

THE EARLY HISTORY OF ENGLISH POOR RELIEF.

CHAPTER I.

THE BEGINNING OF THE SECULAR CONTROL OF POOR RELIEF.

1. Anglo-Saxon times.
2. The Labour Statutes.
3. The regulation of charitable funds by the state.
4. The control of charitable funds by the towns.
5. Summary of the main features of public control of poor relief before the sixteenth century.

The English system of Poor Relief presents a striking contrast to the rest of our national institutions. In most departments of our social organisation, public control is less extensive in England than in the other countries of Western Europe. But, in regard to the relief of the poor, we have adopted an opposite policy. Since the reign of Charles I., Englishmen have made themselves responsible for the maintenance of those who are destitute. All, who cannot obtain food or shelter for themselves or from their nearest relatives, have a right to relief from compulsory rates levied upon the rest of the community.

It will be our object, in the following pages, to trace the growth of this system. We will examine the causes which led the public authorities of state and town to control the relief of the poor, and the steps which they took to render its administration effective and successful. There can be no

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doubt, that an organisation of this kind was not suddenly imposed by a single Act of Parliament. Under Henry VIII., the first enactment was passed ordering the regular collection and distribution of alms for the relief of the poor¹, but it was not until forty years later that the amount to be paid by each individual was assessed and its payment compulsorily enforced², while even after ninety years had elapsed, the English organisation of poor relief was still irregularly carried out and of little practical effect³. Like other and more famous English institutions, the making and administration of the English Poor Law was a growth, not a creation. It was during the sixteenth and early part of the seventeenth centuries that the chief experiments were made in methods of relieving the poor by secular public authorities. But, even before that time, the beginnings of the later organisation may be traced both in the provisions of the statutes and in the regulations of the towns.

We will now briefly consider the chief ways in which public secular authorities interfered in the relief of the poor before the sixteenth century. In Anglo-Saxon times, the administration of poor relief was almost entirely under the control of the Church. Almsgiving and hospitality were however inculcated as religious duties of considerable importance, and there is much to make us think that they were extensively practised by Anglo-Saxon kings and noblemen. Bede tells the following story of King Oswald. He was about to dine sumptuously from a silver dish of dainties one Easter day, when the servant who distributed relief to the poor came before him, and told him that there were many needy persons outside the gate, who were begging some alms of the king. The king left the dish untasted and ordered the contents to be carried to the beggars⁴. This story incidentally lets us see that a distribution of alms and a special servant for the purpose

¹ 27 Hen. VIII. c. 25, 1535-6.

² 14 Eliz. c. 5, 1572.

³ Preamble to Orders and Directions of 1631.

⁴ Bede's *Eccles. Hist.*, Bk. III. c. vi. King Athelstan ordered the distribution of much help to the poor. He ordered each of his reeves every year to redeem one "wite theow" (penal slave) and to entirely feed one poor Englishman. Thorpe, p. 84.

were part of the regular organisation of the household. King Alfred also, we are told, "bestowed alms and largesses on both natives and foreigners of all countries¹," and it was the custom of the Anglo-Saxon kings to keep open house for several days and to entertain all comers three times a year, at Christmas, Easter and Whitsuntide.

But the greater part of the relief of the time was administered by ecclesiastics. Some help was given to the poor in famous abbeys like those of Ely, Croyland and Glastonbury², and there were the offerings distributed by the priests. The nearest approach we have to state interference with the relief of the poor is found in the law of Ethelred, which probably enforced the existing custom with regard to tithe. One third part "of the tithe which belonged to the Church" was to be given to "Gods poor and needy men in thraldom³."

But, from the beginning of the thirteenth century, we find greater activity in the matter. Two causes seem to have influenced the secular public authorities of the time to interfere; first, the desire to repress vagrants, and secondly, the wish of state and town to control some of the charitable endowments.

Many of the regulations, made with the object of repressing vagrants and able-bodied beggars, were closely connected with the statutes concerning labour, enacted ^{2. Labour statutes.} from the middle of the fourteenth century onwards.

After the Black Death of 1348—9, labourers were scarce and wages rose rapidly; a series of enactments was therefore passed, designed to force every able-bodied man to work, and to keep wages at the old level.

