

CHRISTOPHER FAWSETT

AGAINST THE INMATES: AN ASPECT OF POOR LAW ADMINISTRATION IN THE EARLY SEVENTEENTH CENTURY

BY
HELEN RAINE

MANY records of the Corporation of Wardens of the parish of St Saviour, Southwark,¹ have come down to us. Among these records are seven manuscripts which throw a most interesting light on one aspect of the local administration of the Poor Law at the beginning of the seventeenth century. The subject of all of them is the methods used in driving out newcomers to the parish who were likely to become chargeable to the poor rate.

The famous Elizabethan Poor Law legislation of 1597-1601 was described by the Webbs as 'drastic, direct, explicit in its commands and practically enforceable'. All classes of the poor were provided for, with appropriate treatment for each: work for the able-bodied, relief for the old and impotent and apprenticeship for poor children. To provide the necessary funds a compulsory levy was to be made on all occupiers in the parish, and the work was to be carried out by the vestry, acting through the churchwardens and special officers, to be known as overseers of the poor. Behind them stood the Justices of the Peace with penal and supervisory powers.

The administration of the Poor Law must have placed a very heavy burden on the parish officers whose services were unpaid and performed in their spare time. It also placed a burden on the parishioners as a whole – a financial one – and it is understandable that, right from the beginning, half a century before the Law of Settlement which legalised the removal of paupers to their native parishes, each parish was concerned to keep the poor rate as low as possible by excluding newcomers who were without means of support.

The vestry of St Saviour's was notably energetic and businesslike and was soon at work on the problem of newcomers, who were usually referred to as 'inmates'.² As early as March, 1604, we find this entry in the vestry minutes: 'That Saintes Allye is to be well viewed for Inmates'.³ In September, 1606, the vestry decided to appoint paid officers to seek out inmates

¹ The church of St Saviour became the cathedral of the newly formed diocese of Southwark in 1905. The records of the Corporation of Wardens have been deposited in the Greater London Record Office. The references listed are to the Catalogue of these archives.

² Inmate=lodger, but there were other newcomers who settled in 'divided houses', and even in new houses.

³ P/92/S 450.

It is ordered that Hugh Edwardes and James Milles shal be surveyore [*sic*] of Inmates for one yeare from Michealmas next and afterward if the house [the vestry] shall like of them, and they shall have xxs. apiece for the same yeare.⁴

When inmates had been found the policy of the Southwark vestry was to turn them out as soon as possible unless they could produce a 'surety' against becoming chargeable. A surety was a person of means, usually living within the parish, who was prepared to promise compensation to the parish if the family or individual concerned had to be helped from the poor rate. One assumes that such promises were made only when there was little probability that the people in question would become chargeable.

No record remains of the activities of Hugh Edwardes and James Milles, but not many years later we find a certain Christopher Fawsett (or Fawcet) performing this job, and the reports which he submitted to the vestry for the years 1619⁵ and 1622⁶ have survived. The first report contains brief accounts of twenty-seven cases dealt with by him, the second thirty-nine. Fawsett emphasises at the end of both reports that he has included only a small proportion of the cases handled. He ends his second report thus

These and many other things have I done this yeare to my great losse of time and hindrance, which to write down would be too tedious for you to reade and for me to sett downe, but by this you may see that I have had a care for your buyssines, but if you shall desire to see more I will show you more. And so rest, your dutifull servant to command,

Christopher Fawsett.

In spite of the arduous nature of his part-time job for the vestry (we know that he earned his living as a shoe-maker) he was clearly anxious to continue it.

The cases reported by Fawsett fall into four catergoies:

1. Families.
2. Women on their own.
3. Young children apart from their families.
4. Old people unable to work.

It is noticable that the reports do not include any cases of able-bodied men on their own. In thirty-six out of the sixty-six cases Fawsett gives the district or parish from which they came. They may be summarised as follows:

From London (i.e. the City)	5
„ 'the country'	10
„ 'the other side of London'	3
„ neighbouring parishes	18
	<hr/>
	36
	<hr/>

'The country' includes places as far distant as Lincolnshire and Suffolk. Neighbouring parishes include St George's and St Olave's. These two

⁴ *Ibid.*

⁵ P/92/S 1422.

