

Regionality in the late Old Poor Law: the treatment of chargeable bastards from Rural Queries*

by Margaret A. Lyle

Abstract

In 1832 the Royal Commission enquiring into the administration and practical operation of the old Poor Law sent a questionnaire, the *Rural Queries*, to parishes throughout the country. This paper reports the results of a computer analysis of their answers to the commissioners' enquiry into the amounts given to the mothers of chargeable bastards. The results give a good countrywide overview of the treatment of those mothers and their children and reveal distinct regional variations in the amounts awarded to them.

A full century after the Webbs published their account of the Old Poor Law, its operation continues to be the subject of interest and debate.¹ The Old Poor Law, it will be recalled, was administered at the level of the parish (in the North of England, the township) by parochial or township overseers operating within a national system of law first laid down in 1598 but amended on many subsequent occasions. The system was funded by locally raised rates on property. By the early nineteenth century the poor law had come to be regarded as profligate and extravagant. Costs were seemingly out of control. In 1785 the total spent on poor relief in England was £2 million but by 1830 it was a little over £7 million, although there had been a few peaks and troughs in between.² The government sought a reduction in poor rates, but feared that any such reduction would further aggravate the social unrest that had precipitated rural riots and incendiarism in 1831. The government established a Royal Commission in February 1832 with the brief of 'inquiring into the administration and practical operation of the poor laws'. The nine commissioners appointed to investigate and report in turn appointed twenty-six assistant commissioners to collect evidence from different parts of the country. In parallel with the work of the assistant commissioners, questionnaires were sent to both urban and rural parishes. The Rural Queries were a suite of 53 questions enquiring into, *inter alia*, parish land use, the employment and earnings of men, women and children and their accommodation, the relief available to them, how it was administered and at what cost to the rate

* I thank Professor Richard Hoyle for his tireless encouragement and sound advice during the writing of this paper. I also thank Dr. Nicola Verdon for kindling my initial enthusiasm for Rural Queries.

¹ S. and B. Webb, *English Poor Law History*, I, *The A regional perspective* (2000), pp. 81–2; P. Slack, *The Old Poor Law* (1927). *English poor law, 1531–1782* (1990), p. 30.

² S. King, *Poverty and welfare in England, 1700–1850*.

payer, and the number and cost of bastards in the parish.³ The volume, detail and diversity of these replies made it impossible to analyse them at the time, and only with recent developments in computing has it become possible to analyse the data expeditiously.⁴ The mass of information gathered in 1832–3 therefore contributed less to the formulation of policy than might be expected. Instead, the commissioner's report was, as Blaug argued some years ago, in many instances guided by prejudice.⁵ The reforming statute of 1834 ended parochial control over the parish's own poor, shifting discretion from the parish to poor law unions under the control of a central government department.

At first sight, the contrast between the two systems – one highly devolved, the other highly centralised – seems considerable, but it is not clear that the individual parish under the Old Poor Law operated with as much freedom as some commentators have thought. Parish officers were subject to supervision by magistrates and individual paupers who were dissatisfied with their treatment could appeal to them. It has recently been suggested that the old poor law operated in different ways in different regions. The level of generosity varied, with the north-west being particularly meagre in the support it gave the dependent poor. The leading advocate of the regionality approach, Professor King, has gone so far as to divide England into eight regions according to their treatment of 'entitlement, nominal relief levels and sentiment of relief giving' (Figure 1). Professor Hindle has suggested that there were 'already significant differentials in the level of pensions between northern and southern parishes by the mid-seventeenth century'.⁶ This should perhaps not surprise. It is now agreed that the implementation of the 1598/1601 statute was achieved over two or more generations, with the north and west being slow to adopt relief in the form of doles paid out of rates. The allowance system devised at Speenhamland in 1795 never achieved national currency.

The problem with establishing the degree of diversity within the Old Poor Law is locating data which is drawn from a large number of parishes whilst being simple enough to be gathered on consistent lines. King, for instance blended published and unpublished studies of less than 120 communities to produce the map presented in Figure 1. The answers to the Rural

³ This paper looks at the Rural Queries only. The Commissioners decided which parishes should receive Rural Queries and which Town Queries. A few settlements received both and the parish decided which one to answer, e.g. St. Mary Reading, Berkshire, received both sets but recorded on the Rural Queries that they had answered the Town set, so is not included in this dataset. Of the 1,152 parishes that returned answers to the Rural Queries, nine have been excluded because their population densities (based on the 1831 population and the parish size in acres, as recorded in their answers) indicated they were more likely to have the characteristics of towns. In descending order of population density the excluded parishes were: Sunderland (Durham), 487 people per acre; Walsall (Stafford), 64; Wakefield (Yorks., WR), 28; Brighthelmstone [Brighton], (Sussex), 26; St Mary (Notts.), 25; Boroughbridge (Yorks., NR), 21;

Clifton (Glos.), 19; Falmouth (Cornw.), 13; Tottenham (Middx), 13. The remaining 1,143 parishes are the dataset used in this paper.

⁴ Mark Blaug was the only person to attempt quantitative analysis before computer use became routine, 'The Poor Law Report re-examined', *JECh* 24 (1964), pp. 229–45. He manually analysed and tabulated some of the answers and used this analysis to reassess relief policies in the early nineteenth century. Recently Nicola Verdon used computer analysis of the answers to good effect in 'The rural labour market in the early nineteenth century. Women's and children's employment, family income, and the 1834 Poor Law Report', *EcHR* 55 (2002), pp. 299–323.

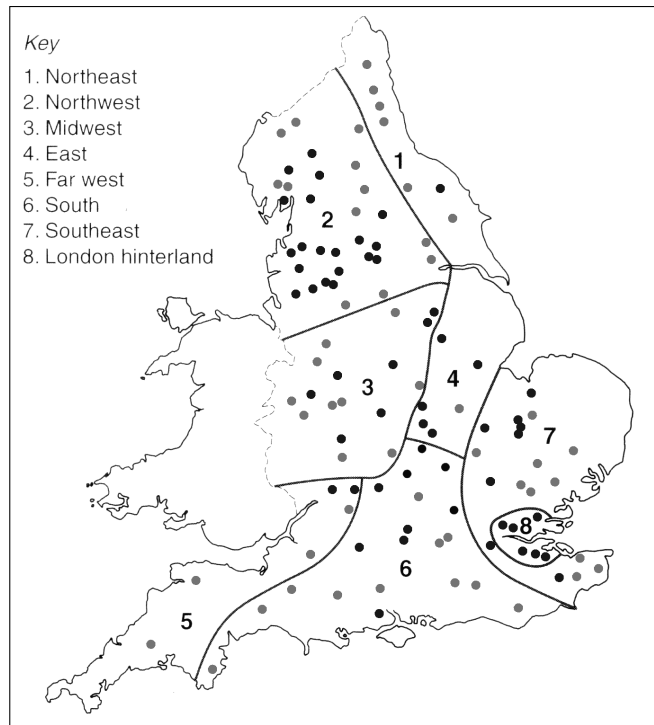
⁵ Blaug, 'Poor Law Report re-examined'.

