For some must push

and some must pull

John Daniel Thompson McAllister, 1827

University of Alberta

The Old Poor Law and the Poor in Essex: Local Variation and "Making Shift" in the Long Eighteenth Century

by

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Abstract

The Old Poor laws provided a uniform set of laws throughout England, but in fact there was large variation in their administration from parish to parish. This means that different areas experienced different effects under the same laws. In practice, parishes were fairly autonomous in matters of poor law relief and decision-making, and the poor experienced widely differing levels of relief and they responded differently to their marginal status and prospects. This indicates that the relationship of greatest importance for the poor was not with the laws themselves, but with the local overseers of the poor who administered on the basis of their knowledge of the law and local social norms and expectations.

Historians are not yet able to make national characterizations of England's poor law administration as there are not enough local studies which examine enough of the pieces which are key to completing such a broad picture. We must focus attention on local norms, local decision-making, and local responses by the poor to these regimes (namely the behaviours known as 'making shift') before such characterizations can be pursued. This study looks at seven Essex parishes to illustrate these points.

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Introduction – The Old Poor Laws

Compassionate societies the world over have long struggled with the problem of the poor, and English society of the Tudor and Stuart period was no exception. The 'Old' Elizabethan Poor Law of the late sixteenth century had a dual mandate. Its first mandate was to outline the acceptable treatment and maintenance of the poor of the realm. This mandate grew and evolved over the centuries under different monarchs and pressures. The second mandate, which also found itself under constant revision and reinstatement by statute, detailed penal actions created to deal with rogues and vagabonds, who were generally from the poorer part of society.

These dual mandates of the 'Old' poor law grew from statutes which were written pertaining to these two groups of poor in English society. These statutes outlining the acceptable treatment of the poor eventually grew to encompass where a person could reside and when they could move. Statutes were passed during the seventeenth century which required that a person or family who moved from one parish to another had to meet specific legal requirements. These requirements applied to all, but worked to separate the poor from all others. When these requirements were met, the person or family was allowed to settle and given membership in the new parish. Those who did not meet the requirements were reviewed before a council of parish members to determine if they had the perceived desirability or social credit that would allow them to be an asset to the parish community.

Ephraim Hunwick was one such person whose mobility caused him to come under the jurisdiction of the poor laws and thus the review of the parish council. Ephraim was born on September 7, 1769, in Coggeshall, Essex, England. He married Ann Raven

of Earls Colne, Essex, in Earls Colne on December 25, 1791. Shortly thereafter, on March 9, 1792, the newly married couple was given an order of removal by the Justices of the Peace and the Overseers of the Poor in the parish of Earls Colne.

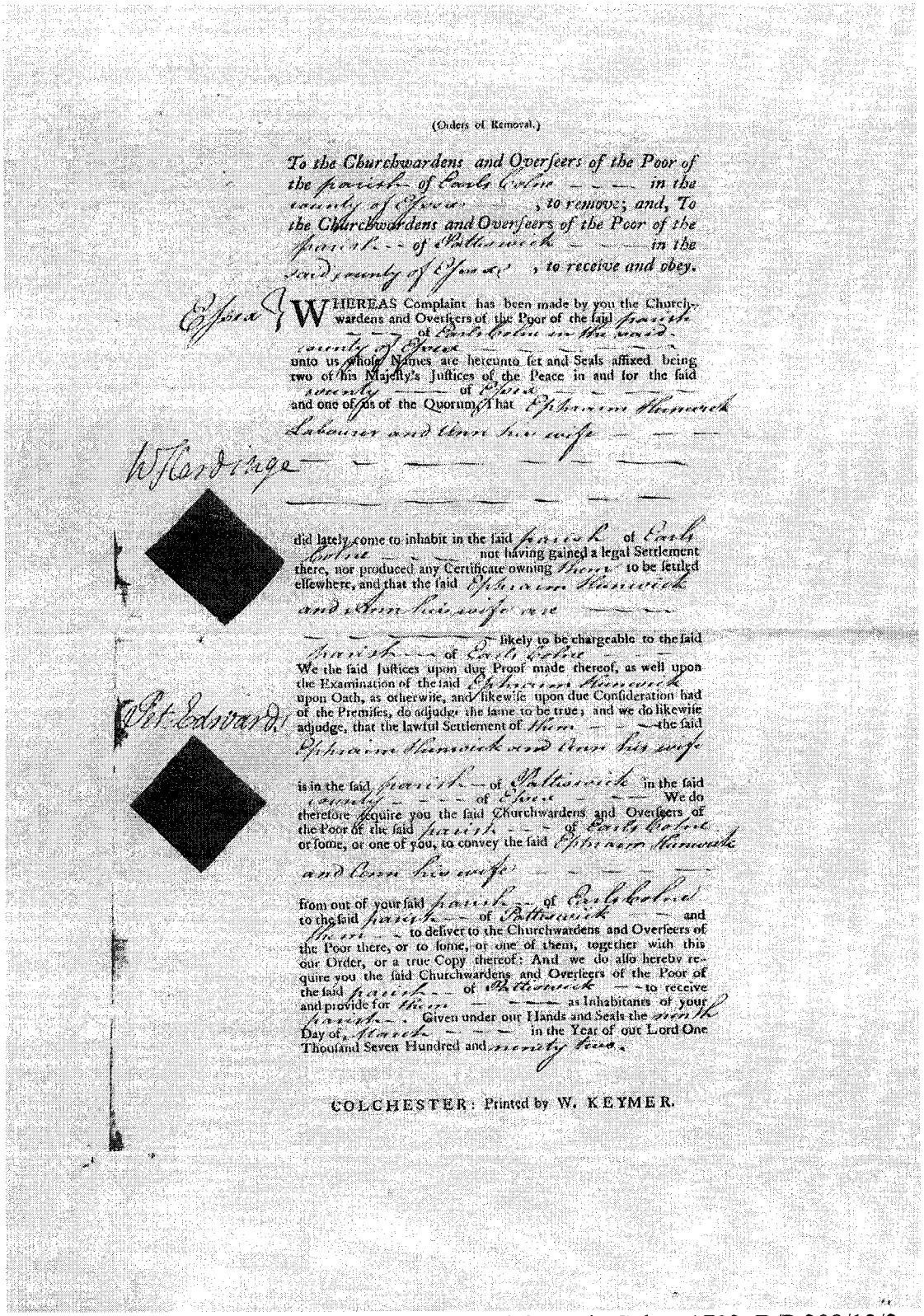
> Whereas Complant has been made by you . . . That Ephraim Hunwick Labourer and Ann his wife did lately come to inhabit in the said parish of Earls Colne not having gained a legal Settlement there, nor produced any Certificate owning them to be settled elsewhere, and that the said Ephriam Hunwick and Ann his wife are likely to be chargeable . . .

As they were to be removed from the parish of Earls Colne, where they had just been married, to the neighbouring parish of Pattiswick, it is clear that the parish council of Justices of the Peace and Overseers of the Poor did not believe that Ephraim had gained a legal settlement in their parish, even though this was Ann's parish of christening.[1]

Many unanswered questions arise from this removal order. Why was this couple removed? What laws justified the removal? And what were the circumstances of Ephraim and Ann that they came under the legal review and jurisdiction of the parish council? If Ephraim was born in Coggeshall and married in Earls Colne, why was he removed to Pattiswick? The most common occupation for men in Essex at this time was that of an agricultural labourer. If Ephraim was an agricultural labourer, how would this type of employment affect his social credit or his perceived desirability as a community member?

Additionally, extant removal records for Earls Colne show a total of four removals being issued in the year 1792 compared with the ten that took place during the

[1] As Ann was christened in the parish of Earls Colne in 1770, along with her two siblings later in the decade, I have assumed for the purposes of this paper that she was also born within the legal parish boundaries of Earls Colne.



(Orders of Removal.)

To the Churchwardens and Overſeers of the Poor of the Parish of Earls Colne in the County of Eſſex, to remove; and, To the Churchwardens and Overſeers of the Poor of the Parish of Pattiswick in the ſaid County of Eſſex, to receive and obey.

Eſſex. WHEREAS Complaint has been made by you the Churchwardens and Overſeers of the Poor of the ſaid Parish of Earls Colne in the ſaid County of Eſſex unto us, whoſe Names are hereunto ſet and Seals affixed being two of his Majeſty's Juſtices of the Peace in and for the ſaid County of Eſſex and one of us of the Quorum, That Ephraim Hunwick Labourer and Anne his wife

W. Hardinge

did lately come to inhabit in the ſaid Parish of Earls Colne not having gained a legal Settlement there, nor produced any Certificate owning them to be ſettled elſewhere, and that the ſaid Ephraim Hunwick and Anne his wife are likely to be chargeable to the ſaid Parish of Earls Colne

Pet. Edwards

We the ſaid Juſtices upon due Proof made thereof, as well upon the Examination of the ſaid Ephraim Hunwick upon Oath, as otherwiſe, and likewiſe upon due Conſideration had of the Premiſes, do adjudge the ſame to be true; and we do likewiſe adjudge, that the lawful Settlement of them the ſaid Ephraim Hunwick and Anne his wife is in the ſaid Parish of Pattiswick in the ſaid County of Eſſex. We do therefore require you the ſaid Churchwardens and Overſeers of the Poor of the ſaid Parish of Earls Colne or ſome, or one of you, to convey the ſaid Ephraim Hunwick and Anne his wife from out of your ſaid Parish of Earls Colne to the ſaid Parish of Pattiswick and there to deliver to the Churchwardens and Overſeers of the Poor there, or to ſome, or one of them, together with this our Order, or a true Copy thereof: And we do alſo hereby require you the ſaid Churchwardens and Overſeers of the Poor of the ſaid Parish of Pattiswick to receive and provide for them as Inhabitants of your Parish. Given under our Hands and Seals the ninth Day of March in the Year of our Lord One Thouſand Seven Hundred and ninety five.

COLCHESTER: Printed by W. KEYMER.

Figure 1 Removal Order for Ephraim Hunwick Earls Colne, 1792 D/P 209/13/2

prior decade.[2] This leads us to question what social conditions were present in 1792 that were not present or as acute during the decade earlier that led to the greater number of removals in a shorter period of time. Lastly, what did Ephraim do (or not do) that made him likely to be chargeable to the parish of Earls Colne as was declared in his removal order? These questions have driven the research and study of the 'Old' poor laws reviewed in this paper.

In the spirit of studies such as Pamela Sharpe's research on the parish of Colyton in Devon and David Levine and Keith Wrightson's study of the parish of Terling in Essex, this study seeks to survey one of England's many local histories.[3] Histories have been written about the English court and cabinet, policy, politics, the great institutions of national life, of church, Parliament and the law. They have also been written about counties and towns, about trades and industries, and about classes and class interaction. Yet "if we are to fully understand the convergence of forces that shaped the nation . . . we must uncover the processes of change at work in the smaller worlds of county and village."[4]

The focus of this study originally set out to review the laws of poor law administration, the changes to these laws from the period of 1597 to the late eighteenth century, and then to determine how these laws and their changes effected the administration of the Old Poor Laws in Essex's cloth manufacturing region. It was expected that by understanding the changes that took place in these laws, we would also

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[2] ERO D/P 209/13/2
[3] Pamela Sharpe, *Population and society in an East Devon parish: reproducing Colyton, 1540-1840* (Exeter: University of Exeter Press, 2002) and David Levine and Keith Wrightson, *Poverty and Piety in an English Village: Terling, 1525-1700 (New York: Academic Press,* 1979).
[4] Levine and Wrightson, *Poverty and Piety*, 1.

be able to better understand how those charged with administration over the parish community determined who could be a member of their community.

These administrative processes, largely determined by laws and religious mores, provided the social consciousness and perceptions which then were manifest in the administration and supervision of the growth of the communities. Although both religion and law continued to provide the foundation for the growth and modification of governance of the labouring poor, the administration eventually fell under the jurisdiction of the regulatory apparatus known as the Old Poor Laws. Studying the poor laws in conjunction with the methods of 'making shift' of people living on the margin fosters a better understanding of the poor and their ability to survive. (The poor laws granted the legal right to people to "enter" a community while their ability to provide for themselves or "make shift" was the method through which they "stayed" in a community.) This in turn provides a clearer frame of reference to measure a community's need or willingness to "allow" a person to belong to their community. As we will see, initial expectations regarding the relationship between law, administrators, and the labouring poor needed to be revised as it became clear that the relationships between these three factors were not as originally expected.

Furthermore, the local interpretation and enforcement of parliamentary laws and proclamations by community leaders within the parish (who determined community membership) are recorded in various local and county records. These records include parish minutes, poor law settlement examinations, removals, certificates and legal actions such as petty and quarter session records. Several specific poor laws set out the criteria of community membership, namely, the laws of settlement and removal, which resulted

in the creation of the records that have been used in this study. As previously mentioned, comparing these legal criteria with the actual managing of community membership by local parish officials will help show how local community membership was negotiated by parishes.

In order to understand the laws of settlement as enacted by Parliament and outlined in the chapter below, it is first necessary to understand what the concept of settlement meant during this period of time. Shaw's *Parish Law*, a contemporary eighteenth century text written to provide guidance in the conduct of all parish business, noted that "the place which the poor were last legally settled at, is the place which by law is to provide for them."[5] Therefore, each subject of the realm was to have their physical, spiritual and financial wellbeing taken care of in their parish of settlement, yet, as we shall see, determining a person's place of settlement was not always an easy task. As the law of settlement was of particular benefit to the poor and labouring people, and because some parishes had a higher percentage of people likely to become chargeable to the parish than did others, it was to the benefit of each parish to determine who in fact had legal settlement in the parish and claim on parish resources. Examinations of settlement and orders of removal fell under the parliamentary acts to relieve the poor throughout England and Wales from the seventeenth century until the early twentieth century. These records of settlement and removal were created by the local parish officers, usually under secular administration, but within a parish's boundaries. The settlement examination was created to provide a legal and orderly manner of determining where each citizen of the country could turn if they needed to ask for sustenance or relief from poverty or illness.

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[5] Joseph Shaw, *Parish Law: or, A Guide to Justices of the Peace, Ministers, Churchwardens, Overseers of the Poor, Constables, Surveyors of the Highways, Vestry Clerks, and all Others concern'd in Parish Business*, 6th ed. (London: Ware and Nourse, 1748), 247. [ESTCN 11020]

The Settlement Examination recorded the name of the parish in which the examination took place, those local officers who were conducting the examination, the names of those being examined and any family members living with them. The most important information gathered in the examination came in the form of an oral recital by the examinee listing every place he or she could remember having resided, the duration of that residence and any corresponding employments that were engaged in during those residences. Meanwhile, removal orders recorded the name of the parish that a person was currently living in, the parish in which they claimed settlement as determined by the previous examination and the parish in which it was judged they had a true settlement, according to the law, and where they were to be removed to.

Many studies have been made and commentaries written about the 'Old' poor laws by those who were contemporaries of them. Richard Burn, a Westmoreland Justice of the Peace, wrote *The History of the Poor Laws*[6] and *The Justice of the Peace and Parish Officer*.[7] Sir James Burrow's *Settlement Cases*[8] provide examples of these poor laws being challenged, deliberated and judged. Burrow's *Settlement Cases*, more importantly, provided a written interpretation and commentary from a legal perspective regarding what was meant by a particular law and how it should have been interpreted and implemented.

After the reforms to the poor laws in the early nineteenth century, the old poor laws became largely ignored by legal scholars who chose to focus on the modern reforms

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[6] Richard Burn, *The History of the Poor Laws: with observations. 4 Vol* (London: Millar, 1764). [ESTCT 70490]

[7] Richard Burn, *The Justice of the Peace and Parish Officer, in two volumes* (London: Millar, 1755). [ESTCT 68627]

[8] Sir James Burrow, *A series of the decisions of the Court of King's Bench upon settlement-cases : from the death of Lord Raymond in March 1732 : to which is added a complete abridgment of the substance of each case, and two tables of the names of them* (London: Worrall and Tovey, 1768). [ESTCT 96778]

which became known as the 'New' poor laws. Noted scholars of the English Poor Laws include Sir George Nicholls who wrote a multi-volume work on the history of the English poor law with regard to the condition and the state of the people throughout the country. Nicholls' study of the care and relief of the poor began with the period before the Norman invasion and ended contemporaneous with his work being published in the 1850s. At the time of his study, he was a poor law commissioner and the secretary to the poor law board. There can be little doubt that Nicholls had a personal bias regarding these laws.

> The establishment of a Poor Law in any shape, or any systematic organization for affording relief to the destitute, must be regarded as indicating a considerable advance in civilization, and in the appreciation of duties arising out of a common interest for securing a common good.[9]

Nicholls believed that the English Poor Law was founded upon the principle of the land sustaining its citizens. This was the foundation for his personal maxim on social policy, that the first charge on the land is, of necessity, the maintenance of the people who live on it. Furthermore, he declared that, "society exists for the preservation of property," conditional to the fact that "the abundance of the few shall only be enjoyed by first making provision for the necessities of the many."[10] Nicholls also believed that the care and wellbeing of the English poor had improved since the era of William the Conqueror and that the recent changes made in the practices of poor relief indicated a betterment of the relief system and higher levels of civilization.

In the early twentieth century, Dorothy Marshall believed that a void had formed in the study of the early poor laws and that no serious research or publications had

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[9] Sir George Nicholls, *A History of the English Poor Law: in connexion with the legislation and other circumstances affecting the condition of the people* Vol I (London: John Murray, 1854), 2.
[10] *Ibid.*

addressed this area of history for much of the proceeding century. In 1926, she published her research on the effects of Poor Laws on the lives of the mass of the labouring poor.[11] This volume of work focused on the long eighteenth century and attitudes of contemporary writers and poor law administrators. As ground breaking research in the twentieth century on this area of study, Marshall noted in 1969 that current scholarship has caused some of her comparison and conclusions to become outdated. Frequent changes and revisions in scholarly opinion and belief over the past seventy-five years has seen much of the research published by Marshall challenged, yet most of her research has withstood this new scrutiny and remained highly respected.

In 1927, Sydney and Beatrice Webb published a ponderous multi-volume work *English Local Government: the Parish and the County*, four volumes of which specifically dealt with English poor law history and policy. The Webbs, too, had a polemic purpose in their research and writings. As proponents of Socialism, they sought to discover how various parishes, counties and communities were governed in order to determine what "improvements their social institutions could best be fitted for the additional tasks that they would find themselves undertaking."[12] Their study of local institutions from the seventeenth to the nineteenth century aimed to explain how political and social organizations had been built in the past and how these same organizations could be used to introduce a socialist program in the future.

In 1979, David Levine and Keith Wrightson renewed the study of the English poor on the local level with their research on the parish of Terling in Essex in the period

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[11] Dorothy Marshall, *The English Poor in the Eighteenth Century: A Study in Social and Administrative History* (London: George Routledge & Sons, 1969), reprint of the 1926 ed. with a new preface.
[12] As quoted in Webb, *English Local Government: The Parish and the County* (Frank Cass and Co. Ltd., 1963), Vol I, vi.

from 1525-1700. They too were interested in discovering how a single parish fit into a national context, how the local system of government and society developed and changed over time; they aimed to reconstruct the lives of both the "better sort" and the labouring poor.[13] Their study of Terling opened up a field of history at a local level which as a historical discipline has seen both periods of growth and decline, and is currently in the process of becoming an vogue once again as historians heed the call to "history from below" and local histories.

Keith Snell provided a much needed historical survey history of the rural labouring poor with his 1985 book *Annals of the Labouring Poor.* Although Snell's *Annals* was more concerned with coming to a better understanding of the mentality of the poor and their 'standard of living', than with the laws that directed the lives of the poor, he helped drive the focus of scholarly research to study history from below.[14] Since publishing *Annals*, Keith Snell has focused on studying the labouring poor's patterns of migration, life-cycle poverty, wages, inflation and industries largely in rural settings. In 1988 came Paul Slack's wide ranging modern survey of the Elizabethan poor law during its early years in the Tudor and Stewart period; Slack pushed his survey farther into the eighteenth century in following publications.[15] Slack's writings have ranged widely over the large topics of the creation of law, local administration, and the poor and the policy that affected them during the period of the old poor law. Since the 1980s, the research of

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[13] The term "better sort" is used by Levine and Wrightson in this study to indicate those with wealth and social statute before the term "class" as we use it today came into existence.

[14] History from below is written from the level of the common or labouring sorts, instead of from the perspective of government, social commentators, or others who might, through social position look "down" on other social groups.

[15] Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London: Longman, 1988); Paul Slack, *The English Poor Law, 1531-1782* (Basingstoke: Macmillan Education, 1990).

many historians has breathed new life into studying and recreating the lives of the poor in England both during the long eighteenth century and beyond.

In more recent years, historians such as Steve Hindle, Pamela Sharpe, Tim Hitchcock, Steven King, Peter King, Thomas Sokoll, and Alannah Tomkins have studied the records left by the administration of the English system of relief. Overseers books, census records, vestry minutes, and other records have proven fertile ground for reconstructing economic lives and life-cycles and furthering the study of wages, inflation, migration, the rise and fall of industries, and the growth or decline in population. These students of social history on the local and family level have also begun to study these documents finding different degrees of success in the reproduction or reconstitution of specific localities or regions.

Steve Hindle recently produced a study on the role of the parish.[16] As an administrative unit, the parish faced the constant question of who to include in the community and who to exclude. The parish also had to deal with the reality of those on the margins of poverty who may have needed only occasional relief or might be expected to need relief at some time in the future. Tim Hitchcock, Peter King and Pamela Sharpe recently collaborated to produce a volume on the labouring poor and strategies they employed for survival.[17] Their research has determined that many of the labouring poor lived on the margin of needing formal parish relief, even after the poor had done all they could to provide for themselves, and they knew that a formal request for relief might initiate their removal from the parish. Thomas Sokoll's research has alerted us to the

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[16] Steve Hindle. *On the Parish? : the micro-politics of poor relief in rural England c. 1550-1750* (Oxford: Oxford University Press, 2004).

[17] Tim Hitchcock, Peter King and Pamela Sharpe, eds. *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640-1840* (London: MacMillan Press Ltd, 1997).

value of a document series which has not been well studied, namely, letters written either by paupers or for paupers who required aid because they were living in a parish other than their parish of settlement.[18] These letters indicate a secondary inter-parish network system whereby local authorities consciously might allow a pauper to reside in their parish providing that their parish of settlement would continue to provide for the pauper's needs, preventing the pauper from becoming an economic drain on the parish in which they were currently residing. Such agreements between parishes often were undertaken in an effort to reduce the administrative costs involved in the process of examining and removing paupers. The recent work of these historians from Hindle through to Sokoll has focused on a regional or local basis and covers a specific period of time, providing micro-histories instead of large, broad histories in scope. These studies have led to many of the current insights and understandings regarding historical scholarship on the poor and the laws under which they lived.

Success in these studies is often determined, at least partially, by the existence and availability of records for study. Many of the records of this sort[19] were kept in the local parish chest and it was not uncommon for old records to be thrown out or reused in some manner when space was needed in the chest for newer records. Time and nature also played a large role in the wear and deterioration of documents, often totally destroying them or making them unsuitable for study.[20]

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[18] Thomas Sokoll, ed. *Essex pauper letters, 1731-1837* (Oxford: Oxford University Press, 2001).
[19] Records in this document series include Settlement Examinations, Removal Orders, Settlement Certificates, Overseers accounts, and pauper letters to name a few of the most commonly available documents.
[20] William E. Tate, *Parish Chest, a study of the records of parochial administration in England* (Cambridge, University Press, 1960), 6-9, 52.

