

Deceit, Deservingness, and Destitution:

Able-Bodied Widows and the New Poor Law

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Abstract

The death of a husband had adverse economic effects for the majority of Victorian women, but for working-class mothers the threat of destitution was an almost inevitable feature of widowhood. Widows, with some restrictions, were entitled to outdoor relief under the Poor Law Amendment Act (1834), and they comprised the largest group of adult paupers outside of the workhouse well into the early twentieth century, outnumbered only and always by their children. Able-bodied widows therefore presented crucial opportunities for poor law officials in the quest to minimise outdoor relief and make significant reductions in welfare spending. Focusing particularly on the 1830s, 1840s, and 1870s (the first decade of the so-called *crusade* against out-relief), this article examines the competing discourses of deservingness and deception that dominated the representations and treatment of able-bodied widows in poor law legislation, orders, reports, and parliamentary debates. An uneasy combination of sympathy and suspicion shaped officials' treatment of these women, rendering them ambiguous figures in the dominant dichotomy of the deserving and undeserving poor, potential drains on the economic prosperity of the state, threats to the nuclear family, and, by extension, a danger to the nation's moral core. These discourses, I suggest, reflect a wider ideological unease with and attempts to mitigate and police the widow's exceptional social status in Victorian Britain as a woman with sexual experience, potential economic independence, yet no male guardian.

1. Introduction

Sir Samuel Luke Fildes's *Applicants for Admission to a Casual Ward* (1874) shows a group of weary men, women, and children queuing in the cold outside a police station for tickets that will allow them temporary admission to the casual ward at the local workhouse. In the foreground walks a young widow, shrouded in black, accompanied by a tired and frightened-looking girl, too young to work, clinging tightly to her mother's side, dressed in clothes which barely shelter her against the elements, and threatened from behind by an angry dog. In one arm, she cradles an infant, in the hand of the other she holds the piece of paper that will afford her little family shelter for the night without having to become a permanent workhouse inmate. The widow, here, is a caring mother and a loyal wife. Her weeds mark her out as recently bereaved and worthy of sympathy by virtue of her loss. They also signal her respectability: despite her destitution, she adheres to the mourning rituals which represent her devotion to the memory of her late husband. Her eyes are fixed on her youngest child, who is wrapped tightly into her black shawl as she walks away from the police station. It is not only the respectable widow who finds herself in a vulnerable position but also her young, helpless children. The painting insinuates that, like the injured soldier, the old shabby-genteel man, and the family with four young children, the widow and her offspring should not have to face such conditions. Victorian literature and culture abounded with such sympathetic images of the impoverished widow. Earlier in the period, writers like Charles Dickens, Elizabeth Gaskell, and Elizabeth Tonna had rendered many a working-class widow a picture of simple but admirable resourcefulness, morality, and respectability in their social problem novels and beyond.¹ In its

¹ In Dickens's work, examples include Mrs Nubbles in *The Old Curiosity Shop* (1840), Mary Rudge in *Barnaby Rudge* (1841), Peggotty in *David Copperfield* (1849), and Betty Hidgen in *Our Mutual Friend* (1865), while Gaskell's *Mary Barton* (1848) features Mrs Davenport, and Charlotte Elizabeth Tonna presents us with Mrs Green in *Helen Fleetwood* (1841).

later decades, when scholars, social reformers, and politicians ‘started to overturn notions that poverty was caused by individual “sin” and “moral” failing’,² artists like Filde drew attention to the widow’s pleas in paintings that confronted their beholders with destitution, desperation, and scenes that highlighted the apparent moral dangers of leaving the widow and her children helpless and unprotected.³

For wives among the working classes the looming threat of destitution was indeed an almost inevitable and immediate feature of widowhood, especially as ‘poor women were more likely to be widowed with young children to support’.⁴ Having lost at best a significant portion of their household income and at worst the entirety of it, their only means of avoiding the workhouse were their own employment and their children’s employment, in combination with the charity of family, friends, the Church, and any assistance they could obtain from the parish. According to the Poor Law Amendment Act (1834), in most English and Welsh districts widows were entitled to outdoor relief for the first six months of their bereavement.⁵ That is, they were, technically, eligible for assistance in the form of money, medical services, food, coal, and clothes without having to enter the workhouse. As Julie-Marie Strange observes,

² Elizabeth T. Hurren, [2007] *Protesting about Pauperism: Poverty, Politics and Poor Relief in Late-Victorian England, 1870–1900* (Woodbridge: The Boydell Press, 2015), p. 2.

³ See, for example, Thomas Benjamin Kennington’s *Widowed and Fatherless* (1886), *The Pinch of Poverty* (1889), and *Homeless* (1890).

⁴ Pat Thane, ‘Women and the Poor Law in Victorian and Edwardian England’, *History Workshop*, 6: 1 (Autumn 1978), 29–51 (33).

⁵ W. H. T. Hawley, ‘Report as to Rules Proposed to be Issued by the Poor Law Commissioners for Regulating the Administration of Relief to Able Bodied Male and Female Paupers, and Non-Resident Paupers of All Classes’, HO 73/53/35, The National Archives (25 September 1837), p. 7.

there was, however, ‘no recognition of the friendship lost’.⁶ In January 1837, Assistant Commissioner W. H. T. Hawley reported that the New Poor Law’s provision was generally

found quite sufficient to smooth the path of sorrow and loneliness and remove the difficulties which the previous illness of the husband and consequent stoppage of the supplies of the family, the expenses of his funeral, a young infant at the breast, the impossibility of immediately diverting their own industry to some new channel of remuneration and obtaining situations for their children, usually throw in the way of this class of paupers.⁷

Within six months, then, a widow would potentially have to adapt to a life without the companionship and income of her spouse; find a way to pay the funeral costs; nurse, wean, and care for an infant; find (more) work for her older children; and cope with her own grief sufficiently to find employment that would not interfere with childcare or could fit around the availability of family and friends.

