

claim their freedom as soon as they come into France, Germany, the united provinces, England or Scotland while they remain there & in delin de just. Novis. lib. 1. Cap. 4. Arc. 1. ad Tit. C. de Nudo Jure Quiriti n. 3. Zyn. Notis. jur. lib. 6. Tit. 1. Groenweg. de leg. Abrog. ad Tit. Inst. de his qui sui vel alien. Jus. Paul. Voet ad p. Inst. de just. person. n. 4. Wood Imp. Inst. pag. 40. Nor is it now allowed for any Person to sell himself into Bondage, Bugnyon de legeb. abrog. lib. 1. Cap. 5. 30 best lib.

We have no Vestige of Slavery remaining in Scotland, except in Coal-Hewers, Coal-dealers, Water-men Windermen and Gate-men in Coal-pits and Salt-Makers, who may not only oblige themselves by Bonds, to serve all the Days of their Lifetime such or such Coal or Salt Masters which Bonds are sustained as lawful: 24 March 1632 L. Caprington contra Wood But even having been once employed to work in Coal-pits or Salt-houses by the Coal or Salt-Master, are by Law, without any express Pacton, intrahed & restricted during their Lifetime, to perform these Services to him, and may be recovered by him from any unlawful Possessor, to whom they unwarrantably revolt from their Master's Service vi clam or precario Tit. 4. lit. 45. 6. 1.

The Reason is, because of the Necessity and publick Utility of Coal and Salt Service in Scotland. The Possessor of such refugee Servants must if they be challenged within a Year, deliver them back to their Master within 24 Hours, under the Pain of 100 Pounds to be paid to him Act. 18. J. 6. Junet. Act. 56. Apr. 1. Sep. 1. Ch. 2. ~~Coal and Salt Masters are empowered to apprehend and set to Work Vagabonds and sturdy Beggars~~ whether he be Owner of the Coal-pit or Salt-house, or only Factor or Tenant. McLenzie observ. on d. act. 11. The Detainers of another's Coal-Hewers are liable to the Penalty of Law, for not restoring them to their former Masters, if released within Year and Day after it came to their Knowledge where they had sal- Kuccis more retained 4 Feb. 1704 Wallace of Craigie contra Cunningham of Brownhill. Action hath been sustained from the Parity of Reason, against Factors for enticing away other Men's Fishers, or such as wrought in Lead-Mines belonging to other Men. McLenzie ibid. Coal and Salt Masters are empowered to apprehend and set to Work Vagabonds and sturdy Beggars Act. 11. Par. 18. J. 6. Which Privilege is competent also to Factors men of Coal-pits and Salt-pans. McLenzie ibid. But they are not allowed to give to Coal-Hewers or Salt-makers more than twentie Sticks in Fee or Bounty: because the giving of great Fees has been a Mean to reduce such from their Masters. And those and other Workmen in Coal-pits and Salt-houses, must labour all the six Days of the Week, upon Pain of 20 Shilling per diem to be paid to their Master, besides corporal Punishment, and making up his Prejudice Act 56. Par. 1. Sep. 1. Ch. 2.

We have also quasi Slaves or servi poene in Houses of Correction where sturdy Beggars Vagabonds Act 7-7. Par. 6. Act. 268. Par. 15. J. 6. Act. 18. Par. 2. Sep. 3. Ch. 2. Whores and Thieves are kept at hard Work.

Sec. 2.
of Hirelings.

Hirelings or hired Servants, are free Persons, who voluntarily undertake to serve their Masters for a Time, upon Condition of their getting Payment of the Wages agreed to betwixt them and their Masters. Servants are either menial, or not menial. Menial Servants are the Domesticks living intra mœnia within the Walls of the House.

A Protestant may not have a Popish domestic Servant, under the Pain of 500 Merks, which Pain may be punished for by any Protestant, and upon Conviction pertains to the Pursuer for his Reward Act. 3. Sep. 86. 9. Par. 10. 11. Popish Masters must allow their protestant Servants free Liberty to attend divine Worship and catechising under the Pain of 100 Pounds half to the parson, and half to the poor of the Parish. And these Servants for not using the same, are to be banished the Parish, A Protestant, turning Roman Catholic, or being in a popish Family, is punishable as an Apostate: and the Master when required