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Give Us Your Poor and Indigent

Thomas C. Bennett

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Report of Overseers of the Poor of Cumberland for 1870

Whole number of persons supplied, including transient paupers, was ~~nineteen~~ twenty two

Number wholly supported by the town was seven as follows

James Mitchell
Abel Merrill
Mrs. Simmons
H. W. Blanchard

Louisa C. Eaton
Reuben Titcomb
Mary Blanchard
Charles Blanchard

Number occasionally supplied was eleven as follows

Lewis C. Johnson belongs to Bowdoinham
Mrs. Griffin
Charles Blanchard
Mrs. Burke & two children
Mary Hamilton
Sarah Hamilton
Mrs. Smith & two children

Abel Merrill died sometime in the month of February.
James Mitchell and Louisa C. Eaton remain in the
insane hospital. Mrs. Simmons is located at the New
York almshouse. Mary Blanchard at Sarah Libby's
in W. Ham. H. W. Blanchard at Charles H. Blanchard's
Reuben Titcomb keeps home with his daughter
Mrs. Burke & her children had temporary board at Lewis

GIVE US YOUR POOR AND INDIGENT

MAINE'S PAUPER LAWS AND THE TOWN OF CUMBERLAND OVERSEERS OF THE POOR

BY THOMAS C. BENNETT

In December 2010, Prince Memorial Library received a grant from the Davis Family Foundation to process the Town of Cumberland Overseers of the Poor collection, funds which were augmented in March 2012 with a grant from the Maine Historical Records Advisory Board. The two grants allowed for the conservation and study of 1,273 documents dating from 1821-1915, helping provide a picture of how the town cared for its most vulnerable residents during the period.

The Cumberland Overseers of the Poor was the board set up under the authority of the so-called pauper laws, which were passed by the Maine Legislature in March 1821 and governed the treatment of the state's poor and indigent citizens. The state's mandate to its municipalities to provide for the support of their indigent residents was a continuation of the laws in effect when Maine had been part of Massachusetts, which in turn were linked directly to English law, specifically the 1601 Poor Law Act and the 1662 Settlement Laws. Maine's pauper laws remained in effect until the major revision of the general assistance law in the mid-1970s.

The pauper laws stated that legal settlement in a municipality was gained by birth or marriage, through warrant at a legal meeting, by living in an unincorporated place when it became incorporated, or through legal settlement in a town that divided. Minors could gain settlement by serving an apprenticeship for four years in a town and setting up lawful trade within one year of the expiration of their term, while individuals over 21 could gain settlement by residing in a town for five years without receiving support as a pauper. In addition, individuals residing in a town at the law's passage who had not received support as a pauper during the previous year could gain legal settlement in that town.

Cumberland seceded from North Yarmouth in 1821, and the oldest documents in the collection bear that date. One of them is titled "A statement of sundry persons of Sam York," and records interviews with various individuals about the birth and circumstances of Samuel York of Durham. The document is a wonderful example of oral history, and its inclusion in the Cumberland Overseers collection indicates that the Overseers were attempting to determine York's legal settlement. The following excerpt provides an example of the document's contents: "(T)hey are certain that Samuel their son was born the time of a great freshet in Durham that carried away Major Gerrish Sawmill and many of the Bridges in Durham... that Mrs. Durin crossed the freshet near their house by swimming the horse, to attend on Mrs. York...and that Samuel was born within 20 minutes after Mrs. Durin arrived..."

Mrs Yorks Statement
Mrs York says her son Samuel is 41 years of Age
the 14th day of October last - 1822 - That her son
James was 2 years younger than Samuel, and
died the 4th day of May within one year after he
was born, and on the same day that his Grandfather
Ebenezer Roberts sailed from Cape Elizabeth on
a fishing voyage and was never heard of afterwards
Mr York and his wife Statement
They both say, and say, they are certain that
Samuel their son was born the time of a
great freshet in Durham that carried away
Major Gerrish Sawmill and many of the
Bridges in Durham and other places, that
Mrs Durin crossed the freshet near their
house by swimming the horse, to attend on Mrs
York at that very ill, and that Samuel
was born within 20 minutes after Mrs Durin
arrived at their house, and Mrs York further

Statement of Mr. and Mrs. York, dated 1822, regarding the birth of their son, Samuel.