Although widows of the working classes could thus face severe challenges in addition to their grief, they were not exempt from the unease that defined Victorian attitudes towards widows in general, and their representations and treatment were thus not unanimously defined by the sympathy artists and writers attempted to elicit. ‘Widders’, after all, ‘are ‘ceptions to ev’ry rule’, as Mr Weller cautioned his son, Sam, in Dickens’s *The Pickwick Papers* (1837).⁸ Wives were, for much of the period, unable to own their own property, a privilege that for spinsters came, at least until the final decades of the century, at risk of being considered a

⁶ Julie-Marie Strange, *Death, Grief and Poverty in Britain, 1870–1914* (Cambridge: Cambridge University Press, 2005), p. 197.

⁷ Hawley, ‘Report’, pp. 7–8.

⁸ Charles Dickens, [1837] *The Posthumous Papers of the Pickwick Club* (London: Chapman & Hall, 1838), p. 237.

pitiable disappointment.⁹ Widows, on the other hand, had fulfilled the role of wife, and lost that position, usually, through no fault of their own. Thus, as respectable women with sexual experience but with no male guardian and, at least potentially, control over their own financial and other affairs, they were indeed exceptions to every rule, legally and socially. The Victorians begrudgingly accepted this fact, but not without sustained attempts to mitigate its consequences. If she complied with ideals of eternal marital fidelity and ‘sexless service’,¹⁰ the widow was to be admired. Adherence to this image meant her sexuality would be contained safely and her independence and experience used only in her service to her children. Deviation from this version of widowhood was discouraged and punished with scorn, mockery, and fear, as is evident in the wealth of ridiculous and devious widows in advice manuals, novels, comic songs, sketches, and jokes throughout the nineteenth century.¹¹ Their experience in matters of life in general, and in the realm of men and marriage in particular, led to a cultural stereotype that portrayed widows as scheming and deceitful. One widow, Mr Weller warns, has the conniving capacity of at least twenty-five regular women: ‘I have heerd how many ordinary women one widder's equal to in pint o’ comin’ over you. I think it's five-and-twenty, but I don't rightly know vether it ain't more’.¹² Widows were widely represented as dangerously cunning

⁹ Arlene Young, *From Spinster to Career Woman: Middle-Class Women and Work in Victorian England* (Montreal: McGill-Queen’s University Press, 2019), p. 36.

¹⁰ Kay Heath, ‘In the Eye of the Beholder: Victorian Age Construction and the Specular Self’, *Victorian Literature and Culture*, 34: 1 (2006), 27–45 (31). Heath argues that widows, especially in middle age, were expected to ‘become the sexless matron and grandmother who works to further the sexuality and reproductive activities of the next generation’ instead of seeking their own romantic and sexual satisfaction.

¹¹ See Nadine Muller, ‘Desperately Funny: Victorian Widows and the Comical Misfortunes of Husband Hunting’, *Journal of Gender Studies* (2020). DOI: <https://doi.org/10.1080/09589236.2020.1819777>.

¹² Dickens, *The Pickwick Papers*, p. 237.

not only in the realm of Victorian literature and culture but also in poor law discourse and practice.

This article examines the competing discourses of deservingness and deception that shaped the representations and treatment of able-bodied widows in poor law legislation, orders, reports, and parliamentary debates. In doing so, I focus on two particular periods in poor law history which differed greatly in terms of the nation's economy: the 1830s and 40s, and the early 1870s. The former decades were defined by severe economic decline,¹³ encompassing 'what were undoubtedly some of the hungriest years of the nineteenth century',¹⁴ and immediately following the passing of the New Poor Law, which aimed to eradicate outdoor relief as much as possible. The first years of the 1870s marked the introduction of the Local Government Board and its so-called *crusade* against out-relief, that is, a renewed campaign to severely cut spending on relief administered outside of the workhouses, but this time against a backdrop of economic prosperity, with Britain's 'major staple industries [...] all booming'.¹⁵ Able-bodied widows featured prominently in documentation issued during both of these periods because they presented one of the most significant opportunities in poor law officials' quests to reduce welfare spending and minimise outdoor relief: they comprised the largest group of adult outdoor paupers, held an exceptional position in out-relief legislation, and, despite repeated orders to the contrary, were frequently reported as being treated with

¹³ C. Harley, 'Trade: Discovery, Mercantilism, and Technology', in *The Cambridge Economic History of Modern Britain Volume 1: Industrialisation, 1700–1860*, ed. by Roderick Floud and Paul Johnson (Cambridge: Cambridge University Press, 2004), pp. 175–203 (p. 189).

¹⁴ Peter J. Gurney, "'Rejoicing in Potatoes': The Politics of Consumption in England During the 'Hungry Forties'", *Past & Present*, 203: 1 (May 2009), 99–136 (99).

¹⁵ Eric Hopkins, *Industrialisation and Society: A Social History, 1830–1951* (London: Routledge, 2000), p. 57.

unjustified lenience in a number of unions. As a result, they were repeatedly singled out as a deceitful and untrustworthy group of paupers whose applications for relief, living conditions, and moral conduct inspecting officers were encouraged to investigate with particular vigilance. The sources I consider here suggest that able-bodied widows' treatment under the New Poor Law was shaped by an uneasy combination sympathy and suspicion, rendering them ambiguous figures in the dominant dichotomy of the deserving and undeserving poor. Poor law discourses and practices, I argue, simultaneously reflected and attempted to police the exceptional social and legal status that rendered able-bodied widows not only a perceived potential drain on the economic prosperity of the state but also a potential threat to the nuclear family, and, by extension, the nation's moral core.

