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## **Technologies of Identification Under the Old Poor Law\***

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As is well known, the Elizabethan poor laws, passed in 1598 and 1601 and remaining on the statute book virtually without amendment until 1834, encoded the ancient scriptural distinction between the deserving and undeserving poor. They empowered the overseers and churchwardens of each individual parish to relieve the known neighbourhood needy in their own homes and the constables to expel wandering strangers back to the communities in which they had last lived or worked.<sup>1</sup> Who, then, constituted the 'poor of the parish'? This question proved far more troubling than might at first be expected, both for contemporaries and for historians. The criteria of belonging were ambiguous and shifting, not least because relatively few inhabitants lived out their lives in the parishes of their birth: high population turnover had long been a significant structural characteristic of the English local community. Was 'settlement' conferred by the experience, perhaps over several generations, of those rituals of inclusion—baptism, marriage, burial, possibly even communion—through which the highly-localised 'sense of place' was socially constructed? Or was it rather a matter of social and economic participation, a function of residence, employment or apprenticeship for a specified period of time; and if so, for how long? And how might long-standing inhabitants feel about their tax assessments and charitable donations being distributed for the relief of those they considered aliens, strangers or (to use a nineteenth-century word which appears to have originated in the Lake counties) 'off-comers'?<sup>2</sup>

These were awkward questions in the seventeenth century and they remain awkward in the twenty-first. After all, contemporary political debates about immigration policy, and especially about the role of putative entitlement to social security benefits in encouraging applications for asylum to the United Kingdom, turn on precisely the same issues: migrants represent both a reservoir of skilled and unskilled labour without which economic development might be undermined; and at the same time a potential drain on the resources of the welfare state.<sup>3</sup> Just as twenty-first century Britain is struggling to resolve the paradox of international migration in the context of a national welfare system predicated on notions of social insurance, seventeenth-century parishes wrestled with the problem of population turnover in a culture conditioned to believe that charity not only *began*, but also (as was vociferously argued by many commentators) actually *ended*, at home.<sup>4</sup>

In the first instance, the poor relief statute of 1598 (reiterated in this respect, as in so many others, in 1601) equated 'deservingness' with residence and settlement; and 'undeservingness' with mobility and vagrancy. This distinction is reflected in the finely-graded archival residue of the legislation. Overseers' account books are replete with references to the relief of the impotent 'poor of the parish', ancient inhabitants of the local community who had lived respectable lives of labour until failing eyesight and arthritic fingers had exhausted their capacity to support themselves. Constables' account books, by contrast, include lists of gratuities paid to (and, less frequently, expenses for the public whipping of) the idle wandering poor in an effort to induce them to cross the parish boundary and trouble the ratepayers no more.<sup>5</sup> From this perspective, those who drafted the poor laws might not unreasonably be accused of the erroneous assumption that English local communities were self-contained, their obligations to their long-settled residents being compromised only by the intermittent

pressure of long-distance migration.<sup>6</sup> According to the popular stereotype, of course, desperate hordes of shiftless vagrants were tramping their way across the countryside in search of opportunities to gull the charitable and steal their goods.<sup>7</sup> As students of vagrancy have shown, however, the popular 'terror of the tramp' was a literary construction, created in the cheap print of the day.<sup>8</sup> The reality of geographical mobility in early modern England was altogether different, population turnover being far more convincingly characterized as 'betterment migration' encouraged by developing regional and national markets for labour and marriage, than as 'subsistence migration' generated by the intersecting crises of warfare, dearth and industrial depression; and still less as the 'deep dissimulation and detestable dealing' depicted so colourfully, not to say alliteratively, in the rogue literature.<sup>9</sup> It is now as clear to historians as it was to contemporaries, therefore, that not all migrants, and not even all poor migrants, were vagrant.<sup>10</sup>