Once legal settlement was established for an individual, a municipality was required to

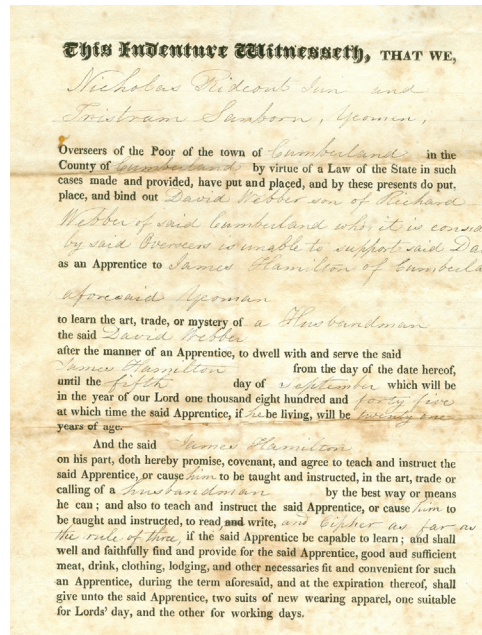
Date	Item	Price
Dec 11	10 lb Pork	1.50
21	31 lb Mutton (328 Easters)	1.24
	2 1/2 Bushel Potatoes	.63
	1 Bushel Meal	.183
	5 feet Wood	1.87
Jan 24	6 feet Wood	2.325
	1 Bushel Meal	.183
	13 lb Pork	1.30
29	1/2 Bushel Potatoes	.113
	9 1/4 lb Mutton	.37
	100 yds Flannel	2.00
Feb 14	6 yds Flannel	2.400
	2 yds Cotton Cloth	1.20
	3 yds Shirts	.113
15	1 Gallon Molasses	.420
	1/4 lb Tobacco	.110
	1/2 lb Tea	.184
July 28	2 yds Molasses 1/6 lb Tea	.187
Sept 2	1 Pair Shoes	1.100
		17.167

Receipt dated March 3, 1828, showing the supplies William Buxton purchased for Cumberland's paupers between December 1827 and Feb. 2, 1828.

provide relief if the person needed it, while an individual's relatives were obligated to contribute to their support in proportion to their ability to do so. Relief could be of two general types: "outdoor" relief, which referred to support provided within an individual's home, through cash or supplies, and "indoor" relief, in which a person received support indoors, generally in an almshouse or poor farm. One example of outdoor relief in the Cumberland collection is an 1828 receipt for supplies purchased for the town's poor over a two month period, which included 11 lb. of pork, 31 lb. of mutton, 11 feet of wood, six yards of flannel, one-quarter pound of tobacco, one pint of rum and a pair of shoes.

The pauper laws empowered a municipality, through its Overseers, to enter into contracts of indenture. These contracts could bind out as apprentices the minor children of parents who became chargeable to the town and who were deemed unable to care for their children. Male children could be bound out until they turned 21, while girls could be apprenticed until they turned 18 or were married. The contracts were to provide for the instruction of both boys and girls in reading and writing, and for boys in math. Adults who were "able of body, but have no visible means of support, who live idly and exercise no ordinary or daily lawful trade or business..." could be bound out for up to a year, or sent to a work house for the same period.

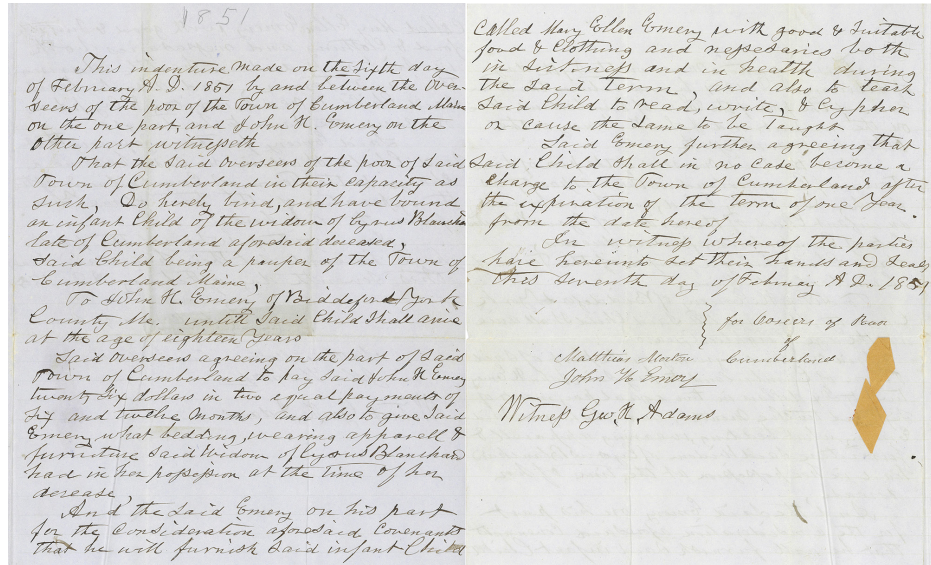
Present in the Cumberland Overseers collection are 11 contracts of indenture; nine are for boys between the ages of six and 18, one is for an infant girl and one is for an adult male. There are two sets of brothers represented: David and Isaac Webber, and Jacob, Samuel, Benjamin and George Easters. David Webber, the youngest boy to be indentured, was apprenticed twice, first to his paternal uncle at age six and then to his maternal uncle at age eight. While a contract of indenture did remove a child from the care and company of his or her parents, it also provided for education and training that the child may not have received otherwise. The contracts for the eight boys included stipulations that