Not all documents created by the process of maintaining and relieving the poor made their way into the parish chest. Many documents have been found in private collections, arising from the practice (still exhibited by many modern workers) of taking work home. Accounts, letters, and papers taken home by a local officer to work on or update have later been found in the personal collections of the officer's descendants.[21] Without ascribing to them any sort of human characteristics, documents often enjoyed a great degree of mobility. Local processes usually created more than one copy of a settlement certificate, one to keep in the parish where the individual could claim settlement, and one kept by the individual who, in attempting to find work, left his parish of settlement. Removal orders were created in duplicate for similar reasons, one to be kept by the parish ordering the removal of a pauper and the other moved with the pauper as he was returned back to the parish he came from. Eventually the document was handed over to the local officers of the parish where it had been determined the pauper could claim a settlement. For example, William Harwin, a cordwainer, and Mary his wife and their child were removed from the parish of Bocking in Essex to the parish of Spitall Fields [Spitalfields] in Middlesex. A copy of their removal document would have traveled with William and his family back to Spitall Fields in Middlesex, so, even though no record of his removal is found in the parish of Spitall Fields, a copy of this order still exists in the parish records of Bocking.[22] This migration of records with the people whose movements they recorded can create further problems in tracking the actions and

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[21] Stephen James Taylor, *Poverty, migration, and settlement in the Industrial Revolution : sojourners' narratives* (Palo Alto, California: The Society for the Promotion of Science and Scholarship, 1989), 4. This statement also holds true of several of the records now held by the Essex Record Office, which have been found in personal collections and since donated to the county archives.

[22] ERO D/P 268/16/2 William Harwin removal order.

decisions of local parish officers. Moreover, it would be unwise to discount the willful destruction of documents to hide negligent or blatant abuse of authority or funds.[23]

Through the study of the extant and available poor laws records, particularly the examinations of settlement and orders of removal, it is possible to explore the specific poor laws that set out the regulatory definition of what would become criteria for membership in the parish community, namely the laws of settlement and removal, and compare these legal criteria with the actual managing of community membership by the local parish officials.

Many historians of the poor law believe that the decisions made towards the relief of the poor under the Old Poor Law were directed by the individual circumstances of the parish at the time and the perceptions of these circumstances by the local parish officers.[24] A study of the response of communities to their poor population found little consistency in social regulation between generations and connected these changes in attitude to economic growth and the perceived ability of the parish to address the needs of its poor members.[25] If this is found to be true, it then should lead to the acceptance of the point made by Levine and Wrightson that while England has many histories, "we must uncover the process of change at work in the smaller worlds of county and village."[26] Social historians are beginning to rally behind the belief that many individual local studies of poor relief need to be studied before anything like a "national" relief system can be accurately described.

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[23] Pamela Sharpe, *Population and Society in an East Devon Parish: Reproducing Colyton 1540-1840* (University of Exeter Press, 2002), 14-18.
[24] Thomas Sokoll, *Household and family among the poor: The case of two Essex communities in the late eighteenth and early nineteenth centuries* (Bochum, 1993), 50; Levine and Wrightson, *Poverty and Piety*, conclusion; Sharpe, *Reproducing Colyton*, 2.
[25] Marjorie McIntosh, *Controlling Misbehavior in England 1370-1600* (Cambridge: Cambridge University Press, 1998), 161-7.
[26] Levine and Wrightson, *Poverty and Piety*, 1.

In keeping with the belief that local studies of poor relief need to be provided before attempting to describe the poor relief system on a larger scale, this study will focus on seven neighbouring parishes in Essex, namely, Bocking, Coggeshall, Earls Colne, Colne Engaine, Gosfield, Halstead, and Stisted to help chart the changes that took place in the administration of the poor laws and note how these changes affected the parish administrator's perceptions of who could be a member of their community. The time period chosen for this study has been determined in part by the availability of source documents for the parishes being studied and by the major phases of legal reform implementation which began in 1597. This study will conclude in the late eighteenth century which began a whole new cycle of changes to the requirements for settlement and the poor law in general. These new and significant changes became known as the "New" poor law.

Between the Poor Law Act of 1597 and the great poor law reform act of 1834, the number of poor laws surpassed two hundred, some amending previous laws while others replaced and added to the laws. Some of the laws passed concerning the poor were broad in scope, such as *39 Eliz. 1. c.3*, which outlined the number of parish officials who were to be called to care for the wellbeing of the poor, the frequency with which these officials should be changed, and the general duties in which they were to engage. On the other hand, some of the laws passed were very specific dealing exclusively with an issue or place in time such as the 1729 *Worcester Poor Relief Act*.[27]

Chapter One will provide a synopsis of the major laws passed relating to community membership along with an analysis of the evolution of these laws and their relation to the prevailing social and economic conditions of the period. The sixteenth

[27] *3 Geo. 2 c.23, Worcester Poor Relief Act*, 1729.

century saw many abrupt changes -- social, religious and economic -- and these intensified as the century drew to a close. Burgeoning Puritanism among a well-educated, influential and vocal minority strained community bonds. Meanwhile endemic disorder and war in Ireland, continued war with Spain, outbreaks of plague in London and throughout the county, heavy and unseasonable rains between 1589 and 1594 resulting in poor and failed harvests in many regions that in turn created an economic depression that deepened throughout the final decade.[28] Consequently, by 1597, Parliament was ripe for debate on the care of the poor and their relief. "The multiplicity of ills was such as to make a general overhaul of economic and social legislation seem imperative."[29] On November 5, 1597, following the opening remarks of Francis Bacon, who commenced the session with a motion against enclosures, the depopulation of towns, and in favour of the maintenance of tillage, a Puritan lawyer, Mr. Finch, broadened the scope of the inquest by speaking on the "horrible abuses of idle and vagrant persons, greatly offensive both to God and the world and the miserable estate of the godly and honest sort of the poor subjects of this Realm."[30] As a result of these speeches, committees were formed and created "three great Acts of this Parliament," namely "for the relief of the poor," "for the punishment of rogues, vagabonds and sturdy beggars," and "for erecting of hospitals or abiding and working houses for the poor."[31] These three great Acts formed the foundation of the official Parliamentary Acts (now known as the "Old" poor laws) which began to prescribe both social conduct and community

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[28] D. M. Palliser, *The Age of Elizabeth: England under the later Tudors 1547-1603*, 2nd ed. (London: Longman Group, 1992), 25-35, 54-63; J. E. Neale, *Elizabeth I and Her Parliaments 1584-1601* (New York: W W Norton & Company Inc. 1966), 335-7.

[29] J. E. Neale, *Elizabeth I and Her Parliament 1584-1601* (New York: W. W. Norton & Co., 1966), 337 notes that the first five chapters of the 1597 Statute were economic and social ones. "They were not government bills, but were framed in committees of the House of Commons."

[30] As quoted in Neale, *Elizabeth I*, 338.

[31] Neale, *Elizabeth I*, 348.

membership. These Acts will be discussed with respect to the issues of settlement and removal in the context of the Essex parishes chosen for this study.

Community identity, such as the ability of a person to connect emotionally with a physical location or social group, is a key concept in understanding how communities functioned and changed. Chapter Two, therefore, will seek to create a fuller understanding of the identity of the parish community, particularly in light of the poor laws discussed in Chapter One. Naturally stemming from community identity is the concept of social credit which will also be explored in this chapter. How did a person's value to a community fluctuate over time in response to the economy, social conditions and the evolving identity of a community? What was their value within the community and what caused an individual's personal value to change?

Chapter Three will introduce the parishes chosen for this study. A study of local or regional relief systems will find that England did not have one relief system but an amalgam of relief systems.[32] This chapter will focus on a specific region in Essex known during the eighteenth century for its cloth and agricultural production. A qualitative analysis of the selected parishes is expected to show how these communities interpreted and implemented the laws guiding membership. Such finding could then be measured against other local or regional reconstitutions such as those surveys completed for Colyton in Devon by Pamela Sharpe, Terling in Essex by David Levine and Keith Wrightson, or the regional work engaged in by Steven King and others, to look for patterns and connections.[33] Due to the qualitative nature of this research some of the

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[32] Steven King, *Poverty and welfare in England 1700-1850: a regional perspective* (Manchester: Manchester University Press), 2000, 4-10.

[33] N.B. The term "community" is being used in this paper both to connote the community of the parish which is responsible for the administration of the poor laws over a designated geographic area, and to

results brought forth will of necessity be of a speculative nature. These results may be repeated and further validated in light of comparisons to other community reproductions or through future research; however, it is my expectation that they will provide a necessary and valuable foundation for research yet to be done.

Qualitative studies often encounter and in some cases cultivate some problems. It should be noted that this research neither attempts to engage in a history from above nor one from below. The sole purpose of this research is an initial examination into the actions of several parish communities and a commentary on the results found which show how these communities interpreted and implemented the laws mandated by parliament. The parishes chosen for this study have been described in a general manner as being both prosperous and populous during the eighteenth century, a condition that may be uncommon elsewhere in the country.[34] Therefore, this study makes no attempt to tackle community identity by a random sampling of communities throughout England, although examples from other communities will be used to provide a fuller understanding of the laws and social perceptions in use during this period. Lastly, a large factor in choosing these parishes was determined by the richness of the extant poor law records published and available to the public, with particular attention paid to the settlement examinations and removal orders upon which this study is largely based, and unpublished sources available only at the local record office in Essex. No records held in private collections were accessed for this study. Due to these restrictions, Gosfield, one of the original seven

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describe a community such as a village, town, or city. When comparing this study to other local studies, the term "community" as a village, town, or city is the most common use of this word. This is in an effort to retain common terminology used by local historians.

[34] A. F. J. Brown, *Prosperity and Poverty in Rural Essex 1700 – 1815* (Chelmsford: Essex Record Office, 1996), 1-4.

communities chosen, has remained in the focus group, yet it will receive only limited exposure due to the lack of availability of some of its original records.[35]

It should therefore be restated that due to the method of choosing the parishes to be studied, this research is better categorized as a local or regional study rather than one that attempts to describe the actions of communities in England on a national scale.

The second part of this thesis takes what may seem like a sharply divergent turn in topic. While the focus remains on the English poor, Chapters Four has been devoted to fostering a clearer understanding of the poor living on the margins of poverty and the methods, both legal and outside the law, in which they engaged to survive or (as current scholarly vernacular terms it) to "make shift." It is only through understanding the economies engaged in by those hovering on the brink of poverty that we can better understand the social perceptions and actions of the local parish officers in dealing with the poor already in their community and those who hope to gain entrance. Indeed, once community membership had been gained, no matter how tenuously, a labourer's ability to make shift may have been all that stood between being allowed to stay in the community or being removed. The research for this chapter comes from a combination of primary and secondary texts written about Essex and the particular region where the seven communities are located. Additionally, other local history reconstitutions have been used to provide a more robust picture on the nature and methods of making shift employed throughout the country. Although the methods of making shift are as individual as the communities and the regions in which the examples come from, it is felt that in this case, a wider perspective on the methods by which people and families sought economic self-

[35] Upon reviewing the records requested for Gosfield, the archivists at the Essex Record Office classified the records as too fragile to be viewed and put them on permanent restricted access.

determination will help the reader gain a clearer understanding of the many methods of making shift which may have been used in the communities studied and how they are used as comparisons in this study.

Chapter One – The Acts and the Administration

The "Old" Elizabethan Poor Laws were introduced by Queen Elizabeth with the statute regarding the relief of the poor on October 9, 1597. By the thirty-ninth year of her reign, Elizabeth and her parliaments had become intimately familiar with the poor and their needs. In fact, the legislation Elizabeth introduced from this time, while eventually known as the "Old" or "Elizabethan" Poor Laws, in effect amended and replaced the medieval and early Tudor Laws and customs for treatment of the poor. The late Elizabethan statutes and those of subsequent monarchs retained the designation of "Old" or "Elizabethan" Poor Laws until 1834 when radically different legislation was enacted which became known as the "New" Poor Laws.

Both the "Old" and "New" poor laws were heavily influenced by religious beliefs and contemporary social values. During the medieval and early modern eras, the poor were believed to fill special spiritual and social roles.[36] The suppression of poverty and vagrancy was "almost invariably mere reenactments of principles drawn from the canonistic works which contained the main body of medieval law in the field".[37] The Church, as administrator of both secular and canon law, advocated that a righteous man or woman could do much to secure their place in heaven by engaging in the charitable relief of a pious pauper. This had been previously evidenced by the 1215 papal decree of Pope Innocent III which encouraged believers to engage "with works of great mercy, and, for the sake of things eternal, to sow on earth what we should gather in Heaven, the Lord

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[36] McIntosh, *Controlling Misbehavior,* 193. In 1560 a proclamation was made by Queen Elizabeth stating that four new hospitals would be erected. "One is for the poor people that be stricken by the hand of God," Paul Hughes and James Larkin, eds., *Tudor Royal Proclamations.* Vol I. (New Haven: Yale University Press, 1964), no. 476, 'Authorizing Collection in Wales for London hospitals and Oriel College' (1560).
[37] Brian Tierney, *Medieval Poor Law: A Sketch of Canonical Theory and Its Application in England* (Berkeley: University of California Press, 1959), 6.

returning it with increased fruit."[38] St. Francis taught in the thirteenth century that "beggars were holy, and that the holy should live as beggars."[39] By the sixteenth century the social perception of poverty changed from that of a pious state (which encouraged direct and spontaneous charity) to being seen as an indicator of social decay.[40] This shifted the custom of poor relief from a wholly religious domain (where the distribution of charity and alms to both the local poor and wandering beggars was encouraged) to a newly hostile view namely a concern with the "sin of sloth."[41]

Lawmakers have long wrestled with the issue of what to do with the poor, particularly in light of prevailing religious values at the time any new law was being proposed. Restricting the movement of the poor through regulating society gained momentum when new social perceptions labeled the wandering poor as "vagabonds" and "rogues" engaged in idle mischief. These changing perceptions towards the poor and towards charity began to shift the day-to-day economic and social issues of this group to a local (parish) level. Thus, while the creation and passing of laws remained a parliamentary duty, the implementation of them fell to the local parish officers -- creating a new form of localized social duty.[42] For example, in 1496, local jurors of the Ombersley manor in Worcester created their own local procedures when they instructed

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[38] As quoted in Gareth Jones, *History of the Laws of Charity 1532-1827* (Cambridge: Cambridge University Press, 1969), 3.
[39] A. L. Beier, *Masterless Men: the vagrancy problem in England 1560-1640* (London: Methuen & Co.), 1985, 4.
[40] *Ibid.*
[41] *Ibid.*
[42] McIntosh, *Controlling Misbehavior*, 195; Brian Tierney, *Medieval Poor Law: A Sketch of Canonical Theory and Its Application in England* (Berkeley: University of California Press), 1959, and Sidney Webb and Beatrice Webb, *English Poor Laws History Part 1: The Old Poor Law* (Edinburgh: Frank Cass and Co. Ltd.), reprinted 1963.

constables "to see that outside and suspicious wandering beggars are not permitted to remain here."[43]

Although canon lawyers of the thirteenth century had challenged the belief in Godly poverty, it was not until the period of the Reformation that this small stream of critical opinion developed broad influence and reshaped social perception.[44] In the sixteenth century, the common social perceptions regarding the acceptability of poverty began to harden into two views. There were those who still saw poverty as a status created by God to encourage piety both by giving and receiving charity, and those who saw it as a sin of sloth and evidence of social decay. The two emerging viewpoints subsequently differentiated the poor into two perceived groupings. There were those who were normally employable and pious (but, who due to sickness, accident or agedness, were no longer able to work in such a manner so as to be able to earn wages for maintenance), and those who were seen as willfully poor.[45]

Regarding those determined to be willfully poor, new methods of punishment and control were developed to manage and correct such socially-unacceptable behaviour. During the sixteenth and seventeenth centuries, many laws and proclamations were enacted against those willful poor labeled "rogues," "vagabonds," "wanderers" and "beggars."[46] These laws applied to any who were perceived as able of body but of weak character and who sought alms without being willing to work. They were the idle of body who chose mischief, gaming and drunkenness instead of labouring. A proclamation in 1554 aimed to expel all vagabonds from London, due to the mischief they were

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[43] As quoted in McIntosh, *Controlling Misbehavior*, 91.
[44] Beier, *Masterless Men*, Chapter One.
[45] McIntosh, *Controlling Misbehaviour*, 91.
[46] See Appendix A for a listing of Statutes and Proclamations

causing.[47] This proclamation was largely ineffective; four years later, another proclamation called for London to be purged and cleansed of "masterless men," "vagabonds," "beggars" and the "idle."[48] Furthermore, in the three decades prior to 1554, five additional proclamations had been issued to address the problems caused by vagabonds and rogues. Before the close of the sixteenth century, another seven proclamations would be issued towards this group of poor.[49]

Rogues and vagabonds were also often blamed for the outbreak and spread of plagues. In 1564, Queen Elizabeth cancelled the Maundy ceremony declaring that the poor were to remain in their local parishes and should be relieved by Christian people and the charity of her Majesty, instead of wandering to beg.

> Yet it hath been thought, . . . not meet that at this time any assembly should be had in her majesty's house of such great number of persons as commonly either dwell in sundry unknown places, or for lack of ability otherwise to live are compelled to go from place to place, as well infected with contagious sickness as be otherwise without respect.[50]

In 1592, and again in 1603, access to the court was prohibited due to the spread of plague. In fact, "no manner of person allowed to attend in her court

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[47] Hughes and Larkin, *Tudor Royal Proclamations*, Vol II (416) "Expelling Vagabonds from London and Westminster (Hampton Court, 15 September 1554, I & 2 Philip and Mary), no. 46."

[48] Hughes and Larking, *Tudor Royal Proclamations* Vol II (445) "Expelling Vagabonds from London and Westminster (London, 1558, 4 & 5 Philip and Mary), no. 92."

[49] "There was no official collection of Marian or Elizabethan royal proclamations. The originals, which were written on parchment, survive only in a small number of instances; the copies which might have been made and then retained in conciliar records or in what are now called the state papers are few in number; the printed copies were dispersed widely, and although each local authority to which they were directed was a potential source for a collection, the elements would have taken their toll when the proclamations were posted as the writ required. No list of proclamations remains, but there are partial lists in books of precedents, other lists made after the reigns, and books in special offices such as the Mint into which proclamations which were relevant to the work of that office were copied. Fortunately a collection of Elizabethan proclamations was made in 1618 by a London notary, Humphrey Dyson, and was formed into several sets, none identical, of which seven are known." Frederick A. Youngs, Jr. *The Proclamations of the Tudor Queens* (Cambridge, Cambridge University Press, 1976), 5-6.

[50] Hughes and Larkin, *Tudor Royal Proclamations* Vol II (520) "Cancelling Maundy Ceremony [draft] [Windsor, 23 March 1564, 6 Elizabeth I], 246."

shall repair to London or to the suburb or places within two miles of the city without special license."[51]

The 1564 proclamation indicated that the poor should be relieved by both Christian people and by her Majesty. However, early administration of the poor actually came most often in three forms: 1) through the independent alms given by those with means, 2) through charity administered by the church, and 3) through the manor court system which also organized and administered local relief.

A study of medieval manor court records confirms the role of the manor in providing relief to the poor, especially in the case of the aged poor. The manor lord alone had the right to determine the acceptability of worthiness of his tenants to receive relief.[52] Based upon his perceptions of acceptability, the aged were then allotted land. The land in turn would be used by the aged poor to create a living with the additional expectation that the manor lord would be paid rent from these lands.[53]

A manor varied in size and was not usually coterminous. Coterminous manors claiming large amounts of land may have required more than one church building or parish to administer to the religious needs of the people living under the jurisdiction of the manor. Inversely, other manors with smaller land holdings may have been grouped together into one parish and required parishioners to travel to a common building. Although manors and their lords historically played a vital role in the administration of poor relief, "the courts of the various manors, whatever their powers might have been in medieval times, had ceased by the turn of the sixteenth century to have any function other

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[51]Hughes and Larkin, *Tudor Royal Proclamations* Vol III (750) "Prohibiting Access to Court Because of Plague [Hampton Court, 12 October 1592, 34 Elizabeth I], 111."
[52] Elaine Clark, "Some Aspects of Social Security in Medieval England," *Journal of Family History*, Winter, 1982, 7:4, 308.
[53] *Ibid.*

than the registration of land transactions."[54] Thus, while previously the Church courts had broadly exercised jurisdiction over much of English life, their responsibilities, particularly towards the maintenance and relief of the local poor, grew in direct relationship with the decline of the manorial system.[55] This transfer of administrative duties from the manors to the Church found a natural home in the administrative processes already in use by the Church as a religious caretaker of the country's people.

The parishes of the Church of England in the early sixteenth century, covered the whole of the counties of England and Wales. As mentioned previously, this framework of religious processes allowed the Church to enact and regulate its increasing responsibilities for non-religious affairs and administration. However, by the late sixteenth century, Parliament had determined that the growing number of the poor and their escalating needs were now overwhelming the local communities and that more would have to be done on a national scale to provide relief to those suffering poverty. In 1601, through statute the parishes of the Church of England were appointed to take over all administration of the relief system and implement this system according to the newly laid out Parliamentary statutes.[56] Richard Burn emphasizes the extension of the ecclesiastical duties to take on the nationalized secular responsibilities to care for the poor.

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[54] Levine and Wrightson, *Terling*, 112; Mark D. Herber, *Ancestral Trails: The Complete Guide to British Genealogy and Family History* (Baltimore: Sutton Publishing Limited, 2000), 497. Pamela Sharpe finds an exception to the statement by Levine and Wrightson in her study of Colyton, see note, 51.

[55] R. H. Helmholz, *Roman Canon Law in Reformation England* (Cambridge: Cambridge University Press, 1990), 1.

[56] 43 Eliz. 1 c. 2 *'An Acte for the Releife of the Poore'*, 1601. Pamela Sharpe's study of Colyton, Devon finds the manorial system alive and functioning throughout the seventeenth century and well into the nineteenth century. In Colyton the feoffees under that manorial system worked alongside, but not always in conjunctions with the secular parochial administrative system. It is therefore wise to remember that the passing of a law, such as the law to create the position of overseers of the poor in each parish was not always immediately enacted, and may not have been enacted or enforced in the exact manner prescribed by the law. Sharpe, *Reproducing Colyton*, 213-214, 249.

> Anciently, the maintenance of the poor was chiefly an ecclesiastical concern. A fourth part of the tithes in every parish was set apart for that purpose. The ministers under the bishop, had the principal direction in the disposal thereof, assisted by the churchwardens and other principal inhabitants. Hence naturally became established a parochial settlement.[57]

Neither social standing in the commonwealth nor religious belief could exempt a person from receiving necessary assistance. The relief system was to be administered by the local religious unit, the ecclesiastical parish, and every person living within that parish was to be cared for according to their need.

By 1601, various factors contributed to an increase in the number of poor and their escalating needs. Changes made to increase the production of wool for the growing draperies and woolens manufacture and trade saw the enclosure of most of England's common lands and wealds, therefore reducing the ability of the poor to make shift through the use of local common lands and resources. Modifications in husbandry and reclamation of the eastern fen lands had encouraged additional enclosure in those areas. Another consequence of enclosure was the extreme volatility and an upwards trend in the price of grain.[58] Prolonged and heavy rains between the years 1589 and 1594 caused poor crops in some regions and eventually caused widespread harvest failures. The wars with Spain and in Ireland created a large number of soldiers who, when dismissed from their duties, found themselves unemployed and unable to find employment in industries that had previously required large numbers of unskilled human labour. Furthermore, technological changes in industry and production altered where labour was required. This placed an additional pressure on the need for manual labour – labour of a different

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[57] Burn, *The Justice of the Peace and Parish Officer* (1788) Vol III, 306.
[58] Joan Thirsk, ed., *The Agrarian History of England and Wales* Vol IV 1500-1640 (London: Cambridge University Press, 1985), Table I, 814-820.

sort than that of the traditional agricultural labourer. It was upon these large national and many smaller regional crises that the 1601 statute took aim.