⁶ S. Hindle, *On the parish? The micro-politics of poor relief in rural England, c. 1550–1750* (2004), p. 283.

FIGURE 1. Division of counties suggested by King.

Note: these are hypothetical sub-regional divisions based on 'distinct experiences of issues such as entitlement, nominal relief levels and the sentiment of relief giving'.

Source: S. King, *Poverty and Welfare in England, 1700–1850* (2000), p. 262.



Queries supply such data in the form of the allowance given to the mother of a bastard child. Question 47 enquired,

What is the allowance received by a woman for a bastard, and does it generally repay her, or more than repay her, the expense of keeping it? And is the existing law for the punishment of the mother whose bastard child becomes chargeable often executed for the first or for the second offence?

The answers to the first part of this question will be used as the data source for this study. In undertaking the analysis as part of a larger study of the treatment of bastards in the dying days of the Old Poor Law, it became clear that the allowances paid for the support of a bastard child showed marked regional variations and it is these which will be explored in this paper.

It is not argued that the answers to the Rural Queries are a perfect source. The wording of the questions, the nature of the sample and the interests of those who replied all need to be understood. It is impossible to ignore the reality that the analysis cannot be statistically valid. The sample is not random: parishes could answer or not as they chose. Only about 10 per cent of the total number of parishes in the country, representing about one fifth of the population, returned a set of answers.⁷ Even then they usually did not answer all questions in the set, so for some counties the number of parishes that answered any one question was very small. There

⁷ P. Bagshaw, 'The 1832 Poor Law Commission's answers to rural queries. Goudhurst, a case study of a Wealden parish', *Arch. Cantania*, 118 (1998), p. 64.

is no way round this, but Blaug's caution on the result of his pioneering analysis of Rural Queries ('... the tabulated replies cannot claim to be of statistical value: all that can be claimed is that they are more meaningful than nine volumes of untabulated replies or than the method of selecting quotations ...') applies equally to these results.⁸

A further handicap is the lack of impartiality in some replies. Whilst some queries required answers that were matters of fact, some asked for an opinion and opinion can never be impartial. While a wide range of people did complete the returns – from a labouring gardener to the Deputy Lieutenant of a county through churchwardens, vestry clerks, honorary overseers, paid assistant overseers, magistrates and land owners – the majority of parishes delegated the task to the overseer of the poor or a local clergyman.⁹ It can be anticipated that any answers that required an opinion would be biased towards the viewpoint of the respondent and, of course, all answers came from a male perspective: not one return was completed by a female.

On the other hand, this countrywide survey has two great strengths: its geographical spread and the fact that it relates to a single date. Data from a countrywide survey gives a much needed overview, a skeleton on which the flesh picked from the detailed studies may be hung. This analysis of the answers given by 818 individual parishes reveals a pattern of regional variation in the amounts given to the mothers of bastard children. It allows comparison of all regions at one point in time, a possibility not afforded by King's method of aggregating isolated studies covering a wide range of years.¹⁰

I

Fiscal responsibility for a bastard child who could not be supported by the mother ultimately resided with the parish, but the parish would seek to defray the expenditure by recourse to the father. There were thus two elements in this dynamic: the generosity of the parish to the needy mothers and the ability of the parish to recover money from the putative father. It was the responsibility of the parish to find the alleged father, take him before the magistrates and then move to extract maintenance payments from him. Any shortfall from this process had to be made good from the poor rates.¹¹

An added complication in comparing the allowances set by the magistrates was the duration, as well as the rate, of any support.¹² The parish responsibility was from birth until economic independence, but economic independence was considered to occur at different times in

⁸ Blaug, 'Poor Law Report re-examined', p. 234.

⁹ *Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws*, Appendix (B. 1), *Answers to Rural Queries*, pt 1 (BPP, 1834, XXX), pp. 64e, 23e: John Denson, Waterbeach, Cambridge was a labouring gardener and Frederick Page of Speen was the Deputy Lieutenant of Berkshire.

¹⁰ County boundaries and county names are those used in the Rural Queries.

¹¹ This paper is concerned only with the amounts

awarded to the mothers. It does not look at the recovery rates by parish, which was covered by question 48 in the Rural Queries and will be the subject of a further publication.

¹² The amounts awarded to the mothers were set by the magistrates, but whether at their own whim, or whether by local tradition, cannot be determined from this study. In this paper, the amounts awarded to the mothers will be referred to as the 'amounts awarded by the parish' although it is understood that those amounts were ultimately set by the magistrates.

different parishes. Therefore any award made, and any cost to the parish, could continue for different numbers of years in different parishes. Seven years was by far the most usual, after which time the child was either considered self-sufficient or was maintained as a parish pauper in its own right. After economic independence the father had no further financial responsibility. As respondents to Rural Queries said, 'After the term of seven years for nurture, they become chargeable upon the parish which gave them birth'; 'It is generally 2s. per week, which will not repay her if the child lives seven years'; and '... some men will run away till the child is seven years old, and then suffer three months imprisonment'.¹³ There were, of course, exceptions; two parishes reported that support was given until nine years old which added a significant 29 percent to parish costs.¹⁴ One parish was exceptional in offering support until the child was 14 years old, which doubled the usual costs to that parish if the father could not be made to pay; '... it is more than sufficient while she suckles the child, but insufficient before 14 years, after which age the father is rarely called upon, the child being considered capable of earning its own maintenance, or is bound out apprentice by the parish'.¹⁵

Because of this long term commitment to fund the mothers, overseers endeavoured to keep the allowance as low as possible. The fear was that the fathers, through accident or design, would not make maintenance payments and a financial burden would fall upon the parish for many years. The overseers sometimes took it upon themselves to alter the amount set by the magistrates and women did not always receive the full amounts originally awarded. As the allowances were channelled through the overseers there was little recourse available to the women. When the mother was already in the workhouse and receiving parish assistance for herself and her child, the overseers took the allowance for parish funds. '... if ... the Mother is in the workhouse, of course, she derives no benefit from the allowance; in this case it is paid to the parish, and they support the mother and child'.¹⁶ In other cases the overseers simply reduced the amount awarded. They relied on most women accepting this new arrangement. If she did not, she could go back to the magistrates with a complaint. This would have involved her in inconvenience, expense and loss of any (however little) goodwill she already had from the overseers. As a Cumberland parish reported,

It may average 1s. 6d. per week; and when the mother agrees to keep and support her child, no further sum is required, or given by the parish. It very frequently happens that nothing, or very little, is obtained from the putative father, and in that case the mother does not receive more than 1s. or 1s. 3d. per week from the parish.¹⁷

Magistrates set the amount after examining the woman and the named man, when they

¹³ BPP, 1834, XXX, p. 72e (Robert Hardwicke, Senior Magistrate of the Isle of Ely, Wisbech St. Peter, Isle of Ely, Cambridge); p. 2e (Jacob Henry Brooke Mountain, Rector and JP, Blunham-cum-Muggerhanger, Bedford) and p. 618e, (Samuel Washington, Clerk, and James Wambersley, Assistant Overseer, Hipperholme with Brighouse Township (Halifax Parish), County of York (West Riding)).

