

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



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The Overseers and their functions.

IT HAS BECOME A COMMONPLACE to describe the dependent poor and the working poor of eighteenth-century America as “inarticulate.” Historians have for some time attempted to make the inarticulate speak, as it were, by interpreting vital statistics and other kinds of nonliterary evidence to recreate some image of the lives of those who left behind no verbal account of their perceptions, opinions, or actions.⁷¹ In fact, much of the population of all classes have left no records of their activities, let alone their views, and in the case of eighteenth-century Boston, the poor are not alone in their silence. Those who cared for the poor and who controlled their lives on behalf of the “articulate” minority left no personalized accounts of their perceptions or explanations for their actions as Overseers, and appear to have made no comments for posterity on what it was like to be an Overseer of the Poor in eighteenth-century Boston.

The Overseers could hardly have been wholly inarticulate as historians think of the term, because as merchants most had to keep at least some personalized records of their businesses and accounts. But most of those written records have not survived. Perhaps the most famous Overseer, Samuel Sewall, was also the most open of diarists. But he did not keep a diary because he wanted to describe the means and ends of his public office, and he is effectively mute on his experience as an Overseer.⁷² Is the reason simply that for the most part, unlike Sewall the Overseers were more concerned with the hard data of business and the straightforward recording of simple figures or names, in the case of their finances, and repeated that habit in their guardianship of the poor? Or might we suppose that even in the case of Sewall, a man of contemplation and academic curiosity, the office of Overseer did not warrant any further comment than the simple collection of human and fiscal statistics (usually recorded by a clerk or Almshouse keeper) and a few written depositions and memoranda?

Whatever the case, the way the Overseers of the Poor approached their duties, the importance they placed on the office itself, and their personal roles in the history of poor relief in eighteenth-century Boston have to be inferred from sources other than self-conscious reflection. It is no surprise, therefore, that the only personal Overseer’s document of any size that survives, Samuel Whitwell’s twenty-year account book, contains no annotation at all, but rather page after page of dense line entries of the names of outdoor relief recipients in his ward, the amounts they received, and little more.⁷³ For all that, some quite important characteristics of the Overseers, as individuals, as a class, and as bureaucrats, can be inferred.⁷⁴

First, the Overseers have no reputation in the historical literature as a group because even those historians who have recently studied the civic officialdom of eighteenth-century Massachusetts have tended to ignore them.⁷⁵ Here and there, a comment surfaces to acknowledge the Overseers’ existence, but apart from the excellent but unpublished work of Stephen Wiberley, there has been no attempt at serious interpretation of the men and the office, and certainly no other serious attempt than his to give any historical significance to the office.

The Overseers and their functions



In the most accessible and important social and institutional historical literature, the Overseers are mentioned only in passing, if at all.⁷⁶ Where they are mentioned it is not always with accuracy. In *Sibley's Harvard Graduates*, Clifford Shipton claims that “the Honorable Benjamin Austin had been very much a town father, and had labored particularly as an Overseer of the Poor and the Work House, an unpleasant office which Jonathan [his son] held from 1784 to 1802.”⁷⁷ The fact is that Benjamin Austin had never been an Overseer but a Selectman, who in line with the legal requirements of his office had, with the consent of an Overseer, committed dozens of nonresidents into either the Almshouse or Workhouse on behalf of the Province of Massachusetts. The statute that instructed Selectmen to commit out-of-town paupers and others to the Almshouse required the consent of an Overseer, because at the point of admission, while the support was the responsibility of the province, the responsibility for the inmate was the Overseers'. For Boston residents, the only official who could commit a person was an Overseer. Certainly, an Overseer's duties involved, from time to time, unpleasant tasks. The Overseer dealt daily with the emotional distress of orphaned, abandoned, or neglected children, and with the physical distress of the old, the ill, the infirm, and the dying. Because many of the inmates were sick when admitted, approximately 25 percent of those committed to the Almshouse would die there.⁷⁹ But without the intercession of the Overseers of the Poor, there surely would have been a great deal more “unpleasantness” in the alleys, streets, wharves, and tenements of Boston.⁸⁰

Jonathan Loring Austin did not send the numbers into the Almshouse as did Royall Tyler in the 1760s or Edward Proctor in the 1780s or Stephen Gorham in the 1790s. He did not deal with as many outdoor poor as did Samuel Whitwell in the 1770s, because his wards, 8 and 9, were historically less needful than most of the others. But he was as dutiful as any other Overseer and stayed for nearly twenty years in a position that clearly suited his temperament and values. He surely did not force himself to stay on for so long. A sense of civic duty alone could not have kept him in the office for so long, and it might reasonably be inferred that he stayed on in part because of a personal rather than functional sense of responsibility, and a personal rapport with the needy in his ambit, in a way that cannot be documented. We can be sure that he cared for the unfortunate and helped correct the wayward not for pay nor profit nor professional gratification (certainly he was no “social worker”). Even from the distance of two centuries we can at least imagine that he did it out of compassion for the needy and a cultivated pride in the standards of duty and self-interest of his class and background. By keeping the streets clear of the idle poor and caring for the needy, Austin fulfilled a moral as well as a practical obligation. He might have done his civic duty in another way, but he chose to be an Overseer.⁸¹