In the context of this tension between on the one hand, a locally-based social security system based on long residence; and, on the other, regional (and increasingly national) fields of migration in which large numbers of Englishmen and women were almost constantly on the move, Elizabethan legislators experimented with various technologies of identification to help them distinguish between the worthy settled poor and the unworthy unsettled idle. In the period 1550-1750, four such technologies—the granting of licences to beggars; the issuing of passports to vagrants; the collection of settlement certificates by parish officers; and the insistence that even the deserving poor wear badges—were developed and applied.<sup>11</sup> This lecture takes these four technologies in turn, analysing in each case their *purpose*, their *format* and their *use*. It will argue that many of the 'modern horrors'—not only civil disobedience but also the 'frauds of the double life and the imaginary person'—

anticipated by those who are opposed to the compulsory carrying of identity cards in the early twenty-first century were prefigured in the administration of the poor laws in the sixteenth, seventeenth and eighteenth centuries.<sup>12</sup> What follows is unlikely to make happy reading for the home secretary, whoever has the misfortune to occupy that unhappy office by the time this lecture is delivered, let alone published. For how are we to be persuaded that databases identify us to be ourselves alone, and no-one else?<sup>13</sup>

First, however, a few preliminaries. The relationship between the four technologies with which I am concerned was complex. There was, inevitably, some overlap between them. Many settlement certificates were, after all, issued on the basis of examinations initiated because a migrant had been apprehended with a vagrant's pass.<sup>14</sup> It is not difficult, similarly, to imagine circumstances in which an individual pauper might be granted both a settlement certificate and be forced subsequently to wear the parish badge. On the other hand, although three of the technologies (the licence, the certificate and the badge) were practised on those considered deserving, the fourth (the passport) was intended only for the unworthy. Nor were all the technologies applied with equal intensity throughout our period: licences were largely, though not exclusively, granted in the period before 1601 when they were (theoretically at least) discontinued by the poor relief statute of that year; and certificates were overwhelmingly drawn up in the period after 1662, and particularly after 1697, when the developing customs associated with settlement were subject to parliamentary codification. Although there were some experiments in badging the poor before the 1690s, the practice seems to have been common only in the two or three decades after a statute of 1697. Only the issuing of passports to vagrants was carried out with any consistency over the whole period, although the vagrancy

problem itself seems to have been waning in intensity as demographic pressure eased in the second half of the seventeenth century.<sup>15</sup>

Three of our four technologies were, moreover, *documentary* in the sense that they produced texts (licences, passports and certificates) that were inscribed on paper or engrossed on parchment: they provided verification of the identity of an individual, although how that identity was actually established in the first place remains a moot point. As we shall see, different sectional interests within the poor law system—magistrates, parish officers, the poor themselves—had ownership of each the documents generated by these technologies. Nonetheless, the very fact that so many of them have survived suggests that they were designed to be archived—and searched—as documents of record. The fourth technology, the application of the parish badge, produced an artefact (usually a patch of cloth sewn onto the garments of the poor) rather than a text, with the result that very few indeed have survived for posterity. Of the four practices, the badging of the poor is the most difficult to interpret. It was the only one that identified the poor person without inscribing his or her name and yet at the same time was the only one that was expected to be on continuous public display. Unlike licences, passports or certificates, badges were principally designed to shape not only the perceptions of those who scrutinised them but also the attitudes of the person who wore them. Our concluding discussion will, therefore, attempt to tease out what licences, passports, certificates and badges *meant* to those whose identity was inscribed or represented upon them; and to suggest how those meanings might compare and contrast with the technologies of identification practised and proposed in the early twenty-first century.

*I: The Licence to Beg*

Begging licences were the first of the technologies of identification to emerge in the early days of the Elizabethan poor law. Licensed begging was encouraged in various sixteenth-century statutes, especially those of 1552 and 1563, and even survived into the clauses of the great Elizabethan poor law of 1598, though it was quietly dropped (so quietly, in fact, that several contemporaries—including some of the leading jurists in the land—entirely failed to notice) from the consolidating statute of 1601.<sup>16</sup> Poor parishioners might be licensed to beg round all the parishes in the hundred or wapentake, a practice which prefigured the later development of the 'rate-in-aid' by which better-off parishes might contribute to the relief of communities over-burdened with their own poor. Thus Richard Denyson of Roydon (Essex) was licensed in these terms in 1573 on the grounds that his home parish was 'so replenished with poor people'.<sup>17</sup> The fact that most paupers were permitted to beg only in their home parish, however, reflects the impact of the growing consensus that each parish should look after its own. The begging licence accordingly became popular with parish officers and prospective ratepayers alike as a way of regularising the relief of the deserving poor in any given community without resorting to compulsory local assessments to finance the parish-based welfare system. The circumstances which led to the granting of a licence are usually concealed from us, but just occasionally a letter of testimonial, like that composed in 1590 by the parson and four 'chief inhabitants' of Thundersley (Essex) on behalf of William Warner 'a very poor lame and impotent person no way able to get his living', discloses the patronage network involved.<sup>18</sup>