2. Widows and the New Poor Law

As Pat Thane has noted, 'the one unavoidable obligation upon Poor Law administrators was to help the destitute in order to prevent death from starvation', and thus widowed mothers in particular 'could not be refused relief in some form'.¹⁶ For the second half of the nineteenth century and the first decade of the twentieth, able-bodied widows were the largest group of adult paupers granted assistance outside of the workhouse in the vast majority of poor law unions in England and Wales, and they were outnumbered only, and always, by their children, who comprised the single biggest category of outdoor paupers.¹⁷ On 1 January 1872, for

¹⁶ Thane, 35.

¹⁷ House of Commons Papers, 'Poor Relief' (London: Her Majesty's Stationary Office, 1851), p. 1; House of Commons Papers, 'Poor Relief' (London: Her Majesty's Stationary Office, 1853), p. 4; House of Commons Papers, 'Paupers' (London: Her Majesty's Stationary Office, 1855), p. 4; House of Commons Papers, 'Poor Relief' (London: Her Majesty's Stationary Office, 1855), p. 4; House of Commons Papers, 'Paupers' (London: Her Majesty's Stationary Office, 1856), p. 4; House of Commons Papers, 'Paupers' (London: Her Majesty's

example, records returned 128,734 able-bodied adults in receipt of outdoor relief, and 60,274 (~47%) of them were widows.¹⁸ Over the subsequent decades, the overall number of outdoor paupers fell significantly, and so did the number of widows among them, but less sharply.¹⁹ By 1884, the total number of able-bodied outdoor paupers had fallen to 73,819 and the number of widows among them dropped to 41,486.²⁰ From 1884 to 1908 able-bodied widows still consistently comprised between 48% to 59% of all able-bodied outdoor paupers, while their children continued to total over half of all out-relief minors.²¹ Statistically speaking, widows and their children were thus not only ‘a significant category of applicants for poor relief’ under the New Poor Law, but they were by far the largest and thus undoubtedly the most expensive group of outdoor paupers.²² Indeed, these numbers support that it was widows’ circumstances

Stationary Office, 1857), p. 4; House of Commons Papers, ‘Poor Rates and Pauperism’ (London: Her Majesty’s Stationary Office, 1858), p. 7; House of Commons Papers, ‘Poor Rates and Pauperism’ (London: Her Majesty’s Stationary Office, 1859), p. 8 and p. 29; House of Commons Papers, ‘Poor Relief (England and Wales). Return of Number of Able-bodied Paupers in Receipt of Relief in England and Wales, January 1872’ (London: Her Majesty’s Stationary Office, 1872), pp. 6–47; Command Papers, ‘Royal Commission on the Poor Laws and Relief of Distress. Appendix Volume XXV. Statistics Relating to England and Wales’ (London: Her Majesty’s Stationary Office, 1911), pp. 24–25 and p. 40.

¹⁸ House of Commons Papers, ‘Poor Relief (England and Wales)’ (1872), pp. 6–47.

¹⁹ House of Commons Papers, ‘Poor Relief (England and Wales)’ (1872), pp. 6–47; Command Papers, ‘Royal Commission on the Poor Laws and Relief of Distress’ (1911), p. 44.

²⁰ Command Papers, ‘Royal Commission on the Poor Laws and Relief of Distress’ (1911), p. 44.

²¹ Command Papers, ‘Royal Commission on the Poor Laws and Relief of Distress’, p. 117. On 31 March 1906, for example, 178,733 children under 16 were relieved outside of the workhouse. Among them, the children dependent on able-bodied widows numbered 97,049 (~54%).

²² Thane, 35.

in particular and, as Pat Thane observes, ‘women’s problems’ more generally that ‘helped destroy the hopes of central policy makers that outdoor relief would virtually be eliminated’.²³ Although this article is concerned with the discourses surrounding able-bodied widows rather than with the minutiae of the relief they were provided, the sources I discuss here support the now widely accepted fact that, for a number of reasons, to generalise about people’s experiences of the poor law system is almost impossible, as ‘paupers with a given set of circumstances would have experienced the poor laws in radically different ways both within and between regions’.²⁴ Perhaps most importantly, poor law policy and ideology did not always match up with practice on the ground, as becomes evident in my analysis of the official reports I consider. As King points out, there was, throughout the history of the New Poor Law, a discrepancy between ‘what the state *thought* should happen in terms of welfare provision’ and ‘what actually did happen’.²⁵ The treatment of applicants for relief was determined not simply by ‘what the law theoretically did and did not allow’ but also by ‘how the law came to be interpreted by local administrators’,²⁶ especially in the face of the multitude of (sometimes overlapping and contradictory) orders issued in the 1840s, which sought to amend existing legislation.²⁷ Even without such confusion, the way in which regulations were implemented was often subject to competing ideological, political, and financial agendas. At a local level, Thane notes, ‘there were also conflicts [...] between appointed relieving officers, who often

²³ Thane, 36.

²⁴ Peter Jones and Steven King, ‘Obligation, Entitlement and Dispute: Navigating the English Poor Laws, 1600–1900’, *Obligation, Entitlement and Dispute under the English Poor Laws* (Cambridge: Cambridge Scholars Publishing, 2019), pp. 1–19 (p. 13).

²⁵ Steven King, *Poverty and Welfare in England, 1700–1850* (Manchester: Manchester University Press, 2000), p. 18.

²⁶ King, p. 18.