The Austins were members of Boston's economic and social upper rank, a trans-generational class that dominated the merchant world, Harvard, and the political culture at the local and provincial (and later state) level. The 1771 Massachusetts Valuation lists twenty-four past and present Overseers. Of those, twenty-one were among Boston's wealthiest 10 percent, and the other three were in the top 20 percent.⁸² It is worth remembering too that offices such as the Selectmen's and Overseers' were both

The Overseers and their functions



political and bureaucratic; the former more political than the latter, perhaps, but every bit as clerical. During the Revolution, Boston's civic officials, including the Overseers, were overwhelmingly patriotic, in a way that reflects the intersection of mercantile interest and town politics. Indeed, on August 19, 1775 after the outbreak of war in Massachusetts, the Overseers offered a safe refuge to 16 people "Received...not as Subjects of the House but with the Poor of the House." On December 4 of that year 21 refugees "from Point Shirley" were admitted as a single group. Other large groups were housed by the Overseers as the military crisis in Massachusetts deepened. While the Overseers were manifesting their support for the cause, so too, it seems, were some Almshouse inmates. In a clear display of revolutionary sentiment, "Mary Vose & her Six Children three of them at Birth named Hancock Washington & Lee" were admitted on April 30, 1777.

While there is no accurate way to measure the amount of time in a week or a month that a Selectman or an Overseer might spend in the position, the records indicate that Overseers were always "on call." Contrary to Shipton's remark on the office being unpleasant, Daniel Oliver, who served as an Overseer for 16 years in the early eighteenth-century was said to have found "no Employment in which he took more pleasure than in being Overseer of the Poor.... The meanest was not beneath his Notice [and he] doubtless bestowed numberless Charities of his own upon them, which God and his Angels have only seen." Even if we look past this paean to Oliver to see his self interest, there was very likely genuine care in his approach to the office, and the eulogist's lyricism does suggest that, as much as it hints at exaggeration. Oliver had attempted to relieve some of the problems of tax relief with a for-profit spinning school, which he later bequeathed to the town poor, but he had become an Overseer late in life after having served as a Selectman earlier in the century. His progeny maintained the obligations of his class, and his son Andrew spent 17 years as an Overseer. Andrew later became Lieutenant Governor of Massachusetts and died at the height of the imperial crisis in 1774. Peter, his brother, was Chief Justice of Massachusetts and became a Loyalist refugee in 1776.⁸³

Although all Overseers, as a class, did not fit the Oliver example precisely, a certain amount of personal financial security was necessary for anyone considering the office; for some Overseers, several hours a week were required simply to deliver outdoor relief.⁸⁴ For some Overseers, at certain times, that might expand into a near daily chore. In addition, over short periods Overseers "sent in" or "discharged" as many as one person a day, attended all Town Meetings, met regularly with constables, Selectmen, and the Town Treasurer, patrolled their wards, attended to the supervision of the Almshouse, Workhouse, and Pesthouse, and met together as often as weekly to deal with their collective affairs. As noted earlier, it was customary for the major part of the town government, including all the Selectmen, all the Justices of the Peace, the constables, and many others, to spend a day at least once a year "inspecting the town" by ward. As many as one hundred officials were divided into twelve groups and took part in this ceremonial but also practical display of management. Each party was led by the respective Overseer for the ward.⁸⁵

The Overseers and their functions



Overseers were in their time the very antithesis of the ward “bosses” of the Gilded Age. Yet they wielded considerable authority simply by being responsible for public health and social order, even if they were not necessarily resident in their assigned wards. As assiduous as they were in their routine service to the town and to their constituents, perhaps the most striking characteristic of the Overseers was the length of time they spent in service. Jonathan Austin’s eighteen years of service was not at all unusual. Between 1690/1, when the first Overseers were chosen, and 1805, a total of 141 serving Overseers are identified in the records. For several years in the 1690s no record exists to show how, or if, Overseers were chosen, and either the town did without them or, more likely, the incumbents were simply continued without notice of reelection by the Town Meeting. After 1700 the records are complete.⁸⁶

Given that twelve Overseers were “chosen” each year after 1734/35, and that earlier as few as four and as many as twelve had served annually, the fact that only 141 Overseers served over the course of a century is a remarkable testament to individual continuity. For the entire period the average length of service was slightly more than eight years. But the average jumps to eleven and a half years for Overseers whose first appointment occurred after the twelve-ward system was introduced in 1735/36, when Overseers were assigned to a specific ward for the duration of their appointments.⁸⁷ From that point forward, the normal length of service grows, and of the forty-eight Overseers chosen for the first time after 1736 and before 1785, nearly half (twenty-three) served for at least ten years, and of those, thirteen served for at least twenty years. The longest-serving Overseer on record in this period was Edward Proctor with thirty-five years of service after 1775. William Phillips Jr., chosen for the first time in 1788, served for thirty-four years, and William Smith (1788) and Redford Webster (1796) each served for twenty-eight years. Jonathan Mason was an Overseer for seven years after 1760 and then returned in 1775 for another twenty-one years. John Sweetser (1776) was another long-term Overseer through a very fluid period and served twenty-six terms. Only two Overseers from the first half of the century matched those records: John Ruck, for twenty-eight years after 1706/7, and Jacob Wendell, first chosen in 1728/9, for twenty-seven years. Another remarkable feature of the Overseers as a trans-generational group was the number of families who provided multiple members to the office (see appendix 6). In the first few decades after 1690 the turnover each year was quite large. Many who were “chosen” simply refused to take the office. Those rates of turnover do not appear again until the 1820s when it is clear that the Overseers became more like clerks, as they had been in the 1690s, than managers. It appears that the Overseers were chosen by the Selectmen up to 1708 but were thereafter chosen by the Town Meeting. This had the effect of elevating the status of the office in that the Overseers were elected in much the same way as were the Selectmen themselves. Before 1708, the Selectmen had chosen the Overseers but had also hired the Almshouse “keeper” or “master.” After 1708 the Overseers hired, or “appointed” as they put it, the keepers, clerks, doctors and ministers for the Almshouse. What is of further note here is the way in which the merchant-dominated Selectmen and Overseers offices

