

Poor Relief

Introduction

Until the early 1830s, welfare support for the poor and infirm was organised at the local, parish level. It was in the 16th century, during the reign of Henry VIII and following the dissolution of the monasteries and the closing of almshouses and charity hospitals run by monks and nuns, that the parishes first became responsible for supporting their own poor. In order to do this, the parishes had to raise money by taxing the parishioners - landowners, tenant farmers and trades-people - who could afford to pay. This payment was known as the Poor Rate, and eventually became a local tax levied on those who owned or rented properties above a certain value in a parish.

The Poor Law Act of 1834 resulted in the introduction of a system of Poor Law Unions - parishes were grouped together into larger Unions, each of which built its own workhouse which was administered by a Board of Guardians. This guide mainly deals with poor law documents dating before this change.

Why look at Poor Law Records?

Some poor law documents can provide information on family relationships, and relationships between families and places, which is not available elsewhere. Before the census of 1841, they may be the only surviving record of the lives of ordinary labouring families apart from parish register entries. They may contain the only record of the movements of families between parishes and even from county to county, and of ancestors' occupations and employers. They can provide a way of tracing poor ancestors through their trials and tribulations – unemployment, illegitimate pregnancy, desertion, illness and bereavement.

However, they are not only of use to those with pauper ancestors, for they provide information on parishioners from all levels of society. Remember that even well-established tradesmen and farmers could be put out of business by a fire, an accident, illness or economic pressures, and become dependent temporarily – or permanently - on the parish.

Tradesmen, farmers and minor gentry who were never dependent on the parish may still appear frequently in the records. They acted as Overseers and Churchwardens, and took apprentices; they may have alternatively employed, supported or housed the poor, provided them with shoes and clothes, or repaired the parish poorhouse. They may have given evidence about a pauper's life history in front of a Justice. Poor law records – particularly poor rate accounts and apprenticeship records - may provide the only surviving information on the names of properties leased or owned by farming families for some time periods. Poor law documents of all kinds, including bills, letters and legal opinions, can provide information on the roles of the middle classes – of surgeons, attorneys, and of members of the local gentry who acted as magistrates and Justices of the Peace.

The History of Poor Relief in England

The Origins of the Old Poor Law

Up to the early sixteenth century, the poor and infirm were cared for by the church, through monasteries, convents and religious charities. With the decline of monasteries and their dissolution under Henry VIII, and changes in social structure, this voluntary system disappeared, and the parish became responsible for supporting its own poor, raising the money to do this by taxing the parishioners who could afford to pay.

In the fourteenth and fifteenth centuries laws were introduced in an attempt to suppress begging by able-bodied labourers, and to control the movement of vagabonds, beggars and labourers roaming in

search of higher wages and work, in areas where labour laws were not strictly enforced. Gradually parish officers were given greater powers over their own inhabitants, as well as over any strangers entering the parish.

The Act of 1598

In 1598, under Elizabeth I, the *Act for the Reliefe of the Poore* was passed, requiring every parish to appoint Overseers of the Poor who were responsible for finding work for the unemployed, and setting up parish houses for those incapable of supporting themselves.

The Act of 1601

This *Acte for the Reliefe of the Poore*, passed 3 years later, was essentially a refinement of the previous Act, but is often said to mark the foundation of the Old Poor Laws. Under this Act, the responsibility of the parish was established. The parish was obliged to relieve its aged and helpless, to bring up unprotected children in 'habits of industry,' and to provide work for the able-bodied who could not work in their usual trade.

The Overseers of the Poor, who were unpaid, were to be elected annually by the parish vestry meeting, and they were to dispense money and bread, and supervise the parish poorhouse. The aims were to provide work for adults, apprentice poor children and set them to work, and suppress and punish beggars and vagabonds, in some cases by admitting them to county "Houses of Correction".

Thus at this time, every parish was a self-governing body, responsible for its own poor people.