²⁷ King, pp. 18–19.

saw their function as minimising expenditure from the rates, and locally elected guardians who were responsive to electoral pressures',²⁸ leading to significant local variations as to the kinds, amounts, and duration of relief offered to applicants, even when boards were willing to grant liberal assistance.²⁹ As Elizabeth T. Hurren has shown for the decades spanning the out-relief *crusade*, unions were often slow to respond to national policy shifts, while crusaders 'tended to ignore changes in social policy that did not suit their economic interests'.³⁰

For women in particular, experiences under the New Poor Law were shaped by a further set of complex factors. Despite central claims that the poor law was not intended to 'correct morals',³¹ local administrators often attempted to do just that by granting or withholding outdoor relief, enacting a 'substitution of the state for a husband', with 'the male role as rooted in financial provision and authority'.³² Yet, elsewhere guardians were reluctant to provide mothers with outdoor relief, fearing that 'the father's sense of responsibility for his family would diminish' if it could be assumed that the state would take his place.³³ Whatever relief widows were granted was rarely enough to survive, if they had children. 'Almost nowhere was the amount of relief sufficient for barest subsistence', Thane notes, and 'mothers had always to find means of supplementing it'.³⁴ Widows' income streams could be inconsistent and various, and without an effective support system, they and their families frequently had to survive on an a fragile and changeable patchwork of wages, favours, charity, and outdoor relief.

²⁸ Thane, p. 35.

²⁹ Thane, 37.

³⁰ Hurren, p. 11.

³¹ Thane, 32.

³² Strange, p. 197.

³³ Thane, 37.

³⁴ Thane, 41.

‘The “economy of makeshifts” [that] was an essential element in the economies of the labouring poor’ was thus also a defining characteristic of the lives of Victorian working-class widows.³⁵ In 1873, one poor law official suggested that outdoor relief afforded to able-bodied widows with children is, in most cases, ‘in aid of an income obtained by the widow by washing, charring, or other similar employments’,³⁶ and over three decades later, a report commissioned by the guardians of West Derby in Liverpool suggested that across ‘a random sample of thirty-four widows with dependents [...] the amount of relief given was inadequate to provide sufficient nutrition to growing children’.³⁷ Strange notes that ‘there is little doubt that widows, especially those with dependent children, were concentrated in poor housing and often engaged in low income, low status employment’,³⁸ usually ‘pursuing work [...] where they could take young children with them’.³⁹ Both poor law policy and practice were influenced by the notion that even among the working classes a woman’s place was predominantly in the home, while men provided the income to maintain it. But although the separate spheres ideology ‘positioned women outside wage work, the New Poor Law held that some women should participate in productive labour to maintain their independence from parish relief’.⁴⁰ Widows, then, could be considered as dependent women who by virtue of their loss were deserving of outdoor relief, or as able-bodied workers, who by virtue of their independence should seek employment or be offered relief through the workhouse only, so as to encourage independence and

³⁵ Samantha Williams, ‘Earnings, Poor Relief and the Economy of Makeshifts: Bedfordshire in the Early Years of the New Poor Law’, *Rural History*, 16: 1 (2005), 21–52 (21).

³⁶ Command Papers, ‘Local Government Board First Report’, p. 99.

³⁷ Strange, p. 197.

³⁸ Strange, p. 196.

³⁹ Strange, p. 199.

⁴⁰ Marjorie Levine-Clark, ‘Engendering Relief: Women, Ablebodiedness, and the New Poor Law in Early Victorian England’, *Journal of Women's History*, 11: 4 (Winter 2000), 107–130 (107–8).

industriousness.⁴¹ Widows thus were treated ‘sometimes as women and other times as workers, and forced [...] to manoeuvre for relief within the contradictions these identities posed’.⁴² Indeed, this ability to manoeuvre within a contradictory system and the fact that they were clearly ‘adept at stretching scant resources to “make ends meet”’ made widows the objects of both sympathy and suspicion among poor law officials, whose reports often reflect the contradictory gender ideologies at work in poor law policy and practice.⁴³

3. Want, Neglect, and Destitution

Scholars differ as to the severity of the living conditions in Victorian workhouses, but we may safely assume that its reputation and the prospect of leaving one’s community, family, and friends, even if temporarily, were enough to keep those living in destitution from seeking support through the poor laws. Indeed, the prospect of ‘close investigation into their ways of life’ coupled with the usually minimal amount of relief they were likely to receive, meant that many women were unwilling to apply for relief.⁴⁴ Politicians repeatedly raised concern over the harsh treatment of widows in parliamentary debates following the passing of the New Poor Law. In Langport, as Thane observes, guardians ‘refused all out-relief to healthy, able-bodied widows under any circumstances, however large their families’.⁴⁵ In 1837, John Walter reported to the House of Commons that the Bradfield Union refused outdoor relief to any widow below the age of sixty after the first six months of bereavement.⁴⁶ His description of the

⁴¹ Levine-Clark, 123.

⁴² Levine-Clark, 124.

⁴³ Strange, p. 200.

⁴⁴ Thane, p. 38.

⁴⁵ Thane, p. 41.

⁴⁶ HC Deb (24 February 1837), Vol. 36, Col. 1001. Accessed: 20 December 2018.

effects of this harsh application of the law gave a bleak insight into the circumstances in which the ‘helpless poor’ could find themselves:

One poor woman, lately bereaved of her husband, has eight children, two daughters at service, who pay her rent, a third, aged seventeen, who can only occasionally get work, two boys, aged fifteen and thirteen, who earn five shillings between them, and three younger, who cannot work, get no assistance, and are half starved.⁴⁷

Walter also relays the case of Lucy Watts, a 62-year-old widow from Berkshire, who was found dead in her bed nine weeks after her husband had passed away. Mrs Watts, described by neighbour as ‘a very honest and industrious woman’, refused to enter the workhouse, despite having no fuel and no food to survive. She was said to have died from ‘want and neglect’, while her husband had been too frail and weak to survive the blood loss caused by a minor dog bite. The man who had sent Walter this account concluded the tragic story thus: ‘Dying they are in great numbers, and die they will, sooner than go into the bastille, as they call it, as did the poor woman herein mentioned’.⁴⁸ Sympathy for widows was more easily elicited than for single or deserted women, as Lesley Hulonce notes. ‘There appears to be more controversy surrounding the outdoor relief of deserted wives than of widows’, she argues, because ‘widows [...] signified a blameless fracturing of the family unit, while deserted wives could be perceived as tainted by association with their perfidious husbands’.⁴⁹ Accordingly, Nathaniel Atherton, Chair of the Board of Guardians for Calne Union, explained in 1836 that in the case of widows with young children ‘their misfortune is brought on them by no fault of their own’, and that,

⁴⁷ HC Deb (24 February 1837), Vol. 36, Col. 1001–2. Accessed: 20 December 2018.