Indenture contract between the Cumberland Overseers of the Poor and James Hamilton of Cumberland, under which David Webber, Hamilton's nephew, was apprenticed to Hamilton until September 5, 1845, when Webber turned 21.

each was “to learn the art, trade, or mystery” of either a husbandman, farmer or blacksmith.

The indenture for the infant girl shows that she was the child of a widow who had recently died. She was to be adopted by John H. Emery of Biddeford, who was paid \$52 for taking the girl and agreed that she would in “no case become a charge to the



Indenture contract between the Cumberland Overseers of the Poor and John H. Emery of Biddeford, which put the infant daughter of the widow Blanchard into Emery's care. She was to be renamed Mary Ellen Emery.

Town of Cumberland after the expiration of the term of one year from the date hereof...”

Post-revolutionary America questioned the traditional colonial system of providing outdoor relief because it was a community responsibility, and poverty came to be seen as a social problem that should be targeted for reform. A less tolerant view towards long-term dependence led towns and cities nationwide to build almshouses for their poor during the 1820s and 1830s. The almshouse would use hygiene, discipline, and routine to transform the poor into valuable and industrious members of society.

Under Maine law, municipalities were authorized to erect work houses for the employ-



Illustration by Tony Lisa of Cumberland based on an 1841 Overseers of the Poor request for proposals to build a new house on the town farm.

ment of the idle and indigent, and anyone receiving support from a town was liable to be sent to a work house. On April 3, 1837, Cumberland voters approved the purchase of “a suitable farm on which to keep and maintain the paupers belonging to this town...” They later voted “to erect a new building on said farm for a work-shop.” In 1841, a committee was created to consider building a new house on the town farm, and proposals were requested to build the new structure. On January 7, 1843, the committee issued a report on their inspection of the completed structure. Based on the detailed request for bids, Cumberland resident Tony Lisa drew a picture of what the new town farm building, which is no longer standing, should have looked like.

The 1857 Cumberland County Atlas shows that Cumberland's town farm was located on the Foreside, not far from the shores of Broad Cove. Close by is the Spear shipyard,

which was in operation in the area from 1812 through 1859. A receipt for supplies for the town farm for the period May through December 1843 includes 1,453 lb. of oakum at six cents per pound. Oakum is loose fiber obtained by recycling old rope and cordage, and was mixed with tar and used for caulking in shipbuilding. Picking oakum was a common task in British work houses and penitentiaries, and possibly orphanages, and its presence at Cumberland's town farm indicates that

1843		Cr.	
May 16	By. 12 Dozen of eggs at 7 cts		77
"	" 3 lbs of Butter at 12 1/2 cts		37
"	" Town Order 40 Dollars	40	00
"	" 15 hundred and 50 of hay at 8 Dols	6	40
"	" 2 quarts of Milk		9
"	" 6 1/2 Dozen of Eggs at 8 cts		52
Aug	" 29 lbs of calf skins at 8 cts	2	32
"	" 5 pigs at \$1.25 ea apiece	6	25
"	" Cash for cow	18	00
Sept 1	" 33 lbs of Shavings at 1 ct		33
12	" 1453 lbs of Oakum at 6 cts	87	18
Oct 7	" 8 Doz. of Eggs at 9 cts		72
"	" Cash By town Order	40	00
Dec	" 1 ct		24
	"		00
	Sum. Order for yoke of Oxen		45 00
		\$	271 95

Receipt for supplies purchased for Cumberland's first town farm between May and December 1843. Included are 1,453 pounds of oakum, possible evidence that the farm's residents were performing work for the nearby Spear's shipyard.

the farm's inhabitants were engaged in work that offset the cost of maintaining the farm.