By permitting poor individuals, and often even their children, to beg victuals from house to house round the local community, magistrates were exploiting and

perpetuating long-standing Christian traditions of almsgiving and hospitality.<sup>19</sup> It is almost certain that those so licensed were astute enough to beg round the kitchen doors of their neighbours at mealtimes in order to secure scraps and off-cuts not only from the groaning boards of the manor house and the rectory, but even from the relatively humble tables of the middling sort. If extant archives are anything to go by, licences were used very commonly in the 1590s.<sup>20</sup> Their familiarity perhaps explains why, when the clergy exhorted all householders to fast and give food to the poor (irrespective of whether they carried a licence or not) in the harsh winter of 1596, they seem to have been willing to do so.<sup>21</sup> The success of this campaign for general hospitality notwithstanding, the harvest crisis of the 1590s exposed the weaknesses of the semi-voluntary system of which begging licences formed part, and in the 1598 poor relief statute they were marginalised in a welfare regime now predicated on compulsory assessment. Those who drafted that legislation evidently intended the granting of a licence to be a last resort. Long after the authority to grant them had been undermined by the omission of the relevant clauses in the 1601 statute, however, licences were being issued by magistrates across the country: in Cheshire into the 1630s, in Cumberland into the 1690s, and in the west riding of Yorkshire even into the 1710s.<sup>22</sup>

Licences like the one reproduced in figure one, granted to Walter Fosse of Horsford and Horsham St Faith (Norfolk) in 1591, were usually engrossed on parchment (rather than paper) to make them more durable and to preserve the green wax magistrates' seals which validated them.<sup>23</sup> Unlike the two other documentary technologies with which we will be concerned, licences remained permanently in the custody of the individual pauper to whom they were granted. To judge by the condition of a set of licences originating in late Elizabethan Norfolk and surviving in



London University Library, they were twelve by eight inches at full size, and folded down, usually lengthways and then two or three ways across, to three inches square. As a result, the outer surfaces and folds became particularly dirty.<sup>24</sup> As early as 1590, the licence, sometimes colloquially (and misleadingly) referred to as a passport, had become proverbial for its grubbiness. In his sensationalist autobiography published in 1590 the playwright Robert Greene described a licence 'foulded up' with 'a greasie backside and a great seale'.<sup>25</sup> At least one of the extant Norfolk licences has a second piece of parchment sewn into it to serve as a protective cover.<sup>26</sup>

The usual format of the licence was to identify the pauper and her parish; to provide a brief gloss on the reason for her poverty (and by implication the deservingness of her case); and to permit her to 'aske gather receive and take th[e] almes charetie [and] devocon at the house or houses of the inhabitants', at the same time 'willinge and requiringe' the householders and parish officers 'not to molest or trouble' her 'but to bestowe on her such almes as in their discretion might seem good'.<sup>27</sup> In one sense then, the begging licence, remaining as it did in the hands of the poor person herself, conferred on the pauper eligibility for, arguably even entitlement to, the charity of her neighbours. The magistrates who issued them were nevertheless careful both to reserve the right of householders to exercise discretion in distributing alms; and to present the case for the recipient's moral worth. Thus the licence granted to Walter Fosse explained that he had lived in Horsford and Horsham for twenty-one years, 'all which tyme he behaved him selve honestly, painefully getting his Lyveinge, with the sweate of his browes'. Because he was experiencing 'much paine & other infirmities bothe in body and Limmes', however, he was 'not nowe able to worke for his Lyveinge'.<sup>28</sup> Licences of this kind were usually granted for a period of twelve months, after which time those who carried them presumably had to apply for

a new one, probably surrendering the expired documents to the magistrate (which perhaps explains the peculiar survival of our Norfolk sample).

