and Community,” 8; Sokoll, “Negotiating a Living,” 36, 43–44.

Nonetheless, the petition is undoubtedly limited in terms of the scope it affords for the expression of grievance and, in particular, for the development of reciprocity. It necessarily conforms to an inflexible formula that emphasizes the humility of the appellant and the generosity of those to whom the appeal is made.⁸⁵ As a result, the overall tone of these petitions is one of subjection and, notwithstanding the subtle threat to leave the fate of the appellant entirely to the parish, only very rarely does a note of assertion, let alone one of outright defiance, creep in. Widow Gunn's closing salvo—that "I am destitute enough as to meat & clothing, and other necessities of life [and] therefore Expect that the present allowance may be continued"—is especially notable (and unusual) for its commanding tone.⁸⁶ Importantly, her appeal is one of only five examples from the earlier period which appear in the form of a familiar letter rather than a petition. In the early Tongue petitions the sense of entitlement, and sometimes even open defiance that characterized late-Old Poor Law letters in England is generally absent.

By the late 1880s, however, paupers in Tongue had abandoned the petition as a supplicatory form and almost all written appeals for relief thereafter took the form of familiar letters. Consistent with Widow Gunn's early example, many of these letters were familiar to the point of being perfunctory. William MacKay, for example, wrote that "I am very ill after the influenza and Dr. MacDonald told me that medicine would not do me any good that I would need nourishment and I have no means to get it," and he signed off his letter with a curt, "we are all unwell and you can place it before the 'Board.'"⁸⁷ The widow of George Sinclair wrote simply, "Dear Sir, Would you please give me 3 ½ yards of Flannel also a pair of Boots no.9 I shall feel obliged if I get the above before the cold weather comes on."⁸⁸ Betsy MacKay, having expressed the hope that "you will be as good as supple [*sic*] me with warm clothing for the winter," closed her letter, "with great Confidence that you will discuss the matter and allow me some-thing."⁸⁹

All of these letters date from the 1890s, and the shift in both their form and content is striking: within forty years of the passing of the New Poor Law the deference and supplication that characterized the early petitions had disappeared, to be replaced by a clear sense of entitlement and an expectation that these appeals would be favorably heard. In the narrow context of parish relations, it is possible that this shift had something to do with the extensive charitable response in the Highlands to the famine of the late 1840s, which was extended to all those affected whether impotent or able bodied. Certainly, Sir John McNeill blamed this response for encouraging the poor to develop "exaggerated notions ... of the extent of [their] rights" to relief.⁹⁰ It is also possible that it was influenced by a series of mid-century scandals in the Highlands, which widened public awareness of the often brutal treatment of crofters by

⁸⁵ Houston, *Peasant Petitions*, 77–78. See also Peter Jones and Steven King, "From Petition to Pauper Letter: The Development of an Epistolary Form," in *Obligation, Entitlement and Dispute under the English Poor Laws*, ed. Peter Jones and Steven King (Cambridge, 2015), 53–77, at 62–63.

⁸⁶ Widow Gunn to the Inspector of the Poor, 14 August 1850, GB0323/CS6/12/61, HAC.

⁸⁷ William MacKay to Mr. MacDougall, n.d. [1899], GB0232/R31/1/1, HAC.

⁸⁸ Widow Sinclair to Mr. McDougall, 1899, GB0232/R31/1/1, HAC.

⁸⁹ Betsy MacKay (recipient not named), 21 August 1899, GB0232/R31/1/1, HAC.

⁹⁰ Sir John McNeill's report to the Board of Supervision, Edinburgh, 1851, quoted in Day, *Public Administration*, 103.

parochial officers.⁹¹ But the scale of the shift in the tone and texture of these letters can only truly be understood in the context of the fundamental shifts in social relations which took place more widely in the Highlands during this period.