1601 Poor Relief Act

Embracing the framework of the parishes, the new Act for relief of the poor called for the creation of the position of Overseer of the Poor. A treatise printed in 1601 to educate the overseers of the poor on the administration of their duties stated, "Excellent is that law which is last provided for the poore, but yet as gold be it never so precious is unprofitable without use, so Laws be they never so laudable want life without execution"[59] The role of overseer was seen by this writer as a deeply religious employment; if Jesus Christ who was both a God and a man who could become poor for our sakes, "let us not disdaine to oversee the poore for his sake."[60] The overseer was to be a man of virtue, of honest report, and cultivate the wisdom of the Holy Ghost in carrying out his duties to find employment for those able to work, relieving with money those not able to work, or those whose income eventually became insufficient to provide for their needs; and pointing out to the poor their defects.[61]

The Justices of the Peace for each parish, depending on its size, were instructed to call two, three or four substantial housekeepers to this position at Easter of each year.[62] Most parishes chose to call two overseers each year. Each ratepayer in the community was expected to take their turn serving a term in this office or a fine would be imposed. While no record was found in the seven communities studied for this paper indicating

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[59] *An ease for overseers of the poore: abstracted from the statutes, allowed by practice, and now reduced into forme, as a necessarie directorie for imploying, releeving, and ordering of the poore* (John Legat, Printer to the Universitie of Cambridge, 1601), 5. [ESTCS 113911]
[60] *Ibid*, 8.
[61] *Ibid.*
[62] 43 Eliz. 1 c. 2, '*An Acte for the Releife of the Poore*', 1601

that any substantial person paid to defer his duty, the records of the Overseers of the Poor did indicate that in many cases, a limited number of men, (and eventually women) served in this position for many years at a time. This was generally an unpaid position which required a great amount of time, which may account for the inability or lack of desire by some ratepayers to serve.[63]

An overseer, in terms of local parish office hierarchy, was at the lower end; those chosen to be overseers generally came from the ratepayers in the parish. They were by nature of their social position intimately familiar with poverty and the needs of the poor. The parish poor may be friends, neighbours, possibly relatives or servants of the overseer. It was even possible that the overseer could experience circumstances in the future that would label them among the parish poor. Poverty struck not only the aged and weak, but could afflict families through death, employment loss or through other means during the normal life-cycle as will be discussed in the next chapter. This close and intimate proximity to poverty created an acute awareness in the overseer regarding his duties to the poor.

However, it should not be counted as atypical to find cases of abuse of authority. In some cases abuses of authority were found when too little relief was provided to those in need, or too much relief was given to those wanderers or beggars passing through the parish but not members "of the parish." Some poor law records suggest that although an overseer may have come from a common background and been aware of the needs of the

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[63] Although the office of the overseer started out as an unpaid position, it was generally acceptable to pay for meals eaten while on parish business, and occasionally other office expenses might be reimbursed. An overseer only had to present their account books to the Justices of the Peace once a year and if the personal or reimbursed expenses were not extravagant they were usually allowed to pass inspection. Anthony Fletcher, Reform in the Provinces, 184-8; David Vaisey, ed. *The Diary of Thomas Turner, 1754-1765* (Oxford, Oxford University Press, 1984), gives several examples of Thomas conducting business over a meal and then claiming his expenses. Pamela Sharpe, *Reproducing Colyton,* 220.

poor over which he administered, he may have been more acutely aware of his responsibility to those within the parish who were ratepayers supporting the poverty stricken.[64] Misuse of authority was also found among other local authorities who saw to the needs of the poor, such as in the case of Thomas Cotton, a magistrate in Chelsea, who was among the 75 justices removed from office in 1738 with charges of corruption, gross misconduct and abuse of office.[65]

Among the legislation set forth in the 1601 Act to relieve the poor was the requirement to set children to work if their parents could not maintain them. The setting of children to work as apprentices or indentured servants fell under the auspices of the overseer. The intention was threefold: first, to engage able hands in productive wage earning labour, second, to remove the child in many cases from the parish and any future liability which they may become to the parish, and third, to provide knowledge of a trade and training thereby reducing the risk that the child would require relief in the future. Children were only one of the groups targeted to increase productivity and to reduce the call for aid. Previously banned in an earlier Act, those thinking of wandering from place to place begging for relief were deemed rogues and punished as such with whippings, a sentence to a house of correction or possibility even deportation.[66] There can be little doubt that social control and correction of the "vagabond," "rogue," and "beggar" went hand in hand with social measures created to provide relief to the poor.[67] Functioning

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[64] William B. Willcox, and Walter L. Arnstein, eds., *The Age of Aristocracy, 1688-1830. 8th ed.* (Boston: Houghton Mifflin Co., 2001), 76.
[65] As quoted in Tim Hitchcock and John Black, eds. *Chelsea Settlement and Bastardy Examinations, 1733-1766* (London: London Record Society, 1999), xiii.
[66] 39 Eliz. 1 c. 3. 1597.
[67] 1 Edw. 6. c.3 'An Act for the Punishment of Vagabondes and for the Relief of the poore and impotent Parsons'; 14 Eliz. c.5 'An Acte for the Punishement of Vagabonds, and for the Relief of the Poore & Impotent'; Hughes and Larkin, eds., Stuart Royal Proclamations: Royal Proclamations of King James I

mechanisms for poor relief and poor control were born out of the same social issues and acted in tandem with each other.[68] Sentiment towards the poor separated them into two distinct categories: the deserving poor and the undeserving poor. Sailors, soldiers and others pressed into military service, once released (but not returning home immediately), quickly became identified as idle vagabonds or rogues. Idleness was perceived, possibly due to prevailing religious beliefs at the time, to go hand in hand with mischief, even if the idleness came from a lack of work, not a lack of ambition.[69] This social belief was captured in several royal proclamations made towards the end of the sixteenth century and at the beginning of the seventeenth century, To this end, projects such as the making of caps or providing flax and weaving materials was encouraged in order to put the poor to work so they could provide for themselves.[70]

The new legislation gave credibility to emerging social perceptions that split the country's poor into three categories. First, there were those who claimed poverty and relief and were seen as either vagabonds or rogues of the worst sort who needed to be treated as enemies of the commonweal. Second were those who were able of body but either unemployed or underemployed. Lastly were those who through sickness, impotence, age or physical limitations were unable to work. For those who could work but were unemployed or underemployed, Parliament introduced a scheme to be

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1603-1625, vol I. 1603 'A Proclamation enjoyning all Lieutenants, and Justices of Peace, to repaire into their Countreys, and all idle persons to depart the Court.' (23)

[68] For a full discussion see Michael Rutherford, *An Archaeology of Tudor Poor Law*, Master of Arts Thesis, 2002, University of Alberta.

[69] Hughes and Larkin, eds., which volumes 1558 'Expelling Vagabonds from London and Westminster'; 1589 'Placing Vagrant Soldiers under Martial Law'; and 1627 'A Proclamation that all Captaines, Lieutenants, and other Officers shall repayre to their Companies, and that all Souldiers shall repayre to their Colours'.

[70] 1590 'Enforcing Statue for Making Caps'; 1629 'A Proclamation commanding the due execution of the Lawes made for setting the poore on worke'; and 1640 'A Proclamation, commanding the due execution of the Laws made for setting the Poor on Work'.

implemented across the nation to provide "a conuenient Stocke of Flaxe, Hempe, Wooll, Threed, Iron, and other necessary Ware and Stuffe to set the Poore on Worke."[71] Work projects such as those suggested in the act were neither new nor unique. Private projects for bettering the lot of the poor had been taking place on a local or regional basis for some time. Now the responsibility for initiating and maintaining these work projects came under the realm of the parish and local officials.

Demands for relief by the poor varied in each parish. In order to compensate for these fluctuating demands, if a parish was not able to sustain the current needs of its own poor, the Justices of the Peace at a Quarter Sessions meeting could declare a rate and tax upon the other parishes within the local jurisdiction, called a Hundred, to help those parishes unduly burdened by poor. This spread the burden for poor relief over a greater population and removed any possible benefits to a community who may have considered removing those currently living in their parish who had need for relief to another parish who would have to then care for them. This ability to declare, at the Quarter Sessions meetings, a rate paid by all parishes within a Hundred to an overburdened parish within the same Hundred may have removed some of the pressure on a parish in deciding whether or not to accept a new family into their community if they came from within that same Hundred.

On the other hand, this law may have offered parishes an opportunity to deny entry to people seeking to move into their community, instead of accepting them until they needed poor relief and then removing them outside of the local jurisdiction. Jurisdictional issues also became divisive when a parish crossed the borders of more than one county, city or town. Contention also arose when a city or town was divided into

[71] 39 Eliz. 1 c.3. 1597

more than one parish. Anticipating such disputes the 1601 act stated that "Justices of the Peace shall deal and intermeddle only in so much of the said parish as lieth within their liberty and not any further."[72] Thus ties between parishes, communities, neighbours, and land owners were strained or strengthened depending upon the actions and interpretations of the law by all concerned, as will be illustrated in both Chapters Two and Three.

Personal jurisdiction issues were formally set out when the Act declared that parents were responsible for the care and maintenance of their children as far as they were able to provide. Kinship ties, neighbourliness and levels of social credit had been governed traditionally by an individual's ability to take care of themselves, their families (immediate and extended) and to offer assistance to their friends and neighbours when called upon. According to the dictates of this act in respect to the responsibilities of maintenance, it was first the responsibility of a parent to look after the wellbeing of their children. However, while an aged parent could be called upon to provide relief for a child or grandchild, no reciprocal arrangement was declared regarding an adult child's responsibility to provide care and maintenance to their parents when needed.

While anyone refusing to pay the poor rate assessed to a parish community was fined with a levy of the sale of his goods to be used for the further maintenance of the poor, there were certain people who were exempted from paying the rates and even from being branded as vagabonds and rogues by their travels. Certainly those who were considered "too poor" or those already receiving assistance from the parish should be exempted from the poor tax. Also falling under this category (as implemented with the 1601 Act) was the freedom granted to a discharged soldier or mariner to return to his home without being punished as a vagabond. According to the 1601 Act, each

[72] 39 Eliz. 1 c.3. 1597

discharged soldier or mariner was to obtain a testimonial from the Justice of the Peace near the place where he landed or was discharged stating where he was going and when he would be traveling. This testimonial allowed him to receive relief from the parishes through which he passed without the danger of punishment or penalty.[73] This was particularly pertinent at the time; the recent wars with Spain and in Ireland had left numerous men discharged from service with no certain future employment. The provisions of the testimonial was most certainly intended to encourage the soldiers and mariners to return to their homes within a specified period of time, while allowing them to seek food, clothing and shelter on their way.

1662 Settlement Act

Increases in vagrancy, population, prices, and turmoil in politics set the background for the 1662 Act which opened as follows:

> W H E R E A S the Necessity, Number, and continual Increase of the Poor, not only within the Cities of *London* and *Westminster*, with the Liberties of each of them, but also through the whole Kingdom of England and Dominion of *Wales*, is very great and exceeding burthensome, being occasioned by reason of some Defects in the Law concerning the settling of the Poor, and for want of a due Provision of the Regulations of Relief and Employment in such Parishes or Places where they are legally settled, which doth enforce many to turn incorrigible Rogues, and others to perish for Want . . . And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That whereas by reason of some Defects in the Law, poor People are not restrained from going from one Parish to another, and therefore do endeavour to settle themselves in those Parishes where there is the best Stock, the largest Commons or Wastes to build Cottages, and the most Woods for them to burn and destroy, and when they have consumed it, then to another Parish, and at last become Rogues and Vagabonds, to the great Discouragement of Parishes to provide Stocks, where it is liable to be devoured by Strangers . . .[74]

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[73] 39 Eliz. 1 c. 3 1597

[74] 14 Cha.2 c. 2, Poor Relief Act, 1662.

While some communities had initiated a system of poor relief prior to the 1601 statutes being codified, in many cases, local officials were slow to make and enforce a new tax in the form of rates on their communities, and many failed to appoint overseers of the poor as stated in the new law. These failures to act were slowly reversed during the period from 1630 to 1660 when enforcement of the laws became more widespread.[75] However, it was determined that even with national compliance to the 1601 Poor Relief Act, the relief system was failing. In greatest measure it was failing in the areas concerning the settlement of the poor and their relief and employment. It was believed that these failings were forcing many into a roguish lifestyle which caused them to become a likely menace to the commonwealth. In an attempt to "do something" about this burgeoning problem and protect those certain parishes whose resources were being depleted by strangers, this new act outlined the criteria for settlement or citizenship in a parish.

It was determined that a settlement of forty days in any parish, or renting a tenement by which the yearly total of the rent came to the value of ten pounds, were grounds for a settlement. A legal removal order to the person's last legal settlement, where they had resided as a native, householder, sojourner, apprentice or servant had to be made during those initial forty days of inhabitation.

Parliament, aware of the work patterns of the migrant class, also stated that those seeking work, usually at times of harvest, were allowed to travel from parish to parish without the social stigma of rogue as long as they carried with them a certificate from the parish minister and one overseer of the poor stating that the worker had a legal place of

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[75]Anthony Fletcher, *Reform in the Provinces: The Government of Stuart England* (New Haven: Yale University Press, 1986), 184-8.

settlement in their parish and would not seek to obtain a settlement in another parish through forty days of inhabitation during a harvest. This certificate allowed agricultural labourers and other migrant workers to venture forth from their "home" parish seeking employment. It also created security for those hiring seasonal labourers that such hirings would not put future pressure on the parish's resources by requiring sustenance and relief when the labourer was no longer employed in the seasonal work that drew him to the parish. The 1662 Act again reinforced the traditional attitude towards rogues and vagabonds as well as introducing a new national policy of transportation for those arrested.

1691 Poor Relief Act

By 1691 the legislation concerning the right to settlement again came under the scrutiny of Parliament.[76] Amendments and changes included the requirement for any person desiring to settle in a new parish to have this desire read in Church and registered in the Poor Books that were to be kept by the parish registering the names and dates of every new person who came into the parish and their date of arrival.[77] New additions to the law included settlement provisions aimed directly towards those engaged in their Majesties Service.

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[76] 3 W & M c. 11, Poor Relief Act. 1691

[77] 3 W & M c. 11, (1691) s.3. James Stephen Taylor noted in, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives:* "The number of poor achieving settlement by this cumbersome process was inconsequential; indeed, I have never found a case where a settlement was so based," 20. I have found during the course of my research the validity in Taylor's statement. I have also noted a paucity of extant Poor Books. However, Taylor does make the point that the Poor Books he used in his research were found in private hands and not available for public use. It was intended that Poor Books and later Overseers Account Books should be used to record all uses of public funds for the relief of the poor and these books were to be audited by the Justices of Peace at least annually in an effort to reduce "frivolous pretenses [to] give relief to what persons and number they think fit . . . [which] do come at a great charge to the parish," 4, 105.

> Provided always, and be it enacted, That no Soldier, Seaman, Shipwright, or other Artificer or Workman employed in their Majesties Service, shall have any Settlement in any Parish, Port Town, or other Town, by Delivery and Publication of a Notice in Writing as aforesaid, unless the same be after the Dismission of such Person out of their Majesties Service[78]

Communities housing military barracks or ports would be relieved of the extra possible burden placed on them by servicemen residing in their parish for the proscribed forty days and being able to claim future relief from the parish. This provision would also remove from the serviceman the burden of trying to obtain a settlement while they are in the service of their country. The serviceman's settlement would remain in that place where they had settlement prior to their employment in their Majesties Service.

New provisions in procuring settlement found in this Act included activity in the parish. Now a person could obtain settlement by serving as a parish officer and paying parish rates. The underlying belief was that if a person had sufficient funds and time for service they would have a high social credit and be a valuable asset to the community; this will be discussed in the next chapter. In addition, an unmarried person with no children who was hired into the parish for one year was deemed to have gained settlement without any public announcement being necessary. Apprentices also gained settlement in the parish of their apprenticeship without having their intentions read in church. This was because many apprentices were very young at the time of their binding out. A common age to begin service was seven years, and continued for men until they reached their age of majority at twenty-four and women until their age of majority at twenty-one.

By the end of the seventeenth century the provisions set out for settlement in a community included: (1) residing in a parish for forty days, and announcing one's

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[78] 3 Will. & Mar. c,11, (1691) s.4.

intention of inhabitation in church; (2) renting a tenement with a yearly total value of ten pounds; 3) apprenticeship or indenture; (4) a hiring for a year; (5) payment of parish rates; or (6) service in a parish office. To these can be added the six additional methods of obtaining a settlement through what may be called a "derivative" settlement, according to Common Law.[79] These include the requirements that: (1) children took the settlement of their parents, primarily their father and secondarily their mother; (2) women took their husband's settlement;[80] (3) illegitimate children took their settlement from their parish of birth but were not to be removed from their mother's care until they had reached the age of seven; (4) ownership of an estate created a settlement and a man could not be removed from his freehold; (5) settlement could be achieved or assumed if a parish provided regular relief; and lastly, (6) a person was considered settled in their current place of residence if they had no other settlement.[81]

These requirements determined the pronouncement of settlement for the period of time with which this study is focused. These laws, regulations, and guidelines, then became not only a system of relief but, through the regulations for hirings, apprenticeships, and labourers with certificates, it also became a system of monitoring employment and moving labour to where it was most needed. It would seem that a majority of the English and Welsh population relied on or fell under the rule of this system at some point during their life. However, while these laws may have ruled a person's life, there is little doubt to any who are familiar with the documents left by the

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[79] Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives*, 20
[80] It should be noted that a lengthy co-habitation was considered a marriage in respect to a woman taking her 'husband's' settlement. Taylor, *Sojourners' Narratives*, 20
[81] Taylor, *Sojourners' Narratives*, 19-20.

poor that those who fell under these laws made it a priority to know, understand and in many cases manipulate these laws in an effort to better their circumstances.[82]

Historians have long debated whether these laws drew paupers further into a downward cycle of poverty or whether the provisions such as the settlement certificate allowed the poorer population to move about seeking employment and new opportunities. The latter opinion is the direction of current scholarship. While scholars and social commentators have labeled the system oppressive, harsh, wasteful or a failure, there is no reason to believe that those who required assistance saw it as anything but a social expectation that they would be taken care of through acts of charity.

[82] Thomas Sokoll Keith Wrightson, David Levine, Keith Snell, Steve Hindle and other historians who have worked with the documents left by those called "the poor" and those who dealt with them on a daily bases have noted many instances where the poor person provided or left out information such that a judgment was swayed in their behalf. Pauper letters such as those studied by Sokoll provide an excellent example of a poor person's knowledge of their privileges to receive relief and how to go about asking for such relief. Other vivid examples of this are also found in documents such as settlement examinations.

Chapter Two – Membership and Identity

The communities of Bocking, Coggeshall, Colne Engaine, Earls Colne, Gosfield, Halstead and Stisted are located in a cluster in the northern region of Essex.[83] This area has historically been dedicated to pastoral agricultural interests. The region is served by the rivers Colne (on the banks of which the communities of Earls Colne, Colne Engaine and Halstead are found) and the Blackwater, which runs next to the parishes of Coggeshall and Stisted. These communities also fall within a triangle of old Roman roads leading from London northeast to Colchester and from Colchester west and north to Cambridgeshire. Proximity to both Colchester and London provided benefits such as early roads for trading and ready markets which needed both food and cloth. These communities were some of the first to enjoy the benefits of the turnpike roads which were built and operated in the seventeenth and eighteenth centuries on the foundations of the early Roman roadways.[84]

The woollen industry had a long history in this area. It played such an important role in the economic health of this region that Parliament passed laws to protect it. One such act was passed in the mid-sixteenth century to regulate the cloth making in England, and "to prevent frauds and abuses connected therewith."[85] An Act passed in 1557, stated that no "person might start afresh as a cloth-maker, though those already established might continue."[86] Two years later, the towns most affected by this act, which included

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[83] Except where noted, the following descriptions are based on Essex, VCH, Industries, Wilson's Imperial Gazetteer, A. F. J Brown, *Prosperity and Poverty: Rural Essex, 1700-1815*, A. F. J Brown *Essex at Work 1700-1815*, A. C. Edward, *A History of Essex, Seventeenth-Century Economic Documents*, ed Joan Thirsk.
[84] A. C. Edward, *A History of Essex*, The Darwen County History Series, 4th ed, (London: Phillimore & Co. Ltd., 1978), 87.
[85] As cited in Page, *VCH, Essex*, 385 "An Acte for the making of woollen Clothe" (5 and 6 Edw. VI.c6).
[86] Page, VCH, Essex, 385.

Bocking and Coggeshall, were able to obtain a special Act of Parliament which exempted them from the restrictions of the previous act. The new act read that,

> forasmuche as the Townes or Villagies of Bocking, . . . and Cockshall, in the Countye of Essexe, bee fayre large Townes and as well planted for Clothe-making . . . and fewe Townes in this Realme better planted for that purpose, and have been inhabited of a long time with Clothe-makers, which have made, and daylye doo make, good and trewe Clothe, to the great Common Weale of the Countye there.[87]

This act further reinforced the authenticity and value of the cloth products being made in this region. Consumer goods from this area had gained such a strong reputation that products made there often became known by the community that produced them. Coggeshall produced both the "Coxsall Whites" and the Coggeshall "bayes." One observer noted in 1594 that "there are, within this Shire, theis especiall clothing townes: Colchester, Brayntree, Cogshull (where are made the best whites in England), Bocking, Hawstead, and Dedham."[88] The cloth made in this region was so distinctive that a petition was made to Parliament to allow the clothiers in this region to seal their cloths with a distinctive stamp.[89]

The cloth making industry in this region employed not only those living in the communities, but usually spilled over into neighbouring communities, providing their members with employment as well.[90] The clothing and agricultural industries were certainly the largest employers of labour in this region (although the majority of those engaged in agricultural labour were only employed on a seasonal basis); however, they were by no means the only employers. Other smaller industries found in these seven communities included tanneries at both Coggeshall and Stisted and the Box Mill, a

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[87] Page, VCH Essex Vol II, 385. (Where recognizable, the author has made no attempt to standardize spellings of place names found in direct quotations.)
[88] *Ibid*, 391.
[89] *Ibid.* It is likely that this petition was not granted as no mention of it is made again.
[90] Brown, *Essex at Work 1700-1815*, chapter 1.

watermill at Halstead which also boasted an ancillary windmill. During the eighteenth century, windmills were built in three of these parishes: Stisted, Bocking and Coggeshall.[91] By the middle of the eighteenth century, Halstead had its own brewery which supplied the 10 local inns and an additional three inns in nearby villages. Bocking also had a brewery that was considered to be a large producer of strong beer and small beer. Both Colne Engaine and Earls Colne contained hop grounds and by 1767 Colne Engaine had hopgrounds on 17 of its 33 farms.[92] Earls Colne was also one of the many villages in the second half of the eighteenth century that became known for its wigmaking.

Parish records of marriage for Earls Colne indicate an unusual community "industry," namely, an uncommonly high number of marriages in relationship to its population. Between the years of 1729 and 1752 it recorded over 163 marriages or an average of seven marriages per year. A. F. J. Brown estimates that in 1723, Earls Colne would have supported about 180 families or a population of about 1,000 people.[93] During this same period of time neighbouring communities of this size recorded somewhere between four to six marriages per year. Although the number of marriages per year is only slightly higher than what would normally be expected, almost one half of Earls Colne's marriages were by license and a third of the marriages recorded during this period were between partners who were both from parishes outside of Earls Colne.[94]

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[91] Brown, *Essex at Work*: 1700-1815, 58-61

[92] *Ibid*, 37.

[93] Brown, *Essex at Work,* 94, 105.