On February 26, 1866, Cumberland voters approved a measure to "sell the Town Farm and all the appurtenances thereof..." The 1865 Overseers report gives one reason for the sale, stating that in "regard to the Paupers now in the almshouse, from the large number that have been supported there for years past, death has swept them away & but one remains as a living mon-



Dalton Farm Cumberland Foreside, circa 1915. After the sale of the Town Farm on the Foreside, the Dalton sisters rented the farm to the Cram family from 1904 to 1919.

ument to mark the house as an almshouse. On the 19th inst. Lemuel Hamilton died, he was found dead, having fallen into the fire & burned to death. Emery Gould ran away a few weeks since and has not been heard from."

Cumberland closed its almshouse apparently due to a lack of residents; this occurred at a time when communities across the country were shuttering their town farms and reinstating outdoor relief as the norm. Indoor relief lost favor in part due to the efforts of Dorothea Dix, the Maine native, social reformer and champion of the mentally ill who during the 1840s travelled the country documenting the conditions and treatment of prisoners and poorhouse residents.

Cumberland was without an almshouse from 1866 through June 1888, when it purchased “a farm and buildings for a town farm and almshouse...” The reason for the change in policy is not given, but hints are available in the Overseers’ annual reports and other town documents. The 1881 report states that “Mrs. Abbie A. Perry made her second appearance in town, being left at the M. C. depot alone and in a feeble condition... Since that time she has been a very troublesome and expensive pauper... Miss Anna A. Merrill became chargeable as a pauper... with a probability of being a constant receiver of aid... Miss Mary Wyman became chargeable... She is in a feeble condition and liable to be a constant expense...” Concerns about ongoing expenses are supported by an examination of town budgets for the period 1879-88, which shows that expenditures on support outpaced appropriations every year, and increased from 15.36% of the total town budget in 1879 to 22.76% in 1888. The population of Cumberland decreased 13% from 1860 to 1890, so more was being asked of fewer taxpayers in supporting the poor.

Expenditures on support decreased dramatically with the purchase of the town’s second almshouse, from \$1,830.44 in 1888 to \$206.42 the following year. Sale of produce from the farm and labor performed by the farm superintendent and residents offset town appropriations, resulting in real costs of between \$40.19 and \$612.80 annually for the period 1889-98. Clearly, the return to indoor relief resulted in savings for the town.

Miss Olive Titcomb, the last resident of Cumberland’s second town farm, died on July 12, 1901, at the age of 65, and the almshouse was sold on May 23, 1904. Prior to her death, the words the Overseers wrote in 1866, “but



Tony Lisa illustration of Cumberland’s second town farm, which was built in 1820 and purchased by the town for use as a poor farm in 1888. The town sold the building in 1904, and it is now a private residence.

one remains as a living monument to mark the house as an Almshouse,” rang true again. Titcomb’s passing marked the final chapter of the town’s indoor relief system for its poor and indigent.

Outdoor and indoor relief alike were provided throughout the years, and historical analysis allows speculation about the motives behind why one type of aid was chosen over another, and why Cumberland decided to resurrect the almshouse system in 1888. The Overseers' reports include comments implying the welfare of the paupers was important (e.g.,



Dalton Farm Cumberland Foreside, circa 1915. After the sale of the Town Farm on the Foreside, the Dalton sisters rented the farm to the Cram family from 1904 to 1919.

“...the paupers... all appear to be comfortable, and contented.” “Mrs. Stowell...has taken good care of the poor in the house...” “Israel A. Skillings and wife... have taken good care of the poor...”). These statements indicate the town was providing relief in a concerned fashion, but the fact that Lemuel Hamilton fell into the fire and burned to death in 1865 while living in

the almshouse raises questions about the level of care the paupers received. One hopes that Hamilton's situation was atypical, and that the Cumberland Overseers of the Poor provided the town's paupers with the attentive relief and support deserved when the successful members of a community aid their more unfortunate neighbors.