In the first regulation of this kind, the Ordinance of Labourers of 1349, the first step is taken towards the national control of poor relief. The proclamation restrains the liberty of the giver; the private individual may no longer give to

¹ Asser, Bohn, p. 68.

² Athelstan the Atheling gave lands to Ely on condition that they fed a hundred poor men on his anniversary at the expense of his heirs. Kemble, *The Saxons in England*, II. p. 510.

³ *Ib.* p. 545. Eadgar, Archbishop of York, and Aelfric in the canons which bear his name both order the same proportion of tithe to be set aside for the poor. Thorpe, pp. 326 and 345.

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whom he chooses. It is provided that no one is to give relief to able-bodied beggars, and the ground of the prohibition is expressly stated to be "that they may be compelled to labour for their necessary living."

The first provision of funds for the relief of the poor made by law, is embodied in one of the same series of labour statutes. The wages of priests were regulated and it was ordered that the fines of those parishioners who paid more than the statutory rate, should be given to the poor¹.

Almost as soon as these labour statutes were passed, we hear that labourers fled from county to county in order to elude the operation of the law². The workmen adopted many devices, in order to escape from any part of the country where these regulations were enforced. Some seem to have pretended to be crippled and diseased, and so, when undetected, could wander and beg with impunity. Others, apparently, joined bands of pilgrims, like the famous travellers from the Tabard to Canterbury, and, journeying with them, would reach a district, where they could obtain good wages and be undisturbed by the execution of the labour laws. In 1388, therefore, regulations were made, restricting the movements, not only of able-bodied beggars, but of all beggars and of all labourers and, at the same time, admitting the right to relief of those who were unable to work for themselves³. Servants who wished to depart from the hundred in which they lived, under colour of going a pilgrimage, or in order to serve or dwell elsewhere, were to have a letter, stating the cause of their journey and the time when they were to return, duly signed by the "good man of the hundred" appointed for the purpose. If they were found away from their district, without a letter of this kind, they were to be placed in the stocks and kept there, until they found surety to return to their own neighbourhood. However, a servant who had a certain engagement with a master in another part of the country, was always to be allowed to have a letter, allowing him freely to depart.

¹ 36 Edw. III. c. 8.

² *Rolls of Parliament*, 46 Edw. III. ii. p. 312. Petition of the Commons.

³ 12 Richard II. c. 3 and c. 7.

Thus the statute prevented a man from wandering about in search of work, but did not prevent him from migrating, when an engagement was already concluded. All these regulations affected beggars: an able-bodied beggar who begged without a letter was to be put in the stocks in the same manner as a labourer without a letter. He could not escape by pretending that he was a labourer, because both were liable to punishment. Neither could he elude the vigilance of the law, by pretending to be disabled, because the impotent poor also were forbidden to wander; they were to stay where they were at the passing of the Act, or, if the people there were unable to support them, were to go, within forty days, to other towns in the same hundred or to the place where they were born.

This statute is often regarded as the first English poor law, because it recognises that the impotent poor had a right to relief, and because it carefully distinguishes between them and the able-bodied beggars. The provisions also imply the responsibility of every neighbourhood for the support of its own poor. Moreover, this enactment may be regarded as a law of settlement. Not only were the impotent poor confined to their own district, but all unlicensed labourers were likewise forbidden to migrate. Probably the Act had little effect because it was too stringent to have been enforced.

Not only Parliament, but the municipal rulers also, made regulations for the restraint of vagabonds. The authorities of the City of London, in 1359 and in 1375, forbade any able-bodied person to beg, and at the end of the fifteenth century the constables were ordered to search, not only for the vagabonds themselves, but also for the people who harboured them¹.

Two statutes relating to beggars and vagabonds were passed in the reign of Henry VII.², but in both the severity of the punishment was decreased, because the king wished by "softer meanes" to reduce them to obedience. The decrease in the severity of this punishment seems to show that there was as yet little sign of the crowds of vagrants, who were a terror to the country under Henry VIII. So far the wanderers

¹ Riley's *Memorials of London*, pp. 304, 390.

² 11 Hen. VII. c. 2, 19 Hen. VII. c. 12.