¹⁴ *Ibid.*, p. 136e (John Alsop, Overseer, Woolborough,

Devon); p. 396e (E. S. Davenport, Vicar and JP, Worfield, Shropshire).

¹⁵ *Ibid.*, p. 465e (John Garden, Surveyor, Redisham Hall, Ringsfield, Suffolk).

¹⁶ *Ibid.*, p. 265e (John Alexander Ross, Curate, Westwell, Kent).

¹⁷ *Ibid.*, p. 108e (Thomas Dixon, Hesketh, Cumberland).

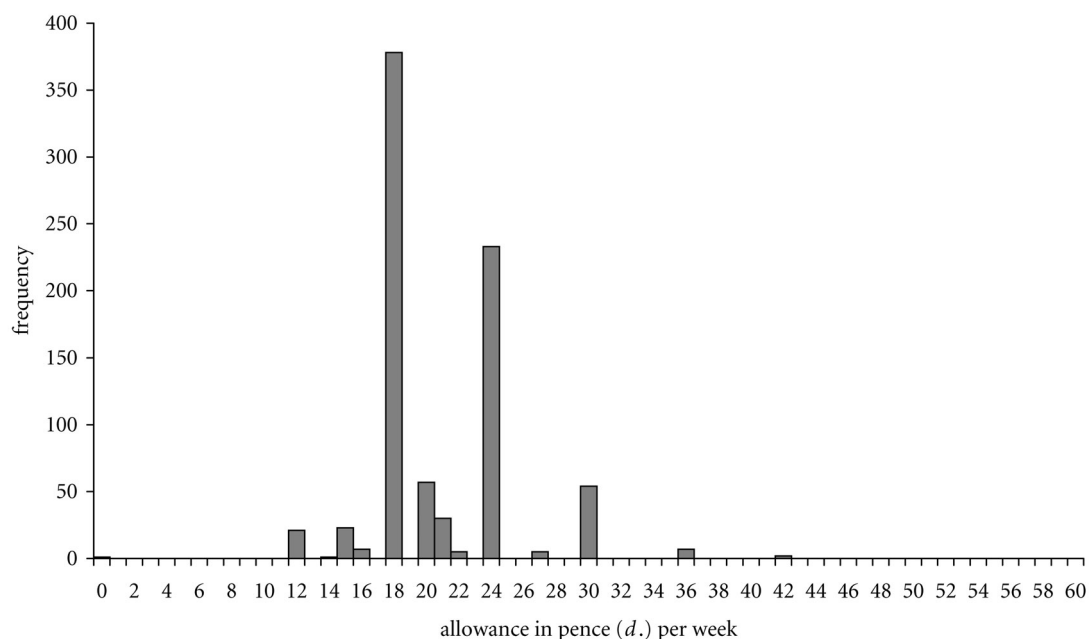


FIGURE 2. Usual weekly allowance awarded to mothers (in pence)

Source: BPP, XXX, 1834. Data compiled from responses to Question 47: single amounts returned by parishes together with the lower amount if parishes returned a range.

then issued an order of affiliation and maintenance. (The man could deny that he was the father.)¹⁸

The amounts awarded were matters of fact and the first part of question 47 which enquired into this, 'What is the allowance received by a Woman for a Bastard ...', had a good response. About three quarters of the parishes that returned a set of answers replied to this question. Consequently there is – within the parameters already discussed – a reliable dataset which allows the amount awarded and its variability throughout the country to be determined accurately; it also allows an insight into the impartiality or otherwise on the reporting of this amount in the Commissioners' Report. In addition to the regional differences, there were different amounts awarded within each parish, the amount being loosely indexed to what the father could be assumed to afford to pay. The allowance was '... governed by the situation in life of the father'.¹⁹ Any agricultural labourer, because of his lower income, would generally be expected to pay less than a farmer or tradesman so when looking for evidence of regional differences the lowest allowance was used.

Fortunately, almost all parishes reported a flat rate cash payment to the mothers. This differed from the allowance system which indexed poor relief to family size and the price of

¹⁸ A study of magistrates' examinations of mothers and putative fathers at Chelmsford, Essex, has recently been undertaken. T. Nutt, 'The parochial (mis)management of bastardy: Chelmsford, Essex, c. 1814–1834',

unpublished paper given at Economic History Society Conference at Royal Holloway (2004).

¹⁹ BPP, 1834, XXX, p. 67e (George Cuming, late assistant Overseer, Trumpington, Cambridge).

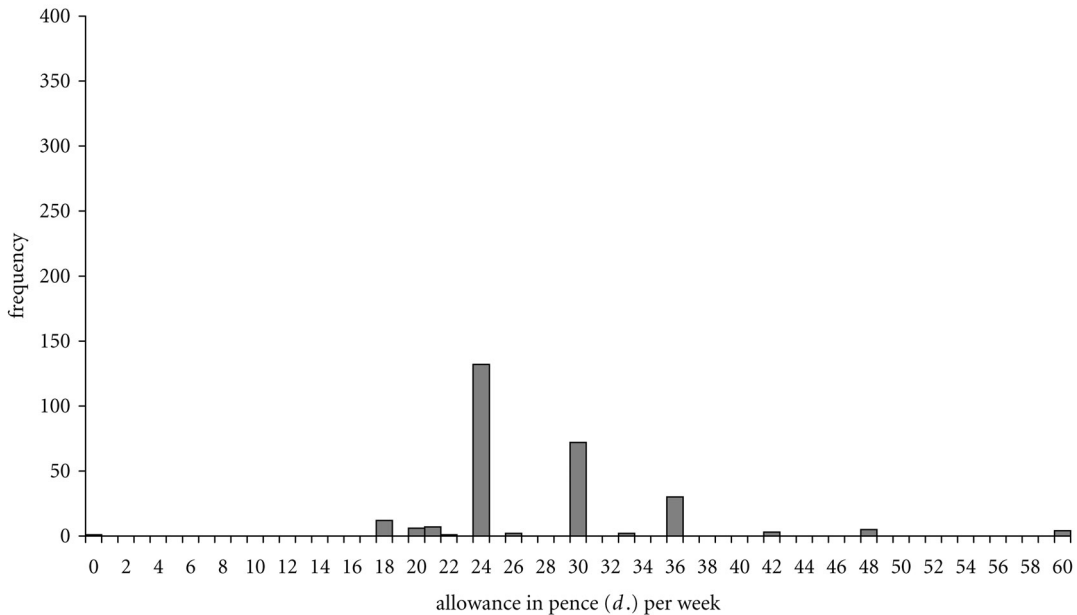


FIGURE 3. Maximum weekly allowance awarded to mothers (in pence)

Source: BPP, XXX, 1834. Data compiled from responses to Question 47: single amounts returned by parishes together with higher amount if parishes returned a range.