We noted above that historians have highlighted the deferential nature of crofters in the early nineteenth century and their reluctance to protest openly against the hardships they suffered at the hands of landowners and estate managers. The famine years of the 1840s and 1850s dealt a further blow to already demoralized and unstable crofting communities in Sutherland, so that there was neither widespread appetite nor cultural precedent for an assertion of “rights” among Tongue’s poor residents at this time.⁹² The 1860s and 1870s were, to an extent, years of recovery for the Scottish Highlands, and though they were still subject to the social and economic inadequacies of post-clearance conditions, “in comparison to what had gone before and with what was to follow [it was] a prosperous period.”⁹³ But a combination of poor harvests and the collapse of wool prices led to “a decade of severe, occasionally chronic, agricultural depression.”⁹⁴ Crucially, however, the Scottish Highlands in the 1880s was a very different place to that of 1840s or 1850s, and its relationship with the world beyond its borders had changed, too. On the one hand, crofters themselves were more aware than ever before of similar battles to their own which were being played out, for example, in Ireland. On the other, those from further afield who were engaged in agitation for reform (either of land tenure or social reform more generally) had begun to take a keen interest in the Highlands as a potential battleground in the fight for improvement.⁹⁵ Finally, there was a concerted effort among radical opinion formers to raise the profile of the crofters’ plight, most notably in the press.⁹⁶

The results of this combined agitation led to the formation of the Highland Land Law Reform Association (later more familiar as the Highland Land League) and to the creation of the Napier Commission, which sat to consider both the plight and the growing demands of crofters as a body.⁹⁷ By the late 1870s crofters had begun to find a voice of their own, and by the early 1880s they were protesting openly and with increasing vigor for a raft of reforms, including security of tenure, reasonable treatment by landlords, and land reform in the shape of larger holdings. The Crofters’ Holdings (Scotland) Act of 1886, though largely silent on the subject of land reform, addressed the first two concerns directly; it guaranteed security of tenure and the right to bequeath a holding to a family member, and established a land court to oversee and administer the Act and to fix fair rents.⁹⁸

⁹¹ These included cases of maltreatment from Knoidart in the northwest Highlands in 1853 and Strath on the Isle of Skye in 1854, which were widely reported at the time. Day, *Public Administration*, 107–8.

⁹² Hunter, *Making of the Crofting Community*, 136.

⁹³ *Ibid.*, 173.

⁹⁴ *Ibid.*, 187.

⁹⁵ Ewen Cameron, “Poverty, Protest and Politics: Perceptions of the Scottish Highlands in the 1880s,” in *Mìorun Mor nan Gall, “The Great Ill-Will of the Lowlander”? Lowland Perceptions of the Scottish Highlands, Medieval and Modern*, ed. Dauvit Broun and Martin MacGregor (Glasgow, 2007), 218–19, 224–26; Hunter, *Making of the Crofting Community*, 188–93. See also Andrew Newby, *Ireland, Radicalism and the Scottish Highlands, c.1870–1912* (Edinburgh, 2007), 85–116.

⁹⁶ Cameron, “Poverty,” 218–20.

⁹⁷ *Ibid.*, 226–28; Hunter, *Making of the Crofting Community*, 201.

⁹⁸ Hunter, *Making of the Crofting Community*, 224–25.