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were men who had no difficulty in obtaining work, but who wanted better terms. Under Henry VIII. they include also unemployed labourers, and the legislation dealing with them concerns the provision of work for the able-bodied as well as assistance for the impotent poor; still the regulations concerning vagrants were already connected with the relief of the poor because the efforts made to keep at work the valiant beggars had made it necessary to distinguish between them and the old and disabled, and had led to some provision being made for those really unable to help themselves.

But there was another cause for the public regulation of the relief of the necessitous. From the thirteenth century onwards there are signs that men had ceased to leave charitable endowments entirely in the hands of ecclesiastics. A growing desire was felt, that Parliament and Town Governments should share in the administration of some of the funds for the relief of the poor.

We find indications of this both in the statutes and in the action of the burgesses. Almost at the same time that the statute of 1388 ordered beggars to remain in their own neighbourhood, another statute of Richard II. was passed which regulated the revenues of the Church in the interests of the poor. A portion of the tithe had been commonly distributed by the resident rector to the poor¹, but, when a living became part of the possessions of a monastery, the poor parishioners were often forgotten. In order therefore that the parishioners might not be injured, this enactment provided that when the revenues of a living were appropriated by a

¹ The following incident in the reign of Edward II. shows us the bishop interfering in order to enforce the distribution to the poor of part of the revenue of a church. Richard, Bishop of Durham, in the course of the visitation of his diocese, came to the parish of Wessington. The people there complained that hospitality was not shown by the Church and that alms were not given to the poor. The bishop therefore ordered that a portion of the revenue should be given to the poor, and especially set aside the tithes of the new assarts of Sir Walter de Wessington for this purpose. *Hist. Man. Com.*, MSS. of J. R. Ormsby, Esq., 1020 B. The statutes of Richard II. and Henry IV. seem to have aimed at doing exactly what the Bishop did at Wessington, whenever a living was impropriated by a monastery.

monastery, a portion of the revenue should be assigned to the poor, so that they might not lose the alms formerly distributed by the rectors¹. Under Henry IV. this statute was re-enacted, and it was ordered that appropriations made since the 15 Rich. II. should be reformed². The earlier statute had thus probably not been well observed: the second was apparently more successful, for in *The Complaynt of Roderyck Mors*, written in 1542, it is stated that "if the personage were improperd, the monkes were bound to deale almesse to the poore and to kepe hospitalyte as the writings of the gyftes of such personages and landes do playnly declare³." In any case this legislation indicates a desire on the part of the state to interfere, in order to reform the administration of ecclesiastical revenues in the interest of the poor.

In the towns also, the civic governors and the guilds began to control some of the endowments for the relief of the poor. Even in Anglo-Saxon times, the distribution of alms formed part of the functions of the guilds, and it is not unlikely that it was partly owing to customs formed by the municipal rulers through their association in guilds that the towns began to take an active part in the administration of poor relief. Thus at Lynn, one of the ordinances of the town guild provided that relief should be given to any brother in poverty, either from the common fund or from the private purses of the guild brothers. A piece of land was bequeathed to the guild, partly for the purpose of relieving the poor, and, we are told, £30 a year was distributed to the poor brethren, to blind, lame and sick persons, and for other charitable purposes. The whole charity distributed by this association must have been considerable, for though only four great meetings of the guild were held during the year, one of these was especially concerned with the management of its charities⁴. At Sandwich also⁵, the burgesses or the town

⁴. Control of charitable endowments by the town.

¹ 15 Rich. II. c. 6.

² 4 Hen. IV. c. 12.

³ *The Complaynt of Roderyck Mors*, E. E. T. S., p. 33.

⁴ C. Gross, *The Guild Merchant*, vol. II. pp. 159-161.

⁵ *Boy's History of Sandwich*, pp. 3 and 127. The references to this and several of the following examples of municipal action are quoted by Mrs Green, *Town Life in the Fifteenth Century*, vol. I. p. 41, note 2.

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rulers controlled the two hospitals dedicated respectively to St Bartholomew and St John. Both were virtually almshouses providing for a certain number of old people. The Mayor and Jurats of Sandwich, not only appointed the governors of St Bartholomew's, but audited the accounts, controlled the management and appointed new recipients of the charity. The whole was connected with an annual festal procession to the hospital in which many of the townsfolk took part¹.