[94] The number of marriages performed by licence would make make sense if Earls Colne was a Peculiar. However, Earls Colne along with the communities of Colne Engaine and Coggeshall are members of the Archdeanery of Colchester. Alan McFarlane has studied the parish of Earls Colne and notes that "The habit of marrying by licence clearly became more popular from 1715, for between then and 1750, or 223 recorded marriages, 80 were stated to be by licence." "One curious feature is the presence of a large number of couples, some 48 in all, where neither partner is known to be associated with Earls Colne. This

Another third of the marriages were between partners of whom only one was considered to be of the parish of Earls Colne. The marriages performed in Earls Colne where one or both members of the couple were from outside of Earls Colne usually matched a subsequent removal order. This pattern remained true for couples married by license and for those who followed the traditional pattern of marrying after the calling of banns.

The performance of a marriage followed by a removal order, for most couples, seems to indicate that although Earls Colne was willing to marry couples, they were also very aggressive in protecting themselves from allowing everyone who married in the parish to remain in their community and possibly become dependant upon the parish. Such was the case with Ephraim Hunwick with whom we opened this study. Although he appeared to be "living"[95] in the parish of Earls Colne at the time of his 1791 marriage to Ann Raven, who was a native of Earls Colne, the newly married couple received a removal order just a few months after their marriage sending them back to the parish where Ephraim had settlement. The uncommon "industry" in Earls Colne of performing marriages, particularly for outsiders, likely provided little in the way of economic growth for its community members as most of the couples being married who did not leave on their own right after the ceremony were asked to leave shortly thereafter.

The industries in these communities were affected by both local and national events occurring during this period. By the early 1700s the population in the county of Essex had stopped growing and probably experienced slight decreases.[96] Political,

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may be connected to the fact the vicar of Earls Colne from 1711 was Thomas Bernard, who was a surrogate and empowered by the bishop to issue bonds, licences etc." http://linux02.lib.cam.ac.uk/earlscolne//reference/church.htm#license. Church as licensing administrator. 8 October 2007.

[95] The banns called for this marriage note Ephraim's residence as 'of the parish of Earls Colne'.

[96] Brown, *Essex at Work*, chapters 1, 2 and 5.

agricultural and economic instability, civil unrest within Britain and within its empire, as well as wars with Spain and France all played a part in the decline of the textile trades during the eighteenth century. The decline in textile exportation markets resulted in a prolonged economic crisis in the textile towns which encouraged young people to leave these regions in search of work. After 1740, however, agricultural improvement is credited for the new growth in population, but a depression this same year created a new crisis in administering the poor law.[97] During the 1760s trade again faltered and collapsed with wages taking a further hit, and poor law rates rising even higher. Halstead and Bocking both weathered these fluctuations more smoothly than Coggeshall, managing to maintain their cloth production. Eventually Coggeshall experienced a total collapse of its chief industry and could claim itself only as "a very improving market town."[98]

These fluctuations in the economy and the textile industry in particular caused fluctuations in the population of the communities in this region. Some population figures for these communities are given below. Blanks have been left where population during the early eighteenth century could not be credibly ascertained.

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[97] *Ibid.*
[98] *Ibid.*

Parish	Acres	Year	Population	Year	Population
Bocking	4639	1726	3,164	1801	2680
Coggeshall, Great	2638	1781	2,669	1801	2469
Coggeshall, Little	1014			1801	333
Colne Engaine	2478	1763	253	1801	523
Earls Colne	2978			1801	972
Gosfield	3033			1801	460
Halstead	5631			1801	3380
Stisted	2993			1801	679

Sources: *Essex VCH*, A. F. J. Brown *Essex at Work* 1700-1815.

Criteria for Membership in a Parish Community

By providing criteria (some examples are property rental of 10 pounds per annum, working in the parish for one year, a woman marrying a man of the parish, a legitimate child whose father lived in the parish, or an illegitimate child born in the parish) for determining each person's settlement or community membership, the poor laws effectively provided a structural framework outlining who *should* be allowed membership in a community and what role they were to be given.[99] The frequent and personal interaction between parish officials and community members or potential community members engaged, created a "daily" redefining of the ideological and social boundaries of the parish or community as the distribution of relief was negotiated.

[99] Roles most commonly found included those of rank, gender, parish and community offices, and marriage and economic status - such as a widow and or a pauper.

This section looks at this method of daily beating the parish bounds from the perspective of "getting in" and "staying in." Parliament outlined the legal requirements for who could be a member of a parish, but were these requirements always followed? "There is one unassailable generalization about the local operation of the pre-1834 poor law, and that is that parish authorities conformed to no one model."[100] By studying how local officials interpreted and chose to implement these community framing laws, insight can be gained as to the actual workings, beliefs and social consciousness of the communities studied. These community studies can then be assembled together like puzzle pieces to create regional, county and eventually a more complete national history.

From the processes of "getting in" (or the criteria as outlined by the law in the previous chapter), the concluding section of this chapter looks at the process of "being in" and "staying in" the community. What requirements, other than those determined by law, were needed and met by those who were accepted and made a member of a community? What social credit did members have and how did they employ it? What happened when a community member abused or lost their social credit? Obviously, there were people, many of whom were classified as "rogues" and "vagabonds," who did not seek or were not able to obtain or retain any membership within a community. This group of people, for the most part, falls outside of the scope of this research.

Community Identity

Identity is a fluid concept that can be based on many factors. Inherited identity comes from membership in a family. A gentleman's son usually remains a gentleman, while a labourer's son often becomes a labourer as well. Social inheritance, on the other

[100] Taylor, *Poverty, Migration and Settlement,* 12.

hand, is a broader concept. Socially your identity may be determined by your occupation, associations, social and economic stations and the physical community where you reside or have property. To determine how people "get in" and "stay in" a community, it is necessary to know how community individuals identify themselves – where they believed their settlement to be. For example, Elizabeth Sugar and her children, Sarah and Elizabeth, were examined in 1760 by the churchwardens and overseers of the poor in Earls Colne. At that time, Elizabeth stated that she and her daughters were of the parish of Great Tey and that Great Tey did acknowledge them to be inhabitants legally settled in their parish. Although they had been living in the parish of Earls Colne for some time, and they had a certificate from Great Tey acknowledging them as community members if they needed relief, in this case Earls Colne took no chances in letting this matriarchal family remain in the parish. [101] Letting them remain would open the possibilities of Elizabeth marrying a man with settlement in Earls Colne whose settlement rights would then extend to his new family. Additionally, if the matriarchal family remained in the parish long enough and eventually came to need relief, although they had a certificate from Great Tey, precedents in the Quarter Session records indicated that occasionally a long standing resident could apply for relief due solely to extended residence, even without a legal settlement.

As previously mentioned, marriage records for Earls Colne during the 1730s and 1740s note many cases of individuals marrying who claimed at the time of their marriage to be "of the parish" of Earls Colne; however subsequent examinations often found the individuals to be from elsewhere. Examples of this include John Wicker of South Halstead who married Ann Pease of Earls Colne, yet they were issued a removal order on

[101] ERO D/P 209/13/2

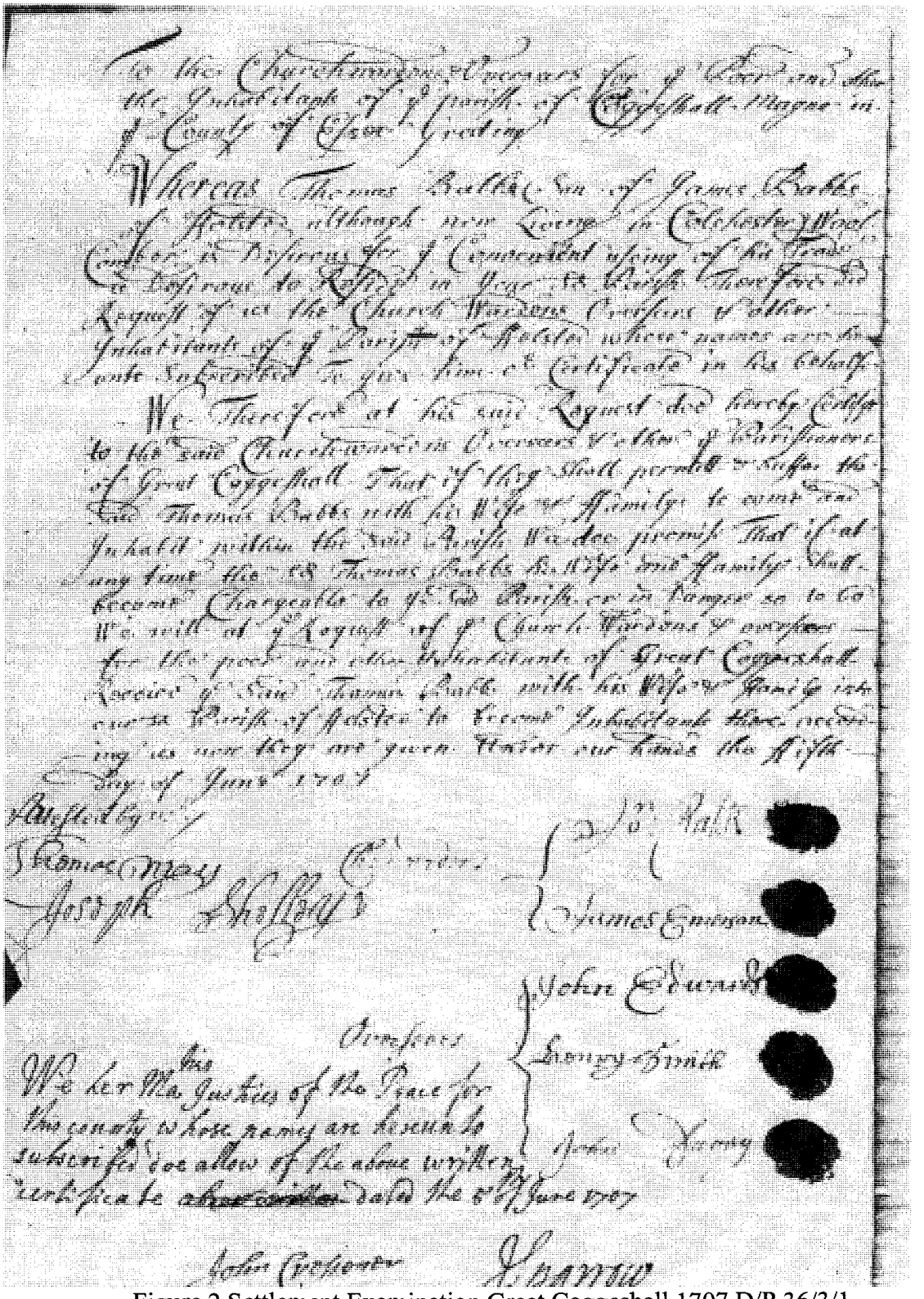

Figure 2 Settlement Examination Great Coggeshall 1707 D/P 36/3/1

August 24, 1736. James Rayner (who claimed Alresford (Essex) to be his home parish) married Ruth Hull of Earls Colne and they too were ordered removed to James' parish of settlement the same day they were married in 1737. A decade later in 1747 both John Goody and Sarah Sad, who were married by banns on February 4, 1745 and claimed to be from the parish of Earls Colne, were ordered removed to the parish of Halstead. Immediate and subsequent removal orders indicate that, although people may have claimed a parish to be their home, the same parish did not in turn always claim the individual to have membership there. Additionally, in the case of the men from other parishes who married women who were from the parish of Earls Colne, the law outlined that the place of settlement was determined through patriarchal lines. Custom, on the other hand, often decided that the place of marriage is that of the bride's home. This clash between law, settlement following patriarchal lines, and the custom of marrying in the bride's parish, may be partially responsible for the creation of a large volume of settlement examinations and removal orders.

The above noted dichotomy between the place where individuals claimed as "home" on their banns and marriage records, and where an examination found their place of settlement to be, often occurred through differences in defining community membership. Individuals, while usually aware of their community of settlement, often resided in different communities throughout their life and considered themselves to be a member of that community while in residence there. On the other hand, it was to the benefit of the community and gave them protection from becoming overburdened with those seeking relief, to follow the criteria of the law in determining where membership or community status should be given.

Community identity was first determined through paternal settlement status and secondly where an individual was born. Richard Burn reviews the legal changes to settlement and therefore parish identity when he summarizes the following statues: "12 R. 2.c7 [states] The poor were to repair, in order to be maintained, to the places where they were born. By the [statute of] 11 H. 7.c.2 they were to repair to the place where they last dwelled, or were best known, or were born."[102] Both these statutes predated the 1597 statute of Queen Elizabeth which introduced the first legislation of the "Old" Poor Laws. It wasn't until 1662, with the statute of 13 & 14 C. 2. c.12, that the change was made to 40 days being the length of time required to dwell in a community to receive settlement.

Under these laws in 1770 Richard Gunner, a weaver, claimed his father's parish of settlement in Saint Mary at the Wells in the town of Colchester to also be his home parish, even though his father has been residing in the parish of Great Coggeshall for more than thirty years under a certificate from Colchester. William Thompson claimed in 1757 by oath that he was born in the parish of Feering (Essex) and that his father also belonged to this same parish and that he, William, had not done any thing since to gain a settlement of his own.[103] Richard identified his home parish to be that of Saint Mary at the Wells in Colchester even though it appears likely from the amount of time since his father had resided there, that Richard was neither born there, nor had ever lived there.

Eventually, age and experience took on an expanding role in creating identity consciousness as one becomes, to some extent, a product of one's surroundings. This held true in the laws of settlement as well. While identity and loyalty was given first to one's parish of birth, life changes such as apprenticeship, migration and mobility to new

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[102] Burn, *The Justice of the Peace*, 333.
[103] ERO D/P 36/13/4A

communities, and marriage into new kinship networks expanded perceptions of identity. Apprenticeships and learned trades fostered social contacts in guilds, created opportunities to develop fiscal credit, and build credit as a community member. Employment and marriage often created the opportunity to move to a new community. Such movements became integral in expanding personal networks into neighbouring communities. Such was the case with James Cane in 1742 when, during his settlement examination in Coggeshall he recited his settlement history starting with his birth, which "as he was informed was in the parish of Tenny Stanton" (Cambridgeshire)[104] before being bound as an apprentice to William Scott of the parish of St. Catharine near the Tower Hamlet (London) as a chimney sweeper. James further stated that although he served out his apprenticeship of seven years to his master, he had done nothing since that time to gain a settlement elsewhere. Thomas Andrew records in his settlement examination that his father came to live in Halstead by virtue of a certificate from the parish of March in the Isle of Ely. While his father remained in Halstead, Thomas had moved to Coggeshall where he was a chairmaker, but had done nothing to gain a settlement beyond his father's.[105] Matthew Golding's examination in Halstead in 1766 captures a history familiar to many whose working careers began in apprenticeship or manual labour.[106] At the time of his examination, Matthew believed that Witham (Essex) was his parish of birth, but that he had since lived in service in several places.

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[104] ERO D/P 36/13/4A No parish exists in Cambridgeshire by the name of Tenny Stanton. It is likely that either the recorder misheard and thereby incorrectly recorded this parish with which he was probably not familiar, or the parish exists in a county other than Cambridgeshire. It is possible that the actual name of this parish is Fen Stanton.
[105] ERO D/P 36/13/4A
[106] ERO D/P 96 13/4

Integral to all of these examinations was the declaration of their last place of settlement. For many this was their place of birth or their father's place of birth. Indeed, only in a scarce few cases was the examinant unable to give either their last place of settlement or their settlement via inheritance. Henry Oliver was one who did not know where he had been born because his father died while he was a baby and his mother moved to Bocking by virtue of a settlement certificate from an unknown parish. At the age of eleven he was bound out as an apprentice and never learned from his mother where he was born, or where her settlement certificate was issued from.[107] Cases like this are rare, in fact it was so important to know where your settlement was that in some cases where a settlement had yet to be gained by an individual, they were able to recite not only the settlement of their father, but that of a grandparent. George Ruffell recalled that he resided in the parish of Great Coggeshall where he heard his father say he was born and that his grandfather had also resided in this same parish while under a certificate from the parish of Manningtree (Essex). George further reported that neither he nor his father had ever done any thing to gain a settlement of their own separate from that of George's grandfather.[108] The above examples suggest community identity was based heavily on physical location. Yet, of equal importance in the creation of community identity is the development of a social consciousness and the invitation to share in a community consciousness.

Keith Snell credits identity to physical geography, such as the parish of settlement or current residence, but also warns not to overlook shared social consciousnesses like religious affiliation, trades, guilds and family networks as playing an important role in

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[107] ERO D/P 268/13/4
[108] ERO D/P 36/13/4A

community identity. [109] These social community identities have no physical demarcations such as borders; however, they will usually have some form of social structure (whether it is as a congregation member, clergy, apprentice or guild master). Participation in leisure activities like the local alehouse, village green, markets or celebration of holy days also worked towards fostering community identities.

In all the examples given above, except in the situation of George Ruffell, the occupation of the examinant was recorded. As suggested by Snell, these occupations in and of themselves would have fostered a community identity. James Cane was a chimney sweeper and would likely have been aware of other chimney sweepers in the area, as well as being known in the region should someone need their chimney cleaned. Thomas Andrew was a chairmaker, and although relatively new to Halstead, had grown up in the neighbouring community of Coggeshall. He too would have been known through the artisan network and would have participated in this network as he purchased his supplies and sold his goods, forwarded on commissions he was not able to build himself and received referrals via word of mouth. Matthew Golding was recorded as a labourer and Henry Oliver by his own admission had been bound out an apprentice, although the nature of the apprenticeship was not recorded. However, as a labourer, Matthew Golding probably traveled to the annual hiring fairs and would have been identified among the local communities as either a good worker or a lazy one, while Henry as a trade worker likely would have identified himself as a member of the community in which he had learned his trade. [110]

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[109] K. D. M Snell "The Local Culture of Xenophobia," *Social History* Vol 28, 1, (January 2003), 1-30
[110] ERO records D/P 30/13/4, D/P 36/13/4, D/P 96/13/4, D/P 268/13/4.

Most of these men would have identified themselves as labourers. Many would have attended the same meetings of worship and if not in the same congregations, at least within the same denomination. Place of birth, current residence, occupation and religious belief are four of the dominant identifications of community. Yet, it must be remembered that the largest limitation to community identification is individual themself. Community networks which fostered membership could be found within family relationships, whether as a child, a spouse, a parent, a kin, a neighbour, a friend, a partner in leisure activities; through political beliefs; or any other opportunity in which a person could share similar beliefs and values with another person.

Physical communities, such as parishes, like social communities, have to constantly reconfirm and negotiate their boundaries. The yearly procession of beating the parish bounds is one manner in which a parish physically marked and remembered its boundaries. As it was common for large landowners to own land in more than one parish, negotiations with adjoining parishes were constantly in process. This process was intended to create and strengthen bonds of neighbourliness and set bounds by which the landowners and communities could both abide. A parish that consistently dumped vagrants, pregnant women and illegitimate children into a neighbouring parish damaged its reputation and the willingness of other parishes to negotiate with the unfriendly parish in other aspects such as roads and waterways, binding children into trades in nearby parishes, and accepting mobile labourers with a certificate looking for gainful employment.

Because landowners often owned property in more than one parish, in order to meet their needs for agricultural labour, it was not unusual for them to encourage the

migration of labourers into the parish where they owned the least amount of land (and paid the lowest parish rates), therefore, largely escaping paying any ensuing increase in parish rates based on the labourers they encouraged into the area. This type of maneuvering endangered both the social credit of the landowner and the ability of the parish to economically survive rising poor rates. In 1569 the inhabitants of Stambourne (Essex) complained that a land owner, who did not reside in the parish, let his six cottages to "such men theyr wyves and children as cannot els where have any dwellynge but are shifted from other townes and places."[111] This action on the part of the non-resident landlord was seen by the inhabitants of Stambourne to be unconscionable and irresponsible. In letting cottages out to people already known to be in need of subsistence payments from the parish, these men and their wives were able to gain settlement in Stambourne and then become a financial burden on the parish – a parish in which the landowner was not a resident and there did not pay poor rates on the people he rented to. To this end the magistracy in Somerset tried to force overseers to increase the parish rates for those landlords who through folly brought people into the parish who would become a burden.[112] On the other hand, many land and property owners, particularly those who were rate payers in a community, were aware and took care in deciding who they allowed on their land and in their rented properties in order to reduce the financial burdens of the rates in which they were called upon to pay and occasionally out of respect to the ancient poor of that parish with whom they would have had a longstanding relationship. Further to this, some communities rallied to pull down empty cottages in an attempt to reduce the number of poor in the community and remove the opportunity for poor people to move

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[111] Hindle, *On the Parish?,* (Oxford: Clarendon Press, 2004), 311.
[112] *Ibid.* 312.

in. Sir John Walter, in an effort to reduce the burden of the poor in his region, ordered that any cottages built without a license were to be torn down. Humanity and reason, however, prevailed; the Suffolk bench declared that "if the extremity of the law be used against them, these poor people would be exposed to misery and become a burthen to the parishes where they are settled."[113] An excellent example of the negotiation of community membership within a parish is found in this reminder by the Suffolk magistracy to Sir John, and to the communities in which he was encouraging these harsh measurements. The laws were laid out and expected to be followed, however, men like Sir John Walter and Lord Hardwick debated and read the law in such a manner as to engage compassion and reason when making rulings on poor law cases.[114]

In determining their identity, each community had to daily establish their policy regarding inclusion or exclusion, particularly for those who were deemed "likely to become chargeable" to a parish's resources. Each parish functioned with a finite amount of resources. Housing, employment, and poor relief were three large determinants of a community's policy of exclusion. One well-known method of excluding those likely to become chargeable to a parish was the hiring of a labourer for 51 weeks instead of a full year in an attempt to deny the labourer the right to settlement in that parish. The privy council was aware of this practice, and it determined that when a labourer was hired for less than a full year's term, the question of settlement was no longer based on whether the term of hiring was 52 weeks to comply with the law or 51 weeks to try and circumvent the law. The privy council rationalized that the reason for making a hiring for a year a

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[113] *Ibid,* 315.

[114] Burn, *The Justice of the Peace and Parish Officer.* Richard Burn cites many poor law inquiries that were heard by Lord Hardwick. Often Lord Hardwick provided a detailed explanation along with the judgement as to the meaning of the law along with 'reasonable' actions.

requisite to gaining a settlement was to determine the credit of a person.[115] The question of creating a settlement for the labourer should then be based on whether the labourer and the master liked each other and if the labourer was considered a good worker by his master. If so, then this was the type of person a community desired, whether or not their hiring met the legal standard of 52 weeks.

Networks of kin, friends, and neighbours played a large role in community identity and the interactions within a community. David Levine and Keith Wrightson provided substantial information on the networks of kinship, friends, and neighbours as well as the strength of these networks. They determined that the community of family was nuclear in nature, such that the strongest ties were between parents and children, then between siblings and then other extended family networks such as grandparents, uncles and aunts and even cousins. These findings agree with extant personal journals contemporary to this period such as those kept by the Reverend Ralph Josslin and the local shopkeeper Thomas Turner.[116] Journals such as Josslin's and Turner's recorded that the majority of family interactions, such as gatherings to eat, partaking in leisure, traveling to visit or business dealings took place most often among nuclear family members. Apprenticeship records and settlement examinations indicate that a child would often be apprenticed to a family member who was skilled in a trade. That family member may even have been the child's own father. This type of apprenticeship may have occurred more often than extant records currently indicate as it is probable that this

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[115] Burrow, *Settlement Examinations* Hilary Term 8 Geo. 2. 1734 20-22.

[116] A caution should be given that although these journals and diaries are contemporary to the early modern period, neither writer would have been classified as either poor or a labouring sort. Both enjoyed an elevated society to those poor and on the margins as discussed here, they are however, some of our best sources of information on this topic.

type of apprenticeship was seen as informal and therefore, not recorded in the records of a parish.