⁴⁸ HC Deb (24 February 1837), Vol. 36, Col. 1002. Accessed: 20 December 2018.

⁴⁹ Lesley Hulonce, [*Pauper Children and Poor Law Childhoods in England and Wales, 1834-1910*](#) (Rounded Globe, 2016), n. pag. Accessed: 20 December 2018.

therefore, there would be no benefit in a policy ‘driving them and their children into a workhouse’.⁵⁰ Male paupers, he insists, ‘should have a sense of degradation’ when forced to resort to indoor relief. However, ‘the loss of a husband should not subject a poor woman to that mortification’.⁵¹ George Culley, an assistant inspector for the Local Government Board, reported in 1873 that he was sure an able-bodied woman could always, ‘at least in summer, support one child’, but recognised that many widows’ reliance on outdoor relief stemmed from working men’s lack of means and opportunity to safely invest their money in a way that would benefit their families after their death:

Until I am satisfied that an ordinary working man not only has the means but also a safe opportunity of investing those means to provide for his family in case of his early death, so long, I think, I shall remain of the opinion that guardians, after having satisfied themselves with regard to the position and character of the mother, do well to grant out-relief liberally in the case of fatherless children.⁵²

Women, Culley insists, should not be punished for the lack of a reliable pensions system. Rather, the state had a responsibility to compensate for this shortcoming by supporting struggling widows outside of the workhouse, providing, of course, they were of respectable character and habits. If they were not, this supposedly mitigated not their need, but their deservingness. Some officials, then, did grasp the root causes of the working-class widow’s plight and understood that, in the first place, their struggles usually were neither caused by improvident habits nor an unwillingness to work. Yet, it was not their need that would

⁵⁰ House of Commons Papers, ‘Second Annual Report of the Poor Law Commissioners for England Wales’ (London: Her Majesty’s Stationary Office, 1836), p. 299.

⁵¹ House of Commons Papers, ‘Second Annual Report of the Poor Law Commissioners for England Wales’, p. 299.

⁵² Command Papers, ‘Local Government Board Third Report’, p. 74.

determine their deservingness, but their morality. Outdoor relief would reward respectability, especially the regulation of female sexuality, in denying relief to almost any widow who had given birth to illegitimate children after the death of her husband. Prior to the Guardian of Infants Act (1886), a mother was legally charged with the care of any illegitimate children yet unable to claim assistance for herself or them outside of the workhouse.⁵³

4. Unrestrained Relief

While some officials and politicians pointed out the harshness of the law with particular reference to the treatment of widows, whose positions most easily elicited sympathy, other sources claimed that widows were treated with lenience in a number of unions. Thane notes that in some areas ‘able-bodied widows “of the working class” with up to two children were widely granted outdoor relief almost automatically’, and David R. Green, too, suggests that ‘those shabby genteel poor, especially widows, who had fallen on hard times but who previously had led a respectable life, frequently elicited sympathetic treatment from magistrates’.⁵⁴ Hawley, in his 1837 report, insisted that able-bodied widows were suitably provided for by the New Poor Law. In fact, he believed that they were

amply protected from the harsh effects which follow a sudden application of the law, that their immediate want and afflictions may be alleviated, and that a sufficiently reasonable opportunity

⁵³ The Poor Law Commission, [1844] ‘Out-Door Relief Prohibitory Order (a)’, *The Consolidated and Other Orders of the Poor Law Commissioners, and of the Poor Law Board*, ed. by Glen W. Cunningham (London: Shaw & Sons, 1859), pp. 244–60 (pp. 248–9).

⁵⁴ David R. Green, *Pauper Capital: London and the Poor Law, 1790–1870* (Farnham: Ashgate, 2010), p. 224.

will be afforded them of bringing their own industrious energies into play so as to enable them to assert their independence.⁵⁵

Those who were critical of the number of widows granted outdoor relief went as far as to persistently claim that able-bodied widows were granted unjustified and even excessive support, constituting an unnecessary and significant drain on the nation's finances. As early as 1834, officials observed disapprovingly that widows commonly were relieved irrespective of 'want of employment or [...] insufficient wages'.⁵⁶ Instead, it appeared they had 'established a right to public support independently of either of these claims,' receiving 'what are called pensions [...] without any reference to their age or strength, or powers of obtaining an independent subsistence', with 'an additional allowance if they have children'.⁵⁷ In 1836, the Poor Law Commissioners' annual report highlighted, again, 'the indiscriminate allowances [...] which in many districts have been habitually granted, almost as a matter of course, to widows, and to persons advanced in life'.⁵⁸ In 1871, the same year that Local Government Board Secretary Henry Fleming's circular launched the so-called *crusade* against out-relief, Poor Law Inspector Edmond H. Wodehouse drew attention to the fact that widows were still being relieved without regular checks of their circumstances. To widows with children, he reported, 'relief is not unfrequently granted without any limit being assigned to its

⁵⁵ Hawley, 'Report', p. 8.