bread and which had for a short time been widespread for general poor relief, especially in parishes in the south-east. Only three parishes reported awarding an allowance linked to bread or flour prices. Two of these were totally indexed. Thatcham in Berkshire, a parish only five miles from Speen where the allowance system was devised in 1795, reported 'From 1s. 6d. upwards according to the price of bread'. Finchingfield in Essex reported that, 'The rate of allowance to a woman and bastard, being poor and destitute and without other means, is set at the price of one and a quarter peck of flour per week'.²⁰ The third, Compton Chamberlaine in Wiltshire, operated a partially indexed system by giving a smaller cash component and including a loaf as part of the allowance, '1s. 3d. per week for the child, and a loaf and 3d. to the woman till she is able to work; it does not repay her'.²¹

The bread index, however, was still the standard against which a few parishes judged the adequacy of their bastardy allowance. George Fort, the magistrate of Alderbury Parish and Sarum Division in Wiltshire, considered the 1s. 6d. allowance too little because 'at the present price of bread from 15d. to 18d. per gallon, it scarcely pays'.²² The Rector of Great Waldenfield (*sic*) in Suffolk reported, '2s. which, according to the present price of flour, is two-pence more than is allowed to a legitimate child'.²³ The results from the analysis of the amounts awarded to the women are shown in Figure 2. They were arrived at by counting the number of parishes that

²⁰ *Ibid.*, pp. 24e, 174e.

²² *Ibid.*, p. 566e.

²¹ *Ibid.*, p. 570e (James King, Churchwarden and Overseer).

²³ *Ibid.*, p. 470e (Francis Creswell, Rector).

TABLE 1. Frequency of amounts awarded, pence (*d.*) per week, to the mothers

<i>County</i>	<i>0</i>	<i>12</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>18</i>	<i>20</i>	<i>21</i>	<i>22</i>	<i>24</i>	<i>27</i>	<i>30</i>	<i>36</i>	<i>42</i>	<i>Average</i>
Middlesex (2/2)												2			30.0
Northumberland (11/20)				1						7		2	1		25.4
Sussex (67/83)						14	1			30		19	3		24.9
Huntingdon (7/13)						3				2		1		1	24.9
Nottingham (21/27)				1		1				17		2			23.9
Kent (36/57)						4				29		3			23.8
Surrey (20/29)					1	4				11		4			23.6
Durham (27/37)						7	2	4		9		3	1	1	23.5
Derby (7/7)							1			6					23.4
Essex (33/50)		1				9		1		18		4			22.6
York (North Riding) (10/17)						2	4			2	1	1			22.1
Lincoln (12/20)		1				4		1		5			1		21.8
Leicester (10/18)						4				6					21.6
Cambridge (34/43)						14				20					21.5
Southampton (37/57)						19		2		13		3			21.2
Cornwall (22/29)						5	12		1	3			1		20.9
Hertford (9/18)		1				3				5					20.7
Hereford (16/19)		1				8	1			5		1			20.4
Warwick (32/38)						22				8		2			20.3
Oxford (18/29)						6	9			2	1				20.2
Gloucester (21/26)						13		1	3	3	1				20.0
York (East Riding) (3/5)						2				1					20.0
Bedford (14/16)						10				4					19.7
Buckingham (18/35)		1				12				4		1			19.7
Westmorland (17/21)						10	3		1	3					19.6
Worcester (14/19)						10	2			1		1			19.6
Rutland (4/4)						3				1					19.5
Chester (10/16)						6	3			1					19.2
Suffolk (26/50)				1		19		1		5					19.2
Stafford (9/13)						4	5								19.1
Northampton (14/18)						12		1				1			19.1
Norfolk (26/41)		1				15	1	8		1					19.0
Cumberland (32/47)		3		2	1	11	7	7		1					18.5
Berkshire (21/29)		2		1	1	12	3			1		1			18.3
Shropshire (20/22)				1		17	1			1					18.3
Devon (19/24)				1	3	13		1			1				18.2
Somerset (18/25)		1		4		11				1	1				17.8
Dorset (15/16)			1	3	1	8				2					17.8
York (West Riding) (48/56)		7		2		35				2		2			17.8
Wiltshire (21/28)				5		16									17.3
Lancaster (17/19)	1	2		1		9	2	1		1					16.8
Total (818/1143)	1	21	1	23	7	377	57	28	5	231	5	53	7	2	20.7

Notes:

(i) Counties are ranked by overall average award in pence per week.

(ii) Numbers in parentheses in the left hand column following the county are the number of parishes that replied to this question followed by the total number of parishes that returned a set of answers.

Source: BPP, 1834, XXX. Data compiled from responses to Question 47.

returned a single amount together with the number of parishes that gave the same amount as the lower end of a range.²⁴ Almost half the parishes awarded 18*d.* and just over a quarter 24*d.* There was a small cluster around 20*d.* and 21*d.* with a small peak of seven per cent at 30*d.* Only seven parishes (0.8 per cent) gave 36*d.* The most generous were Abbotsley in Huntingdon and Mainsforth Township in Durham where 42*d.* was given in both places. However, even that amount was considered by the curate of Abbotsley to be not more than the woman required to support herself and her child.

Where the response contained a range, the incidence of the higher allowance in each parish is shown in Figure 3.²⁵ For the majority of the 277 parishes that gave a range instead of a single amount, the most frequent higher allowance was 24*d.* with 30*d.* the next most common.²⁶ The spread within any parish was therefore most likely to be from 18*d.* to 24*d.*, with the range from 24*d.* to 30*d.* the next most likely.

There was great variation within counties. Adjacent parishes made very different awards as may be seen from Table 1 and in more detail on Figure 4. In the West Riding seven parishes gave 12*d.*, two gave 30*d.* but the majority gave 18*d.*, while in Sussex, fourteen gave 18*d.*, nineteen gave 30*d.* and thirty 24*d.* The wide range found in almost every county highlights the parochial nature of the allowance, but at a higher level regional patterns become discernible.

Of the 818 parishes that replied (71 per cent of the 1143 returns), 814 could be mapped, which gives a good spatial distribution over the whole country. When those that gave the mothers 24*d.* and over per week are compared with those that gave 18*d.* and under, seven distinct regions can be seen, shown in Figure 4.

Region 1, the east of the Pennines, is made up of Northumberland, Durham (where the majority of parishes awarded 24*d.* per week), together with the North and East Ridings of Yorkshire. (The two areas were included here for geographical convenience as scarcity of data makes it impossible to determine what was the usual amount given, but also see Region 3 below.) Region 2, the west of the Pennines and towards the Welsh border, consists of Cumberland, Westmorland, Lancashire, most of the West Riding, Cheshire, Shropshire, Staffordshire, the northern part of Derbyshire and the north-west of Herefordshire. Here the majority of parishes gave the women 18*d.* or less per week, 75 per cent of what was usual on the other side of the Pennines. Region 3, the eastern part of the 'Midland diagonal', is made up of the south-eastern part of the West Riding, Lincolnshire, Nottinghamshire, south Derbyshire, Leicestershire and Rutland where parishes awarded mainly 24*d.*, the same as Region 1. No attempt has been made

²⁴ The amounts given as the top end of the range were analysed separately, e.g., Bolton by Sands, Lancaster, reported 'From 1*s.* 3*d.* to 2*s.* per week', so 15*d.* was included in Figure 2 data and 24*d.* in Figure 3.