Migration was often determined by where a person had kin. Community members would have been aware of many of the opportunities in their parish and shared that information with family living in another parish.[117] This could become a problem for local officials when community members acted in the best interest of their family and not in the best interest of the community when they provided accommodations for incoming family members who were "likely to become chargeable" to the parish. Community officials to some extent attempted to place the responsibility for the care and maintenance of the poor back on to family members. Therefore, aging parents might be called upon to help adult children who had become poverty stricken and vice versa with an adult child being required to help maintain their parents. While local officials would have preferred this to always be the case (family members maintaining each other), this system only worked to varying degrees.

The marriage records of Earls Colne indicate that over one half of people marrying in that parish were either both from outside of the parish, or at least one partner was from outside the parish (in most cases from within a fairly tight radius depending on the industry, population and distance to main roads). This pattern holds true for the community of Terling where just over 80 per cent of marriage partners came from within a 10 mile radius. Using the wills of the villagers in Terling, Levine and Wrightson discovered frequent mention in wills of kin who were not inhabitants of Terling. This to some extent could be explained through marriage to a partner outside of the parish, or a

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[117] Snell, *Annuals of the Labouring Poor*, 364.

sibling marrying a spouse from another parish. Again in the case of Terling, just over 70 per cent of kin were able to be tracked within the same 10 mile radius.[118]

The strength of the family ties would obviously vary with each individual, however, there can be little doubt that they did exist and did influence the actions of people. Such is the case of Ephraim Hunwick and Ann Raven with whom this study began. Ephraim was born in Coggeshall, married in Earls Colne and issued a removal order shortly thereafter to Pattiswick (where it is likely that Ephraim had gained a settlement from a previous hiring).[119] All these parishes were within a few miles of each other in Essex.

Ephraim's sister, Mary Ann, like Ephraim, was also born in Coggeshall. However, she married John Horsely, who was also from the parish of Coggeshall, but was born in the hamlet of Little Coggeshall about a mile away. (John is one of those people whose ecclesiastical parish and administrative parish unit are different.) The ecclesiastical parish of Coggeshall covered Coggeshall (also known as Great Coggeshall), Little Coggeshall, The Hamlet and The Grange. However, for administrative purposes, Little Coggeshall had its own churchwardens and overseers of the poor. The reverse of this situation was also common in larger centres such as Colchester a few miles directly east. When a borough had sufficient population to warrant many parishes, each parish acted in an ecclesiastical and secular administrative manner. These overlapping and yet separate communities of church and state also created tensions in the negotiation of identity, membership, rights and responsibilities.

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[118] Levine and Wrightson, *Poverty and Piety*, chp 4.
[119] Ephraim and Ann remained in the community of Pattiswick for the birth of all nine of their children.

Friends and neighbours were more commonly involved in each other's daily lives than were members of the same family, who were often somewhat distanced due to marriage and migration. The business dealings of Thomas Turner, (an eighteenth century shopkeeper in East Hoathly, Sussex), with his friends and neighbours far exceeded the dealings he had with his own family. A study of wills in Terling reveals that while kin may be named as beneficiaries in a will, the witnesses and executors were more often friends and neighbours of the deceased. The justification for this is that they were on hand and available to act in these roles for the dying. An individual's availablity to other community members to help when needed increases not only that person's social credit through reputation and loyalty, but it fosters a community identity of closely knit members whose interactions create ties, both business and personal, to each other.

Overseer Criteria and Responsibilities

Community identities were shaped by those who were chosen to oversee their affairs. To better understand how overseers shaped community identity it is necessary to understand who these people were and what they were required to do. The office of the Overseer of the Poor was created by the 1601 Poor Law Act. These men, and occasionally women, were expected to be substantial householders and were usually nominated during Easter week or within the month by two Justices.[120] At the end of every year, they were expected to provide an accounting of all their receipts and

[120] 43 Eliz. 1 c. 2 A further commentary on this Act and the role of overseers can be found in Jacob Giles. *The complete parish-officer; containing, I. The authority and duty of high constables, ... II. Of church-wardens, ... III. Of overseers of the poor, ... IV. Of surveyors of the highways, ... V. Of watchmen, ... Together with the statutes relating to hackney coaches and chairs, watermen, &c. The twelfth edition, corrected, with large additions. To which is added The office of constables, written by Sir Francis Bacon.* (London, 1750), 140-147.

expenditures to the local Justices.[121] Overseers found neglecting their office were fined 20s which went towards the support of the poor.[122] This amount increased over time and was also affected by the severity of the perceived neglect.[123] The Act initially specified that overseers were to meet once a month "to consider of proper methods for the relief of, and providing for the poor," however the frequency of meetings was eventually driven by the needs of the parish.[124]

As this position was created in 1601, it is important to question how the overseers were taught and understood the duties of their appointment. The Act was very broad in its description of their duties when it stated that they were to consider how to care for the poor and then provide that care. However, a review of the literature from this period indicates many additional statutes with further clarification in the duties of this appointment. Justices of the Peace would bring news of these parliamentary changes back to their localities. Additionally, treatises were written by men such as Richard Burn, Michael Dalton, and Joseph Shaw which outlined the background of the Poor Law, the Acts and any changes to them as well as providing a further commentary on the meaning of those changes. Many of these works were updated every few years for decades and provide an archeology of changes in law, administration and social perceptions. Men such as James Burrow chronicled the decisions made by the Court of King's Bench regarding settlement cases and the explanation of thought behind the decisions made. These were published and provided the basis for a common decision making process.

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[121] Jacob Giles, *The complete parish officer*, 143
[122] Richard Burn, *The Justice of the Peace and Parish Officer*. Vol 3. (London: Strahan and W. Woodfall, 1788), 678
[123] *Ibid.*
[124] Jacob Giles, *The complete parish officer*, 141.

The magnitude of the responsibility given the appointed overseers was significant as it not only determined the welfare of the poor and labouring poor within the parish community. They were also responsible for setting and collecting rates from the rest of the community to provide for the needs of the poor. Parliament recommended that the person who was entrusted with this level of responsibility should be a significant householder. However; the parish through the actions of the local justices determined that it was more important to appoint someone to this position who had significant social credit in the community, rather than only using the criteria of land ownership. Local social perceptions or norms influenced the understandings and expectations of the parish members who appointed the overseers for their parish. This fact in turn means we can expect considerable variation in the local administration of the poor laws.

Social Credit

While community identity could be gained from an individual's past experiences and personal beliefs social credit was determined and given only by the communities in which one was a member. Social credit was based upon past experiences and future expectations. It was based upon a multitude of daily transactions and trade within the network of a community. It was based upon one's perceived value to a community.

Social credit is a fluid concept. A textile community in Essex would undoubtedly be looking for a different skill set or trade in a potential community member than a fishing community in Cornwall. Yet, universal to all communities is the hope of attracting people who have the desire and ability to work hard and contribute to the community in a meaningful way.

During Michaelmas Term 1737, the Lord Chief Justice of the Court of King's Bench, Sir William Lee, reflected upon a resolution from an earlier case in which service took place under several contracts but had been judged to have created a settlement for the labourer in question. In explaining the true intentions of the law he stated,

> that a Hiring for a year and a service for a year were sufficient to gain a settlement, if there were in fact both; though all the service should not be under the same contract, was first come into in Lord Macclesfield's Time: And Sir Thomas Powys (who was just come into the court) boggled very much at it. But it is now established that a hiring for a year and a service for a year will gain a settlement, though all the service be not in pursuance of the first hiring for a year. The reason given by Lord Macclesfield for this resolution was that the Words of the acts of Parliament were complied with, by there being both a hiring for a year and also a service for the space of a whole year, although the whole service for a year was not performed under the hiring for a year: and the intention of the Acts was to prevent persons of no credit from intruding into parishes. The hiring for a year was thought necessary, to shew that the person had credit enough to be hired for a year by any parishioner who had so much confidence in him.[125]

From this interpretation of the law, it can be understood that the length of time of a hiring, and the granting of a settlement in a parish were intended less as tests to meet obscure admission requirements for community membership than about proving social credit by demonstrating value and worth to a community.

The Lord Chief Justice reasoned according to statute 12 Ann 1. c.18. s.2. on the issue of an apprenticeship to a master that resided in a community by virtue of a certificate. The apprentice to such a master could not gain a settlement in that parish, as the master did not have settlement in that parish either.[126] Richard Woodward of Halstead, stated at his examination that he was born in the parish of Witham, where he lived until he was about fourteen years of age. At that time the parish officers of Witham bound him out as an apprentice for seven years to Charles Barrington, a bayweaver

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[125] Burrows' Settlement Examinations, Michaelmas Term 11 Geo 2. 1737, 117. (Rex v. Inhabitants of Fifehead Magdalen No 37, Saturday 26 November 1737.)
[126] Easter Term 8 Geo. 2. 1735

residing in Halstead. Charles himself did not have settlement in the parish of Halstead where he was residing but was there through the possession of a certificate from Witham and because he had proven his ability to work and was a good community member.

It is clear that neither Richard Woodward, nor his master Charles Barrington had a legal settlement in the community of Halstead yet, the longstanding habitation of Charles in this community and the examination of Richard without a subsequent removal order are strong indications that they both had value to the community and therefore had social credit within the community.

Charles Barrington appears to have developed sufficient social credit in his adopted community of Halstead that he had been charged with the apprenticeship of Richard Woodward and was trusted that he would be able to maintain an economic status sufficient to continue to maintain both himself and his new apprentice. Craig Muldrew suggests that "reputation or [social] credit is a currency within a linguistic, or rhetorical, system of circulation which considered wants and needs in terms of social relations of exchange and negotiation."[127] Thomas Turner in his diary recorded many transactions of exchange and negotiation with his neighbours, friends and fellow merchants. These continuous transactions led Thomas to believe that he had accumulated a strong personal credit in the community. Thus, he was deeply distressed when his attempt to complete a transaction with fellow community members was denied. "I yesterday and today endeavoured to borrow some bottles of Mr. Atkins and Mrs. Fuller, as also Mr. Porter,

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[127] Craig Muldrew *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (London: MacMillan Press Ltd, 1998), 150.

but they could not lend me any though I have lent them some several times. Oh, ingratitude, thou blackest of fiends!" [128]

While we do not know why Thomas Turner's associates denied him bottles, Muldrew brings clarity to the pull between competition for limited resources and the need for trust in market transactions.

> It helps to conceptualize this seeming paradox of every household trying to compete and cooperate at the same time if we think of early modern society as a market, not just where things were bought and sold, but where trust was extended, or not extended, and where the 'social' was defined as the need for and the extent of, such trust. Trust had to be generated, communicated and negotiated by each household involved in the market whose access to goods, wealth and to the social status . . . was dependent on access to the continual circulation of credit[129]

Roberta Jones was one such individual in the south of London who made her living through the process of negotiating trust. A widowed laundress, she worked as an agent who identified and approved potential borrowers of credit. If she deemed your social credit to be trustworthy, she arranged introductions to a credit lender.[130] Jones's reputation for judgment and discretion regarding the trustworthiness of those who sought her services as an intermediary was strong enough to warrant a comment beside a transaction she introduced. Roberta Jones "douth pase her word to se it payd."[131] Jones both judged and was judged by social credit and trust. Her word was enough for credit lenders to pay out money to those seeking loans, and she in turn would make every effort to ensure that those she recommended for loans had the ability to pay back the loans.

Community identity and social credit were challenged on a daily basis through the transactions of negotiation and exchange. Both were dependant upon past actions and

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[128] Vaisey, *Dairy of Thomas Turner*, 60
[129] Muldrew, *Economy of Obligation*, 151.
[130] Beverly Lemire, *The Business of Everyday Life: Gender, Practice and Social Politics in England, c. 1600-1900* (Manchester: Manchester University Press, 2006), chapter 2.
[131] *Ibid*, 30.

future expectations. A removal order issued after the examinant was found "likely to become chargeable" may never have been enforced if the examinant had a certificate from another parish acting as a sponsor, or if the examinant themselves had sufficient social credit for a community to be willing to allow their continued residence. A review of the economic and industrial situation of the Essex communities chosen for this study will better inform us of the background behind the daily interpretation and implementation of the poor laws at this time.

Parliament passed laws and expected them to be complied with throughout the country; however, local norms conditioned how the laws were actually administered at a local parish level. This local variation was expected and documented. Richard Burn in, *The Justice of the Peace and Parish Officer*, remarked:

> It is to be noted in this place, that the statute of 22 G. 3. c.83 establishes many new regulations with regard to the maintenance of the poor; but as that statute leaves it optional in any parish or other place whether they will adopt these regulations or continue in the present mode[132]

Burn placed this reminder as a preface to changes made to the following subjects by statute:

I. Concerning the appointment of overseers, with their duty thereupon,
II. Of settlements,
III. Of removals,
IV. Of the poor rate, and other helps towards their relief,
V. Of the relief and ordering of the poor,
VI. Of the overseers account,
VII. Penalty of overseers for the neglect of their duty,
VIII. Indemnity of overseers in the performance of their duty.[133]

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[132] Burn, *The Justice of the Peace and Parish Officer*, 306.
[133] *Ibid.*

The wide range of duties listed here indicates that the local parish overseers had great opportunities to manifest the social norms of their parish. These norms and values were those which they shared in common with the community officials who appointed them.

Variations in practices were common, but decisions would have remained within an expected range (that is a norm). The writings of Burrow carefully documented decisions made in the Court of King's Bench regarding settlement cases and then provided a commentary for each case explaining the pertinent points of law upon which the case was decided. Commentaries such as these were useful guides to what constituted the normative range for decision-making for local poor law administrators.

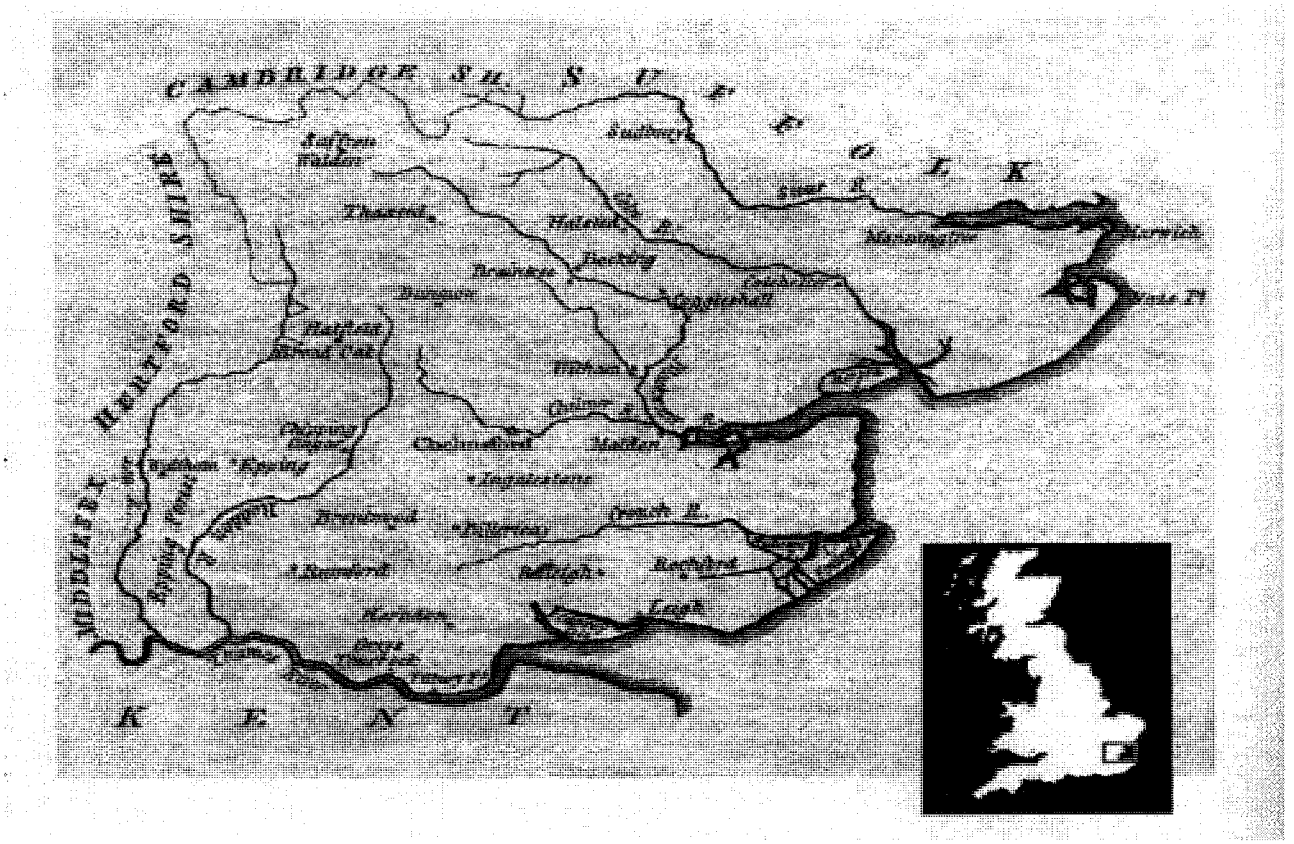

Figure 3 Map of Essex

Chapter Three – Essex Parishes of Study

The purpose of this chapter is to examine seven parishes in Essex's cloth manufacturing region during the eighteenth century to see if processes within the auspices of the poor laws reveal the negotiation of community membership. Did these communities interpret and implement the laws of settlement with flexibility? And if so, were these decisions based upon the economic and social situations found inside and outside of this region?

Our survey of the laws regarding the care, maintenance and settlement of the poor in England and Wales indicates that there were elements of the laws that were intended to be overarching guidelines which each area and community then implemented as best suited them or as the local authorities thought appropriate. The belief that each individual had a place of settlement to which they could turn in times of need and be provided for was perpetuated and enhanced as statues were passed and further revised. The history of settlement was summarized by Richard Burn:

> By a statute made in the 12 R.2.c.7 (1388). The poor were to repair, in order to be maintained to the places where they were born. By the 11 H.7.c.2 they were to repair to the place where they last dwelled, or were best known, or were born. By the 11 H.7.c.12 (1503) to where they were born or made their last abode by the space of three years. By the 1 Ed.6.c.3 (1547) this was explained to be, where they had been most conversant by the space of three years. By the 1 J.c.7 (1604) they were to be sent to the place of their dwelling, if they had any; if not, to the place where they last dwelt by the space of one year; if that could not be known, then to the place of their birth. So that there were two kinds of settlement all along: by birth, and by inhabitancy, first for any indeterminate time, next for three years, then for one year. And this last continued to the time of the statute of the 13 & 14 C.2.c.12 (1662) which reduced the residence from the term of one year, to the space of forty days.[134]

[134] Burn, Richard, *The Justice of the Peace,* Vol 3, 333.

The notion of settlement became more solidified as each settlement law was passed. Eventually, the standard for community membership was given form through the criteria outlined in statute and the interpretation of these criteria by local community officials. Granting of community membership was so important that it affected not only negotiation within the community, but between neighbouring communities, in the local petty sessions, county quarter sessions and before the royal justices. These vital community negotiations both in turn strengthened and were strengthened by three social and moral categories, namely, the "impotent", the "labouring" poor, and the "vagabond or rogue". Detailed descriptions of the vagabond and rogue had long been recorded in statute. These statutes further listed how this group of people should be punished for their chosen lifestyle of laziness and vice. It was not until the statutes of the early eighteenth century that more detailed parliamentary instruction was given regarding the care and maintenance of both the impotent and labouring poor. Until this time, statues placed the general care and maintenance of the impotent poor upon the parish with very little instruction on how to provide relief. Relief was expected to be conducted under the generosity of religious charity; however, that was interpreted by each parish. Even as more and more laws were passed detailing how poor relief should be administered,

> a coherent system with a predictable pattern of reliable relief has not been proved to exist for the whole of England. The old poor law compelled the propertied to contribute toward maintenance of the poor but did not prescribe the format of distributions.[135]

In an attempt to understand how the seven parishes in Essex both interpreted and implemented the laws affecting the poor, we can look to the extant records of the parishes

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[135] Steven King and Alannah Tomkins, eds. *The Poor in England 1700-1850: An economy of makeshifts* (Manchester: Manchester University Press, 2003), 10.

which inform us of the dealings each parish had with the poor who came within their boundaries.

Alan MacFarlane speculated that in the case of Earls Colne, the extant records of the church as a poor law administrator are less than a quarter of what was created.[136] The earliest settlement record for the area of Essex being studied was not recorded until 1726 and occurs in the parish of Earls Colne even though the Settlement Act was passed in 1662 requiring the creation of this record for each new person trying to settle in a parish.[137]

Anthony Thomas was examined in 1726 as to his place of settlement. He stated he had settlement in the parish of Coggeshall Magna, or Great Coggeshall a few miles south of Earls Colne. No occupation was given in this settlement examination and, as no family members were listed with him in the examination, it is possible that he was single, either unmarried or widowed, at the time of his residence in Earls Colne. A removal record for the year previous, also for a Anthony Thomas would indicate several possibilities.[138] As there are no burial records for Anthony in Earls Colne between 1725 and 1739, it could be suggested that Anthony came into the parish of Earls Colne not just in 1726 when the first settlement examination for the parish records records his presence in the parish. It is possible, due to the close proximity of the parishes, that Anthony actually resided in Earls Colne more than once, possibly as an agricultural seasonal labourer or under a hiring of less than a full year.

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[136] Alan MacFarlane completed an extensive study on the parish of Earls Colne in which he performed a community reconstitution. The records from this reconstitution as well as a commentary on his findings have been published online at http://linux02.lib.cam.ac.uk/earlscolne//reference/church.htm. Viewed 8 October 2007.

[137] *Ibid*, see section heading: Conclusions. D/P 209/12/5

[138] D/P 209/13/2; D/P 209/12/3

The earliest remove order extant for this cohort of parishes also belongs to Earls Colne when Rachell Bounds was ordered removed from the parish in 1678.

> Whereas complaint hath been made unto us by the overseers of the poor of your said parish, that Rachell Bounds is come into your said parish within fourty daies last past and that she does indeed to settle herself there in a tenent under the yearly rent of four pounds and the she is like to be a charge to the parish were she shall reside. These are therefore to require you to give the [illegible] notice unto the said Rachell Bounds to remove herself out of your said parish unto the parish where she was last legally settled or also give sufficient severity for the discharge of your said parish and if she shall refuse so to do then you are hereby required to apprehend the said Rachell and bring her before us or some other of his Majesties Justices of the peace for this county that she may be removed
> According to law. Given under my hand . . . 1 May 1678.[139]

Rachell was a single woman and again we do not know if she was a spinster or a widow. Neither do we know which parish she came from and was being returned to. However, while there is no matching settlement examination existing to preface this removal order, it is clear that she had been previously examined and her intention to settle in the parish made clear. Her rent of four pounds was less than the then current law of ten pounds rent per year to qualify for a settlement. Also missing from this removal order is a mention of Rachell being possessed of a certificate of settlement in another parish. While settlement certificates were introduced by statute sixteen years prior to this removal order, it was not until 1696 that a statute declared the removal from a parish could not take place until the person or family claimed poor relief. At that time the person or family was promptly moved back to their parish of settlement or arrangements were made by their parish of settlement to send funds (which was often more economical than undertaking the costs of removing the family from one parish to another).