Overseers were given the power to raise money by charging parishioners according to their ability to pay. This charge, called the Poor Rate, was originally a form of income tax, but evolved into a property tax or "rate" based on the value of real estate. Generally the tenant paid, instead of the owner. Failure to pay could lead to a summons to appear before the justices, a fine and sometimes prison. You may find summons and distrains for non-payment of rates among parish records.

Overseers kept account books, which recorded the poor rates collected and the payments made to and on behalf of paupers. Sometimes separate books – known as poor rate account books, and disbursement books – were kept. A record of the arrangements made for the relief of the poor were sometimes recorded in vestry minute books.

The Settlement Act of 1662

Two years after the restoration of King Charles II, *an Act for the Better Relief of the Poor of this Kingdom* – also known as the *Settlement Act* – was passed. This sought to establish the parish to which a person belonged (i.e. his/her place of "settlement"), and hence clarify which parish was responsible for those who became "chargeable" to the parish poor rates. It also allowed the Overseers to "remove" newcomers that local justices deemed likely to become dependent on poor relief. This could happen unless the newcomers were wealthy, were paying substantial rent, or had some form of security to indemnify the parish against the expense of supporting them. This security might be in the form of a certificate from their own parish, stating that they would be received back again.

In 1691, another Act laid down the qualifications for gaining settlement. Settlement in a parish could be acquired by:

- Birth – a legitimate child took its father's parish of settlement, even if this was not where it was born. However, an illegitimate child claimed settlement in its parish of birth.
- Apprenticeship - by the parish or privately.
- Service - A hiring agreement of a full year or more (i.e. continuous employment for at least 365 days), each subsequent settlement replacing the previous one.

- Marriage or remarriage - A woman took her husband's place of settlement on marriage.
- Renting property worth at least £10 a year (well beyond the means of a labourer), and paying parish rates
- Election to a parish office (e.g. overseer or churchwarden) for a year

From 1697, under yet another amendment to the Act, poor people could move to a new parish, provided they brought a Settlement Certificate with them. This protected them from being removed back to the parish to which they "belonged," unless they actually applied for poor relief. If they survived on wages alone, they could not be removed. The parish overseer often kept the Settlement Certificates addressed to him in the parish chest, and used these as proof of settlement when removing unwanted paupers who had claimed poor relief; this saved unnecessary time and the expense of having the paupers examined by a Justice of the Peace to establish their place of settlement.

A century later, in 1795, this protection against removal was extended to all poor persons not claiming poor relief, except pregnant unmarried women. Parish Overseers made these women least welcome, as they were considered the most expensive to support, and they were commonly removed from any parish they entered, back to their place of settlement. This was done by the issuing of a removal order signed by two Justices of the Peace.

Later Acts amending the laws relating to settlement, employment and relief of the poor allowed the setting up of parish workhouses from 1723, and the formation of unions of parishes which could set up a shared workhouse, for the old and infirm, from 1782. About 600 parish workhouses were set up in England by 1750. Less than 100 unions of parishes were formed under the 1782 Act, but it was under this Act that Exeter set up its Corporation of the Poor, to better organise the relief of the poor living in the many small parishes within the city walls.

The operation of the Settlement Act and all its subsequent amendments proved complex, confusing and contentious. Parishes often appealed to the Court of Quarter Sessions over disputed removal orders, settlement decisions, and over claims by other parishes for repayment of paupers' upkeep costs. Expensive legal battles often took place between parishes over their responsibility to support individual paupers. The records of some of these disputed cases survive in parish records and also in Quarter Sessions records.

Many of the settlement, removal and apprenticeship documents and other Overseers of the Poor papers in parish collections held at Devon Heritage Centre have been catalogued individually, with the persons involved named, and these lists are available in paper format in the searchroom catalogues. Most of these detailed Overseers of the Poor catalogues can be searched on-line through The National Archives Discovery Catalogue at <http://discovery.nationalarchives.gov.uk/> (these catalogues were formerly on the Access to Archives catalogue website, but that has now been incorporated into the updated Discovery Catalogue). Many of these detailed Overseers of the Poor catalogues are also searchable through the online Devon Archives Catalogue on this website.