The Overseers and their functions



represent a civic dimension of a class identity or role that included charity as well as economic and social success.⁸⁸

The Overseers' durability corresponds to the long service of other officials such as Selectmen, Town Clerks, and Town Treasurers. Among the latter, David Jeffries served for twenty years and in effect managed the finances of the town through some of the most dynamic events in Boston's history and during the most economically strained decades of the eighteenth century. Every Overseer in the period between the Treaty of Paris of 1763 and the Treaty of Paris of 1783 was under the intense scrutiny of Jeffries, who was at times the most influential public official in town government. Jeffries, in some ways, was the quintessential custodian of public welfare as well as being in charge of the town's total finances. As tough as he was on financial matters, Jeffries shared the Overseers' concerns for the poor. When he died, in 1785, he was hardly well off, but he made the following allowance in his will: he left the Town of Boston two hundred acres of land in Maine and marked the proceeds of the land to be used "annually and for ever" as Shipton says, quoting from the will, "to purchase Tea, Coffee, Chocolate and Sugar for the refreshment of those Persons who in the providence of God are or shall be reduced and obliged to take Shelter in the Alms House after having lived reputably, the Overseers of the Poor to be Judges as to the Persons, but always giving preference to the pious Poor."⁸⁹

Jeffries's thirty-one years of contact with the Overseers as Town Treasurer was matched by long-serving Selectmen such as John Scollay and Ezekiel Price, who shared a continuous relationship with the Overseers that underlines the closed and paternalistic nature of Boston's civic politics before the advent of municipal and electoral reform in 1822.⁹⁰ By the middle of the eighteenth century, of an eligible voting population of more than two thousand, the Boston Town Meeting could accommodate perhaps three hundred male polls. The "choosing" or "appointing" of officials to positions of power was the prerogative of the Town Meeting under provincial and later state authority and allowed for the most intimate and personalized "selection" of officials. In a way, the Boston Overseers of the Poor as well as the Selectmen chose themselves. What this meant for the poor and needy, and the criminal and infirm, was that they were supervised and relieved by a continuing body of Overseers who were not so much interested in political office for aggrandizement as they were committed to peace, order, and charity, on the basis of their familiarity with need and their conservative approach to relief.⁹¹

There are at least two reasons why Overseers' tenures became longer after mid-century. In the first place, profound changes marked the larger political, social, and economic world of Boston and its public welfare system. In 1735, when the Workhouse was proposed to remove the undeserving poor from the Almshouse, Boston was a thriving colonial administrative outpost in the empire, a major port in the Atlantic trading world, and the region's cultural and political hub. It was a tight-knit community of long-resident leading families whose world, for all its enterprise and assumptions, was "provincial" in the fullest sense of the word.⁹² By the 1790s Massachusetts had endured three major wars in the eighteenth century, including one that

The Overseers and their functions



reached into Boston itself, and had ridden an economic roller coaster that had begun in the 1740s and had resulted in a stagnant or shrinking and always uncertain tax base and no population growth for half a century. Of course, by the 1790s Massachusetts was a constitutionally different place from what it could have imagined itself becoming in 1735. For all that, and perhaps because of it, the Overseers tended to stay longer in their positions and represented a thread of tradition and civic intimacy through a period of turmoil, depression, and reconstruction. War was accompanied or followed by pestilence, too, in the shape of three serious smallpox epidemics, as well as military evacuations and a flux of refugees. Transiency itself certainly increased as a matter of routine, as the Massachusetts population rose faster than its small local economies could handle.⁹³ In fact, after the 1760s, the majority of the Overseers' subjects were regional rather than local (that is, Bostonian) in a way that brought Overseers and Selectmen together more often than ever in the past. The increased tenure of Overseers mirrored an increase in responsibility. By contrast, the Overseers of the Poor in Philadelphia served on average for only a year, at least into the Revolutionary period. The term "overseer of the poor" clearly had different meanings in different places and at different times. The authority and independence of the Overseers in Philadelphia for example were limited by a variety of private committees who controlled monies and policy. It is therefore a bit difficult to compare the institutional approaches to poverty of communities as diverse in history and social composition as Boston, Philadelphia and New York. The cultural and demographic homogeneity of the former certainly was not present in either New York or Philadelphia in the eighteenth century.⁹⁴