Agitation did not end with the 1886 Act, but it is clear that crofters and the Highland poor more generally had by then moved some distance from the overarching influence of landlords and their once all-powerful estate managers. It is to this, more than to any other single factor, that we must attribute the dramatic shift in tone of the pauper letters from Tongue. Hugh MacKay did not so much request the Parochial Board's assistance as demand it when he wrote that, "my house is in a very bad condition and some thing will have to be done about it." Robert McLeod was even more forthright when explaining that he could get no-one to carry his fuel for him: "I did offer them 3d. a day but could get no one. So you must look into it."⁹⁹ When James McKay wrote that he could no longer support his elderly father, despite having a croft of his own, there was no hint of resignation or apology. Instead, his message was clear and unambiguous: "I am unable to support him any further, and if the Board refuses to give him some aid they are to be held responsible for the consequence."¹⁰⁰ Far from the supplicatory and apologetic tone of petitions sent in the 1840s and 50s, these letters demonstrate a keen sense of entitlement and a belief that the welfare of the Highland poor was not merely their own affair or that of their immediate kith and kin, but was a matter of civic duty on the part of the parish as a whole. It is true that this new linguistic register of entitlement, civic obligation, and defiance was still written largely by, or on behalf of, those who were no longer able to support themselves, either by farming the land or any other means. In common with most Highland parishes—indeed, most Scottish parishes overall—it remained common practice in Tongue to relieve only those who were unable to make shift for themselves.¹⁰¹ Nonetheless, it was a register that echoed the newly assertive tone of crofting communities more widely, not least in the evidence they gave to the 1883 Crofters' Commission.¹⁰² Crofters used their newfound voice to good effect over the next twenty years, ratcheting up the pressure on landlords, not only for fairer treatment as tenants, but for a complete overhaul of the nature of land settlement in the Highlands.¹⁰³ Highland paupers, on the other hand, were less successful in their demands for relief. It is an unhappy irony that this appears, in large part, to have been due to the very success of the wider campaign for land reform. One of the results of escalating agitation was that rents often went deliberately unpaid and this, in turn, led to the non-payment of rates—including poor rates—by landlords and other occupiers.¹⁰⁴ By the late 1880s, the Board of Supervision in Edinburgh was in no doubt that, as a consequence, there had been a "collapse of the whole system of administering relief to the poor in [the] Highland districts."¹⁰⁵ Certainly, the finances of the Parish Council of Tongue were in a

⁹⁹ Hugh MacKay to Mr. MacDougall, Clerk of the Parish Council, 25 August 1899; Robert McLeod to Mr. Mcdugal [sic], n.d. [1899], GB0232/R31/1/1, HAC.

¹⁰⁰ James MacKay to John Murray, Inspector of Poor, 4 Oct. 1887, GB0232/R31/1/1, HAC.

¹⁰¹ Day, *Public Administration*, 116, 126–27.

¹⁰² See, for example, the evidence of Adam Gunn, crofters' representative for five townships in Strathly, in the parish Farr, immediately to the East of Tongue. *Evidence Taken by Her Majesty's Commissioners of Inquiry into the Condition of the Crofters and Cottars in the Highlands and Islands of Scotland*, 1610–12; *Parliamentary Papers*, 1884 (c.3980-II) XXXIV.1.

¹⁰³ Hunter, *Making of the Crofting Community*, 252–78.

¹⁰⁴ *Ibid.*, 320–21.

¹⁰⁵ *Forty-Third Report of the Board of Supervision for the Relief of the Poor and of Public Health in Scotland 1887–88*, ix; *Parliamentary Papers*, 1888 (c.550) L.203.

permanent state of crisis by the end of the century, and the pursuit of ratepayers for nonpayment was a routine aspect of parish business.¹⁰⁶

In other words, despite the altered tone of the later Tongue letters, paupers appear to have fared little better in material terms in the last years of the nineteenth century than they had in the 1840s and 1850s.¹⁰⁷ Despite the unambiguous demands of the elderly and impotent for assistance, Tongue remained a poor parish packed with struggling crofters and impoverished cottars, and by now another crisis in funding (albeit for very different reasons) had taken hold. Indeed, it was almost certainly a recognition that growing need was outstripped by available resources, rather than any great reforming zeal, that led the Parish Council into an unlikely alliance with crofters who were demanding land reform; for in its minutes for 28 February 1899, it recorded,

Knowing that applications are being made by crofters and cottars in this parish to His Grace the Duke of Sutherland to form in conjunction with the Congested Districts Board and the Crofters Commission into fairly sized Holdings to suitable tenants that part of Strathnaver at present out of lease, the Council in view of the congested state of the parish agrees to support the applications for such an arrangement or any other that may be found better.¹⁰⁸

Echoing earlier sentiments, the parish authorities once again emphasized a belief that access to land was the best route, if not to prosperity in the Highlands, then at least to a subsistence living. But in contrast to the early years of the Scottish New Poor Law, they were now forced to recognize that existing allotments were inadequate to keep even the most deserving crofters off the poor's roll, and that the continued denial of adequate provision for even the most industrious crofters was detrimental to the fate of Tongue's poor overall.