Some overseers of the poor documents related to disputes over settlement, removal, bastardy and apprenticeship which were referred to Quarter Sessions can also be found in the Devon County Quarter Sessions collection, and are being removed from the QS/4 series of Quarter Sessions bundles [organised by session and year] to be catalogued in separate series QS/145 and QS/146. Those for the years from 1732 onwards are being catalogued in an ongoing volunteer project, and as at July 2018, those up to 1763 have been catalogued. Most are settlement examinations and removal orders, copies of which will probably not survive in the relevant parish collections.

Types of Overseers of the Poor Documents

Settlement Certificates

- Can be hand-written or printed
- Issued by the Overseers or Churchwardens, so that the cost of issue and sending of a certificate for a named person may be recorded in Overseers' accounts
- Overseers sometimes kept lists of those arriving 'by certificate' in the parish
- Early certificates usually contain less detail on family members (eg children and their ages)
- Remember the place of settlement named on the certificate may not be the parish of birth

Removal Orders

- Two copies were made – one for each parish.
- Late 17th-early 18th century removal orders often give brief proof of settlement
- Later removal orders (which may occasionally exist up to the 1860s) are instead accompanied by a settlement examination, if one survives
- From the late 18th century they often give very specific information on names and ages of children, and sometimes on a husband's fate (e.g. in prison, transported) or the pregnancy of an unmarried woman
- Not all those named on the removal order were removed immediately or at all. Look on the reverse for endorsements relating to postponements because of confinement, illness or cancellation due to death.
- Some families were never physically removed; instead they stayed put, and their parish of settlement agreed to maintain them. A member of the family may have regularly travelled to the parish of settlement to collect poor relief. Some were removed for a short while, but then returned to the parish they were removed from, collecting the relief regularly as above.
- Families physically removed were sometimes found lodgings, or accommodated in the parish poorhouse of their parish of settlement, with the rent being paid half-yearly by the Overseers.

Other papers relating to settlement and removal

Sometimes these survive intact as a file or bundle of settlement papers. In addition to removal orders, papers can also include:

- Settlement examinations
- Baptismal, marriage and burial extracts (certificates)
- Apprenticeship indentures
- Certificates of chargeability
- Notices of order of removal
- Appeals against removal order
- Quarter Sessions orders relating to settlement and removal
- Legal opinions
- Letters
- Bills

Note: also look for entries in Overseers' account books, relating to the costs of removal, examination, disputed cases and poor relief.

Settlement Examinations

Parish officers carefully preserved any evidence that a parishioner was legally settled in another parish, as it saved the expenditure of poor relief and thus the burden of poor rates for those who were eligible to pay. These documents are particularly valuable to family historians since they are virtually autobiographies of persons of a class for which other such records are rarely found. They usually give the following:

- Place of birth
- Apprenticeship history
- Occupation, work history and names of employers
- Parishes of residence
- Rental value of any property
- Marriage and children

Note that a pauper sometimes lied under examination, or "remembered" different details on different occasions, and this can be obvious where several examinations survive for the same person. Relatives, past masters or employers and any other person involved in a settlement case were also examined, and their examinations may tell you both about the pauper and about their own lives.

Apprenticeship Records

Introduction

In 1563 The Statute of Apprentices was introduced. Under this law, no-one who had not served an apprenticeship was allowed to enter a trade. However, there was no centralised record of apprentices kept in England and Wales until 1710. Before this date, you must look for evidence of apprenticeship locally, in the surviving papers of guilds, businesses, charities, families, individuals and in parish collections.

From 1710, in the reign of Queen Anne, another Statute introduced a stamp duty payment on private indentures of apprenticeship, and records of the duty paid for these apprenticeships were kept. However, by the 19th century, apprenticeships in common trades were often undertaken without any formal indenture, and in many trades a man would train his sons or other male relatives in the trade without formally apprenticing them. It was also ruled that the Statute of Apprentices did not apply to 'modern' trades, which did not exist when it was passed in the sixteenth century, so industries like cotton manufacturing did not have to conform. In addition, in many areas of England, the Statute was not actually enforced as time went on.