At the same time and in the same way, the expansion of the ward system in 1735, from eight to twelve, and the fixed appointment of an Overseer to each ward roughly coincided with the important opening of the freestanding Workhouse in 1738/39. Both events expanded the role of the Overseers and required more commitment and more of their time and out-of-pocket expense. Now they began to deal with residents and transients in neighborhood settings and had added to their mandate the management and operation of a brand-new and separate facility for the dissolute idle. The era of extended Overseers' service had begun, and men such as Andrew Oliver, Samuel Whitwell, Edward Proctor, and others began to serve routinely for decades at a time, in increasingly personalized ways. Edward Proctor illustrates the potential scale of the Overseers' personal neighborhood interventions. Between March 1786 and March 1787, Proctor sent over sixty people into the Almshouse. That number constituted some 43 percent of all persons sent by all the Overseers to the Almshouse that year and cannot be seen as typical. Nor would all of those admissions be from his North End waterfront Ward 2. He likely attached his name to admissions from other wards. In other years, other Overseers' orders from other wards would dominate the statistics. But the point is that Proctor personally knew a substantial number of those sixty people he sent in because they were residents of his ward. He would also have been required to at least meet those people who did not reside in his ward. A formality did exist in admissions, as Overseers were required to attest to the individual circumstances of each Almshouse admission before they signed the orders for admis-

The Overseers and their functions



sion. All Overseers knew or came to know their “charges.” Proctor left no account of the recipients of his outdoor relief disbursements, but his claims on the treasury suggest that he dealt with substantial numbers.⁹⁵

The surviving official records of the Overseers do not show either the frequency of outdoor relief or the names or even numbers of recipients, and it is unlikely that they were ever kept. Any estimates are based on random sources, mostly incomplete financial records that cover only a part of the eighteenth century. But outdoor relief was central to the Overseers’ roles, and a major bone of contention, along with indoor charity (the Almshouse), for the early nineteenth-century critics.⁹⁶ Overseers distributed mostly small sums of cash and varying amounts of wood for household fuel in their neighborhoods. Occasionally, funerals were paid for and some education for the poor was supported by payment to teachers by the Overseers. Each year Overseers submitted their out-of-pocket expenses for outdoor relief to the Town Treasurer. It is not always clear from the records that the Overseers always received full compensation, and evidence suggests some imbalance between submissions and repayment; we can infer that at least some Overseers were always out of pocket. In any case, although financial records exist only for the 1738 to 1769 period, we can be sure that the Overseers made records of every financial transaction within their mandate.⁹⁷ It would be useful, at the least, to know how they handled the wartime economy of the 1770s, and especially at the end of the war in 1782, when the Boston treasury became empty, David Jeffries resigned, and the Overseers fed and clothed the poor in the Almshouse, Workhouse, and “out of doors.”⁹⁸ In an earlier example of the Overseers’ close relationship to the poor, a private petition in 1753 requested that the Town Meeting post for public view all the recipients of relief. The petition was initially approved but the Overseers succeeded in having the vote rescinded. While the names of those getting relief in or out of doors were in the record, they would not be published in newspapers or elsewhere.⁹⁹ Even the financial records that exist can be read in a variety of ways; at times the Overseers’ aggregate accounts do not match figures found in the *Boston Records*, for example, and precise budgets are difficult to establish. Still, the figures do suggest that in the 1760s costs for relief averaged in the range of some two thousand to twenty-five hundred pounds per year. That included some Almshouse expenditures for ill, infirm, and disturbed public charges in the Workhouse; the shortfall in debits and credits in the Workhouse; and all Almshouse and outdoor disbursements. Of the total, some 15 percent was charged to the province for the non-Boston residents under the Overseers’ care.¹⁰⁰ Costs rose dramatically during and after the Revolutionary War as the numbers of state (province) poor and their lengths of stay increased as a percentage of the whole. Of the remainder of the budget, which was the responsibility of the town treasury, some 15 to 20 percent was claimed by individual Overseers for out-of-pocket expenses that ran as high as eighty and ninety pounds in some wards in some years. While there were as many as three hundred recipients of outdoor relief in some years, their impact on the poor relief budget was not great because most were on short-term and partial relief. It was the Almshouse that used up the poor relief budget. There were never more than a few

The Overseers and their functions



outdoor poor on full-time support, in contrast to the 120 to 200 or more persons who were in the Almshouse at any given time during most of the period. The existing financial figures are quite emphatic in that regard and are supported by the Overseers' personal financial accounts, such as exist.¹⁰¹

