

RELIEF OF THE POOR

THE POOR LAWS

Records of poor relief provide evidence of relationships and information about our ancestors lives. In medieval times the church was considered to have moral responsibility for the poor and the religious houses distributed alms to paupers. After the monasteries were suppressed by Henry VIII, a statute of 1536 made the parish responsible for the care of its poor, and the office of overseer of the poor was created in 1572. Overseers were chosen annually at a meeting of parishioners. They were unpaid and were responsible for their conduct to the Justices of the Peace. It was intended that expenditure on poor relief should be funded by voluntary donations from the parishioners. However, this voluntary system did not produce sufficient income and an Act of 1597/8 authorised overseers to levy a poor rate on parish householders. These provisions were consolidated and reinforced in the Poor Law Act of 1601, which remained in force until 1834. From 1601 to 1834 the system of poor relief consisted of the levying of a poor rate, and the distribution by the overseers of the income to needy parishioners (whether their poverty was caused by sickness, unemployment or old age) or to pay for paupers' medical treatment. The children of poor families could be bound out as apprentices (usually to local farmers or tradesmen) and provision was also made for orphans and foundlings.

In the 17th and 18th centuries poor relief was generally in the form of outdoor relief, or the provision of money, food, clothing or other goods to paupers who continued living in their own cottages or in relatives' homes. The able-bodied poor were sometimes given work. Women often nursed the sick or undertook laundry work and men might work on repairing parish roads or bridges. A system of indoor relief (in workhouses) originated in the 18th century and early workhouses were principally intended for the sick, the elderly and orphans.

Until 1834 the expenditure on the poor (whether in money or in kind) was set out in the vestry minutes, in overseers accounts or in a poor book. These may record expenditure in great detail, including the pauper's name and the amount and purpose of the payment. The money might have been for rent, or food, or paid to a widow to nurse someone who was sick or used to purchase clothing which was given to the pauper.

Poor rates were usually levied annually (but sometimes more often) and the income was recorded in poor rate books. These list parish householders who were not paupers (whether landowners, farmers, tradesmen or labourers) and the amount paid, which depended on the value of the property that they owned or occupied. The payment therefore indicates an ancestor's wealth.

An ancestor's appearance in, or disappearance from, the poor rate books also helps to ascertain the timing of his moves between parishes. The parish records of rates and expenditure therefore mention the wealthy as well as paupers or the sick and they may significantly augment the information that you obtain about your ancestors from parish registers.

SETTLEMENT

The Poor Law Act of 1601 provided for relief to be granted to paupers only in their parish of legal settlement. This restriction was intended to prevent an influx of poor labourers into those parishes where there was temporary work (perhaps a harvest), but which were already burdened for most of the year with many paupers. Sickness, unemployment or the death of a family's breadwinner could occur at any time, and so every family faced the possibility of poverty and reliance on the parish to avoid starvation. It was therefore vital for people to ensure that they had a legal settlement in the parish in which they lived. The 1601 Act provided that a person was legally settled in a parish after he or she had lived there for one month. However, this allowed migrant workers or vagrants to move to a new parish and quickly obtain the right to receive poor relief from their new community. This was a great burden on some parishes and so the Settlement Act of 1662 (and later acts) provided that a person was only entitled to relief from a parish if that person was either:

- a. someone who held public office in the parish, or paid the parish rate;
- b. someone who rented property in the parish worth over £10 per annum;
- c. an unmarried person who had worked in the parish for one year;
- d. a woman who had married a man of the parish;
- e. a legitimate child, aged under 7, whose father lived in the parish;
- f. a child who was illegitimate and born in the parish;
- g. apprenticed to a master in the parish, or
- h. a person resident in the parish for 40 days after having given the parish authorities prior written notice of his intention to do so.

The rules were often strictly enforced. People might be forcibly ejected from a parish if they were not legally settled there and they became (or were likely to become) a liability to the parish. The parish officials or Justices of the Peace could examine newcomers, on oath, as to their place of settlement. Settlement examinations include much information, such as people's place of birth, their employment or apprenticeship and the places in which they lived over a period of time.

The Justices issued a removal order if they were satisfied that a person or family needed (or were likely to need) relief, but had no right to settlement in the parish. A removal order directed that a person or family be returned to their parish of legal settlement. The family would be passed to the constable of the neighbouring parish, who would in turn take them to the next boundary (and so on until the family reached their destination). At that point, the paupers might receive relief, but the receiving parish might deny liability and apply to court for another removal order. The courts gave rulings if two parishes disputed liability for a pauper and the records of the Justices and the assizes include many such disputes, with both parishes employing lawyers to argue that the other parish was liable.

The difficulty of obtaining a legal settlement, the fear (if one moved) of your old parish denying liability for you, and the distrust of parish officers (and parishioners) towards any newcomers who might need relief in the future, combined to make it difficult for people to move in search of work. The Settlement Act of 1697 therefore allowed overseers to give settlement certificates to parishioners who were moving to another parish, certifying that the person or family would be accepted back in the event that they subsequently required relief. This system allowed some mobility since a receiving parish would allow migrants with a settlement certificate to stay, knowing that they could be returned to their old parish if they required relief. Newcomers usually had to file their certificates with the officials of their new parish so that those officials could prove their case against the home parish if the migrants became a liability.

An illegitimate child obtained a legal settlement in his or her parish of birth (and was likely to become a charge on the poor rates in the future). The overseers therefore often removed migrant single women, who were pregnant, to a neighbouring parish before the birth. This practice was curtailed by an act of 1732/3 that prohibited removals of women during pregnancy and during the first month after childbirth. A further act of 1743/4 provided that an illegitimate child's parish of settlement should be the mother's parish of settlement (and not where the birth occurred). It therefore no longer mattered, as regards a child's settlement rights, if a woman was allowed to stay in a parish for her confinement. An act of 1794/5 also reduced much of the harm of the Settlement Acts by prohibiting the removal of paupers unless they actually required relief. Removals could no longer be justified merely because parish officials feared that someone might require relief in the future. The act also allowed the Justices to suspend removal orders against sick people.

The Settlement Acts (or statutes of similar effect) remained in force after 1834. From that year paupers requiring relief generally had to enter a workhouse (for the Union in which their parish was located) and this is considered below. However, migrant paupers could still be denied entry to a workhouse and removed to the Union that was legally responsible for them. It has been estimated that about 15,000 people were still being removed each year in the early 20th century.

THE NEW POOR LAW

The Poor Law Amendment Act of 1834 introduced major changes. Parishes were grouped into Unions, each of which with an elected Board of Guardians to administer poor relief. Each of the 600 or so Unions was divided into districts, each with a relieving officer who considered the circumstances of anyone applying for relief. The able-bodied poor were no longer given outdoor relief but were admitted to a workhouse. Outdoor relief could still be granted to the old, the sick and widows with dependent children. All unions had workhouses by about 1865. These also sometimes housed the mentally ill provided community services such as medical and lying-in facilities. Many continued to operate until 1948, when the National Assistance Act abolished the Poor Laws.

LOCATION OF RECORDS

Most are in County Record Offices, usually in Parish Records. Look for Vestry Minutes, Overseers Accounts, Poor Rate Books, Apprenticeship Indentures, Settlement Certificates, Examinations and Removal Orders. Examinations and Removal Orders may also be found in Quarter Sessions Records.

BIBLIOGRAPHY

Most of these notes have been taken from "Ancestral Trails", by Mark Herber, which has many examples and illustrations. "The Oxford Guide to Family History", by David Hey, also has useful text and illustrations.