The Settlement Act of 1697 mandated that parishes issue settlement certificates. Overseers issued the certificates to parish members who were moving to another parish,

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[139] D/P 209/13/2

certifying that the person or family would be able to return to their home parish if they ever required parish relief.[140] Issuing settlement certificates became the norm and in many cases, the certificates issued by Coggeshall were written in the same hand (likely by the same person), and took on the appearance of a pre-written form lacking only the name of the person and the parish to which they wanted to move. Below is an extracted sample of a settlement certificate for Thomas Babbs who wanted to move to find employment:

> To Coggeshall Magna – Whereas Thomas Babbs son of James Babbs of Halsted although now living in Colchester Wool Comber is Desirous for the convenient using of his trade is desirous to reside in your said parish Therefore did request of us the church – to give him a certificate in his behalf. – 5 Jun 1707[141]

This certificate reveals that Thomas Babbs claimed his settlement through his father James Babbs in the parish of Halsted. Thomas, a skilled labourer, had previously found work in Colchester to the northeast of Halstead and was now looking for work in Great Coggeshall. Through the ownership of a certificate, labourers such as Babbs were able to move more freely in their search for work. Certificates were supposed to reduce the risk of a parish who allowed a labourer to move in and find work, as any future claims for relief would allow the receiving parish to send the labourer back to their home parish. Many settlement examinations for the parishes studied note that a person had a certificate from another parish, but there was only one corresponding removal order for a person with a certificate during this period. In one instance multiple attempts at a removal were recorded. On Wednesday, December 14, 1719, the overseers of the poor in Earls Colne record:

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[140] Mark Herber, *Ancestral Trails*, 293.
[141] D/P 36/13/1

> To the churchwardens and overseers of the poor of the parish of Earls Colne and to the churchwardens and overseers of the parish of Gravesend Kent upon the complaint of the churchwardens and overseers of the parish of Earls Colne unto us who have hereunto set our hands and seals being two justices of the peace that Jn Harmude basket maker and Eliz his wife came lately to dwell in the said parish of Earls Colne by virtue of a certificate dated under the hands and seals of Jn Gowers and Thos Pittman then churchwardens and Jn Butler and Wm Plaine then overseers attested by two sufficient witnesses allowed by Jas Fey mayor and Wm Symonde two justices of the peace for the corporation of Gravesend and Milton and that the said Jn Harmude and his family are become chargeable to the said parish of Earls Colne we upon examination do adjudge that the said Jn Harmude and his family will continue to be at further charge to the said parish of Earls Colne if not speedily removed we do therefore require you the said churchwardens etc of Earls Colne to remove and convey the said Jn Harmude and Eliz his wife Jn his son and Eliz his daughter from your said parish of Earls Colne to the parish of Gravesend and deliver to the churchwardens etc and we do likewise require you the said churchwardens and overseers for the parish of Gravesend to receive and provide for them as inhabitants of your parish given under our hands and seals the *P Wagener J Sparrow*[142]

John Hermude, the son of John and Elizabeth of Gravesend was considered at the time of his marriage a sojourner as he fell under his father's settlement in Gravesend. John (jr) married in the parish of Earls Colne to Elizabeth Fell of that parish by banns on Feb 20 1730.[143] Two separate removal orders exist for John over the next few years, with further court appearances to plague their family for the next two decades. A removal order was written in 1732 for only John to be removed back to the parish of Gravesend in Kent.[144] At this time it was determined that John had obtained a settlement certificate from Gravesend in Kent and could not be removed until he became chargeable to the parish.

Five years later in 1737 a second removal order was issued to remove John from the parish of Earls Colne to Gravesend. This time the removal order included his wife

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[142]MacFarlane, http://linux02.lib.cam.ac.uk/earlscolne/poor/12100355.htm. Viewed 8 October 2007.
[143] ERO D/P 209/1/4
[144] ERO D/P 209/13/2. It is unclear why a removal order for John would not include Elizabeth whom he married in 1730.

and one child.[145] Again John produced a settlement certificate from Gravesend which prevented Earls Colne from removing him until he requested poor relief which he had obviously not done yet. None of the removal orders or settlement certificates indicate why the Hermude family was examined multiple times and had to twice provide proof of a settlement certificate to remain in the parish. No further removal orders exist for this family after 1737. Yet, just over two decades later, Mary, the daughter of John (examined in 1732 and 1737) was called before the Justices of the Peace at Earls Colne to be examined as to her settlement.[146] The outcome of the examination is unknown as no additional records exist for Mary in the records of Earls Colne.

A review of the settlement examinations, removal orders and settlement certificates does not indicate any discrimination between individuals and families being examined or removed. There is also no discernable discrimination for the removal of children or widowed parents, both of which are more likely to become chargeable to a parish than a single individual or a family with several members able to earn a wage. The administrative actions of these seven parishes seem to adhere to the statutes of their time. However, additional research into parish registers and quarter session records would provide depth to the research by helping to inform us whether those who fell under orders to be removed from a parish were actually removed. A wider-ranging reconstruction of these parishes would also help to determine if the act of issuing a removal order after a settlement examination had been taken was done to protect the parish from those who might become chargeable in the future or as a mere formality to fulfill the requirements of the law.

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[145] ERO D/P 209/13/2
[146] D/P 209/12/2

Section Two – Making Shift

The second section of this study focuses on the making shift by poor labourers and others on the margins of economic destitution. As we have seen in the first section of this paper, laws mandated that everyone had a legal right to a settlement. The right to a settlement was the right to a physical place to which each person could go and claim relief and life sustaining necessities. While some people never left their place of legal settlement, many ventured away. Reasons for leaving were varied and complex including the need to look for work, moving closer to family and their support, occupations of a seasonal nature. In addition, wanderers, rogues and vagabonds, and others such as soldiers and mariners in royal service to name a few, often left the safety net of their home parish. However, many of these people, both those who left and those who stayed, participated in the lower levels of the economy, often balanced on the edge between staying afloat financially and being reduced to beg or ask for charity or other forms of outside support. The methods used by this group of labouring poor have been called "making shift." "Shift" was all the activities and efforts of a person or family to keep from financial ruin. The actions and transactions of "making shift" happened within a community, poor transacting with poor, with merchants and with landowners as daily needs of labour, food, clothing and credit were negotiated. These daily negotiations further strengthened or weakened the bonds of community, depending on the success of the negotiation or the reputation or personal credit of those involved in the transactions. The following section will help us better understand the negotiations of those making shift and how these negotiations played out in cementing ties of community membership.

Chapter Four – The Labouring Poor: Employment, Gifts Relief, and Consumption

The fight for survival of the poor living on the margins was reflected in their unique and various patterns of employment. Weather, economies, seasons, resources and technology created constant changes in employment opportunities. This forced labourers to respond by attempting to mirror the changes. Seasonal labourers moved according to employment opportunities; agricultural labourers, for example, often traveled from one hiring fair to another looking for employment as agricultural hirings were usually for the season the labourer was needed. Changes from cottage industries to small and (eventually) larger factories also affected labourers, their work opportunities and their economic circumstances. The need to maintain steady levels of employment stemmed directly from the need to purchase items to sustain life. A direct correlation can be made between the need for employment and the need to trade, barter, and buy goods which could not be grown or produced personally. This chapter will focus on examples from both the seven Essex parishes and from other locations throughout England in order to paint a clearer picture of the manner in which the labouring poor engaged in making shift beyond reliance upon local parish aid.

Caveats for Historians

Patterns of employment and consumer behaviour have proven controversial among historians for several reasons. The first cause for controversy is the availability and nature of source documents. Due to the status of the people being studied, there is often a paucity of original records to analyze. Second, a majority of the labouring people

were not able to read or to write and, therefore, they kept few records of and about themselves. More commonly found are records of the wealthier sort of labouring people – usually those with more than average land holdings who had managed over time to increase their social and economic standing and, in the process, developed some skill at writing. Sources recording the words and actions of the poor include documents such as household lists, wills and inventories (for those of the wealthier poor), paupers letters and settlement examinations, removal orders, as discussed above, as well as other church and legal records. Thus, the presence of the labouring poor in these records is typically second-hand, as they were not commonly the writers of these documents. Furthermore, the labouring poor were often portrayed by the wealthy and genteel in derogatory terms; they were depicted as living in a state somewhere between a child and an animal. Therefore, due to the scarcity of records written by the labouring poor, historians are forced to rely more heavily on records written by the "wealthier sort" about these labouring people.[147] One of the most well used sources for reconstructing and understanding the poor comes from the special censuses that were periodically taken locally to determine the social or economic conditions of an area. Censuses such as the Hearth Tax Return or a local enumeration were taken to determine who must pay taxes such as the poor rate and who was exempt.

In 1695, Gregory King sought to estimate "the state of the kingdom and the value thereof." The end result was a statistical table entitled *A Scheme of the Income and Expense of the several Families of England Calculated for the Year 1688.* In his census,

[147] Some of these records that exist are those that were commissioned by parliament, written by diarists, by balladeers, by lyricists, and by other writers and social commentators of the period. The works of Gregory King, Adam Smith, Daniel Defoe, Thomas Turner, and Arthur Young are a few examples of those who wrote about the period covered in this study. Periodical literature such as journals, magazines, pamphlets and newssheets are used extensively in reconstructing the context and lives of people.

King determined that the household retained its place as the basic unit of society. King also broke the social structure of the time into twenty-six different "Degrees, Titles and Qualifications and Estates."[148] While King recognized the family as the basic unit of society, social historians such as Steven King and Alannah Tomkins would further assert that the family or household was the basic economic unit of the period, combining a wide variety of sources and benefits to provide a domestic budget.[149] The twenty-six social ranks and stations identified by King widened the range of social orders described by Edmund Dudley in 1509.[150] Family economics were as diverse and fluctuating as the nature and state of the families themselves. The larger number of social classes identified by King allowed greater flexibility in describing and enumerating the circumstances and actions of the labouring poor and those living on the margins.

As we can see from our earlier encounters with settlement and removal records, and the identification of a social structure with greater depth in rank and station than previously acknowledged, reconstructing the history of the British labouring poor can be likened to a jigsaw puzzle in which the records of the people, their methods of making shift and the manner in which they earn and combine income to create their domestic budget provide greater depth and clarity to the overall picture. A significant area of scholarly debate surrounds the problem of how to put the pieces together to make an accurate picture. Reconstitution work to date has allowed historians to group certain

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[148] King, Gregory, *A scheme of the rates and duties granted to His Majesty upon marriages, births and burials and upon batchelors and widowers, for the term of five years, from May 1. 1695. Useful to the commissioners, assessors, collectors and receivers of the said duties, and to all persons subject or liable to the payment of any the said rates or duties* (London, 1695).

[149] King, Steven and Allanah Tomkins, *The Poor in England 1700-1850*, 8. See also Keith Wrightson, *Earthly Necessities.*

[150] Brodie, D. M. ed. *The Tree of Commonwealth: a treatise written by Edmund Dudley* (Cambridge University Press, 1948).

pieces together to form a part of the overall picture. The next challenge comes in anchoring those clusters together with the untapped sources available for research and the reconstruction work completed to date. Historians who study the poor often struggle with a lack of continuity in the yearly data, which makes it difficult to determine whether a trend exists or whether research uncovered a unique occurrence. This in turn causes problems in categorizing, marking trends, and finding patterns in history. Conclusions in research may become compromised by a lack of records, such as trying to compare the wage lists found later in this essay, which are from roughly the same time period but from different localities. Even when the social context responsible for the creation of documents is understood, a lack of content may make them ineffective for purposes of analysis and comparison.

The complexity of the puzzle confronting historians is further encumbered by their efforts to fit micro-histories or local histories into a national picture. What is true at one time and in one locality might not hold true in another locality. A sufficient volume of regional cluster research (that does not currently exist), which illuminates and unifies local trends, would provide a clearer picture of the state of the nation throughout this period and increase our confidence in national studies.[151] Lack of records also makes it difficult to study the poor by gender and by age category. If there are few records made by the poor about the poor, than there can be no surprise that there are even fewer records about poor women, poor children and the aged poor. Those that do exist are most commonly written by the better off. It then becomes precarious to make broad or sweeping statements regarding the actions of people nationally during this period without

[151] K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge: Cambridge University Press, 1992), 65.

a host of further qualifying or explanatory statements. This fits the pattern established by local historians; that which is common or acceptable in one locality or region may be unheard of, socially unacceptable, or simply not practiced in another locality or region. In this multifaceted puzzle, historians have been reminded that we need to be aware of the "human" factors: personal ideologies, cultural or local idiosyncrasies, religious beliefs or any other hidden motivators that encouraged a person historically to take action.[152] Did a woman work to supplement her husband's income or because she had been trained in a skill? If a wife worked in a craft or industry with her husband and possibly their family, was the craft or industry a family business that she inherited from her father which her husband then joined into; were they from similar craft or industry backgrounds which facilitated their meeting and subsequent marriage; or did the wife join her husband in work as a simple matter of survival? These are only a few examples of the many "hidden" motives that caused people to act as they did.

Labouring Poor

While reconstituting the lives of the labouring poor is a very complex endeavor, it is not without reward. With the comparison of the labouring poor and the reconstruction of their lives to a jigsaw puzzle, it must be remembered that this is a puzzle that has two pictures, one on each side. On the one side, the puzzle depicts the lower sort in their life as labourers -- labourers who we have seen, often engaged in frequent mobility in an effort to find and maintain employment -- and on the other side of the puzzle a picture of their lives as consumers. This complex puzzle is best solved using the pictures on both sides -- the labourer and the consumer. Historians continue to add "clusters" of

[152] Taylor, *Poverty, Migration, and Settlement*, 6; Steve Hindle, *On the Parish?* 451; Pamela Sharpe, *Reproducing Colyton*, 214, 222; Paul Slack *Poverty and Policy in Tudor and Stuart England,* 4.

information to both pictures. The trend in scholarly research to study single localities or regions over specific periods of time has increased in recent years. These studies are slowly growing and being connected together into larger overarching regional and national portraits for a longer period of time. As a consequence historians are pushing forward the effort to fit together the pieces of the lives of the labouring poor.

In the seminal multi-volume work, *The Agrarian History of England and Wales,* Joan Thirsk determined the use of four acres of land, freehold or rented, as the threshold for distinguishing the rural labouring poor from the rest of the community.[153] It seems plausible to use this as a benchmark in the eighteenth century as well. Owners or renters of four or more acres were considered the wealthier poor, those having a possibility of moving up the social scale through hard work, good harvests and secondary and tertiary income from family members. However, the majority of the labouring poor found themselves in a situation where they owned or rented less than four acres. While the size of labourers' holdings varied widely between counties, a study of 650 smallholdings on forty-three manors scattered throughout thirteen counties found that only seven per cent of smallholdings included four or more acres. Holdings consisting of a cottage and garden under an acre made up a further 26 per cent, while 41 percent consisted of only a cottage and garden.[154] Personal access to a garden was not guaranteed and lack of one often indicated the meanest of circumstances for the poor, as they would be reliant upon purchasing all of their food daily at the current market prices.

Land ownership among the poor in quantities sufficient for maintaining their families was not common. Thus, generation of the family economy came through the

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[153]Thirsk, *The Agrarian History of England and Wales, Vol IV. 1500-1640*, 400-406.
[154] *Ibid.*

employment of the head of household and the by-employment of women and children who could add a secondary and tertiary income to that of the father's (when opportunity for additional work was available). These second and third forms of income were often the means of keeping those on the margins from calling on the parish for relief. Therefore, their ability to maintain themselves on the wages they earned meant that those who engaged in by-employment were more often able to maintain their membership in the parish community through their ability to buy, sell and trade and the networks of credit these transactions created. Employment and by-employment, however, were not the only forms of income a family could receive. Other forms of income came from inheritance, gifts (both monetary in kind), service and parish relief. Examples of these five types of income generating activities will be reviewed before moving on to discuss how the income of the family affected their consumer behaviour.

Head of Household

As the head of the household, men were expected to work to provide for their families. However, historians have agreed that the wage earned by the head of the family was usually not enough to sustain the family. It is, therefore, not uncommon to find men who had secured dual employment to provide a second income in order to survive. One carpenter in Colne Engaine took on a second employment in the making of coffins for the parish and spindles for local spinners.[155] Employment in pastoral agriculture provided an excellent opportunity for men to engage in two employments as it was less labour intensive than arable farming that required planting, weeding, and harvesting. Men in such areas could take on secondary employment such as mining, a trade, piece work, or

[155] Brown, *Essex at Work 1700-1815*, 55.

work in a textile industry.[156] A testimony describing the need for dual employment is found in the words of Edward Lande, an octogenarian of Dent, who declared,

> the tenements are so small in quantity that many of them are not above three or four acres apiece and generally not above eight or nine acres so that they could not maintain their families were it not by their industry in knitting coarse stockings.[157]

A reverse of this employment pattern was just as common, with men engaging in occupations such as mining, a trade or a workshop industry and leaving the agricultural work to their wife and children. Wages varied greatly between employment, regions and years, and can be very difficult to pin down. The standard weekly wage for a grown male worker at the beginning of the eighteenth century in Essex was 6 shillings, with higher earnings commonly found closer to urban areas.[158] The weekly wages paid to labourers on a farm in Great Saling, Essex was follows:

Year	Weekly Wage (Male)
1776-1778	7s
1778-1794	7s
1795	8s
1796	8s to 9s
1798	8s
1799	8s to 9s
1800-1806	9s to 11s

The wage of a son for a six-day work week added to the family economy between 2s. to 2s. 6d. A woman's earnings engaged in seasonal labour in 1790 in Essex was about £4 per year, and a girl's seasonal earnings was between 40s to 50s per year.[159] The earnings of the head of household made up roughly three-quarters of the family income, which

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[156] John Rule, *The Vital Century: England's Developing Economy 1714-1815* (London: Longman Group UK Ltd, 1992), 94-5.
[157] Joan Thirsk, "Industries in the Countryside" in F. J. Fisher, (ed.) *Essays in the Economic and Social History of Tudor and Stuart England* (Cambridge: Cambridge University Press, 1961), 70.
[158] Brown, *Essex at Work,* 132.
[159] *Ibid.*

matches the distribution of the consumption of the family income, as will be discussed later.

By-employment

War, changing economic conditions, industrialization, or natural occurrences like drought or plague or increased harvests through specialization and technology changes caused fluctuations between economic stability and dramatic inflation. Historically, however, the wages of a labourer tended to be insufficient to sustain his family. To combat these circumstances women, and children engaged in activities of by-employment.[160]

Women long have been a form of subsidiary labour. However, because their labour in the home and family fields was unpaid, they were viewed as a cheap (or free) form of labour.[161] The *Poor Man's Comfort*, a popular ballad of the mid-seventeenth century, provides insight into the social consciousness of the time.

> Husband: There is an old saying that some do observe,
> That while ye grass grows, horses may starv(e)
> So ares it with us now, that trading is dead,
> We cannot get Victuals to put in our head,
> The labours of poor men is lightly set by,
> Though rich men do flourish & live gallantly . . .
>
> Wife: Though money be short, yet if God lend us life
> Seeing you are my husband & I am your wife
> We'l do like two birds & are both of a feather
> Or draw like two Oxen in one yoke together
> And by our endeavours I hope we shall thrive
> And get means enough for to keep us alive.

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[160] The term 'industrious' was used in several of the works I studied for this paper. It was used purposely to indicated that this period of time was more a period of heightened employment and productivity, of industriousness, than it was of factories and big machines, and billowing coal smoke as the phrase industrial revolution now brings to mind.

[161] Ivy Pinchbeck, *Women Workers and the Industrial Revolution* (London: Frank Cass & Co. Ltd., 1969), 1-2.

The ballad shows women labouring alongside their husbands in order to earn enough for the family survive.

Projects for by-employment, often called handicraft industries, were encouraged by Parliament and enacted by private ventures. An enumeration of known projects shows that many were well underway by the mid-sixteenth century.[162] A review of the projects enumerated shows that, while it was normal for these to be based in areas where there was ready access to the necessary raw materials, proximity to raw materials did not always guarantee success or failure of the industry. In Yorkshire, the Cleveland alum trade, once a viable industry, dwindled away until it ceased to exist. Whether this was due to the resource running out or to a shift in the economy or both is not clear. However, records of by-employments on the Cleveland coast during the period of the alum works indicate an active by-industry in moss-getting, which was used for bedding, roofing, and stopping up small openings in buildings, and kelp-getting and burning.[163] A whalebone manufactory in Loftus, York, created cottage industries for making stays, sieves, riddles, nets, slays for weavers, trellises or guards for shop windows, and many other items.[164] While Oxfordshire was noted as an agricultural county with no natural industries, it too saw a growth in by-employment that originated in the domestic arts, such as glass-making, silk weaving and winding, cheese-making, minting money, blanket-making, lace-making, glove-making, malting and brewing, and many others.[165]

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[162] Joan Thirsk reviews the written works of John Stow and Edmund Howes which enumerate many of the projects undertaken in Britain, particularly in London, to employ the poor. Joan Thirsk, *Economic Policy and Projects: The Development of a Consumer Society in Early Modern England* (Oxford: Clarendon Press, 1978), 12, citing John Stow *Annals*, 1580.
[163] Page, *VHC Yorkshire, Vol. II,* 329.
[164] *Ibid*, 330.
[165] Page, *VHC Oxfordshire*, 225-279. The Victorian County Histories often provide a rich survey of the by-employments, shift work and formal industries that were found in each English county.

It is difficult to trace accurately the longevity of many of these projects, except to note that records for some industries indicate their survival for longer periods of time, with a few still in existence today, while evidence of other cottage industries quickly disappears, possibly indicating a very short existence. In many cases, it is also difficult to determine the cause of success or failure of a project. Such is the case with the knitting school started at York in the sixteenth century for pauper children. The *Life and Letters of Adam Sedgwick,* written in the mid nineteenth century, record that every pain was taken to ensure it was a success, yet it failed. However, when these same types of schools were set up in the Yorkshire Dales, they had excellent success. "Almost to the present day, it was by no means unusual to see women walking quickly along the roads busily knitting."[166]

One instance where the longevity and success of a cottage industry has been well-documented and preserved exists in the straw-plaiting industry in Essex during the late eighteenth century. This industry was introduced into Essex through the parish of Gosfield through a school started by the Marquis of Buckingham in 1790.[167] By 1807, Arthur Young writes about the straw-plaiting industry that it had been "one of the greatest of temporal blessings to that place."[168] At first, the finished work was thought to be of such a mean quality that no market could be found for it.[169] This stigma changed when Lady Buckingham decorated a hat with ribbons and wore it to church and the whole village saw it as a fashionable genteel consumer good. Her action, the blockade of

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[166] As quoted in Page, *VHC Yorkshire*, 413.
[167] Brown, *Essex at Work*, 139.
[168] As quoted in Page, *VCH Essex, vol. II,* 375.
[169] *Ibid.* Although the straw-plaiting industry proved an economic boon to a restricted area of Essex very little has been written on it. For further information on this industry see the article by Pamela Sharp, "The Women's Harvest: Straw-Plaiting and the Representation of Labouring Women's Employment, c. 1793-1885." *Rural History* (1994) 5, no 2, and Laszlo L. Grof's *Children of Straw: The Story of a Vanished Craft and Industry in Bucks, Herts, Beds and Essex* (Buckingham: Barracuda Books Limited, 1988).