Samuel Whitwell, an Overseer from 1769 to 1790, spent all but two of those years in charge of Ward 10, which was south of Long Wharf in the area of Fort Hill, with extensive waterfront habitation. The wards that Whitwell served (2, 10, and 12) each had populations somewhat larger than the average, which was about twelve hundred, in perhaps two hundred families, in the early 1770s.¹⁰² Even if his account contains no commentary or observation, it nevertheless affords us a sketchy idea of the process of poor relief away from the Almshouse. His numbers are quite astonishing in what they reveal of the tireless work of a ward Overseer. In the fiscal year following March 1769, for example, Whitwell disbursed £64-12-8 1/2 out of his own funds, for which he sought repayment with interest from the Town Treasurer. In that same year Whitwell recorded 322 transactions for 59 separate individuals. Some 203 of the payments were made in cash, usually in sums ranging from two to six shillings each; the other 119 disbursements were for wood for fuel. In fact, the vast majority of grants in the winter months were for wood. In the warmer months grants were usually for small sums of cash, likely for food. Here and there the cash was assigned to specific purposes such as "paid John Cades for Mrs Flemmings funerall"; "schooling 4 poor Children 3 mo[nths] @ 2/- [two shillings] per week" (in May 1770); "digging Wells at Workhouse"; "to buy a spinning wheel"; support for "a free negro"; "for keeping a bastard child." He even paid someone three shillings "for crying that the Workhouse Windows were broke." Although Whitwell spent more money in 1771 and again in 1778, he tended to more people in 1769. In all there are 1,750 entries regarding more than 230 separate claims (names) in Whitwell's book—truly remarkable figures, when the sequence of those entries are considered. Most of them occurred prior to 1778, and over half of them, indeed, were made before the end of 1775, which is another reminder of the impact of the wartime evacuation of Boston.¹⁰³

When much of Boston's population emigrated to safety in that period and only slowly returned by the early 1780s, outdoor relief declined rapidly and deeply. Contrast, for example, the 322 entries of 1769 with the 8 in 1780 and the 9 in 1781 (as many as 60 recipients to as few as 4).¹⁰⁴ That does not indicate an amelioration of poverty or need, however, but rather reflects that Boston's population had reached its eighteenth-century nadir then, and with no public funds available, the poor of Boston either went elsewhere or in some cases simply fended for themselves. Overseers continued to send large numbers of needy into the Almshouse in this period and were likely more concerned with feeding the completely dependent inmates than with trying to relieve a few outdoor claimants. What Whitwell's accounts tell us, above all, is that the ward system engaged the individual Overseers in dozens of personalized transactions of something very much like public charity under the patronage of the town's economic and social elite. It was very much a complement to the Almshouse in that help was given in a spirit of charity.

The Overseers and their functions



In some respects the most intimate of the Overseers' human relations was the binding out of orphans and neglected or abandoned children and youth. Children were "bound out" by formal indenture into apprenticeships, farm labor, or domestic service. The latter was clearly the fate of just about all the female children who ended up as indentures. The role of the Overseers in these cases was as surrogate parents. While English common law and Massachusetts statute did not require bound servants to be educated, parents and in many cases the Overseers, did require training (education) in the indenture, so that domestic service might have been formalized as "housewifery," a skilled status. The majority of bound children were indentured from the Almshouse rather than directly from home, often after they had been removed from unsuitable homes under laws that made Overseers the guardians of children who were abused or neglected or abandoned. Overseers were in fact obliged to act on their own to protect children under the various amendments to the 1692 act. They could remove children from homes or conditions when they judged the atmosphere to be immoral or indecent. Moreover, the residue of Puritan communalism insisted on the proper "citizenship" rituals of youth, which included scriptural and secular literacy and an understanding of what might be called civics. Overseers, in the wards, could make the proper legal recommendation for the removal of a child on any number of grounds.¹⁰⁵ Also, parents who wanted their children brought up or taught or trained outside the home volunteered their children for indentures. In a minority of cases, children came into the Almshouse, usually with a single woman, and were then indentured.

While the Overseers had great latitude under the law to make subjective decisions regarding the binding out of minors, they were under an equal or greater restraint to nurture. Overseers went to great lengths to ensure the security and prospects of their charges. In a procedure that occurred many hundreds of times in the second half of the eighteenth century, Boston's Overseers of the Poor reviewed the suitability of masters and mistresses in taking indentures for up to fifteen years in some cases. Normally, any person to whom any child was being bound was required to provide character references witnessed by the most senior local officials. An example from Bridgewater from 1739 gives a good sense of procedure for an out-of-town application to have a Boston child indentured:

Bridgewater November the 2d 1739

To the Honorable the Selectmen or overseers of the Town of Boston, these are to recommend Samuel Donbar and his wife as persons capable to bring up a child or children to any coman learning necessary to qualify them if naturally capable thereof to get a comfortable living in the world as witness our hand

Josiah Edson

Ephraim Toby

Recompense Cary

} *Selectmen of Bridgewater*

The Overseers and their functions



The records indicate that the applicant, Donbar, was accepted as a suitable master by the Boston Overseers in 1739.¹⁰⁶

At the other end of the period there is a sharp example of how well the procedures were being followed. In a letter to the Selectmen of Eden, Maine, the Boston Overseer Jonathan Austin wrote, on April 18, 1797:

Sir

It is unusual to bind children from the Almshouse without a certificate from the Selectmen of the Town recommending the Person to whom they are to be bound, but if Mr Smallige will obligate himself to bring such a certificate within three Weeks, & the Parents of the Child consent to the Boys going with him; upon these conditions I have no objection to have the Indenture [filled?] up and signed by him, the indenture on the part of the Overseers to be delivered when ever he sends the Certificate from the Selectmen [of Eden].