²⁵ Gillingham in Kent was not shown because it mentioned the possibility of an abnormally high award

and would have greatly distorted the scale, '2*s.* a week in common cases which is not more than repayment to her. The stipend increases with the circumstances of the Father, and is sometimes as high as 8*s.* or 10*s.* a week'.

²⁶ 48 per cent and 26 per cent respectively.

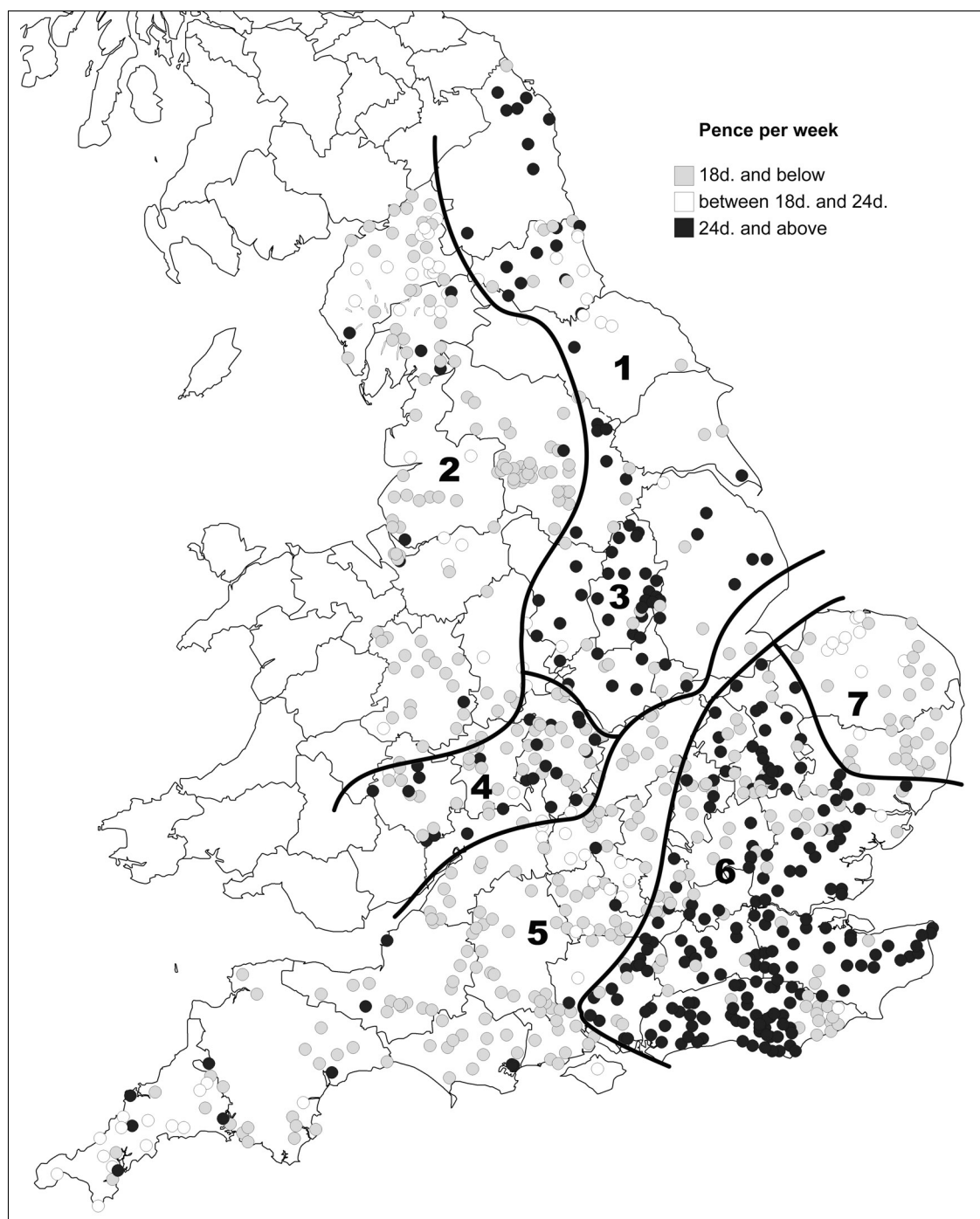


FIGURE 4. Regional divisions based on the amounts that parishes awarded the mothers of chargeable bastards (low stratification).

Note: boundaries are the best fit by inspection of the data compiled from responses to Question 47.

Source: BPP, 1834, XXX. Data compiled from responses to Question 47.

to draw a boundary between Region 1 and Region 3 because of the lack of data from the North and East Ridings of Yorkshire.

Region 4, the western part of the 'Midland diagonal', is a distinctly mixed region; some parishes awarded 24*d.* and more while others close by awarded 18*d.* and less. Region 5 is the diagonal strip from Land's End to the Wash. In this region almost all parishes gave 18*d.* and in many instances less than that amount. The monetary relief given to the women in Region 5 was similar to that given in Region 2.

Region 6, the south-east excluding Norfolk and most of Suffolk, is made up of Cambridgeshire, Huntingdon, Essex, Hertfordshire, Bedfordshire, Middlesex, the east of Berkshire, the extreme south of Suffolk, Surrey, Kent, Sussex and the east of Hampshire. In this Region, parishes normally gave 24*d.* per week to the women and in some instances more than that; it was this region that was most generous with the amounts awarded.²⁷ Finally Region 7 is Norfolk and most of Suffolk. This must be treated as separate from Region 6 as the majority of parishes gave 18*d.* and none gave 24*d.*

When more detail is brought out by the use of greater stratification – more than 24*d.*, 24*d.*, 23*d.* to 19*d.*, 18*d.* and 17*d.* and less – sub-regions within most of the main regions can be detected, as shown in Figure 5. A small cluster of parishes in Durham gave slightly less than the usual for Region 1 and a similar cluster in Cumberland gave slightly more than the usual for Region 2, as may be seen in Figure 5.

In Region 5 there are two areas giving slightly higher amounts than usual; the county of Cornwall and a patch in Oxfordshire. A small area in north Norfolk showed parishes there awarded slightly more than the usual 18*d.* of Region 7. Region 6 shows a distinct sub-region around Hastings where the lower 18*d.* per week was dominant; this could be the Hastings magistrates behaving in a way uncharacteristic for that region as a whole. There is also a hint that Region 6 could possibly be sub-divided; the amounts given by parishes in Cambridgeshire, Huntingdon, Hertfordshire and Bedfordshire were more mixed than the rest of the region, but that may be starting to examine the trees instead of looking for the shape of the wood.

King's proposed regional pattern obtained from the collated single place studies of local communities and their poor law accounts for the early nineteenth century, was not totally dissimilar, as may be seen when Figure 1 is compared. His suggestion that the country could be considered as eight sub-regions (one of which was the London hinterland, which is not part of this study), each showing different attitudes to administering the poor law and each giving different amounts in pauper pensions is supported by this study.

