



*Dinton*

## **BASTARDY RECORDS**

A woman who discovered she was pregnant outside of marriage would probably become chargeable to the parish. If the father failed to admit his responsibility then the authorities acted swiftly and immediately & would instigate a **Bastardy Examination** to establish the identity of the father. This was carried out by either the Churchwarden or the Overseer of the Poor or the Quarter Sessions. These powers of investigation were established under the Bastardy Act of 1575/6. The father was normally known to the mother and named by her during the examination.

Following the Examination, heavy pressure was exerted on the father to financially maintain the child and enter into a **Bastardy Bond** agreeing to pay the churchwarden and the overseers for the child's maintenance. The terms of maintenance lasted until the child was old enough to be apprenticed out. If the supposed father resisted signing the bastardy bond, the parish officials could apply to the Justices for a filiation order which forced the father to pay for the upkeep of the child. Records of payments from the father are sometimes recorded in the Overseer of the Poor accounts or Churchwarden's accounts.

The **Bastardy/Affiliation Order** was issued by the Justice of the Peace at the Petty Sessions or Quarter Sessions following an examination. The Order obliged the putative father to pay for the child's maintenance or face a possible prison sentence. After the New Poor Law of 1834, the parish authorities lessened their role in bastardy cases leaving the woman the option of applying herself for the bond from the Petty Sessions.

The **Warrant** gave the order for the father to appear in court if he attempted to abscond. Where disputes over payments occurred, the case papers may be found in the Petty Sessions records, although very few records remain.

In many cases the father married the mother soon after the birth of the child or made private arrangements for the child's upkeep, in which case no record will be found of his name amongst the bastardy documents. The putative father often married the mother under pressure, usually by license and sometimes paid for by the overseers.. A bastard child belonged to the parish where it was born, so an expectant mother moving away from her legal place of settlement could be forcibly removed to her home parish before the birth of the child. Be aware however, that occasionally the wrong man was named as the father.

*(Information extracted from [GenGuide](#))*

## Some Dinton Bastardy Records held

by Wiltshire and Swindon History Centre (WSHC)

Type	Court	Date	Mother's Name	Child & Birth details	Father Named	Ref. No.
Bastardy Case	Wilts Quarter Sessions	1784	Ann Lock	Not recorded	Charles Foster	A1/125/46B/E
Bastardy Order	Salisbury & Amesbury County Division	1792	Mary Hand	Female 13 Feb 1791	Henry Wright Butcher	-
Bastardy Order	Salisbury & Amesbury County Division	1794	Elizabeth Street	Male 20 Feb 1793	John Baily Labourer	-
Bastardy Case	Wilts Quarter Sessions	1795	Mary Spary	Not recorded	James Leaver	A1/125/46N/T
Bastardy Order	Salisbury & Amesbury County Division	1883	Louisa Smith	-	David Webb Salisbury Baker	-