CONCLUSION

The Tongue letters illustrate a number of interlocking themes that in some ways reinforce, and in other ways challenge, our view of how the New Poor Law operated in Scotland after 1845. On the one hand, they seem to confirm the view of contemporaries and historians that the authorities in Scotland were unwilling to subsidize those who, they believed, should be able and willing to look after themselves. Nowhere was this more marked than in the Sutherland Highlands, where crofting communities were deliberately engineered in the first half of the nineteenth century so as to be independent within a mixed economy of smallholding and industrial endeavor. On the other hand, these letters indicate that those who were considered eligible for consideration under the new laws were far from passive, and were able to navigate both the statutory rules and the customary expectations governing entitlement to relief with some success, even in the early days. Overall, it seems that they were rhetorically

¹⁰⁶ For example, Parish Council Minutes, 26 August 1897, 5 July 1898, 24 September 1898, 1 November 1898, 13 December 1898, 7 February 1899, CS/6/12/9, HAC.

¹⁰⁷ Day, *Public Administration*, 120–21.

¹⁰⁸ Parish Council Minutes, 28 February 1899, CS/6/12/9, HAC. For information about the Congested Districts Board, and its role in Highland land reform, see Hunter, *Making of the Crofting Community*, 251–53.

sophisticated, albeit within a constrained and hierarchical welfare tradition. This indicates that paupers in the far north of Scotland in the 1840s and 1850s did have limited influence over negotiations for relief, rather than simply being the victims of administrative procedure or authoritarian (Presbyterian) dogma. Nonetheless, the relationships between paupers and parish officials in Tongue immediately after the implementation of the Scottish New Poor Law mirrored wider social relations on the Sutherland estate in that they were defined by strict formality and rigid social boundaries which precluded any close familiarity.

By the end of the century, the epistolary relationship between paupers and the parochial authorities in Tongue had changed dramatically. The deference and stiff formality of earlier appeals all but disappeared, to be replaced by assertion, familiarity, and a clear sense of entitlement. This is forcefully illustrated in the shift away from the rigid supplicatory form of the petition and towards the less formal, more flexible familiar letter. To a large extent, this rhetorical relaxation mirrored the erosion of deference elsewhere in crofting communities; it was almost certainly related to the growth and success of crofters' movements for reform from the 1870s onwards. In the 1880s and 1890s, paupers expected their voices to be both listened and attended to, and they conveyed a sense of entitlement and expectation in their written appeals. Despite the newly assertive tone of the letters, however, neither paupers nor parochial authorities appear to have subscribed at any point to the belief that the customary principles governing who should and should not be entitled to relief should be relaxed.

Parish officers, on the other hand, were constrained both by custom, and a lack of adequate resources in their response to paupers' appeals for relief. There is little in the written records of the Parish Council to suggest how the changing tone of the letters was received by its officers, but there is no doubt that they were frustrated by their inability to provide further funds for the poor, largely because of the recalcitrance of wealthier ratepayers to fulfil their pecuniary obligations.¹⁰⁹ The parish's support for crofters who campaigned for more adequate landholdings from the Duke of Sutherland can therefore be read in a number of ways. It could be that it was largely expedient, a recognition that a crofting community with sufficient land could reduce pauperism by adequately supporting its own aged and infirm members. It might be that it was a mark of frustration with landowners and others who hampered its work by inadequately attending to their duties as ratepayers. It may even be that those who now constituted the Parish Council felt a degree of sympathy with crofters and cottars who, despite fifty years of promises following the bleakest days of clearance and famine, still faced hardship and penury without adequate support from their wealthy neighbors. The most likely explanation is a combination of all three. Much more work needs to be done on other parishes in Sutherland and across the Highlands to determine whether these conclusions hold true across time and space; but the very fact that written appeals for relief in Tongue appear to have shifted so quickly, between 1845 and 1900, from supplication by petition to assertive demand by familiar letter, suggests that, whatever the end result, those negotiations were far from one-sided.

¹⁰⁹ It is notable that crofters who were eligible to pay parish rates, but were unable to do so, were specifically exempted from further action by the parish council. Parish Council Minutes, 7 February 1899, CS/6/12/9, HAC.