

The Eighteenth-Century Records
of the Boston
Overseers of the Poor



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ISBN 978-0-9620737-4-8
Printed from the Income of the Sarah Louise Edes Fund

Appendices



Appendix 2

The Massachusetts Poor Relief Act, 1794

This is a very small portion of the act of the General Court of what was by then the Commonwealth of Massachusetts that effectively confirmed the primary role of the Overseers of the Poor in the public administration of poor relief. The powers granted to the Overseers by this act were as comprehensive as any in their past and would remain in force until after 1822, when the City of Boston received its first charter and the Overseers' authority began to be modified.

The Act was passed in February 1794 and was intended to be used in relation to the Settlement Act of 1793. Together, the acts expand the criteria for lawful settlement in towns, and expand the Overseers' means of restricting settlement by warning out. The Act is reprinted in full in The Overseer's Guide; or, A History of the Laws of Massachusetts, Respecting the Settlement, Support, Employment, and Removal of Paupers: With Notes and References to Adjudged Cases (Brookfield, Mass., 1815). The following selection identifies the Act's intent.

“An Act providing for the relief and support, employment and removal of the poor, and for repealing all former laws made for those purposes.”

[Sect. 1] Be it enacted... that every town and district within this Commonwealth shall be holden to relieve and support all poor and indigent persons, lawfully settled therein, whenever they shall stand in need thereof, and may vote and raise monies therefor, and for their employment, in the same way that monies for other town... charges are voted and raised. And may also, [annually] choose any number [up to twelve] to be Overseers of the Poor, and where such are not specially chosen, the Selectmen shall be Overseers... *ex officio*.”

[Sect. 2] Be it further enacted, that said Overseers shall have care and oversight of all such poor and indigent persons... and shall see that they are suitably relieved, supported and employed either in the Workhouse, or other tenements belonging to such towns or districts, or in such other way and manner as they, at any legal meeting, shall direct, or otherwise at the discretion of said Overseers, at the cost of such town or district.

The act then proceeds to specify five further areas of Overseer authority in the maintenance of their mandate.

The act makes it easier for the Overseers to:

- 1. Recover the costs of poor relief from the families of recipients.*
- 2. Warn out all who cannot satisfy the “settlement” requirements.*
- 3. Charge the state directly for costs incurred in providing for nonresidents.*
- 4. Remove and apprentice (indenture) children of the poor.*
- 5. Assign to the Workhouse any of the poor who frequent bawdy houses, gamble, or otherwise indulge in “lewd behaviour.”*