French hats due to the Napoleonic Wars, along with progress in making a smoother plait, and eventually several very complex and artistic plaits, moved the cottage industry of straw plaiting forward in Essex. In 1803, a good plaiter could earn 10s to 15s per week.[170] As noted above, an agricultural labourer's weekly wage on a farm in Great Saling at this same time period was 9s to 11s per week. This cottage industry not only helped women and children to supplement the family income, but in fact during the height of the plaiting industry in this area, a good plaiter could exceed the wage of the head of household. Taking advantage of this economic boon, it was not uncommon for boys and old men to also take up the art and industry of plaiting.[171]

Straw-plaiting, although surviving just over a century, proved a great economic success to the few villages which engaged in the trade. Women, children and the aged were gainfully employed and, for a time, it was possible to make a wage similar to or greater than a male labourer. However, it was also more dependent on the demands of fashion (which was kind to straw-plaiters during this period) than on seasonal opportunity. Straw plaiting was only one of the forms of by-employment in Essex. During the fourth decade of the eighteenth century Mr. Salmon wrote that the mill at Little Hallingbury "has been for many years employed in twisting and winding silk, . . . The work employs a great number of women and girls of the neighbourhood."[172] An even earlier example of putting the poor to work is found in the records of the Privy Council where authorities from the town of Colchester testified regarding the benefits of accepting the Dutch Congregations into their town, "as for theire trades which they dailie

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[170] Pamela Sharpe, "The Women's Harvest: Straw-Plaiting and the Representation of Labouring Women's Employment, c. 1793-1885," *Rural History* 5, no 2 (1994), 132.
[171] Page, *VHC Essex*, 375-9.
[172] Salmon, op.cit (1740), p 95 as cited in Page, *VCH Essex, Vol II,* 462.

use there, setting on worke manie of our poore people and subjects, both within the saide towne and in other our townes and places thereabouts."[173]

Women and children were also engaged in employment more informal in nature. One example of such informal employment was recorded by Daniel Defoe when he met the wife of a Derbyshire lead miner. He was impressed to find a sow and piglets at the door, a lean cow and a barley plot, all of which would have been tended by the wife of the lead miner and by any children old enough to work. Defoe also recorded that this same woman had five children under the age of ten and still managed to occasionally earn threepence a day washing ores at the mine – all this while managing to maintain herself in such a manner as to be described as a "tall, well-shaped, clean, and a very well looking, comely woman."[174]

The children mentioned by Defoe would probably have been expected to shoulder domestic responsibilities, such as tending the livestock, a garden (if one existed), and helping to cook, clean, and care for younger siblings. In many industries children were highly sought after by employers. Children fit into smaller spaces in mines and had smaller fingers to run machinery in textile industries or to hold small paintbrushes in the pottery industries. The following chart indicates the high number of children that could be found employed in industries, particularly in formal industries such as factories and workshops. This chart also outlines the very small but often vital wage a child could contribute to the family economy.

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[173] As quoted in Page, *VCH Essex, Vol II*, 393.
[174] Daniel Defoe, *A Tour through the Whole Island of Great Britain*, Vol II, first published in 1724 (Everyman, 1962), 195, as quoted in John Rule, *The Vital Century*, 95-6.

Employed in the Manufactory at Holbeck 1833[175]

Number Employed	Ages	Weekly Wage (60hrs)
66 children	9-11	3s 1 1/2d
160 hand	11 -12	3s 4 3/4d
144	13	3s 9 1/2d
127	14	4s 2 1/2d
113	15	4s 9 1/2d
99	16	5s 6d
100	17	5s 10 3/4d
80	18	6s 6d
58	19	7s 4d
48	20	7s 9 1/2d
21	21	8s 2 3/4d
204	Any age over 21	16s 7 3/4d

Young children were also a desired source of labour in arable farming: planting, weeding and harvesting along side their parents. They could also be found employed in running errands, as domestic servants or as livestock caretakers. Employment of the labouring poor was a constant social concern. An example of this is found in Hertfordshire and was described during the reign of James I:

> doth consist for the most part of tillage . . . it has better means to set the poor children on work . . . by employing the female children in picking of their wheat a great part of the year and the male children by straining before their ploughs in seedtime and other necessary occasions of husbandry.[176]

The wages earned by children, joined with those of their parents, could prove to be the difference between living hand to mouth or being able to save a little for a time of need such as death or sickness of a parent or to overcome a sudden price inflation.[177]

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[175] Page, *VHC Yorkshire*, 331.
[176] As quoted in Thirsk, "Industries in the Countryside," 87.
[177] Savings as known in modern society did not exist during this period of time. Money "saved" would be reinvested back into the family, their property or land, or lent out to another as part of the system linking social and monetary credit.

Historians argue about the effects of the industrious and agricultural revolutions on the employment of women and children. As technology progressed, fewer women and children were needed in the factories and on the farm. Whether or not these changes affected women and children for the better or worse, it seems that where opportunities ended in some industries, other opportunities in different industries opened up. When industries, like spinning, silk-throwing and lacemaking, closed to women and children, others like calico printing, the Birmingham trades, and the potteries, opened up. It should be noted that these new processes were not able to absorb all of the surplus labour as it became available.[178] The nineteenth century also saw a marked increase in the number of domestic servants, teachers, nurses and other service industries which absorbed some, but not all of the agricultural and factory surplus labour.[179]

The examples in this chapter begin to develop the picture of the methods or patterns of employment which the labouring poor were willing to engage to maintain steady levels of employment in order to purchase items needed to sustain life. Again a direct correlation can be drawn between the labouring poor as one who works to create an income and as a consumer who trades, barters and buys goods which can not be personally produced. Indeed these examples portray the labouring poor in the process of making shift to escape reliance upon the local parish and creating social capital in order to strengthen their identity or value within the community to reduce the possibility of a future removal.

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[178] Pamela Sharpe, ed., *Women's Work: The English Experience 1650-1914* (London: Arnold, 1998), 167.
[179] See chapter one, John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (London: Yale University Press, 1999), for a discussion on the growing class of domestic servants, also see Susan Skedd "Women teachers and the Expansion of girl's schooling in England c1760-1820," in Hannah Barker and Elaine Chalus eds., *Gender in the Eighteenth Century England: Roles, Representations and Responsibilities* (London: Longman, 1997).

Keith Wrightson identified three different types of capital used historically. In the first section of this paper, we identified and reviewed "social capital", which is one's personal reputation, credit or ability to negotiate transactions based upon service or credit rather than the exchange of physical currency. We have also reviewed the ability of households (where more than one member of the household was engaged in employment) to maintain the domestic budget. The second type of capital is this ability of household members to generate "economic capital" through labour or trade. The third type of capital identified by Wrightson is "cultural capital," which he defined as being acquired skills, knowledge and demeanour.[180] This next section will review several methods of obtaining income that fall under this third class of capital.

Inheritance

To the labouring poor, inheritance came in many forms. These included bequests by a wealthy relative, an employer, a parent or a master who was willing to train a child as an apprentice with the expectation of having the child carry on the business.[181] Of the methods for gaining an income discussed so far, securing an inheritance was by far the least common method of gaining employment and earning an income. Yet, inheritances did happen and an example of this is found in the creation of the Whiteley Card Clothing Firm. John Whiteley did not begin his apprenticeship in the card trade until he was an adult.[182] Written into his apprenticeship contract was the clause that for one week each

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[180] Keith Wrightson, *Earthly Necessities*, 289-90.

[181] The practice of taking a child apprentice with the expectation of having the bequeathing the business to the child in the future was very uncommon. Businesses were usually left to family members, run by the widow, or sold to provide an income for any remaining dependants.

[182] Page, *VHC Yorkshire*, 333-4. Apprenticeships generally expired at the age of 21 for females and 24 for males. John Whiteley's apprenticeship as an adult is very unique.

year he was allowed to learn "at his master's convenience."[183] At the age of thirty-two, in 1791, he finished his apprenticeship and was made a partner of his master, Mr. Brearley, with the agreement to pay him half of the profits for fourteen years. As the card business relied on domestic labour, it would have been to his advantage to marry and have a family.[184] Whiteley's adult apprenticeship turned out to be a favourable experience as he was apprenticed to a master who eventually turned his business over to him. Also, as the nature of the card-making business was labour intensive, it is possible that he employed family members, therefore creating by-employment income within his own family. The West Riding of Yorkshire, where his firm was located, and nearby counties (including those of Scotland), experienced a great demand for cards during this period. [185]

Customary Rights and Gifts

Besides working for one's salary or inheriting your position, income could be earned in the form of gifts and rights. Rights of the common were attached to land ownership and community membership. The right to graze livestock on common land meant you could own livestock which added to your worth and income. Rights to a common forest allowed the poor to collect wood for burning and building. Other common lands that provided resources to the labouring poor included quarries, gravel-pits, loam and sand. On the peat-moors of the Pennines, the Cheviots, Devonshire and

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[183] Page, *VHC Yorkshire*, 333-4. It is possible to speculate that as John was an adult when he began this apprenticeship, this ability to learn "at his master's convenience," may have been an opportunity for further education, or an opportunity to learn not only the craftsman side of the business, but also the bookkeeping portion.

[184] This he must have done as the firm Whiteley & Sons was still in existence over a century later when it was amalgamated in 1897 with four other card making companies into the English Card Clothing Company.

[185] Page, *VHC Yorkshire*, 333-4.

other plains, the poor often took whatever turf and bracken they needed, while in Lancashire they might dig whatever coal they needed.[186] The right to the common was so important in subsidizing the income of the poor that in the late 1710s and 1720s Samuel Lee endowed a trust of £100, to be distributed to the poor in anticipation of the local forest common becoming enclosed and cut off to the local poor.[187] In Oxfordshire, the poor rates tripled in the forty years after the enclosures of the common land when opportunities for the poor to partake in the rights of the common were cut off.[188] Arthur Young writes of the effect the enclosure upon the poor, "[they] were too ignorant or short-sighted to make good bargains, and often parted with customary rights without realizing their value."[189] Not only did the poor struggle with lack of knowledge or foresight, they were usually hampered by the inability to pay the legal fees to fight for their rights in the courts.

Gifts supplementing the income of the labouring poor can be found in the long-standing traditions and perquisites of harvest like that of leaving grain in the fields for the poor to glean, and feeding harvest labourers during the harvest or with a feast after its completion. Gleaning from the fields could increase a family's income by 2.7 per cent to 3.5 per cent annually.[190] Gifts in kind were common, such as the giving of food, clothing and labour. Gifts of food were a way to build social credit with the person you were giving the food to.[191] Servants may have received gifts such as livery to wear as part of

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[186]Thirsk, *The Agrarian History of England and Wales Vol. IV,* 404.
[187] Steve Hindle, "Not by bread only? Common right, parish relief and endowed charity in a forest economy, c. 1600-1800," in Steven King and Alannah Tomkins, eds., *The Poor in England,* 61.
[188] Page, *VHC Oxfordshire*, 202.
[189] As quoted in Page, *VHC Oxfordshire*, 202.
[190] Bob Bushway, *By Rite: Custom, Ceremony and Community in England 1700-1880* (Junction Books: London, 1982), chapter 4.
[191] Karl Polanyi states that all gifts or acts of exchange built systems of credit or social networks of obligation. "The performance of all acts of exchange as free gifts that are expected to be reciprocated

their income and to denote the status and social position of their masters. However, cloth (particularly the remnants), was seen by those employed in the textile industries as theirs for personal use – a perquisite of their employment that subsidized low wages. As noted above, gifts of time and service could also be used like a commodity to trade and barter with. [192] Neighbours relied on each other when sickness, death or birth left families without the ability to take care of their daily needs. It was expected that neighbours would step in and temporarily help each other out during such times. Neighbours were also expected to participate in making small loans to members of the community as needed. Community members, including the labouring poor, helped weave the network of community identity and contributed to the culture of maintaining an economic standard among themselves that in turn cultivated economic and social trust and goodwill. These connections of goodwill were vital in the day-to-day activities of village members. For example business contracts, wills, deeds, bonds, and other official documents were commonly signed by neighbours and friends when family was not locally available to witness or co-sign.[193] Thomas Turner lamented in his diary on the incivility of those he once thought of as neighbours and friends who refused to lend him bottles, even though he recounts lending these same friends bottles in the past. Thomas laments his treatment at the hands of his friends crying, "Oh, ingratitude, thou blackest of

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though not necessarily by the same individuals-a procedure minutely articulated and perfectly safeguarded by elaborate methods of publicity, by magic rites, and by the establishment of "dualities" in which groups are linked in mutual obligations . . ." Karl Polanyi, *Origins of Our Time: The Great Transformation* (Gollanz: London, 1945), 47

[192] J M Neeson, Commoners*: common right, enclosure and social change in England, 1700-1820* (Cambridge University Press, 1993), chapter 6 provides a compelling argument into the use of common lands as a hidden economy. "Productive commons had always been the insurance, the reserves, the hidden wealth of commoners," 177. For further discussion on the social credit and obligations of gift giving see Adrian J. Randall, "Peculiar Perquisites and Pernicious Practices: Embezzlement in the West of England Woollen Industry, c. 1750-1840" *International Review of Social History* 35:2 (1990) 193-219, and Craig Muldrew, *The Economy of Obligation.*.

[193] Craig Muldrew, "The Culture of Reconciliation", *Historical Journal* 39, 930.

fiends![194] There is little doubt that he thought twice before loaning to these three recalcitrant friends in the future. On the other hand, he recorded several instances where he gave money and also business instructions to his favourite and trusted servant Mary Martin, which she obviously carried out in an acceptable manner and she retained his trust.

Parish Relief

Parish Relief is the last method of subsidiary income that will be discussed in this section. The poor received relief from the parish overseers using one of three methods of subsidization: a one time subsidy, subsidization for a short period of time, and permanent relief. Often those on the margins received relief as a one time subsidy, yet during periods of extreme economic hardship in the form of death, disease, crop or other industry failures, or death of the primary income earner, the parish was called upon to provide them with relief for a "short" period of time. Overseers accounts record instances of permanent relief, but eventually some parishes became heavily burdened by the needs of the poor and were forced to make an effort to rid themselves of this economic drain, by employing the laws of settlement and removal in a more stringent manner.

Consumers

As we have seen, the main patterns of employment for earning a living during the early modern and modern era in Britain included employment of the head of household, by-employment of women and children, inheritance, gifts and poor relief. So far we have

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[194] David Vaisey, ed. *The Diary of Thomas Turner*, 60.

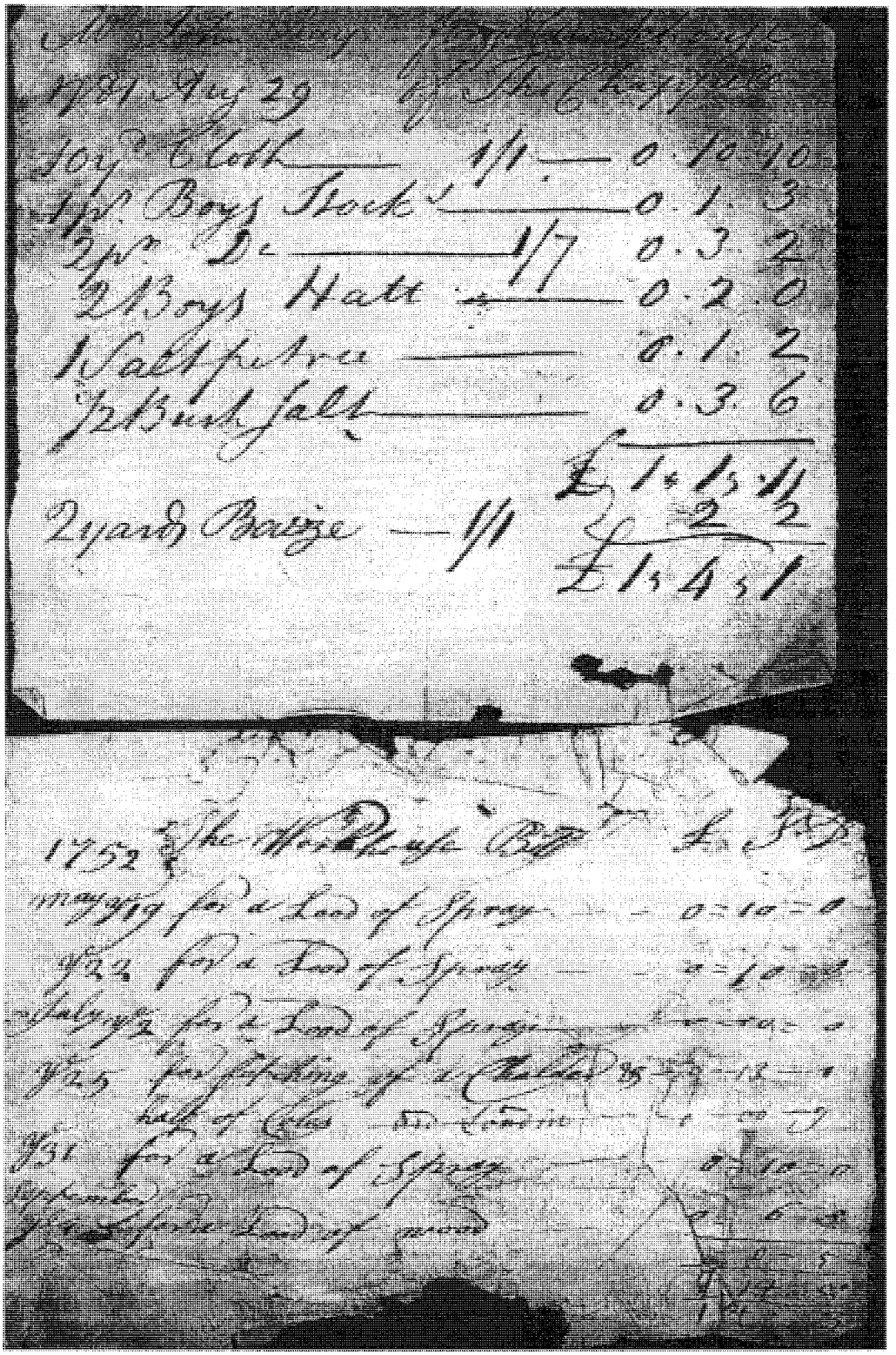

Figure 4 Workhouse Accounts Colne Engaine 1701 and 1752 D/P 193/12/8

drawn a "picture" of the labouring poor as income earners; now let us flip the pieces of the puzzle and look at the other side of the "picture" – the labouring poor as consumers.

The paucity of historical documentation on the consumer activities of the labouring poor is similar and possibly worse than the sources documenting the negotiation of their community identity and their patterns of employment. Individual women are usually only found when they fit into the category of pauper or criminal and only a very small minority of women are actually recorded in either of these two categories.[195] The same holds true even more so for children, of whom very little is recorded regarding their consumer behaviour. Poor male labourers do not fare much better. Lack of literacy among the labouring poor has again left historians with few sources to study and fewer sources that separate the consumer behaviour of men, women, and children. Therefore, the consumer behaviour described below should be considered the consumer behaviour of the family unless otherwise stated.

Consumer behaviour can be broken down into several categories: consumption necessary for survival (such as the purchasing of food, clothing and shelter); consumption to benefit the family; which includes the purchase of additional land, livestock, better food, a second or third set of clothing; and the consumption of fashion and leisure. During much of Britain's history, and in many of its regions, the consumption of the labouring poor was focused solely on that necessary for survival. Eventually, as income from new projects became available to more and more of the labouring poor, and with changes in agricultural prices over time, there came to be times and localities where families that enjoyed continual employment experienced a surplus in income over their

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[195] See generally, Pamela Sharpe, *Adapting to Capitalism: Working Women in the English Economy, 1700-1850* (London: MacMillan Press Ltd, 1996).

necessary expenditures.[196] How, therefore, did the labouring poor dispose of income that exceeded their life-sustaining expenditures?

A review of probate inventories available for labourers indicates their possessions at death. Personal property could be disposed of before death; therefore the number of inventories available for the labouring population is not representative of the total as many inventories have been lost or were never written down. However, it is hoped that the possessions recorded by the inventories available provide a guide to consumer behaviour. These inventories show a widely diverse range of material wealth. In 1597, James Caddie of Cleator in Cumberland left furniture valued at less than 4s., yet his livestock was worth nearly £4. John Cuthbertson of Wormington, who died nearly 40 years later, left a wide variety of household items from chairs to pots and bedclothes but apparently he had no livestock. In the Midlands, John Tregellest of Cubert left household items worth only 14s. 9d. when he died in 1637 -- an amount less than one third the value of his livestock and tools. Robert Wood of Nuneaton, a cheese and buttermaker, is recorded as owning the tools necessary to make the products of his livelihood as well as a wide array of household goods.[197]

It is difficult to determine if these four men are typical without knowing each of their occupations, their ages, the size of their families, and what disposable goods they were in the habit of purchasing. Further more, other community factors, such as whether common lands had already been enclosed (making the feeding of their livestock an expenditure of personal wealth) should be taken into consideration. However, it is possible to begin to draw a picture from these and other inventories of those things

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[196] Thirsk, *Economy Policy and Projects*, 2

[197] Joan Thirsk, ed. *The Agrarian History of England and Wales, Vol. IV 1500-1640* (London, Cambridge University Press, 1985), 446-9.

labourers placed ownership value on. From these examples and others that will follow, we will notice that household comforts seem to be found in inventories as soon as the labourer could afford it; this indicates strengthened community ties through the increase in transactions and negations with other members of the community. On the other hand, the very poor or possibly those who were general labourers, seem to have placed greater value on owning livestock than in owning household comforts. Questions like these can only be answered with a more thorough reconstruction of the lives of those to whom the inventories pertain. Nevertheless, we can now see a picture of the types of consumer goods that were being bought and the order in which they were bought. A review of inventories summarized in *The Agrarian History of England and Wales* confirms that the labourers seemed to desire first the ownership of livestock or tools which allowed them to work, next came items involved with eating or food preparation, then living furniture like a table and chairs. Where a bed is listed, other assorted niceties are also listed which may include a second, third and fourth pot or pan, glass windows, candlesticks, and pewter dishes.[198] It would seem obvious that those who had a greater number of possessions during their life would have had stronger ties within their communities due to the number of transactions necessary to obtain these goods. However, it is important to remember that not all transactions which took place in a community were made through the exchange of money. Credit was extended as a means of forming social bonds which created reciprocity.[199] Barter and trade without the exchange of money were also

[198] Thirsk, *The Agrarian History of England and Wales IV 1500-1640,* 446-9. See also Volumes V and VI in this series. Volume V covers the period of 1640-1750 and volume VI covers the period 1750-1850.
[199] Craig Muldrew, *Economy of Obligation*, 124.

common. Such an exchange was based on social credit which acted in the stead of coin or other currency.[200]

The description of the clothes of a labourer suffered in the inventories noted above. Clothing, like food, would have varied greatly according to economic circumstance, occupation, geographic location, and access to resources, such as the ability to weave or to sew at home or to have a family garden plot. External economic factors would also have included proximity or access to markets and the circulation of peddlers. All of these factors fluctuated, including access to markets through the development of roadworks, canal systems and shipping routes. With the resources available for historical research, trends are best looked for at local and regional levels. Listed below is an example of a labouring class income *versus* the cost of a basic diet in Essex:[201]

[200] *Ibid,* 148.
[201] Brown, *Essex at Work*, 134.