*Your hum[ble] Serv't
J. L. Austin, Overseer*

The records confirm this indenture for Henry P. Clark, to learn “husbandry” on a Maine farm. It is clear that although the boy was in the Almshouse at the time of the indenture, his mother’s permission was still required.¹⁰⁷

The Overseers maintained that authority into the nineteenth century and retained an interest, and indeed a stake, in the welfare and fate of anyone they had indentured. The following letter was found attached to the original indenture of December 26, 1797, of Sophia Ridgeway.

Messers Gentlemen Overseers of the Town of Boston in the County of Suffolk,

We the Subscribers Selectmen of the Town of Walpole would inform you that one Sophia Ridgway [sic] a Molato Garle was placed to Doc[tor] Jonathan Wild of said Walpole as an apprentice [most likely a house servant] till she should arrive to the age of Eighteen years which term was completed the Sixth day of December last, we would further inform you that for about Seven years past She has been in a great degree deprived of her Sight and hearing, the cause we know not, the medical assistance has been administered as much as was thought proper, and by information and our own observation it has not been in the power of humane wisdom to quallifier her with Such learning as your Indentures mention. We would Query whether it would be best under her circumstances and age to let her loose among the Tawny tribe, but we trust that you in your wisdom will be able to determine that matter—

*We are with all proper respect
your most Obedient Serv'ts
Ichabod Clap
Daniel Kingsbury
Sam'l Hartshorn*

Selectmen of Walpole

The Overseers and their functions



The reference to casting out the “garle” to join the “Tawny tribe” or returning her to the Overseers’ care is of particular note here. Neither Sophia Ridgeway’s master nor the town officials of Walpole felt much obligation to care for this nearly blind and deaf “molatto” girl who, most likely, was barely literate if at all. It is unlikely that Doctor Wild had taken her in as a charity case in the first place, and he probably felt that her infirmities were the responsibility of the Boston Overseers, who retained ultimate responsibility for her health and comfort.¹⁰⁸

These kinds of communications were repeated many hundreds of times in the eighteenth century. The manuscript indentures for about 1,100 children and youth in public care have survived, and their editor Lawrence Towner estimates that another 300 or so have been lost for the 1734 to 1800 period. There is no way of estimating how many children were indentured in that way by the Overseers of the Poor between the 1690s and the middle decades of the eighteenth century, but certainly the numbers should conform closely to the ratios of the 1740s and 1750s. During the period from 1756 to 1773 the Overseers kept precise lists and recorded the names, lengths of service, destinations, and masters or mistresses of 470 indentures in simple entry form. For the same period, Towner found only 397 indentures that match the Overseers’ lists. He also found about 25 indentures not recorded by the Overseers. These figures confirm Towner’s estimate that about 25 percent more orphans were indentured than the surviving records show. The indentures themselves ended up as part of the Town Records, and it appears that most of the lists kept by the Overseers have been lost. On a related matter, it might be noted that very few “private” indentures survive. It is likely that at the end of most private service indentures or apprenticeships the indenture forms were destroyed or discarded. The fact that so many Overseers indentures do survive reflects the official need to retain records. The Overseers indentures were similar to the many thousands of private and presumed lost Massachusetts indentures in terms of occupation, age, gender or length of service or contract.¹⁰⁹

Perhaps the best way to think of the “binding out” to service or labor, in the social structure of Massachusetts, is to view it as an integral part of the regional labor economy on the one hand and as a form of social and moral communalism on the other. Formal apprenticeship indentures were also part of that socio-economic system. The rich practicality of the system is perhaps best illustrated by the experience of the Overseers’ most famous indentured poor law apprentice, Isaiah Thomas, the son of a poor widow. Thomas was bound out for thirteen years as an apprentice printer to Zachariah Fowle of Boston and afterward became the greatest New England publisher of the age and America’s leading historian of printing.¹¹⁰ What is less familiar in Thomas’s history is that he went back into the system that had nurtured him and in 1771 took Anthony Haswell for six years as an indentured apprentice from the Overseers. There is very likely no coincidence here, and certainly no irony. Isaiah Thomas fully understood the obligations of his station, his debt to the community, and the practicality of nurturing the needy.

The system of binding out was a complex one in strictly bureaucratic and legal

The Overseers and their functions



terms, involving as it did Overseers, Selectmen, and Justices of the Peace in addition to the child, his or her parents, and the master or mistress in the indenture agreement. But the principal public officials involved in the process were the Overseers. In another way, however, the system was simply a deeply held cultural remnant from an earlier Massachusetts, and an even earlier English idea that children were the wards of the whole community and were valuable assets, in the present and for the future. We do well to remember that there was no “orphanage,” and the notion of sequestering children in a specialized asylum would have been alien to the values of eighteenth-century Overseers, who knew the children they indentured and sought to expose them to the experience of the wider community and culture as much as maintain them within a conventional family setting. They were closer to them than any other public authority, and while Almshouse keepers, inmates, and ultimately a master or a mistress served *in loco parentis*, it was the Overseers who vouchsafed the child’s welfare.¹¹¹