⁵⁶ House of Commons Papers, 'Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws' (London: Her Majesty's Stationary Office, 1834), p. 24.

⁵⁷ House of Commons Papers, 'Report', p. 24.

⁵⁸ House of Commons Papers, 'Poor Law Coms.: Second Annual Report, Appendices' (London: Her Majesty's Stationary Office, 1836), p. 8.

continuance'.⁵⁹ Wodehouse claims that this was the case in a variety of unions: in Falmouth, 'widows with children "are placed under the regular list"'; in Stratton, 'relief in these cases is given "till further order"'; on the Isle of Wight and in Alverstoke, they were relieved "'till reported"' ; in Plymouth, 'relief to widows with children is entered as "permanent"' and at Shepton Mallet as "constant"⁶⁰ In Wales, too, 'it was assumed that widows received outdoor relief as a matter of course'.⁶¹ In some unions, regulations were blatantly infringed through 'the allowance of out-relief to a widow with a bastard child'.⁶² Wodehouse suspected that 'especially in the case of widows with children [...] the relief is continued long after such an alteration has taken place in their circumstances to justify the material reduction, if not the complete withdrawal of relief'.⁶³ Whether the instances quoted were exceptions to the rule or exceptions that proved the rule remains difficult, if not impossible, to determine. But what transpires from the discourses surrounding these cases of lenience are the attitudes toward and unease with the social position of able-bodied widows.

To intervene in what they perceived in the unjustified and excessive parish support of able-bodied widows, officials urged repeatedly for close surveillance of able-bodied widows' circumstances and conduct. In 1840, an order by the Poor Law Commissioners issued caution as to the law's exceptions regarding widows and outdoor relief: 'the exception in favour of widows with children, so far as it relates to able-bodied widows in employment, is one respecting which the Commissioners themselves entertain strong doubts, and they request that

⁵⁹ Command Papers, 'Local Government Board First Report', p. 90.

⁶⁰ Command Papers, 'Local Government Board First Report', p. 90.

⁶¹ Hulonce, (n. pag.).

⁶² Command Papers, 'Local Government Board First Report', p. 101.

⁶³ Command Papers, 'Local Government Board First Report', p. 90.

the Guardians will exercise great circumspection in applying it in practice'.⁶⁴ This, they go on to explain, was for various ideological and economic reasons. Firstly, liberal provision of out-relief to this class would, they feared, discourage assistance from families, which, as Marjorie Levine-Clark has observed, was taken into account for female applicants for relief in particular, cast, as they were, in a role of dependency, while men were ideologically constructed as breadwinners liable to support their families.⁶⁵ Secondly, officials assumed that liberal distribution of relief to widows would deter working men 'from provident habits', such as subscriptions to burial clubs which, in case of death, assist with funeral and other costs. Ironically, there is also evidence to suggest that widowed applicants were judged harshly on how they spent such funds. As Thane highlights, 'many [officials] refused relief to widows of men provident enough to have insured for their funeral expenses, if, in the board's opinion, this had been "lavishly or improvidently expended"'.⁶⁶ Third, if out-relief was received in addition to any forms of wages, the latter likely would be reduced 'in consideration of the allowance from the parish'.⁶⁷ And finally, in parishes where the number of pauper widows was considerable, this depression of their wages might lead to employers hiring widows rather than independent, more expensive, male labourers,⁶⁸ a concern that once again highlighted the able-bodied widow's ambiguous gendered position as both homemaker and worker that Levine-Clark identifies.⁶⁹

⁶⁴ Parliamentary Papers, 'IV. A Copy of an Order Issued by the Poor Law Commissioners Prohibiting Out-Door Relief in Certain Cases', *Accounts and Papers*, Vol. 9 (1841), p. 26.

⁶⁵ See Levine-Clark.

⁶⁶ Thane, 41.

⁶⁷ Parliamentary Papers, 'Order', p. 26.

⁶⁸ Parliamentary Papers, 'Order', p. 26.

⁶⁹ Levine-Clark, 123.

5. Deceitful and Undeserving

While these ideologically charged economic reasons caused Poor Law Commissioners to urge inspectors and guardians to subject able-bodied widows' applications to 'careful inquiry',⁷⁰ other officials unashamedly declared that it was widows' dishonest nature that warranted their increased surveillance. Widows' ability to navigate and manage a complex patchwork of resources was perceived by some as evidence not only that they were in a position to survive without support from the parish but that their claims to relief were, more often than not, fraudulent, and to be treated with caution. Indeed, Assistant Commissioner Hawley went so far as to claim that able-bodied widows' applications for relief were undeniable 'exhibitions of deceit and equivocation'.⁷¹ In 1837, Hawley decried the plights of widowed women in a lengthy and venomous report on outdoor relief for the able-bodied.⁷² In the twenty-six pages he dedicated to the cases of able-bodied widows, Hawley asserts that their applications for outdoor relief were invariably 'exhibitions of deceit and equivocation', and that 'the discovery of the Philosopher's Stone would hardly deserve greater credit than he who should succeed in detecting the impositions of these people'.⁷³ He was certain that 'nine tenth of the widows now in the receipt of parochial relief possess resources quite unknown to the Guardians and undiscoverable by the Relieving Officers', leading him to suspect that 'an enormous proportion of the relief now given to this class is [...] unnecessarily and unprofitably drawn out of the pockets of the rate payers'.⁷⁴ His solution was to refuse outdoor relief to able-bodied widows,

⁷⁰ Parliamentary Papers, 'Order', p. 26.

⁷¹ Hawley, 'Report', p. 14.

⁷² Hawley, 'Report', pp. 7–33.

⁷³ Hawley, 'Report', p. 14.