Apprenticeships for poor children, which were paid for by a parish or charity, were also exempt from this stamp duty payment and therefore there are no centralised records of these apprenticeships. Records are likely to exist among parish records and the records of charities. More information on this form of apprenticeship follows.

Parish Apprenticeship

Children who could not be cared for by their own family because they had no parents, or came from a poor family, were a problem to the poor law administrators, as they frequently lacked any means of support, and were too young to earn their own living. The Poor Law Act of 1597 gave Overseers of the Poor and Churchwardens the power to set these children to work, and thus many pauper children were put out as apprentices by parish officers.

Apprenticeship was carried out both by voluntary consent and by the parish officers; both forms of apprenticeship gave the apprentice a legal settlement if he or she served for 40 consecutive days. There were also private charities which made provision for apprenticing poor children. Children were usually bound at between 7 and 10 years of age. Later, in the early 19th century, the minimum age was increased to 9 years.

In earlier centuries, children were apprenticed to trades such as butchery, tailoring, tanning, weaving or boot-making. Increasingly, pauper children in rural parishes were apprenticed instead to husbandry or housewifery on farms, or in private houses and shops. Many children merely became used as unpaid servants in the houses of their masters. Charity apprentices - those whose apprenticeship was funded

by a wealthy benefactor who founded a charity - fared better, in that they were more likely to be apprenticed to a proper trade. Records of these charity apprentices may also sometimes be found in parish collections.

When a parish wanted to bind a poor child, the parishioner they had chosen as master or mistress had to take the boy or girl, or pay a fine to be excused. Apprenticeship was sometimes organised by rotation, or drawn for, as in a raffle. Relatives sometimes took an orphaned or illegitimate child or a poor member of their family as apprentice; a later settlement examination may tell you this. The parish paid the apprenticeship fee, and two copies of the indenture were written – one was kept in the parish chest, and the other by the master until the apprenticeship ended, when it was presented to the apprentice.

In effect, an apprentice became like a member of the master's family. If a master owned or leased land in a parish and lived elsewhere, the apprentice had to live there too; if the master moved from parish to parish, the apprentice moved with him. If the master died, the apprentice could stay with his widow, or be assigned to another master. Some landowners who were allocated apprentices assigned them to their tenants.

Apprenticeship was only supposed to be cancelled by mutual agreement of the three parties involved. However, in practice many apprentices did not stay with their masters. They were often badly treated, and some cases of abuse were brought before the Quarter Sessions Court. Sometimes they were disobedient or ran away. When this happened, masters sometimes put advertisements about runaway apprentices in the newspaper. Sometimes parents refused to allow their children to be bound as apprentices, and records of all of these types of disputes can survive in Overseers' records.

Although compulsory apprenticeship was abolished in 1844, the system of parish apprenticeship continued into the 20th century, despite the efforts of legislators to end it.

Binding Orders and Indentures

These are the principal documents used for the study of parish apprenticeship, and indentures survive among Overseers' records in larger numbers than any other relevant documents. Binding orders and indentures record the parish, the name of the apprentice, age (in later indentures), the name, occupation and parish of residence of the master/mistress, and sometimes the arrangement under which the apprentice was to be bound, or the property for which the master was allocated an apprentice. The indenture named the parish officials, and Justices of the Peace, and was signed by the latter and the master. Sometimes the parish officers also signed, and the indenture may be endorsed with additional information, such as details of assignment, or the names of the apprentice's parents. In some cases, separate forms for assignment of an apprentice exist.

Apprenticeship Registers

These were to be kept by the Overseers of the Poor under an Act which was passed in 1801-1802, but not all survive. They usually give more details than the Indentures do, and record information about all the apprentices in a parish, even when the Indentures themselves have not survived.

Some parishes also kept earlier records of parish apprentices in the form of a register, or listed them in vestry minute books or other parish books.

