

WHY THE OLD POOR LAW?

THE OLD POOR LAW IN HERTFORDSHIRE

The Old Poor Law records have been transcribed by the Society from the records retained at Hertfordshire Archives & Local Studies (HALS). They are valuable resource for family historians as they relate to those people who would otherwise go unrecorded.

The reference to the Old Poor Law is to those records prior to the Poor Law Reform Act of 1834. The records still extant are at the earliest the late 17th Century up to 1834. The general terms of reference for poor relief were based on the 16th Century Tudor enactments from 1597 to 1601 and the Poor Law Act of 1603.

There are three elements to these records:

1. Settlement Certificates, whereby one parish indemnifies another parish if a parishioner of the indemnifier requires relief in the indemnified parish.
2. Removal Orders, whereby a person not settled in the parish becomes chargeable and is adjudged to be sent back to the parish where lawfully settled.
3. Examinations as to settlement, whereby a Magistrate examines a statement made under oath to decide whether a person may obtain legal settlement in a parish or be removed to the last place of settlement.

Note that the term settlement is not part of the Poor Law enactments. From Medieval times, it was long considered that each man had a place where he should live and work. Movement of labour was discouraged. There were some exemptions but most required various licenses to travel anywhere.

THE RECORDS AS PRESENTED

The records are presented in the three record types:

1. Settlement Certificates
2. Removal Orders
3. Examinations as to Settlement

All are as Personal Document Files (pdf) and there is an index for searching purposes over all three files. The Surnames are in uppercase to make searching easier. Each record has a reference number to the specific archive so that the original can be viewed if required.

There are also some additional files for background reading that will help to understand the records.

Over the years, poor law legislation was amended to meet the needs of the time. There is provided a summary of the changes made in the additional material provided.

HISTORIC BACKGROUND

The poor law was administered at parish level by local magistrates. There was no unified system throughout the country. Each county, almost each parish, administered the poor law as thought fit. The cost of providing relief came out of rates on property for the individual parish. The

general theme, if one may call it a theme, is that each parish will look after its own with relief but not those who were not their parishioners.

Thus we have the indemnities provided by the Settlement certificates, the Removal orders and the Examinations. There were disputes, naturally, between parishes. These disputes added to the expense. The ratepayers complained about the increasing charge for providing relief. It was all very clumsy. The Poor Law Amendment Act of 1834 was an attempt to unify the system for providing relief, employ properly trained people to administer relief and create Commissioners of the Poor to provide a centralised control.

As for the poor in receipt of relief, the Overseer of the Poor would consider each request individually. There were generally several reasons for providing relief:

1. Unemployment
2. Abandonment of a family by the main provider
3. Inability to work because of sickness or old age
4. Orphans and abandoned children

For the sick, they may be placed in a parish workhouse to be fed and receive medical attention. Orphans, similarly, would be looked after until the age of seven years and then found suitable employment. The unemployed would be found parish work or farmed out as farm labourers. Women who were abandoned could be found work and the children of the family would be provided for.

Most relief was provided as outdoor relief in the form of rent or fuel or clothing. This was much cheaper than using the parish workhouse to provide these things.

It should be noted that there were many charities set up to provide support for the poor such as almshouses and monies left in wills. The religious duty of charity was still strong and monies were granted for a number of personal reasons, not least of which was to be seen to be charitable.

The number of people receiving relief cannot really be accurately estimated. However, the amount of money spent annually for poor relief gives an idea of the increasing burden on ratepayers. For the United Kingdom in 1784 poor relief cost £3 million; in 1805 it was £4 million; in 1814 it was £6½ million; in 1818 it was £8 million, which accounts for 13s 3d per head annually.

The system was breaking down. What just about worked in the smaller towns and villages was unworkable in larger towns where conditions of trade and employment were very different.

The Poor Law Reform Act of 1834 was a precursor to many other legislative interventions to regulate and enforce new standards: a registrar of births, marriages and deaths, authorities for water supply, sewerage, rubbish collection, etc.