⁷⁴ Hawley, 'Report', p. 12.

a step which, Hawley reasoned, would simply and swiftly drive them ‘to support themselves and their families entirely from the proceeds of their own labour’.⁷⁵ Summarising his disdain for the widowed women who have come before Boards of Guardians, he insists he has ‘never witnessed a solitary instance of a fair and candid statement of her earnings given by one of this class’.⁷⁶ After the initial grace period of six months, therefore, ‘the workhouse cannot be too speedily applied as the test of their real destitutions’,⁷⁷ and – exactly as the Poor Law desired it – the prospect of the workhouse apparently did put off a great many widows from seeking relief, although some had no choice but to relinquish their children to that much dreaded place, at least temporarily. Widows, Hawley reports to the Poor Law Commission, were a drain on public resources, and a class of whose schemes and deceptions officials must be wary.

While mothers were assessed on their conduct as parents and as women and were thus expected to comply with or at least aspire to gendered ideologies of domesticity, ironically their unwillingness to give their children up to the workhouse or enter it themselves could be interpreted as reason to refuse their application for outdoor relief. In 1873, Assistant Inspector Walter J. Sendall, added fuel to the fire of the out-relief *crusade* when he proudly reported on ‘seven cases [...] of widows with from two to five children each, who, being in receipt of outdoor relief, have given birth to illegitimate children, and whose relief has been consequently withdrawn, and the workhouse offered. *In not one instance was the offer of the workhouse accepted, nor have any of these women applied again for parish relief*’.⁷⁸ As MP John Walter had put it over three decades earlier, ‘these people endure, and therefore the Commissioners

⁷⁵ Hawley, ‘Report’, p. 12.

⁷⁶ Hawley, ‘Report’, p. 14.

⁷⁷ Hawley, ‘Report’, p. 14.

⁷⁸ Command Papers, ‘Local Government Board Third Report’, p. 82. Original italics.

say there is no distress'.⁷⁹ Widows' ability to cope in the conditions the law created for them, and mothers' refusals to be separated from their children, were not taken as positive indicators of resourcefulness and maternal affection, but treated as evidence that there was no need for the state to support them more, or differently, than it did. As MP John Walter put it in the early years of the New Poor Law, 'these people endure, and therefore the Commissioners say there is no distress'.⁸⁰

Not all poor law officials went as far as Hawley in their rhetoric regarding pauper widows, but many shared his distrust for decades to come. Wodehouse acknowledged in 1871 that 'there are few classes of paupers whose circumstances, and therefore whose need of relief, vary more from week to week than that of able-bodied widows with children'.⁸¹ This inconsistent standard of living, however, did not make them more worthy of support in his eyes; instead, Wodehouse claimed, it necessitated closer scrutiny on the part of relieving officers. Two years later, Sendall stressed that widows, more than any other paupers, must be monitored most carefully. Though 'a poor widow is justly the object of universal sympathy', he admits, 'there is no class (in towns especially) with which the relieving officer has to deal, which requires more careful and unceasing supervision'.⁸² Widows, Sendall cautioned, are in 'danger of lapsing into the ranks of fraudulent pauperism' and are thus a threat to their community unless 'the relief afforded to [them] from the rates should be regulated by an intimate acquaintance with their actual necessities'.⁸³

⁷⁹ HC Deb (24 February 1837), Vol. 36, Col. 1000. Accessed: 20 December 2018.

⁸⁰ HC Deb (24 February 1837), Vol. 36, Col. 1000. Accessed: 20 December 2018.

⁸¹ 'Local Government Board First Report, 1871–72', p. 90.

⁸² 'Local Government Board Third Report', p. 82.

⁸³ 'Local Government Board Third Report', p. 82.

The provision of support to widows outside the workhouse was also widely feared to result in higher rates of opportunistic marriages that served – or were seen to serve – only a financial purpose. Culley was convinced that ‘no doubt a liberal system of relief to widows with children has a tendency to encourage improvident marriages’.⁸⁴ These unions, in which poor men would supposedly (and in apparently concerning numbers) marry pauper widows only to benefit from their out-relief, offended the ideals and sensibilities of the middle classes, for whom ‘love was the driving force behind the concept of marriage’ and for whom matrimony was ‘made for companionship and personal fulfilment as much as for status and power’.⁸⁵ Eventually, Henry Longley urged the LGB to apply the law harshly in the case of widows. In particular, as Robert Humphreys has summarised, Longley recommended that

no widow should receive outdoor relief: when in receipt of a regular weekly wage, where their earnings were below the market rate, where there was reasonable belief they had not truly stated their means, where they were without a home or what the authorities might consider a satisfactory home, where there was reason to believe they were of drunken or immoral habits, where they had received out-relief for a specified period without making suitable progress towards independence or where they had refused a definite offer of employment.⁸⁶

Women, as Hulonce notes, were particularly prominent targets of the out-relief *crusade* against the supposedly undeserving poor,⁸⁷ and widows, these sources show, had been a sustained

⁸⁴ ‘Local Government Board Third Report’. p. 74.

⁸⁵ Jennifer Phegley, *Courtship and Marriage in Victorian England* (Oxford: Praeger, 2012), p. 35.

⁸⁶ Robert Humphreys, *Sin, Organized Charity, and the Poor Law in Victorian England* (Basingstoke: Palgrave Macmillan, 1995), p. 27.

⁸⁷ Hulonce, (n. pag.).

subject of poor law officials' suspicion and surveillance for decades by the time Fleming issued his circular.