At other times, the municipalities, not only exercised control over institutions founded by private people, but also themselves contributed to the endowments. At Scarborough, Henry de Bulmer gave a site for St Thomas' hospital which was finished and endowed by the burgesses². At Chester the town gave land, on condition that certain almshouses were built³; and Ipswich in 1469 granted the profits of St James' fair to the lazars⁴. At Lydd, sums were given for "Goderynges dowghetyr, pour mayde, for hosyne, shoys and other thyngses" and payments were made for her clothes and keep on several occasions⁵. In this town also gifts of corn were regularly distributed at Easter and Christmas from 1439 onwards⁶. In most of the great towns the Chamberlain was the especial guardian of

¹ In Hereford also, St Giles' and the Sick Man's hospital were governed by the Corporation from the time of Rich. II. (*Reports of Char. Com.*), and in Exeter, the town rulers at one time exercised rights over St Mary Magdalen's hospital, and afterwards exchanged these for power over St John's hospital for lepers. Freeman's *Exeter*, pp. 68, 174, etc.

² Tanner's *Notitia*, Yorkshire, cvi. The burgesses of Scarborough are said to have founded and maintained another hospital, dedicated to St Nicholas, and in both poor men and women were maintained.

³ *Hist. Man. Com.*, Rep. viii. p. 371. 24 Hen. VII.

⁴ Nathaniell Bacon's *Annals of Ipswiche*, p. 129. In Rye also payments were made to the poor from municipal funds as early as 1474. *Hist. Man. Com.* v. p. 494.

⁵ *Hist. Man. Com.* v. 527. In 1482-3, 3s. 4d. was paid to Thomas Maykyne "to kepe Goderyng's doughtyr," and in 1485 there is another entry of the same kind, "Paid for a kertylcloth for Herry Goderyng's doughtyr and for making thereof, 3s. 1d."

⁶ Payments in connection with this distribution of corn continue to be mentioned, down to the end of an account book containing municipal accounts from the beginning of the fifteenth century until the reign of Richard III. *Hist. Man. Com.* v. 519.

orphans¹, and sometimes there was a Court of Orphans in which matters affecting the property of orphans were managed. The arrangement rather concerned orphans with property, than the poor, but still it shows that the municipality recognised a responsibility with regard to a helpless class of the community.

The municipal authorities at Southampton, however, undertook much more extensive measures for preventing want, and it is interesting to notice that this action was very probably undertaken in consequence of the customs of the ruling guild. In ordinances at least as early as the fourteenth century forfeits and alms were awarded to the poor, and members were to be assisted when in poverty. In the fifteenth century "the townyns almys were settled on a plan," and lists were kept of the weekly payments. The Steward's book of 1441 states that the town gave weekly to the poor £4. 2s. 1d. which, according to the value of money at the time, might have furnished relief for about one hundred and fifty people².

Thus, before the sixteenth century, state and town had begun to make regulations for the relief of the poor. Some of these regulations were dictated by ^{5. Summary.} a desire to repress vagrants. They were closely connected with the enforcement of the labour legislation of the time, and were embodied in the same statutes, and administered by the same officials. But other provisions were due to the fact that there was a growing tendency for the state to interfere to prevent the maladministration of ecclesiastical revenues, and for non-ecclesiastical bodies to undertake the administration of charity. Still, before the sixteenth century, most of these measures were negative rather than positive. The orders concerning the repression of sturdy beggars were more prominent than those concerning the relief of the poor. The latter were as yet infrequent and had little practical effect. The main part of the charity of the time was still administered by ecclesiastics and was obtained from endowed charities and from voluntary gifts.

¹ London had a regular Court of Orphans: see also *Southampton*, John S. Davies, p. 159, and *Exeter*, Freeman, p. 154.

² John S. Davies, *Southampton*, pp. 139, 294, and C. Gross, *The Guild Merchant*, vol. II, p. 231.

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But, in the sixteenth century, the older methods of relief failed to cope with the new social difficulties, and the older feeling in favour of the ecclesiastical control of charity was considerably lessened. At the same time, the tendencies that already led to the management of relief by public secular authorities were accentuated. During the sixteenth and seventeenth centuries, therefore, the organisation of poor relief was more and more undertaken by municipality and state, and the English system of poor relief was created and first administered.