⁶ P/92/S 1423.

parishes adjoined St Saviour's and between them provided fourteen of the cases whose place of origin is reported. It would be interesting to know why people moved into St Saviour's from the next parish. It is clear from Fawsett's reports that a fair proportion of them were old people, probably living as lodgers. If, for some reason, their lodging arrangements broke down and they had to look for somewhere else to live, it is quite understandable that they might cross the boundary into the next parish during their search. This would also apply to unsupported women, especially if they had children. It is more difficult to account for complete families moving from one parish to the next, though it is possible that some of them may have been trying to get into the city of London by stages.

Fawsett must have had his methods of getting to know of the arrival of inmates. He does not disclose what they were, but many of his accounts of individual cases begin: 'I, hearing that. . . was come from . . .',⁷ or 'Being given to understand that . . .'. Almost certainly the nature of his job was well known and there would be no lack of parishioners only too willing to tell him of newcomers. When dealing with families, Fawsett's next step was (with few exceptions) to inform the churchwardens. He either 'makes it known to the churchwardens' or 'warns them before the churchwardens'. When this happened, the head of the family was told that he must 'put in suerties'. He then either provided a surety and the family was allowed to remain, or he failed to produce one and the family had to go. An example of the first is Thomas Hakens. Fawsett reports:

I, understanding that Thomas Hakens, his wife and twoe children were now come out of London to dwell in the New Rentes, warnd them before the churchwardens and so causd him to putt in suerties to discharge the parish.

William Milwood was unable to find sureties.

William Milwood and his wife and two children, being come to dwell in Horsehead Alley, I made it knowne to the churchwardens and afterwards warnd them to putt in suerties, and not being able, for feare of other troubles, they left this parish and went to dwell in St George's and soe we were rid of them.

(One wonders what happened to them in St George's.) Once Fawsett reports that he went direct to a house in Fishmonger Alley, taking the constable with him. On arrival he told a man named William Prior (who, with his wife and two children had come from St George's) to put in sureties. He could not do so and the family left Southwark. On another occasion, after he had reported the case to the churchwardens, he went with the overseers of the poor and tackled both the inmate and his landlord, who promised that the family would depart by the next quarterday.

In his dealings with women who had no men to support them Fawsett was ruthless. He acted, almost always, on his own authority, and it may be assumed that the churchwardens were in full agreement with his stern handling of these cases. Most of the women were either pregnant or mothers of young children, and, as such would almost certainly become

⁷ P/92/S 450.

chargeable if allowed to remain. His method is shown by two cases, those of Margrett Younge and Elizabeth Rogers. Of the first he writes:

Having notice that Margrett Younge, greatte with child, was (as she said) brought from the parish of St George by the constables there, and sitting at Mr Paine's door at 10 of the clocke att night, I went presently and tooke a constable and had her carried backe to St George's and there left her and sett 2 watchmen to see that they brought her nott againe. And soe heard noe more of her.

Of the second:

Having heard that Elizabeth Rogers, greatte with child and in paine of Childbirth, coming from the other side of London and satt at the new Churchyard gate the 12th of March, went presently to her and with much adoe gott her over the bridge⁸ and soe heard no more of her.

The case of Elizabeth Winter is interesting because she is one of the only three cases in Fawsett's reports specifically referred to as a 'vagrant'. She was therefore subject to the heavy penalties against vagrancy written into the Poor Law, which included forceable removal from the parish.

Elizabeth Winter, being a vagrant in the Strete, fained herself madd and dumbe. Therefore I went and gott a constable and toke her child from her for feare she would murder it and put her in the cage⁹ a'll night and the next day, finding she was a dissembler, we had her punished¹⁰ and sent her by passe¹¹ to Suffolk where she said she was borne.

Very occasionally sureties were forthcoming for an unsupported woman as in the case of Dorothy Dudley, apparently a local girl who had been away and come back again.