Given the good overall response, it might have been expected that the Commissioners' report on this question would be a model of clarity and accuracy, but it was not. They wrote 'The sum charged on the man varies from 7*s.* or 8*s.* a week to 1*s.* The average was about 3*s.* or 2*s.* 6*d.* in towns and 2*s.* in the country.'²⁸ For the rural parishes this statement, although technically correct, was misleading. Analysis revealed that almost half the rural parishes awarded 18*d.* and just

²⁷ No comment can be made on London and its immediate environs as this study was confined to rural queries only.

²⁸ *Report from His Majesty's commissioners for enquiring into the administration and practical operation of the poor laws* (B. Fellowes, London, 1834), p. 168.

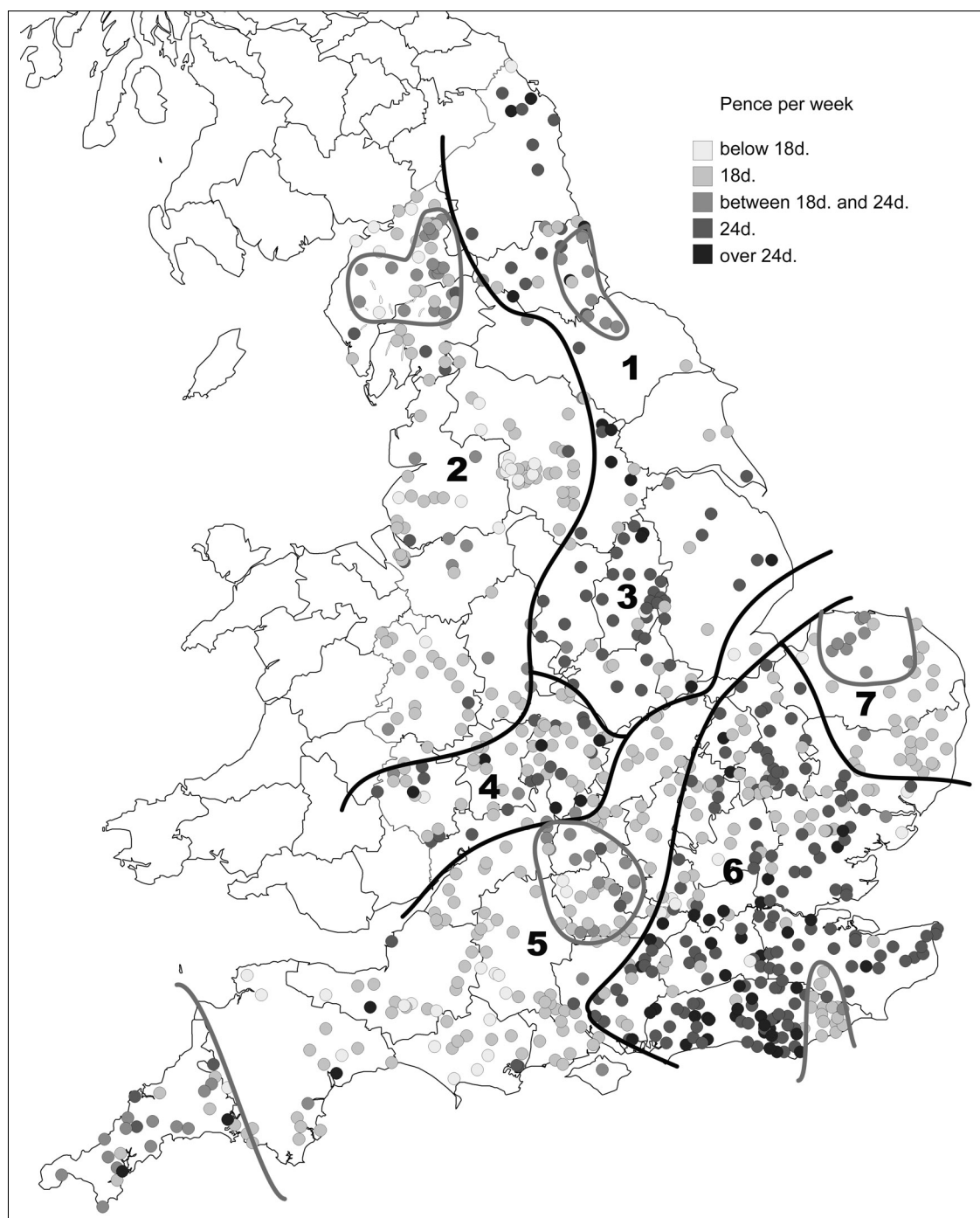


FIGURE 5. Regional divisions based on the amounts that parishes awarded the mothers of chargeable bastards (high stratification).

Note: boundaries are the best fit by inspection of the data compiled from responses to Question 47.
Source: BPP, 1834, XXX. Data compiled from responses to Question 47.

over a quarter 24*d.* while only one parish mentioned 7*s.* or 8*s.* The national average for rural parishes was 1*s.* 9*d.*, not the 2*s.* they reported; the lower end of the range, the 1*s.* per week, was the only amount reported correctly.²⁹ The Commissioner's Report did not reflect the treatment of the majority of women in rural parishes.

II

The answers from the second part of question 47, '... does it generally repay her, or more than repay her, the expense of keeping it?' provide a set of the attitudes of the local administrators. Analysis showed that, unlike the amounts given to the mothers, these attitudes followed no distinct regional pattern. The analysis also demonstrated the bias of the Commissioners against the results of their own survey. The Commissioners' expectation of the response was obvious from the wording of the question. The omission of the neutralising 'or less than repay her' proposition clearly indicated to the respondent what was expected. Yet those who replied flew in the face of the Commissioners' implicit direction in what was a well answered question.

Not unexpectedly, more (35 per cent) of the more generous parishes (defined as those who gave 24*d.* or more) thought the amount they gave the woman either 'repaid' or 'more than repaid' her while less (21 per cent) of the less generous (paying 18*d.* or more) thought this. The corollary was also true; less (22 per cent) of the more generous parishes thought their allowance 'did not repay her' as did more (40 per cent) of the less generous, Table 2. But no matter what allowance they gave, a majority of the parishes thought it less than adequate; three quarters said the allowance either 'did not repay', or 'no more than repaid' the mother, only a quarter reported it 'repaid' her and a minuscule 2 per cent that it 'more than repaid' her.

Mapping shows that, in contrast to the amounts awarded to the women, there was no regional component in the opinion as to the adequacy of the allowance as Figure 6 shows. Parishes which reported that the allowance 'did not repay' the mother for the upkeep of her child were scattered throughout the country as were the twelve parishes that reported the allowance 'more than repaid' her. This randomness demonstrates the difference between matters of fact and matters of opinion; the matters of fact reveal something about the system, the matters of opinion reveal something about those who filled in the forms.

The curate of Abbotsley, Huntingdon was the only person who attempted to quantify the amount a mother would need to bring up her child. 'The same allowance as would be made for any single mother and child, about 3*s.* 6*d.*, per week. This is not more than she requires for the support of herself and her infant'.³⁰ If 3*s.* 6*d.* per week was in fact what was necessary to maintain a mother and her child, then the high percentage of parishes that thought the award either 'did not repay' or 'no more than repaid' her is not surprising. The curate's estimate of 42*d.* was more than twice the usual allowance of 18*d.* and almost twice the second most usual of 24*d.* In effect in every parish the amount given to the mothers of bastard children was inadequate and parish officials recognised this.