The new legislation of 1801-1802 formalised the information to be recorded for each apprentice. Those apprenticeship registers which survive are usually found among the parish records. Those which were commenced under the new legislation usually begin in 1802 or 1803, and some of these record details of parish apprentices right up to 1844, when compulsory apprenticeship was abolished. These

Apprenticeship Registers usually have a standard printed format, and give more details than the Apprenticeship Indentures do, including the names of the apprentice's parents.

This system of apprenticeship was separate to that of private apprenticeship, where a parent or guardian paid a premium to a master or mistress to have a child apprenticed to a trade or craft. Note that these parish Apprenticeship Registers do not record apprenticeships arranged and paid for privately, nor those organised through a parish or town charity.

Devon Family History Society volunteers have compiled and published a series of detailed indexes to the names of children found in the surviving apprenticeship registers held in Devon Heritage Centre. We have copies of these indexes in booklet form in the Devon Heritage Centre searchroom. These indexes are available for sale from the Devon Family History Society in booklet or pdf format, and are also searchable on the commercial subscription website **Find My Past** as part of the **Devon Social & Institutional Records** database. The index entries include most of the relevant information found in the original registers, including the names of the children's parents and the master or mistress to whom they were bound.

The apprenticeship registers held in North Devon Record Office have not been included in these indexing projects, though paper lists of names in the register may be held in their searchroom.

The **Devon, Plymouth & West Devon Apprentices 1570-1910** database on **Find My Past** includes digital images of entries in a variety of collections containing parish, charity and private apprenticeship documents, which are held at Plymouth & West Devon Record Office – the sources include parish apprenticeship registers and apprenticeship books, but also parish apprenticeship indentures, freemen's papers, and Orphan's Aid Educational Foundation apprenticeship indentures.

Records of Disputes, Discharge etc

These may be found in parish Overseers' records or among the Quarter Sessions records. Later disputes may be reported in the newspaper accounts of Quarter Sessions proceedings.

Lists of Apprentices

If these survive, they will most commonly be found in parish Overseers' collections. These lists were usually drawn up in the process of organising the allocation of apprentices to masters.

Other Records About Apprenticeship

Details about parish apprentices may also be recorded in parish registers, vestry minutes and Overseers' account books.

Private Apprenticeship

The agreements or indentures themselves are only very occasionally found in parish collections, as the Overseers of the Poor took no part in these arrangements. They are not usually found in Devon's archive office collections, unless they have been deposited as part of family or solicitors' collections. There is a section of the Subject Card Index in the Devon Heritage Centre searchroom which includes references to private apprenticeship records, though this index has not been added to for many years. A search of the online Devon Archive Catalogue may reveal any recently deposited examples.

The National Archives hold some records relating to private apprentices. See their online research guides for more information.

Other Poor Law Records

Overseers of the Poor Accounts

Parish officers were supposed to keep a careful account of the money that had spent ('disbursed') on poor relief. In many cases the Overseer was very particular about detail and noted every pair of shoes, petticoat, or blanket supplied or paid for, naming the recipients as well. Many paupers had their rent paid and some received weekly relief in money, food, medicine and fuel over many years. The Overseer paid for nurses', midwives' and doctors' fees (naming the persons who offered this service and those who received it). He also paid for coffins to be made and other funeral costs. He paid the costs of travel expenses for journeys undertaken on behalf of the parish, or for the transport of paupers in and out of the parish, and usually recorded the name of the person whose case was involved. He made payments to unmarried mothers, wives of militia substitutes and poor strangers passing through the parish. Payments from the fathers of bastard children to the parish may also be recorded annually. References to a pauper family should be looked for in the Overseers' accounts of the parish where they were legally settled, and not where they were living.

In some parishes, particularly small ones, one book may have been used to record Churchwardens' accounts, Overseers' accounts and poor rates.

Poor Rates

The poor rate was set each Easter at a Vestry meeting and was for a certain number of shillings/pence in the £; the amount a person paid was based on the value of their owned or leased property. If a parish needed more money to support its poor, it increased the number of times per year that the poor rate was collected. A good set of Churchwardens' accounts will give an annual listing of all the ratepayers in the parish, together with how much they paid. Sometimes the payment of poor rates is recorded in the overseers' accounts or a separate Poor Rates book.