Dorothie Dudley, being new come out of the country, was delivered of a manchild in William Priestman's house in the Christopher Yard the 9th of February. When I heard of it, I charged a constable with her and her father who brought her up and brought her to the churchwardens. Soe they putt in suerties to discharge the parishe.

Illegitimate children and children living apart from their parents put Fawsett to great trouble. He heard that a child had been born in the house of a certain Thomas Russell, to his wife's sister. He got the mother to confess the name of the father – John Clarke, a butcher in Eastcheap. The man was traced and, on the application of the overseers and Fawsett, a warrant for his arrest was issued by the Lord Mayor of London. On Clarke's appearance at the 'Sessions of the Poore' at the Guildhall, he was 'bounde with a suertie to discharge our parish of the child'. There was also the case of 'a strange child . . . nott above 3 monnethes old' who was being looked after by Widow Gray in the Green Dragon Yard.

She neither knew whose child it was, nor what his name was that delivered the child to her. But said that a shew-maker in Fleete Lane helpt her to it.

⁸ London Bridge, at that time the only bridge over the Thames.

⁹ The parish lock-up.

¹⁰ Whipped.

¹¹ A pass was an order, probably authorised by a local J.P., stating that the person in question was to be returned to the parish where he was born. In this case, a Southwark constable would escort Elizabeth Winter to the parish boundary and there hand her over, together with the pass, to a constable of the next parish, and so onwards, from parish to parish, until she reached her native place. It seems likely that this unwieldy process broke down long before the person being removed reached his destination.

Christopher Fawsett went with Widow Gray to the shoemaker, but he refused to say to whom the child belonged. The resourceful Fawsett thereupon told Widow Gray 'to leave the child at his doore and come away'. The shoemaker then capitulated and took them to St Andrew's parish, Holborn. The clerk of St Andrew's finally produced a certificate proving that the child was born there, 'and soe they kept the child'.

In his dealings with old people who, for reasons which will never be known to us, found their way into St Saviour's parish from other places, Fawsett was equally pitiless. As with unsupported women, he appears to have acted on his own initiative. When he heard that Annis Prettie was 'lying very sicke and lame in the streete, whoe lately came out of St Olave's parishe' he 'caused her to be sent back thither againe'. William Sandes, 'an old sicke man, nott able to stand or speake, being sett at Pepy Ally gate' was carried back to Kentstreet in Newington parish where 'he was lately a lodger'. Had William Sandes sustained a stroke, possibly caused by the effort of walking from Newington to Southwark? It was not unusual for people to die in the street. Many instances are given in the registers of burials of St Saviour's parish at this period.

The case of Annis Cowper, another old person, was not so straightforward as these two, probably because two J.P.'s were brought into it and each took the side of a different parish. Besides Fawsett's report on Annis, there are five other documents about her case, forming what might be called a 'case-paper'. These include two detailed and identical accounts, in different hands, of Annis Cowper's work-history and places of residence throughout her life, together with statements by witnesses about what happened to her in the brief period which she spent in St Saviour's parish;¹² another copy of the witnesses' statements;¹³ the actual pass used to authorise her removal from the parish;¹⁴ and an account of the decision of the local bench on liability for her maintenance.¹⁵ (The bench's decision is also recorded in a brief note at the end of the document recording witnesses' statements.) Fawsett tells us in his report that he heard that Annis Cowper was lodging in the house of a Widow Simons and that she admitted to being born in St Olave's parish. He told Widow Simons not to keep her, so she turned her out, and she was then sent by pass to St Olave's parish. But the churchwardens of St Olave's obtained a warrant from a J.P. to have her returned to Southwark. Thereupon the Southwark churchwardens obtained a warrant from another J.P. to have her sent back to St Olave's. The St Olave's churchwardens then brought the case before 'the Commishiners' (the local bench), where it was decided that the two parishes must share the cost of maintaining her.