Magistrates seem to have resorted to licensed begging for fear of antagonising householders with compulsory rates, and in so doing they inadvertently preserved the doorstep as a liminal space, or zone of transition, between the needy and their more prosperous neighbours. In most cases, those who begged were the familiar neighbourhood poor making regular, if depressing, peregrinations from house to house, and it is therefore doubtful whether the licence itself was actually displayed with any regularity. In most cases, perhaps, it would have been necessary to produce it only in the first instance, with both pauper and householder relying on familiarity and trust thereafter. That trust might, of course, be exploited, but the forgery of begging licences seems to have been relatively rare, precisely because those licensed were invariably long-standing residents of the local community whose faces were very familiar to the inhabitants. Only in the densely-populated parishes of London and the larger provincial towns can there have been any real possibility that a begging licence could be fraudulently obtained or successfully counterfeited. In sum, a licence to beg was a testimonial of deservingness, and served as invaluable coin in the currency of neighbourliness with which the deserving poor made shift to survive.<sup>29</sup>

## *II: The Vagrant's Passport*

Even though vagrants' passports and beggars' licences were often confused in the popular mind, the vagrant's passport was altogether different in purpose. Whereas the licensed beggar was by implication deserving, the vagrant carrying a passport was by definition a criminal undergoing punishment.<sup>30</sup> Passports were designed to ensure that those taken and punished (usually by whipping, more rarely by branding on the

chest or boring through the ear) as idle wandering beggars were returned home, and relieved along the route as appropriate, to their parish of 'settlement'.<sup>31</sup> Numerous amendments to the poor relief statutes over the course of the sixteenth century modified the definition of the parish of settlement. In its most restrictive definition, settlement was conferred only by birth, but more liberal interpretations progressively required that the vagrant be removed only to the parish where they had last been resident, initially for a period of three years, subsequently only for one year.<sup>32</sup> Either way, the pass took the form of a warrant, signed and sealed usually by two magistrates, which gave the vagrant's name and parish of settlement; recorded the location where (s)he had been taken begging; and required the constables or tithingmen *en route* between that parish and the parish of settlement to conduct her on her way, relieving her as necessary as she passed. Finally it stipulated the period of time, usually expressed as a number of days, within which the journey should be made. The vagrant would be liable to punishment, usually a further whipping, only if she exceeded the specified time period, or strayed from the appointed course.

Parish officers were required to keep registers of those they had passed on their way, though very few actually seem to have done so, especially in the early years of the system. Nicholas Nichols, rector of Great Easton (Essex) commenced one such register in the immediate aftermath of the act of 1598, recording the names, destinations and specified period of travel of nine vagrants with whom the constables of the parish dealt over the years down to 1603.<sup>33</sup> After the vagrancy legislation of the early eighteenth century allowed constables to recover their expenses, however, lists of vagrants and the expenditure incurred by them were much more commonly drawn up. The constables of Culgarth (Cumberland), for instance, presented the justices with a schedule of the nineteen vagrants and nine associated children on whom they had

spent almost eight pounds for travel, meat and drink in the summer of 1737.<sup>34</sup> Even more rarely, parish officers might collect the passes of those vagrants who had been sent back to them from elsewhere, as they did in late-eighteenth century St Mathews, Ipswich, or at Puddletown (Dorset) where they seem to have been routinely filed with settlement examinations from the 1760s.<sup>35</sup> The pass itself, however, was usually in the personal possession of the vagrant, who was required to show it to the constable of each community as (s)he crossed the parish boundary. Conscientious constables would accompany the vagrant, personally conducting her into the adjacent parish and handing her over to the appropriate parish officer. If this occurred as the statute required, the vagrant's pass would eventually be endorsed with a sequence of signatures by the parish officers of all the relevant communities. In a particularly nice example from 1654, the pass carried by Mary Clarke apprehended begging in Isleworth (Middlesex) and sent to her parish of settlement (Uphaven in Wiltshire) was endorsed by the constables and tithingmen of the seven communities (Hounslow, Upton, Maidenhead, Reading, Speen, Benham, Ilcott) through which she was conducted, each of them in turn scrawling 'paste be me' and giving their name, office and parish.<sup>36</sup> Given that Mary Clarke did finally reach Uphaven, it is interesting to speculate why the pass ended up in the archives of the Wiltshire magistracy. It had outlived its purpose, so perhaps the constable of the parish simply surrendered it to a local justice, perhaps to prevent fraud (an issue to which we shall return).