Vestry Minutes

In the past the "vestry" was a decision-making body which took its name from the room where it met. All the important decisions about the parish, including those made about paupers and money, were made in the vestry meetings which were held weekly or fortnightly in many parishes. Vestries could be open – when most parishioners attended – or closed – where a small group of men including the parish officers and usually the incumbent attended. A large variety of topics including what to do about individual pauper parishioners were discussed at such meetings.

Relief for Families of Militia Men

Poor men often enrolled in the militia as substitutes in return for payment from those who were eligible for service, but who wished to avoid it. The wives and children of these militia substitutes were often left chargeable to the parish. They were eligible for payment of relief by the parish, and the parish was able to apply to the County Treasurer for reimbursement of the money that had been paid out. Parish records may therefore include the following:

- Certificates of entitlement to relief
- Militia Orders – i.e. orders to pay relief
- Magistrates' Orders to pay relief

Examples of Miscellaneous Overseers of the Poor Records

Commitment to Bridewell: a document commanding the parish constable to deliver a man to prison for refusing to support his family.

Unfortunately, for some parishes nothing from the collection of Overseers of the Poor records once stored in the parish chest has survived. If this is the case, the Quarter Sessions records may have to be

used – although this can yield results in some cases, it can be time-consuming to search, as apart from the years 1732 to 1763, the records are un-indexed.

There are also personal name-based and subject-based card indexes to Devon County Quarter Sessions Order Books, dating from 1734-1802, which were once housed in the searchroom, but are now boxed and in the strongrooms. If you wish to use these to search for 18th century poor law material, please ask the searchroom staff to retrieve the boxes of cards for you.

Printed Books

Introductory booklets

An Introduction to Poor Law Documents before 1834, Ann Cole, Federation of Family History Societies (1995)

Annals of the Poor, Eve McLaughlin (1990)

Illegitimacy, Eve McLaughlin

General books including poor law records

The Parish Chest, W. E. Tate (1951), p. 188

Village Records, John West (1982)

Sources for English Local History, W. B. Stephens, Phillimore (1994), p. 99

Ancestral Trails, M Herber, Sutton (2004), pp. 285-305

The Poor Laws in practice

The Compleat Parish Officer, Wiltshire Family History Society, (facsimile edn.,1996)

The Handy Book of Parish Law, Wiltshire Family History Society, (facsimile edn., 1995)

Exeter, Poor relief in Devon: two A-level personal studies, S. Wheeleker and S. Eyles. Devonshire Association (1991) 40p: diags. [WSL p362.58/DEV/WHE]

The English Poor Law, 1531–1782, Paul Slack,Cambridge Univ. Press (1995)

Websites

<http://www.workhouses.org.uk/> A large website devoted to the history of the Poor Laws, including the pre-1834 poor law and parish workhouses, as well as later Poor Law Union workhouses in Britain and the Republic of Ireland

<http://www.genuki.org.uk/big/eng/DEV/PoorHouses> Genuki Devon has a section on poor law with links to other sites.

<http://www.thepotteries.org/dates/poor.htm> Website giving key dates in Poor Law and Relief in Great Britain 1300 - 1899. Part of a larger educational resources website giving key dates in the sociological history and development of Great Britain.

<http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/> The National Archives Research Guides – scroll down and choose “Poverty and the Poor Laws”.

<http://www.mitchelmore.info/history/poorlaw.htm> Bob Muchamore (a researcher with Devon ancestors) has a family history website containing an article explaining the history of the poor laws at the parish level, with typed transcripts of example documents from Devon Overseers of the Poor records.

http://www.mdpl.co.uk/resources/general/poor_law.htm The Parsons family history website has this article titled "A Brief Explanation of the Poor Law in respect of Rural Communities 1601 - 1834".

<http://www.historyhome.co.uk/peel/pltopic.htm> Website on Poor Law with links to a number of pages of primary sources and information, including Poor Law before 1834. Part of a site about Sir Robert Peel.

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