The old Settlement Laws of Massachusetts were revised a bit in 1793 but essentially retained their original intent. They remained the most effective means of keeping order in the towns of Massachusetts.¹¹² The history of residency rights is one of the great seams that runs through Massachusetts’s institutional history from its English precedents and the apogee of the Puritan commonwealth to the public commonwealth of the nineteenth century. The origins of “warning out” in Massachusetts are found in the original land distribution patterns that tied occupation of land and congregational membership to a “right” to residency in the towns of the colony. The practice evolved into more ad hoc settlement criteria that were based mostly on fears that allowing “strangers” to settle who might be or become a public welfare liability. The prospects of having to “entertain” at public expense the infirm and poor led in the seventeenth century to a custom of first warning out those who could not satisfy the Selectmen by guaranteeing their own solvency or by securing a notable sponsor. This form of transient and immigration control was finally formalized in Massachusetts by the sweeping act of 1692 that among other things created the office of the Overseers of the Poor and defined its functions. That act secularized the remnants of the congregational specifications for residency and remained the mechanism for removal of “warned” migrants into the nineteenth century. There is some debate as to when “warning out” formally ended, but it appears that the practice began to diminish if not cease after the 1793 act¹¹³ even while the right to remove unwanted migrants remained under the modified residency requirements of the 1793 act. The residual “vagrancy” laws of twentieth-century American communities hark back to a notion of “legal residence.”

In fact, warning out was only the second stage of a three-stage procedure for removing nonresidents (those without the right of “settlement”) from Boston or any other town in Massachusetts. The first stage required the host of any stranger to notify the town. The second involved a formal warning, issued by an appointed agent of the Town Meeting and responsible to the Selectmen. The third stage was the physical removal of any warned persons who had not departed after the warning. That part of the process required the application of the Selectmen and the legal writ

The Overseers and their functions



of two justices. In a strictly legal and clerical sense, warning out was not normally a concern of the Overseers. As the following excerpt from the published Selectmen's minutes of 1765 shows, the actual warning out of "strangers" was not even done by the Overseers, but by contracted individuals who were paid a bounty for each person warned out.

The Selectmen this Day agreed with Messrs John Sweetser, Robert Love and Cornelius Thayer, the three Persons appointed to warn Strangers to depart this Town that there shall be paid to them the Sum of Fifty three Pounds six shillings and eight pence lawful Money, for a Years service which is to commence from the date hereof; said Sum to be shared and divided in proportion to the Number of Persons each have warned, for which Caution shall have been entered by them, and a Copy of their Return to the Clerk of the Sessions given in to the Selectmen every Month—their pay to be drawn for quarterly if desired.¹¹⁴

The Robert Love mentioned in the foregoing appointment kept a very good record of his activities. His account book at the MHS illustrates the scale of transiency in Boston. For example, over a nineteen-month period in 1765 and 1766 over 400 people were warned out, at an average rate of 20 a month. Love does not explain the precise reasons for his warnings but does offer a clear example of procedure. From October 14, 1765:

John Rankin Last from providance By Land his Wifes name is Margret Came to Town the Last Day of Last August Lodged first att Mr Mortons At the Sign of the White Horse att present in a Chamber att the South End Warned in his Majestys Name to Depart this Town of Boston in 14 Days.¹¹⁵

If John Rankin's status was determined ultimately because of his financial condition, the Overseer who provided him with relief might have informed Love, or the Selectmen. As the senior civic officials in the dense but compact wards of Boston the Overseers often identified "strangers," and it was the Overseers who appear to have kept the lists of the names of the "warned," so that if an appeal for alms or outdoor relief was made by a person or family that had been warned out, the Overseers would have a record of that warning and would apply a charge to the senior Massachusetts government or to the original settlement location of the warned person. In short, warning out had a serious budgetary rationale; it allowed Overseers to identify those poor and needy who were entitled to relief as Bostonians because of birth, marriage, contract, or permission to settle. Several partial lists exist for various periods between 1745 and 1792, but the record is incomplete. Moreover, the lists of names, which also give original domiciles, indicate the fate of only a handful of those warned, and it is not at all evident in the lists who actually left or were removed from Boston after being warned. Occasionally the entry for a warned person or family notes that those warned had been "carried" to another town, indicating some forcible removals.

The Overseers and their functions



Strangers were likely warned out for minor criminal behavior, drunkenness, prostitution, Sabbath-breaking, public cursing or disorder.¹¹⁶ What is more important is that only a few of those who were warned out were identified as poor or otherwise proper subjects of the Overseers' mandate. Indeed, what is one to make of the warning out of Sir John Anthony of Mt. Royal (Montreal?) and of a fifth-generation John Winthrop Esquire of Cambridge and five of his family in 1792? Still, there were poor and sick persons among the throngs who moved through Boston after mid-century. Those are indicated in the numbers of Almshouse admissions charged to the province or state, which ran as high as 140 a year in the early 1790s, in mostly short-term stays, and as low as 15 a year in the late 1770s. But the number of those identified as poor or lame or widowed or ill and then warned out is very low indeed and amounted to fewer than 5 percent of the total. There is some evidence that some transient poor or ill were warned but were cared for under the Overseers' mandate. Or it might be that the poor and infirm did not move into Boston in large numbers in the first place. The Selectmen who had initial contact with out-of-town applicants for poor relief dealt with between fifteen and twenty appeals each year in the 1760s from needy transients. Perhaps the identification of transient poor in the pre-1770 warning out lists was entered only sporadically or whimsically. There are few economic or health distinctions made in the surviving lists beyond 1770, and it might be supposed from the absence of comment that no poor or sick people were warned out after that date.¹¹⁷