Some indication of the format of the vagrant's passport can be discerned from figure two. This is another Wiltshire example, the passport granted to Mary Woolles, a poor vagrant cripple, in 1652, requiring the constables of the parishes between St Brides (London) and Bath to conduct and relieve her *en route*.<sup>37</sup> Mary had deliberately destroyed her original pass by fire, subsequently presenting herself for

relief in the town of Salisbury. The Wiltshire JPs issued a second pass ordering her to be conducted to St Brides, only for the parishioners there to insist that she be sent back to Salisbury. A third pass was issued, this one surviving again in the papers of the Wiltshire magistracy (this is the one you have here). A paper document measuring twelve by seven-and-a-half inches, the pass was repeatedly folded down to the size of three by three-and-a-half inches, and was almost certainly carried in a pocket or purse. The constables generally seem to have unfolded it to half its full size and endorsed the top half of the verso. As you can see in figure three, there are eleven such signatures, inserted as the officers of the parish state monitored her progress across the countryside.<sup>38</sup>

The potential for abuse in this system was obvious. The vagrant poor were only too conscious of the utility of a passport, since it 'was the key to almost unhindered mobility', and 'gave them the right to travel and to receive relief from officials along the way'.<sup>39</sup> The system depended, however, on the conscientiousness of the parish constables, and (even if the portrayal of Dogberry in Shakespeare's *Much Ado About Nothing* is a travesty of most of the men who filled the office), such a well-developed sense of civic duty was not always forthcoming.<sup>40</sup> Constables all too frequently paid vagrants to move on and did not bother either to endorse the pass or to conduct the offender to the next constable. There is, accordingly, plenty of evidence that vagrants with legitimate passports meandered, rather than travelled by the most direct route, to their parish of settlement (if, indeed, they got there at all). More striking still, however, is the widespread suspicion about the development of a lively trade in counterfeit passports.

The polemical writers of Elizabethan 'rogue literature' were convinced that many beggars, no matter how 'faintly' they looked or 'piteously' they went, were

nothing more than tricksters carrying forged passes.<sup>41</sup> Two brethren of *The Fraternity of Vagabonds*, identified by John Awdeley in 1561, carried forged documents: the 'whipjacks', who 'by colour of a counterfeit licence which they call a "Gibe" and the seals they call "Jacks"', passed themselves off as mariners whose goods had been lost at sea; and the 'fraters' who went with similarly forged licences 'to beg for some Spittalhowse or hospital'. A third, the 'Jackman', who could allegedly 'read and write and sometimes speak Latin', actually forged the documents.<sup>42</sup> Thomas Harman's even more notorious *Caveat for Common Cursitors* (first published in 1566) offered an anthropological catalogue of caricatures of counterfeit beggars, twenty-three types being anatomised in detail.<sup>43</sup> His fourth stereotype was 'the rogue', a term which Harman himself popularised and perhaps even coined, and which was first used in vagrancy legislation in 1572.<sup>44</sup> One of the rogue's principal 'shifts' was to

carry a certificat or pasport about them from some Iustice of the peace, with his hand and seale unto the same, how hee hath bene whipped and punished for a vagabonde according to the lawes of this realme and that he must returne to [the parish] where he was borne or last dwelt, by a certayn day limited in the same, which shalbe a good long day, And all this fayned, because without feare they woulde wickedly wander, and wil renewe the same where or when it pleaseth them: for they have of their affinitie that can write and reade.<sup>45</sup>

A counterfeit passport was not, it should be emphasised, intended to elevate the social status of the person who carried it, but to allow a vagrant to claim legitimate charity across a geographical range that the counterfeiter him or herself might dictate. Counterfeiting therefore ensured that the very documents intended to limit the future movements of vagrants actually freed them from legal control.<sup>46</sup> Carriers of counterfeit passes probably convinced themselves that constables and magistrates would not trouble themselves to verify the information which they contained. In September 1596, the Somerset JP Edward Hext sent Lord Treasurer Burghley a counterfeit pass carried by a man named Lymeryck who claimed to be from Cornwall

despite the fact that his father turned out to be a minor Gloucestershire gentleman with an estate worth £40. Lymeryck, Hext thought, typified the vagrant's popular confidence that officers were unlikely to investigate a traveller over a distance of two or three hundred miles simply 'to discover them for a whipping matter'.<sup>47</sup>

