



Appendix 3

**The Boston Workhouse Act, 1735**

*The Overseers of the Poor attempted to amass a full transcription of the provincial legislation and Town Meeting instructions regarding the official status of the Workhouse and so replicated by hand the pertinent material. This file, taken from the Overseers' manuscript records, box 13, folder 1, is 40 pages long. It is not clear when it was compiled by the Overseers, but it ranges from 1735 to 1803 and is the work of several hands. The following selection identifies the main features of the Act. The Act itself is published in Acts and Resolves, 2:757ff.*

"An Act for employing and providing for the Poor of the Town of Boston Passed 28th May 1735. See Province Law Book Page 302."

Whereas the Town of Boston is grown considerably populous, and the Idle and Poor much increased among them, and the Laws now in force relating to them, not so suitable to the Circumstances of the said Town, which are different from those of the other Towns in the Province. Therefore,... Be it enacted by the...General Court ... that [annually in March] the Town of Boston are... impowered to chuse twelve Overseers of the Poor...for twelve several Wards Respectively, into which [Boston] shall be divided each Overseer to have the more especial care of his particular Ward,... which [they] shall visit...whenever they may judge there is Occasion, at least once in every Month; and shall also...every Month assemble together to consider and determine the most proper Methods for the Discharge of their Office.

And whereas the Poor...upon the decay of Trade become still more numerous and want Means to employ and set themselves to Work...or by ill Habits become idle and slothfull and very burthensome to the Town...in such case or whenever the...Town of Boston shall...judge it necessary or convenient to erect, provide or endow an House for the Reception and Employment of the Idle and Poor [it] shall be authorized and impowered so to do; which house shall be under the Regulation of the Overseers of the Poor... [The Town is] hereby authorized to make purchases and receive Donations for endowing the said Work House, to the Value of Three Thousand Pounds per Annum; and to sue and be sued, in all Affairs of said House; the several Donations always applied according to the Will of the Donors.

And...the Overseers...shall have the Inspection, Ordering, and Government of the...House, with Power of appointing a Master or Masters, and... Assistants....

And...each one of the Overseers...shall have Power to send any idle and indigent Person... to the...House for Entertainment and Employment, for the the Space of twenty-four Hours; and any two of the said Overseers shall have Power to continue to send to said House such... Persons till discharged by the major Part of said Overseers at a monthly Meeting....

And whereas there are sometimes Persons rated to the publick Taxes, who are notwithstanding unable or negligent to provide Necessaries for the Sustenance and Support of their Children: Be it enacted That the Overseers shall have the same Power

## *Appendices*

of binding out into good Families the Children of such, as where the parents are rated nothing; provided such Persons are not rated for their personal Estate or Faculty.

And for as much as there is great Negligence in sundry Persons as to the instructing and educating their Children, to the great Scandal of the Christian Name and of dangerous Consequence to the rising Generation[:] Be it further enacted, That where Persons bring up their Children in such gross Ignorance, that they do not know, or are not able to distinguish the Alphabet or twenty-four Letters at the Age of six Years, ... the Overseers ... are hereby impowered and directed to put or bind out into good Families, such Children, for a decent and Christian Education, as when Parents are indigent and rated nothing to the public Taxes; unless the Children are judged incapable, through some inevitable infirmity.

[The] Assig nation of each Ward to the... immediate Care of a particular Overseer will give the ... Overseers Opportunity of a more exact Knowledge of the Town, and all Intruders into it... the aforesaid Overseers... are impowered to warn any and all... who are not Inhabitants, to depart the Town.