In any case, the authority to warn out lay with the Selectmen under Massachusetts provincial and later state law, and the authority to remove lay with the court. The Overseers' role was to correlate the names of poor relief claimants with the lists of warned migrants to determine financial responsibility. A summary of the document lists in the Overseers records indicates by extrapolation the scale of migration into Boston for most of the second half of the eighteenth century. Also, the summaries speak volumes about the social and geographical range of the migrants; perhaps the most striking statistic is the overwhelming preponderance of Massachusetts migrants among those who were warned out of Boston in the eighteenth century. There is nothing really surprising in that fact, but it serves to underline the appeal of Boston, despite its economic hardships, prior to the 1790s, to the restless thousands in the region around the town.¹¹⁸ The fifty-mile arc around Boston was the source of the majority of all the persons warned out. Any consideration of warning out practices in New England must be careful to see the practice as variable from place to place and over time. A recent history of Rhode Island's experiences and standards in the second half of the eighteenth-century focuses on poverty as a dominant characteristic of migrants and notes a rise and then a decline in transiency in the 1780s and 1790s. Neither of those features would fit the warning out statistics for Boston. Moreover, the volume of warnings out of the Boston magnet shows a concentration and scale of transience that is absent in the Rhode Island figures.¹¹⁹

The Boston Overseers records include only three sets of surviving records. The first covers over two decades from 1745 to 1770 inclusive. The other two deal with very short periods, from 1771–1772 and 1791–1792 respectively.¹²⁰ The 1745–1770

The Overseers and their functions



list is organized alphabetically and was clearly compiled some time after 1770. As it is, the list is misleading in its chronology, and nearly 90 percent of its entries are from the 1756 to 1770 period, with the majority occurring in the 1760s.¹²¹ In addition, while regional transience increased in the wake of King George's War and the French and Indian War, the most plausible reason for the upsurge in recorded cases is the bonus system of reporting that was announced in 1765. The incentive of being paid for every person warned out would inspire alacrity and volume.¹²² The figures for the later part of the 1745–70 lists represent a trend in residency and migration patterns that corresponds to other evidence of transiency in the middle of the century. As many as six thousand persons may have been warned out of Boston between 1750 and 1770.

The first impression made by the statistics from 1771–1772 and 1791–1792 is the enormous leap in numbers of warnings between those decades. The numbers increased more than two and a half times. The only way to compare the gross figures of 1771 and 1791 with the figures from the late 1760s is to guess, because part of the 1771 record is missing. The figures before 1770 indicate that the numbers of warnings issued in the period from 1765 to 1770 were about three hundred a year, close to the numbers we have and can estimate for 1771 and 1772. But in terms of volume, the figures for 1791–92 are impressive. There are several possible reasons for the huge volumes of the 1790s. One is that Boston was once more an attractive economic destination for migrants, and population had begun to increase rapidly. The broad economic changes occurring in New England agriculture had led to increases in regional relocation for many, and the numbers of New Englanders warned out of Boston in the 1790s reached nearly 73 percent of the total (in fact, Massachusetts migrants accounted for nearly 70 percent of the total, making the immediate Boston area the source for over two-thirds of all migrants). Thus the pressures on poor relief facilities and budgets made the Selectmen less sympathetic to out-of-town supplicants.

But here is where the warnings reveal an interesting characteristic of migration: very few of those warned out of Boston throughout the range of the data were identified as "poor" or in other ways infirm or impotent. In fact, the few entries that refer to condition suggest conscious attempts by the clerks to identify the needy. Another feature of the lists is the appearance throughout of very large families. It was not uncommon for families of five or more to be warned, and there are several examples of families of between eight and eleven members.¹²³ Still, about two-thirds of all warnings were issued to individuals, in a rough balance between the sexes. The Overseers' lists record the fact that there were generally very few deserving poor among the migrants, and no children alone.

As noted, the Overseers have left no personal written accounts or impressions of their activities, either individually or as an agency of government. There is scattered material in their remaining records for the eighteenth century that resembles minutes or reviews and reports to the Selectmen or the Town Meeting. The monthly meeting minutes of the Overseers from 1789 to the 1820s in the Boston Public Library are useful for confirming what we can infer from the rest of the record, but those minutes

The Overseers and their functions



are essentially straightforward bureaucratic notes and reveal nothing of the Overseers' sentiments, or philosophies. While the Town Records have hundreds of references to the Overseers, these are notes in the recorded minutes of and by the Town Meeting and the Selectmen. In the end we are left with mostly line entries in a number of collected record books that nevertheless reveal the ends of the Overseers' work, the care of the needy and the correction of the idle poor. By reading into their records we can at least breathe a little life into the otherwise silent custodians of public welfare in eighteenth-century Boston to let them say something about the way one privileged class cared for a less fortunate or less competent class. At the end of the day, perhaps the clearest statement of the eighteenth-century manuscripts of the Overseers is couched in a simple number: ten thousand. That is a conservative estimate of the number of needy who received relief from the Overseers, indoors and out of doors, in the period from the mid-1750s to the beginning of the nineteenth century.¹²⁴