Occasionally, this image of the unnecessarily or too liberally assisted widow was reinforced by outraged newspaper reports on (usually elderly) paupers who were found to have accrued a substantial amount of savings while claiming outdoor relief. In 1850, an article titled 'A Rich Pauper' reported that Nanny Mole, a recently deceased widow, 'had for many years received relief from the parish, and after her death the family were agreeably surprised to find that she had amassed a sum of £170, part of which was found in an old stocking, and £100 in Bewdley Bank'.⁸⁸ A few years later, the *Westmorland Gazette* announced the remarriage of 'A Wealthy Pauper!'. Here, 'a buxom widow' who had lived 'for some years [...] on parochial relief and the fruits of charity' presented her new husband 'with a fortune of 150*l* in cash, which she had actually amassed under the garb of poverty'.⁸⁹ In 1875, the *Whitstable Times and Herne Bay Herald* told readers of the 'Death of a Wealthy Pauper'. Eliza Sutton, who had 'died in a cottage', had 'a few days previous to her decease [...] divulged to one of her neighbours that she had saved a considerable sum of money'. Mrs Sutton supposedly was reluctant to make a will because 'she had for many years past been the recipient of parochial relief [...] as the parish officials believed the old woman was in a state of great penury and want'.⁹⁰ The *Hull Daily Mail* exposed what they called a 'Shameful Imposition by a Pauper' (1887). Here, 'an old widow, named Nanny Blain, who has received parochial relief for the last twenty years, was buried at the expense of the parish', but more than £350 had since been found hidden in her bed.⁹¹ In 1899, widow Eastman from Chatham was admitted to Kent County Lunatic

⁸⁸ 'A Rich Pauper', *Bell's Life in London and Sporting Chronicle* (24 March 1850), p. 3.

⁸⁹ 'A Wealthy Pauper!', *Westmorland Gazette* (4 March 1854), p. 4.

⁹⁰ 'Death of a Wealthy Pauper', *The Whitstable Times and Herne Bay Herald* (23 January 1875), p. 4.

⁹¹ 'Shameful Imposition by a Pauper', *Hull Daily Mail* (19 October 1887), p. 2.

Asylum at the expense of the parish after having been in receipt of outdoor relief. On searching her house, a relieving officer discovered a Post Office deposit book which showed she had £240 of savings to her name.⁹² These reports of widowed women amassing riches at the cost of the tax payer, though infrequent as it seems they were, draw on, complement, and fuel the image of the undeserving pauper and the scheming widow, even if she was actually the exception that proved the rule.

6. Conclusion

David Englander suggests that ‘poor law policy makers sought to influence the conduct of the poor’.⁹³ The administration of outdoor relief was undoubtedly one such attempt, irrespective, it seems, of the nation’s relative economic prosperity. The New Poor Law acknowledged, with a degree of sympathy, the exceptional financial challenges widows faced in the early days of their bereavement and beyond. Poor law officials’ attitudes toward widows were the product of a society who deified the figure of the wife and, thus, felt obligated to respect the women who had once fulfilled that role, but which was also profoundly uneasy with widows’ exceptional social status and thus suspicious of and desperate to police their conduct. Many women’s aptitude at managing the often dismal financial and emotional challenges of widowhood with extraordinary resourcefulness and in the absence of a male guardian only heightened this distrust. Even though ‘poverty-stricken widows had limited opportunities to exercise agency and empowerment’,⁹⁴ they could pose a threat to the middle-class model of

⁹² ‘A Wealthy Pauper’, *The Evening News* (16 October 1899), p. 2.

⁹³ David Englander, *Poverty and Poor Law Reform in Nineteenth-Century Britain, 1834–1914: From Chadwick to Booth* (London: Routledge, 1998), p. 91.

⁹⁴ Maggie Andrews and Janis Lomas, *Widows: Poverty, Power & Politics* (Cheltenham: The History Press, 2020), p. 51.

the nuclear family and to the very purpose that model assigned to women. Unsurprisingly, in many of the reports I have examined here the most prominent concern was the spending attributable to undeserved and unnecessary outdoor relief for able-bodied widowed mothers who did not comply with middle-class ideologies of womanhood and the family. If, as Strange has noted, the New Poor Law worked on the assumption that the state financially replaced a widow's dead husband, then it also sought to replace him as the moral guardian who would regulate a wife's behaviour after his death, rewarding compliance with and punishing deviance from what it defined as appropriate female conduct.

The distinction between the deserving and the undeserving poor, as well as the practices of surveillance that helped place applicants into either category, were, of course, adopted widely beyond the New Poor Law, and far beyond the Victorian period. Indeed, they formed the basic principle for the majority of charities in the nineteenth and early-twentieth centuries, and still 'underpinned charitable work after the First World War in even the most liberal-minded of charities'.⁹⁵ Whether widows sought help from charitable organisations or assistance from the developing welfare state, their worthiness of support continued to be determined by their perceived adherence to or deviation from the 'middle-class ideals of passive and virtuous widowhood and motherhood',⁹⁶ and their conduct was scrutinised accordingly by inspectors or, in the case of charities, 'social-work visitors' or 'lady visitors'.⁹⁷ In 1916, poor law guardians as well as members of prominent service charities – such as the Soldiers' and Sailors' Families Association and the Royal Patriotic Fund – would come to form

⁹⁵ Angela Smith, *Discourses Surrounding British Widows of the First World War* (London: Bloomsbury, 2013), p. 57.

⁹⁶ Smith, p. 65.

⁹⁷ Smith, p. 58.

the Special Grants Committee (SGC),⁹⁸ the arm of the Ministry of Pensions and National Insurance that was to administer the newly-established war widows' pensions scheme. The SGC would continue and increase the surveillance of widows' social, sexual, and parental conduct,⁹⁹ both as a means of determining their deservingness and in an attempt to police the behaviour of these single women who by virtue of their marital status perpetually found themselves on the peripheries of definitions of respectability and deviance, woman and worker, deserving and undeserving.

⁹⁸ Smith, p. 65.

⁹⁹ Smith, p. 67.