In giving an opinion on the adequacy of the allowance, parish officials presumably had in

²⁹ Twenty one parishes recorded 12*d.*, the lowest allowance reported.

³⁰ BPP, 1834, XXX, p. 228e (Stephen B. Dowell, Curate, Abbotsley, Huntingdon).

TABLE 2. Opinion on the adequacy of the allowance to the mothers of chargeable bastards

	<i>does not repay her</i>		<i>no more than repays her</i>		<i>repays her</i>		<i>more than repays her</i>		<i>Total</i>	
	<i>n</i>	<i>(%)</i>	<i>n</i>	<i>(%)</i>	<i>n</i>	<i>(%)</i>	<i>n</i>	<i>(%)</i>	<i>n</i>	<i>(%)</i>
Over 24 <i>d.</i> (up to 42 <i>d.</i>)	11	22	22	43	17	33	1	2	51	100
Over 18 <i>d.</i> , up to and including 24 <i>d.</i>	69	27	111	43	73	28	4	2	257	100
Up to and including 18 <i>d.</i>	138	40	136	39	70	20	3	1	347	100
Allowance not recorded	50	43	43	37	20	17	4	3	117	100
Total	268	35	312	40	180	23	12	2	772	100

Source: BPP, 1834, XXX. Data compiled from responses to Question 47.

mind not only the amount itself but the period over which the allowance was given.³¹ Those making the return, observing the day-to-day plight of the mothers, often reported how the costs of maintaining a child increased as the child grew, and while the allowance may have been adequate for an infant, it was soon outstripped by costs.

There were many examples, for instance, ‘. . . whilst the child is very young it is sufficient, but not afterwards . . .’; ‘. . . 2s. per week, which repays her during infancy’; ‘In infancy, 2s. more than pays, but not afterwards’ and ‘Such an allowance is sufficient to support the child only while it is very young . . .’.³² There was no agreement about exactly how young ‘very young’ was and when ‘infancy’ ended; different parishes suggested different ages. Two, three and four years old were all mentioned, for instance, ‘. . . does not repay her after the child is two years old’; ‘It is sufficient for its maintenance for the first two years; after that period the child becomes burdensome to the mother’; ‘It does not repay after the child is two or three years old’; and ‘. . . which repays her for 3 or 4 years, when she usually receives further assistance from the parish for clothes, &c’.³³ Some parishes thought she could manage on the allowance until the child was six or seven. ‘While young it repays her, perhaps not after 6 years of age; but they are generally put out apprentices at 9 or 10 years of age’; ‘. . . is sufficient to repay the expenses of keeping the child till it is 6 or 7 years old’.³⁴ Although there was no agreement on exactly the age at which the allowance became insufficient, there was general agreement that, sooner or later, it did. That virtually no respondent thought the allowance was more than sufficient should have been a conclusion obvious to the Commissioners.

Some parishes set the allowance deliberately low not only as a deterrent, but also as a punishment as in these examples. ‘Ordinarily 1s. 6*d.* per week is ordered by the magistrates, whose

³¹ The question in the Rural Queries did not enquire separately about the adequacy of allowance during the early years and later years.

³² BPP, 1834, XXX, p. 566e (John James Calley, St. Andrews, Blunsdon, Wiltshire); p. 235e (G. R. Gleig, Minister, Ash, near Sandwich, Kent); p. 268e (George Moore, Wortham, Kent); p. 39e (John Brickwell, Farmer, Leckhampstead, Buckingham), p. 78e (W. Carter, Tatton Park, Knutsford, Rostherne Township, Chester).

³³ *Ibid.*, p. 378e (Philip Serle, Clerk and JP, Oddington Parish and Ploughley Hundred, Oxford); p. 190e (Thomas Tracy, Overseer, Witham, Essex); p. 555e (John Ellis, Vicar, Wooten Waden, Warwick).

³⁴ *Ibid.*, p. 210e (J. R. Smythies, an extensive occupier of land in the County for 30 years, Eardisland, Hereford); p. 560e (Edward W. Wakefield, Kendal and surrounding Country, Westmorland).

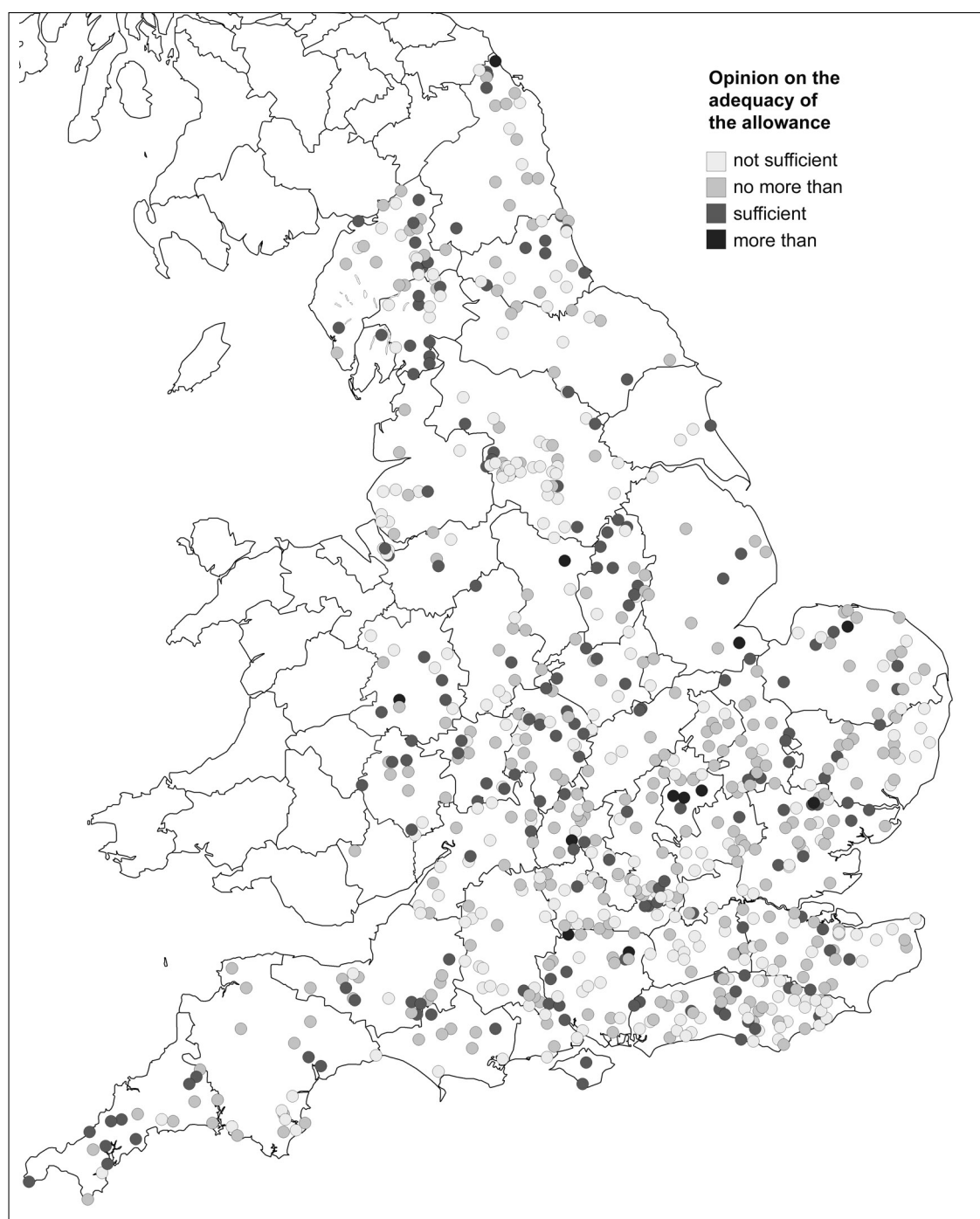


FIGURE 6. Parish opinion of the amounts awarded the mothers of chargeable bastards.