The story of Annis Cowper's life, as given in the two longer reports mentioned above, is obviously based on an interrogation of Annis herself as a preliminary to the hearing by the local bench. They begin by giving her age – 'about 58 years' – which was old for those days. Her place of birth was Horseydown Lane in the parish of St Olave's and her father

¹² P/92/S 1419 and 1420.

¹³ P/92/S 1421.

¹⁴ P/92/S 1417.

¹⁵ P/92/S 1418.

was William Cowper, 'by trade an Embroderer'. William Cowper died 'whyle she was still young', and her mother remarried 'with one Shell, by trade a capper, with which father-in-law she dwelt till she was of the age of x or xii yeares olde'. She was then apprenticed to a capper of the same parish, William Giblett, with whom she served nine years. Annis then moved to work for another capper, named Wood, in Battlebridge (still within St Olave's parish), and remained there eleven years.

The trade of capping then decaying, she went into London and there dwelt with one Goodwife Cleere, a costardmonger, in Elbow Lane for twelve years.

On the death of Goodwife Cleere, she returned to St Olave's parish and found employment (domestic?) with a Dutchman 'by name Cornelious Rossendale, a luitstring maker', and she remained there six or seven years. His wife then died, he went overseas, 'and there her last service ended'. She was then about fifty years old. However, she found work as a 'Charewoman' and did this work in various parts of London

till some ii or iii years since, about what time she gott into the house of one Goodwife Goose, an Almeswoman of the foundation of the Salters, London, situate in Mugwellstreate.

In Lent, 1619, she moved into Southwark

into the house of a poore man, a poulter, in the Christopher yard, who, the sennight after her coming, ran away, his Rente unpaid to this daye.

(The witnesses' statements do not bear this out, and add some interesting details. They maintain that Annis Cowper was taken in by the poulter's wife who had only one eye, and 'did live by begging, and with Annis Cowper did daily begg together'. They add that, after about a month, the poulter turned Annis out.) The two reports go on to say that she was then taken in by a 'pore woman in the Christopher yard, one that liveth upon exhibicion /pension]. This was Fawsett's 'Widow Simons' and he now comes into the picture. When Annis Cowper had been four or five days with Widow Simons

the constable and other officers did espie her and her warnd away. In this time the pore woman put her forth, so that she lay in the streate till the constable willed her to take her in for iii or iv nights till she could provide for herself.

The constable was evidently a kinder person than Fawsett. Then follows the description of her expulsion to St Olave's, her return to Southwark on a warrant from a J.P., her removal once again to St Olave's on a warrant from another J.P. This process, undoubtedly very confusing and painful for the victim, is described as 'being tossed between the two parishes'.

The pass states that Annis Cowper 'was taken vagrant in the parish of St Saviour', and it was signed by the three Southwark constables, two of whom affixed small seals to the document. It appears to have been issued on the authority of the constables only.

The two accounts of the Justices' decision on liability for her maintenance report that the cost was to be shared equally between the two parishes (though one writer gives 9d and the other 12d as the share of each parish). Both mention that the decision is provisional until the case can be heard at the Quarter Sessions or by the Judges of Assize. There

is an indication that feelings had run high during the hearing; the writer of one account says:

Allegations and proofs of both sides having been considered of and the case being somewhat difficult . . . it was thought fitt and reasonable she should be provided for at the equal charge of both of the said parishes . . .

But, on the evidence which remains, the Justices' decision appears wrong. It is true that we have no record of the arguments produced by St Olave's in support of their case, but Annis Cowper's life history as given in the Southwark evidence bears the stamp of truth. According to that, she was born in St Olave's and had lived there for about thirty-nine of her sixty or so years. It is difficult to understand the grounds on which St Saviour's was made responsible for half Annis's weekly pension. No doubt, Fawsett and his employers were most dissatisfied with the decision, and worked hard to get it altered when it came before the higher court. But at least the old lady had her pension, to which her years of hard work gave her an undeniable claim.

Acknowledgment

The author would like to express gratitude to Miss Ida Darlington, Head Archivist to the Greater London Council until her retirement in July 1967. She suggested this subject for research and communicated her enthusiasm for everything to do with the records of St Saviour's, Southwark.