Income				Basic Cost of Diet			
1730-1740	Labourer	6	0	Beef 2 lb		5	
	Wife & daughter spinning	5	0	Mutton 2 lb		5 ½	
	Boy in farmwork	2	0	Pork, 1 lb		2 ½	
				Cheese, 2 lb		5	
				Butter, 2 lb		5	
				Flour, 2 peck	2	1	
	Yearly Total	13	0		4	5	34%
1760-1770	Labourer	7	0	Beef, 2 lb		6	
	Wife & daughter spinning	5	0	Mutton 2, lb		6	
	Boy in farmwork	2	0	Pork, 1 lb		3 ½	
				Cheese		6	
				Butter, 2 lb	1	1	
				Flour, 2 peck	2	9	
	Yearly Total	14	0		4	7 ½	40%

During the eighteenth century, Essex was largely agricultural, yet its proximity to the fast growing city of London and its long coastline created a rich opportunity for growing and transporting/exporting food.[202] However, Essex also engaged in many projects which created by-employment for women and children to supplement low agricultural wages. As we can see from the survey, at the beginning of the eighteenth century, the wages of a labouring family were such that food expenses were only 34 per cent of the total family income. The margin eroded significantly as the century progressed; by the beginning of the nineteenth century, a labouring family was spending 59 per cent of their income on food.[203] This is not to say that every labouring person throughout Britain was engaged in by-employment or reduced to subsistence living

[202] Even though the parishes discussed in the first section of this study were heavily involved in the woollen and weaving industries, these parishes remained largely agricultural.
[203] Brown, *Essex at Work*, 134.

during this period. Although food and clothing still consumed the greatest proportion of the household budget, the largest proportion (up to 75 per cent) was allocated on the head of household, and people were spending more on disposable goods such as better food and greater quantities of it and on travel.[204]

New projects supplied new nonessential consumer goods. Parliament, social commentators and the gentry considered these new goods to be frivolous items and unfit to occupy the time and wages of the honest labouring person. Yet the production of these goods provided work, and public demand guaranteed a market for these items, which allow the labouring poor to continue producing them.[205] The continued creation of new cottage industries and the scattering of similar industries across different regions provided consumers with new choices, levels of quality and price ranges for their consumer activities.[206]

> We cannot speak with certainty of rising per capita incomes throughout the populations in the seventeenth century, [but] we can point to numerous communities in the kingdom, especially in towns and in the pastoral-industrial areas, where the labouring classes found cash to spare for consumer goods in 1700 that had no place in their budgets in 1550.[207]

How far did this new consumer behaviour extend in the pursuit to own new and fashionable items? The playwright George Farquhar wrote a comedy in 1707 entitled *The Beaux' Stratagem*. The third act in his comedy finds two ladies of quality quizzing a footman about his master, upon whom one of the ladies had fixed her eye. Through the course of the conversation it is learned that the footman prefers tea, wine or water over

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[204] Jan de Vries, "Between Purchasing Power and the World of Goods: Understanding the Household Economy in Early Modern Europe," in *Consumption and the World of Goods*, John Brewer and Roy Porter, eds., (London: Routledge, 1993), 102.
[205] Thirsk, *Economic Policy and Projects,* 78.
[206] *Ibid*, 175.
[207] *Ibid.*

the labouring class drink of ale. The footman states, "'tis prescribed me by the physician for a remedy against the spleen." One of the ladies responds with surprise as she had previously believed that such maladies were only found in people of quality. To which the footman replies,

> Madam, like all other fashions it wears out, and so descends to their servants, though in a great many of us, I believe it proceeds from some melancholy particles in the blood, occasioned by the stagnation of wages.[208]

Through the footman's statement, Farquhar not only makes a jab at the languishing economic state of the labouring poor, but he lays bare the desire or habit of the lower sort to mimic their betters, much to the frustration and irritation of the genteel society. The pursuit of luxury goods was not uncommon in either the middling sort or labouring poor and represented a better, more civilized way of life.[209] In 1725, Daniel Defoe recorded an instance of a young London servant who threw the only hat he owned in the air and bought himself a fashionable felt hat.[210] Consumer goods and luxuries which made their way down the social scale or were imitated not only included items to make life easier such as greater and more diverse quantities of food and the acquisition of a second and third change of clothing, but also included fashionable and "genteel" items such as linens, printed cotton, felt or straw hats, tea, silks, and earthenware, and (to those who could afford it) fine china and porcelain.

Gender differences in consumption have been brought to light through the research of historians such as Maxine Berg and Lorna Weatherill. Berg's study of wills

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[208] George Farquhar, *The Beaux' Stratagem*, (Lincoln: University of Nebraska Press), 1977, 3.3.118-131.
[209] Maxine Berg, "In Pursuit of Luxury: Global History and British Consumer Goods in the Eighteenth Century," *Past and Present* no. 182, 2004, 94.
[210] Daniel Defoe, *The Complete Tradesman*, 1950 ed., 19, as quoted in David Corner, "The Tyranny of Fashion: The Case of the Felt-Hatting Trade in the Late Seventeenth and Eighteenth Centuries." *Textile History*, 22 (2), 1991: 154.

and inventories illuminate those items a person owned at death and to whom they were left. Weatherill has laboured over the reconstitution of the domestic household to show that men and women did indeed consume different goods. Not surprisingly, their findings indicate that women tended to own more decorative and sentimental items like clothing and furniture or tools that would ease and simplify their domestic work. Items acquired or consumed by men included the tools of their trade, male fashions, and items to facilitate the taking of their ease after a long day of work at the local inn or pub.[211]

These examples of employment and consumer behaviour indicate some of the great complexities facing historians in reconstituting the history of the labouring poor. As we have seen, the schemes employed for earning or gaining an income were as unique as the people involved. When more regional work is completed, these studies eventually may be joined together to form a clearer national picture.[212]

The economic circumstances of the family, while the main responsibility of the head of household, were never left solely to him; all capable family members were expected to contribute to the family economy. In this manner, families actually were able, in some cases, to break the yoke of poverty and enjoy a comfortable living. In this context, everyone was a consumer, no matter their level of wealth. Items for consumption ranged from the absolute basics for subsistence living, such as food and a set of clothing, to item for living with ease and luxury. The industrious labours of some people (like the woman described by Defoe, who ran a household, raised children and livestock and still managed to take on some outside work while her husband was

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[211] See Maxine Berg, "Women's Property and the Industrial Revolution" *Journal of Interdisciplinary History*, Vol. 24, No. 2, 233-250; and Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain, 1660-1760*, 2nd ed., (London: Routledge, 1996), chp 7.
[212] Snell, *Annals of the Labouring Poor*, 65.

employed in the mines), raised their family's economic status above the marginal levels and "found cash to spare for consumer goods in 1700 that had no place in their budgets in 1550."[213]

The "cultural capital" identified in this chapter include inheritance and gifts which both increase levels of capital through outside means upon which one has very little control. While both are largely incurred through good will and community networks, the uncertainty in these two types of capital relies with the fact that there must be extra or left over resources available to disperse. While the capital of parish relief is also administered through disbursements, parishes gather the "extra" resources for this relief through methods of taxation among its parish members. And, in order to not place undue financial pressure on the parish members to provide the resources necessary to care for its member poor. Parish overseers would guard and make decisions about membership to their community on the basis of local issues including: size, relative economic wealth, and notions of worthiness of the individuals, along with many other conditions relative to the parish. Decisions are local.

[213] Thirsk, *Economic Policy and Projects*, 175.

Conclusion

The poor law was created under a dual mandate. The first mandate was to determine the acceptable treatment and maintenance of the poor of the realm. The second mandate set forth the penal actions created to deal with rogues and vagabonds, who typically also came from the poorer members of society. In this study we have followed many of the changes to statute regarding where and when a person could move and under what circumstances they could claim settlement in a new parish community. We have reviewed some of the circumstances in which people sought to move and ways in which settlement was circumvented or refused. We have also discussed social and economic conditions that occurred and how the labouring poor responded to these changes. Relief from the parish both in cash and in kind was the main form of relief when help was needed. However, we have also outlined many ways in which people worked to "make shift" and some of the rationale behind this effort. It is clear that those who were willing and able to work likely had higher social credit within a community than those who could return nothing back to the community from which they were receiving support. Lastly we viewed the labouring poor within a community network where transactions of trade within the community bound them to the community, both as buyers of goods, barterers of services and traders of social credit, such as the ability to act as a witness in a legal matter or vouch for someone in an economic matter.

It is from local studies such as this that a foundation can be laid to show how local community membership was negotiated by parishes. The processes of change that we have seen at work in the administration of the poor laws in this study include the changing criteria used by the overseers of the poor and the justices of the peace in

determining who could move into a parish, who could stay in a parish and who was to be removed because there was a possibility that in the future they may need to draw resources from the parish.

Earls Colne, for several decades, performed a higher than average number of marriages. This high number of marriages, where one or more of the bridal party came from a parish other than Earls Colne, corresponded with an equally high number of removal orders which focused on removing the couples from these "outsider" marriages back out of the parish. It appears that while Earls Colne was willing to perform the service of marriage, which likely brought some small marginal economic gain to the parish, they were not willing to take on the possible future burden of these newly weds requiring maintenance from the parish.

In Coggeshall the processing of people moving between parishes seems to have become very commonplace as evidenced by their records. Settlement examinations, removal orders and, in particular, settlement certificates over a period of many years began to look like exact duplications of each other with only the names, dates and places changing, yet still being written freehand. It is possible that blank copies of these records, particularly the settlement certificates, may have been written in advance with blanks spaces left to be filled in as the document was needed. In addition to this modern "form" appearance, the signatures of the examiners, being the Overseers of the Poor and Justices of the Peace, remained the same for long periods of time. The Overseers and Justices of Coggeshall remained in these position for a long period of time, even though statutes declared two or three year periods of service in these offices and unwillingness to serve was officially to be penalized by a fine payable to the relief of the poor. In

Coggeshall, even though it had population sufficient for new offices to be chosen at the recommended periods of time, it is clear that parish members chose to serve for much longer periods of time while some parish members never served in these offices.

The willingness of an employer to hire a labourer for a term of 52 weeks or longer was usually predicated upon the specific trade of the labourer as well as seasonal or cyclical demands. As we have learned, hiring for a term of 52 weeks or longer would have resulted in granting a settlement to the labourer in the parish of service. Hiring fairs were held at the high seasons of labour requirement and agricultural labourer hirings were often only for the season of planting or harvest, thus creating no risk of granting settlement status to the labourer. Additionally, labourers, such as those involved with agriculture, may have been forced to remain in their home parish and travel to where the labour was needed, being limited in their ability to travel by the need to return home each evening or on a weekly basis.

Common lands and access to opportunities to make shift and provide alternate incomes also determined the size of the poor population a parish could or would maintain. Parishes with extensive enclosures of their common lands removed many alternative forms of shift making by removing access to common agricultural or grazing lands. Restrictions to forests removed access to firewood or game that could be hunted for food or trade.

Access to employment and resources to make shift were also largely determined by both parish size and its economic wealth. Larger parishes generally had more resources of land, people and employment as well as a greater population to spread out the taxes needed to support their poor. Economic wealth through diversity of industry

also provided greater opportunities for the poor to support themselves as evidenced by the miner who also had a plot of land that he and his family farmed and grazed animals on for a second income and to sustain themselves by growing their own food.

It is to these practical local variations that we must attend in order to reveal in order to see how the poor laws were administered in fact on a parish by parish basis. We know how the labouring poor made shift in order to sustain themselves, how they behaved as consumers and community members with differing levels of social credit and also how much differing levels of credit helped these poor people weave themselves into the fabric of the community. Each of these inquiries points towards local variation in poor relief practices.

This study, which includes an examination of the methods used by the labouring poor to make shift, pieces together a picture of how community membership within a parish was determined and how labouring poor community members sought alternate means of support which allowed them to provide for most or all of their needs, removing the need for parish support and increasing their credit as community members, which allowed them to remain in the parish community.

This study originally attempted to determine the processes of change which took place in the administration of the poor laws throughout the eighteenth century in a specific region of Essex. However, significant change did not occur at the formal level of the law or regulation. The poor laws were fixed and saw very little variation from their first issuance throughout the period of the present study. What has been found here is that the administration by overseers at the local level was flexible and changeable. The

change, in large part, came from the communities who varied and adapted their practices; it is this fact that is significant.

Local criteria were developed for determining local membership. Each community struggled with the allocation of private and public resources. Private resources allowed individuals to acquire personal assets, while parish resources allowed the poor to provide for some of their own needs rather than have to rely so heavily on monetary handouts derived from rate payers. Some of the factors which caused variation and adaptation in administering these laws included local prices, wages, community size, vigour of industry, and the prior experience and sensibilities of the overseers and justices; that is to say, local cultural values and perceptions were crucial.

It seems these variations were expected. Richard Burn wrote, "statute leaves it optional in any parish or other place whether they will adopt these regulations or continue in the present mode."[214] Contemporary commentators clearly expected variation in the administration of the poor laws to occur and that these variations would occur at the local level. It is also plausible that this expected local variation encouraged the writing of legal commentaries which detailed the decisions of the Court of King's Bench regarding settlement cases.

The implications are that local communities functioned mainly in an autonomous manner; however, relationships with neighbouring parishes were of such importance in maintaining their social credit, that it was to everyone's benefit to maintain amicable relationships with ones neighbours when possible. These negotiations were ongoing as labourers moved between parishes looking for work and looking to gain a new place of settlement or retain the settlement they had already earned.

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[214] Burn, *The Justice of the Peace and Parish Officer*, 306.

This lack of standardization at the local parish level in turn suggests that no uniform national system of poor administration was in effect during this period. Previously, the focus of study for historians of the poor and the Old Poor Laws has been the laws themselves or the reconstruction of the parish to determine how people lived. It appears that a key element missing from the puzzle of reconstructing the history of the poor has been identified in this paper. We have seen that the behaviour of the local poor was conditioned by the behaviour of the local poor law administrators or overseers. Overseers were expected to act in accordance with the law, yet, because they were appointed by local justices, these men were expected to mirror in administrative action the social perceptions and norms of the parish they represented. Future studies of the English poor and the Old Poor Laws can usefully focus on a set of related issues: the variations of administrative practices in different parishes; the attitudes and expressed values of local overseers in different parishes; and the variation in "making shift" in different parishes. In this way we can begin to complete the puzzle.

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D/P 36/13/1	Coggeshall Settlement 1686-1799
D/P 36/4/4	Rates 1779
D/P 36/14/1	Apprenticeship Indentures 1718-1831
D/P 36/13/4D	Warrants to apprehend vagrants 1758-1830
D/P 36/13/4C	Vagrancy examinations with removal orders attached 1750-1822
D/P 36/13/4A	Examinations of persons living in parish 1740-1830
D/P 36/13/2	Removal Orders from Coggeshall 1724-1832
D/P 36/13/1A	Register of settlement certificates 1689-1779
D/P 36/13/1B	Register of settlement certificates 1689-1788
D/P 36/12/5	Weekly disbursement 1787-1801
D/P 36/12/4	Accounts: Weekly disbursements 1776-1787
D/P 36/12/3	Accounts: Weekly disbursements 1759-1776
D/P 36/12/2	Accounts: Detailed disbursements 1742-1759
D/P 36/12/1	Accounts: Detailed disbursements 1728-1729
D/P 36/11/16	Overseers Rates 1764
D/P 36/13/3	Removal orders to Coggeshall parish 1728-1831
D/P 36/13/1B	Register of settlement certificates (indexed) 1689-1788

Colne Engaine

D/P 193/3/2	'Town book' Incl. orders for relief, 1745-75; burials, 1745-79; summaries of accounts, 1746-1803; nominations of officers, 1746-1805; overseers' rates, 1754 and 1804-1805; medical agreements, 1747- 91; agreements to keep poor children, 1745-83; agreement (21 signatories) to clear up out-standing unpaid rates by levying an additional rate on themselves, 1755; note of 2 certificates granted, 1762; resolution to build house for small pox cases, 1778; apprenticeship agreement, 1764. Pasted in: certificate of militia service, 1804.
D/P 193/18/1	'Town book' Incl. orders for relief in cash; summaries of accounts; nominations of officers; burials, 1713-1744. At end reversed, many agreements to keep poor children 1722-42. 1713-1745
D/P 193/15	Bastardy orders 1780-1874
D/P 193/13/4	Examinations 1785-1808
D/P 193/13/4A	Examinations 1785
D/P 193/13/3	Removal orders to parish 1699
D/P 193/13/2	Removal orders from parish 1694-1711
D/P 193/13/1A	Certificates (1 incomplete, only a small section survives) 1788
D/P 193/13/1	Certificate 1736

D/P 193/12/7	Accounts and receipts1749-1791
D/P 193/12/2	Account book Incls. summaries of churchwardens' and constables' accounts, 1785-95; agreements to farm poor 1784-95; agreements to keep poor children, 1791-95; inventories of workhouse, 1785-95; paupers' inventories, 1788-95; lists of workhouse inmates, 1786-88; agreement to build a pest-house, 1785; accounts of, 1790-1834, and lists of children admitted to, 1790-95, free school. At end, reversed, attendance lists of workhouse committee, 1783-86. 1783-1797
D/P 193/12/1	Account book incls. Agreements to write books for overseers, 1706-62; agreements to keep poor children, 1761-66; agreement woth governor of workhouse, 1756; resolution to 'break up the workhouse and . . . 1755-1768
D/P 193/12/8	Loose accounts and receipts Inc. printed order made at Essex Quarter Sessions, 5 Jan 1836, re. `Act to repeal certain Acts relating to the Removal of Poor Persons born in Scotland and Ireland, and chargeable to Parishes in England' (3 & 4 William IV c.40). 1705-1836
D/P 193/14/1	Apprenticeship indenture 1742

Earls Colne

D/P 209/12/5	Detailed disbursements Mainly weekly payments for workhouse bills and `outpensioners' (named). At front: memoranda of agreements for boarding-out pauper children, 1792, and to lease of house, 1793 1792-1797
D/P 209/12/3	Detailed receipts Including payments for spinning and other work done by inmates of workhouse and payments for maintenance of bastards. 1785-1831
D/P 209/12/4	Detailed disbursements Mainly weekly payments for workhouse bills and `outpensioners' (named). At front: memoranda of agreements for boarding-out pauper children, 1787-1791. At back: list of' Particular Articles belonging to the Loom in the workhouse', 1789; and memoranda of agreements with Governor of Workhouse, 1788; for apprenticeships, 1789-1790; and maintenance of bastard, 1788. 176-1792
D/P 209/12/2	At beginning: list of workhouse inmates, c.1758-1760; agreements to keep poor children, 1767-75. 1758-1775
D/P 209/12/1	Accounts 1741-1757
D/P 209/13/2	Removal orders from parish 1678-1838
D/P 209/13/1	Certificates 1677-1795
D/P 209/13/3	Removal orders to parish 1701-1838
D/P 209/13/4	Examinations 1726-1830
D/P 209/1/4	Earls Colne, St. Andrew, Parish Registers Baptisms: 1691-1755; Marriages : 1728-1753; Burials : 1678-1755

Gosfield

D/P 165/13/2	Removal orders from parish 1713-1801
D/P 165/13/1B	Settlement certificates 1699-1787
D/P 16513/1C	Copies of certificates issued by parish 1715-1735
D/P 165/13/3	Removal orders to parish 1728-1833
D/P 16513/1A	Indemnity bonds 1759-1786
D/P 165/13/4	Settlement examinations 1731-1820

Halstead

D/P 96/13/1A	Certificates 1700-1801
D/P 96/13/1B	Bonds 1786-1792
D/P 96/13/6	Indemnity bond of Edmund Pryor saymaker of Halstead [allowing] Benjamin Pledger, baker of Hundon, Suffolk, is to reside with Pryor in Halstead. 1676
D/P 96/13/2	Removal orders from parish 1764-1843
D/P 96/13/4	Examinations 1766-1838
D/P 96/13/3	Removal orders to parish 1766-1841
D/P 96/13/5	Settlement certificate 1702
D/P 96/12/10	Casual and standing relief payments 1777-1786
D/P 96/12/9	Casual and standing relief payments 1769-1777
D/P 96/12/2	Petty disbursement (fragmentary) 1730-1770
D/P 96/11/78	Assessment of rate 1760-1800
D/P 96/11/79	Re-valuation of small part of parish 1798
D/P 96/12/9	Halstead Casual and standing relief payments

Stisted

D/P 49/13/2	Removal orders from parish 1756-1829
D/P 49/13/1	Certificate 1758

Bocking

D/P 268/13/4	Examinations 1737-1795
D/P 268/13/2	Removal orders from parish 1763-1795
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Appendix A

Relevant Royal Proclamations

(Hughes and Larkin Proclamation Numbers)

Tudor Royal Proclamations Vol I

22. *Expelling Scottish Vagabonds from Northern Shires* (1490)

30. *Enforcing Statues against Murder, Decay of Husbandry, Robberies, Vagabonds, Beggars Unlawful Games* (1493)

75. *Prohibiting Enclosure and Engrossing of Farms* (1514)

80. *Enforcing Statutes on Apparel, Vagabonds, Laborers* (1517)

128. *Ordering Punishment of Vagabonds and Beggars* (1530)

138. *Ordering Local Officers to Enforce Statutes* (1532)

156. *Ordering Members of Parliament to Their Homes for Defense and Subsidy* (1535)

250. *Ordering Vagabonds to the Galleys* (1545)

371. *Enforcing Statutes against Vagabonds, Rumor Mongers, Players, Unlicensed Printers, etc.* (1551)

Tudor Royal Proclamations Vol II

416. *Expelling Vagabonds from London and Westminster* (1554)

431. *Prohibiting Rumors of Coin Devaluation* (1556)

445. *Expelling Vagabonds from London and Westminster* (1558)

476. *Authorizing Collections in Wales for London Hospitals and Oriel College* (1560)

520. *Cancelling Maundy Ceremony [draft]* (1564)

594. *Enforcing Statute for Making Caps* (1573)

622. *Enforcing Statutes against Vagabonds and Rogues* (1576)

637. *Enforcing Statutes against Vagabonds and Rogues* (1579)

686. *Ordering Markets Supplied at Reasonable Prices* (1587)

692. *Enforcing Statutes against Vagabonds and Rogues* (1587)

Tudor Royal Proclamations Vol III

716. *Placing Vagrant Soldiers under Martial Law* (1589)

800. *Enforcing Statutes on Abstinence from Meat, Ale Houses, and Vagabonds* (1600)

815. *Prohibiting Further Building on Subdividing of Houses in London* (1602)

729. *Enforcing Statute for Making Caps* (1590)

736. *Enforcing Statutes against Vagabonds and Rogues* (1591)

745. *Ordering Examination of Vagrant Soldiers [Privy Council]* (1592)

750. *Prohibiting Access to Court Because of Plague* (1592)

777. *Enforcing Statutes against Vagabonds and Rogues* (1596)

Larkin

Stuart Royal Proclamations Vol I

11. *A Proclamation commanding Gentlemen to depart the Court and Citie* (1603)

23. *A Proclamation enjoyning all Lieutenants, and Justices of Peace, to repaire into their Countreys, and all idle persons to depart the Court* (1603)

27. *A Proclamation for the due and speedy execution of the Statute against Rogues, Vagabonds, Idle, and dissolute persons* (1603)

84. *A Proclamation commanding the Oath of Allegiance to be tendred to all the Kings Majesties Subjects coming from beyond the Seas, except merchants and men of qualitie* (1608)

85. *A Proclamation for the preventing and remedying of the dearth of Graine, and other Victuals* (1608)

86. *A Proclamation against making of Starch* (1608)

91. *A Proclamation touching Maultsters, Common-brewers and Alehouse-keepers* (1608)

92. *A Proclamation for proroguing the Parliament* (1609)

127. *A Proclamation against transportation of Corne and Graine* (1613)

158. *His Majesties Proclamation, requiring the Residencie of Noblemen, Gentlemen, Lieutenants, and Justices of Peace, upon their chiefe Mansions in the Countrey, for the better maintenance of hospitalitie, and discharge of their duties* (1615)

235. *A Proclamation commanding Noblemen, Knights, and Gentlemen of quality, to repayre to their Mansion houses in the Country, to attend their services, and keepe hospitality, according to the ancient and laudable custome of ENGLAND* (1622)

236. *A Proclamation for reliefe of the poore, and remedying the high prices of Corne* (1622)

Stuart Royal Proclamations Vol II

78. *A Proclamation that all Captaines, Lieutenants, and other Officers shall repayre to their Companies, and that all Souldiers shall repayre to their Colours* (1627)

85. *A Proclamation for the execution of the Statutes made against Rogues and Vagabonds* (1628)

114. *A Proclamation for the speedy sending away of the Irish Beggers out of this Kingdome, into their owne Countrey, and for the suppressing and ordering of the English Rogues and Vagabonds, according to the Lawes* (1629)

115. *A Proclamation commanding the due execution of the Lawes made for setting the poore on worke* (1629)

302. *A Proclamation, commanding the due execution of the laws made for setting the Poor on work* (1640)

323. *A Proclamation for the securing of the Peace and safety of His Majesties Subjects,, against Outrages and disorders by any that were Souldiers of His Majesties Armie lately disbanded, or others taking upon them to be such, or living idlely, or out of any good course of life.*