Source: BPP, 1834, XXX. Data compiled from responses to Question 47.

object has always been to discourage bastardy by the smallness of the allowance'; '1s. 6d. a week is allowed; a sum which does not repay the Mother. It is fixed so low as a punishment for her misconduct' and finally '... when the father is employed well, or in circumstances to repay, we fix the allowance very low'.³⁵ In the North Riding 'It is the object of the magistrates of this neighbourhood to make the amount of maintenance for a bastard child barely sufficient to enable the mother to nurse the child, without deriving any profit from it, and without being compelled by necessity to deliver it up to the overseer'.³⁶

In at least two parishes the tactic proved a failure. '... the parish pays nothing to the mother unless what is received from the father; and this has been acted on for the last nine years, when a change was made, but with little effect in preventing bastardy'.³⁷ 'Magistrates have reduced the allowance to 1s. 6d. per week to try if it would make the women more prudent, but it has produced no such effect'.³⁸ Castle Donnington, Leicestershire, withheld part of the allowance ordered by the magistrate from the mother; they thought this smaller amount, never more than 1s. 6d., would discourage bastardy. Their return showed very little change in the annual number of bastards for the years 1828 to 1832, so the tactic proved unsuccessful.³⁹ Despite this evidence the Commissioners recommended setting the allowance low to discourage further 'crimes' of bastardy.

Answers concerning the adequacy of the allowance were not objective: there was little attempt to quantify the cost of keeping a child and to compare the estimate with the actual. These answers included personal opinion, best guesses, and unsolicited comments which, while they cannot be mathematically analysed, help to form a more rounded picture of official thinking. That which could be analysed showed that a high percentage of parishes considered the allowance inadequate. So when the Commissioners wrote '... to the woman, therefore, a single illegitimate child is seldom any expense' they were misrepresenting the rural situation.⁴⁰ In addition, while technically correct to write '... two or three are a source of positive profit', it was, arguably, a red herring as fewer than 10 out of 772 rural parishes mentioned any women in their parish with more than one bastard child.

III

Despite the many warnings on the soundness of using the answers to the Rural Queries, the analysis does supply a useful set of quantifiable countrywide results. These fulfil at least two useful functions; they show regional tendencies that place micro studies in a wider context and they highlight the bias the Commissioners built into their report.

³⁵ *Ibid.*, p. 632e (George Broadrick, JP, Lower Division of Strafford and Tickhill Wapentake, County of York (West Riding)); p. 33e (Sir Henry Verney, Bt. JP, Steeple Claydon, Buckingham); p. 161e (George Pringle, Police Commissioner, South Shields Township (Jarrow Parish), Durham).

³⁶ *Ibid.*, p. 604e: John Headlam (Archdeacon, Rector, JP, and Chairman of the Quarter Sessions, Wycliffe, County of York (North Riding)).

³⁷ *Ibid.*, p. 275e (Henry Linaker Bradley, Assistant

Overseer, North Meols Township, Lancaster).

³⁸ *Ibid.*, p. 630e (Joseph Patrick, Thomas Harrison, George Roberts, Overseers, Stanley cum Wrenthorpe Township (Wakefield parish), County of York (West Riding)).

³⁹ *Ibid.*, p. 280e (Jonathan Woodward, Churchwarden).

⁴⁰ Answers to the Town Queries may have supported their opinion; this study analysed Rural Queries only.

The wide geographical coverage gives a snapshot of the treatment of chargeable bastards and their mothers for the whole of England in 1832. From the analysis, some generalisations may be made with confidence; the usual monetary amount awarded was either 18*d.* or 24*d.* per week, only a few parishes considered the amounts adequate and the pattern of the amount given produced distinct regions which did not follow county boundaries. Yet, despite the regional nature of the awards, the parish was still the key determinant; in almost all regions two adjacent parishes can be found giving very different amounts to the mothers. The experience of the mothers of bastard children depended on the attitude of the local magistrates and overseers which could vary significantly from one parish to the next. Extrapolations from the results of individual micro studies must therefore be treated with caution; by chance the parish selected may be atypical for the region. A combination of the micro and the macro is necessary to obtain a fully rounded picture.

How though were the sums paid determined? It is possible that they represent customary norms but then the question then arises of how those norms had originally been set. There was some evidence that magistrates might attempt to force allowances down to punish bastard-bearers and deter women who might bear illegitimate children in the future. There is also a logic in supposing that they should reflect prevailing wage rates. However preliminary comparison between agricultural labourers' day rates for winter work as given in *Rural Queries* and the allowance given to the women showed no strong correlation.⁴¹ The regional nature of the allowances is unmistakable, but exactly what it represents remains to be established.

This study acknowledges the difficulty the Commissioners had in handling such a large amount of data, but there was little excuse for the obvious bias in their report. The bias could have occurred either because it was not possible, at that time, to obtain a statistical analysis, or because the Commissioners had not, from the beginning, been neutral observers. It appears the latter is the case; in their summary they referred to chargeable bastardy as '... a branch of the Poor Laws, distinguished from the rest both as to the principles on which it is founded and the evils which it has produced'.⁴² They then carefully selected answers from the returns that demonstrated these 'evils'. Despite the appearance of well-researched opinion, it can be agreed with other recent writers that their conclusions were chiefly a function of the prejudice they brought to the subject and were not based on the data in the returns.⁴³

⁴¹ The author is currently analysing the answers in the *Rural Queries* which reported agricultural labourers' day rates (these rates refer to day labourers only and not to live in farm servants). When completed, this should help establish whether or not there is any correlation between agricultural labourers' daily wages and amounts given to the women.

⁴² *Report*, p. 92.

⁴³ This is in agreement with Blaug's conclusion from

his manual analysis of the answers on the causes of agricultural unemployment, '... where they did not ignore the findings, they twisted them to suit their preconceived opinions', Blaug, 'Poor Law Report' p. 243. Eastwood reflects a large body of modern opinion when he refers to the new poor law being 'constructed, in part, from bureaucratic half-truths about the old'. D. Eastwood, *Government and the community in the English provinces, 1700-1870* (1997), p. 132.