It is easy to dismiss the examples provided by Awdelay, Harman and Hext as sensationalism, perhaps even as moral panic. The evidence nonetheless suggests that literary and elite anxieties about the scale of forgery were not unfounded. Richard Higgins, imprisoned in Worcester gaol in July 1618, was not the only wandering rogue who turned out to have forged documents. Thomas and Anne Pullen, for example, were whipped at York in 1652 and sent to Otley after being convicted as dangerous and incorrigible rogues travelling with counterfeit passes.<sup>48</sup> Under examination, some vagrants disclosed the circumstances in which their passports had been obtained. Robert Vaughan confessed in 1580 that he had purchased his passport for fourpence from one David Jones at Great Dunmow (Essex).<sup>49</sup> Indeed, there was apparently some price inflation in the costs of these forged documents, from between tuppence and fourpence in the late sixteenth century to between sixpence and a shilling in the early seventeenth.<sup>50</sup> Humphrey Reade, ordered whipped in Salisbury in 1609, claimed that his passport had been 'made by a stranger under a hedge', although doubt was cast on this account by the fact that 'there was found about him a seal of his own carving'.<sup>51</sup> Indeed, it seems that counterfeit passes, or the seals to affix to them, could be bought almost anywhere, not least because so many of the forgers were themselves itinerant. The forgeries were nonetheless sophisticated; the forger had to possess the relevant equipment including pen, paper and ink; to know, or at least plausibly be able to invent, names of county justices; and to be sufficiently skilled in palaeography to vary the handwriting on the false endorsements.<sup>52</sup> The

master-forgers of passports in Elizabethan Essex was Davy Bennett, who it was reported in 1581, could counterfeit any magistrate's seal: 'if he seeth it in waxe he will laye it [a]fore him and carve it out in woode very perfutely, and so he will do theer handes for that he wryteth sundrye handes and hath most commonly about him a little bage full of counterfeit seales'. Henry Taverner, who made counterfeit passports for himself and others in early Stuart Wiltshire not only always had his wax and seal 'in readiness' but carried with him 'a note of the names of the knights & justices of peace of sundry counties to know whose names might fitly be used of the same counties in his counterfeit passes'.<sup>53</sup> Whatever the detection rate of documents forged by men such as Bennett and Taverner, twenty-three (4 per cent) of those vagrants sent home from Salisbury in the first half of the seventeenth century were in possessions of forged documents when they were apprehended, and more almost certainly went undetected.<sup>54</sup> Many a constable doubtless endorsed a passport in good faith, oblivious to the fact that the document was a forgery. Most identity theft therefore went unrecognised in the seventeenth century, much as it does in the twenty-first.

### *III: The Settlement Certificate*

The settlement certificate was the most significant document produced by the system introduced in 1662 through which the relationship between migration and eligibility for parish relief was codified. The technicalities of this complex system need not detain us here: suffice to say that after 1697, a person resident in one parish could (and often did) hold a settlement elsewhere; and that the officers of the parish into which a migrant was moving usually demanded proof of that settlement before they granted rights of residence to any incomer.<sup>55</sup> Proof came in the form of a certificate which guaranteed that the officers and ratepayers of the parish of settlement



would relieve the pauper no matter where she actually lived, either in the parish of settlement itself or, with increasing frequency as the decades passed, in the parish of residence (which might equally be remote or adjacent). In the example in figure four, the parish officers of Newington (Oxford) certify in 1747 that they acknowledge the settlement of Alexander Chalk and his wife Mary. The positive side of this development then was the possibility of 'non-resident relief', which seems to have developed as early as the 1690s.<sup>56</sup> The disadvantage, especially from the point of the view of the migrant poor, was that parishes would do all they could to expel any incomers who did not possess a settlement certificate from another parish and were determined to prevent anybody who was 'likely to become chargeable' from securing a settlement among them. Although it did not in itself confer entitlement to poor relief (the settled pauper was only *eligible* to be considered deserving), the settlement certificate was prized by the poor and by the parish officers alike: for the former, it was a guarantee of geographical mobility, for the latter it was an indemnity against future welfare expenditure.

The justices who signed settlement certificates do not seem to have kept them: multiple (usually between six and eight) signatories were needed, and since it was the parish rather than the county which acted as the unit of obligation and control, copies were of little or no value to magistrates themselves.<sup>57</sup> Justices do seem, however, to have kept independent registers or short records of whom and for which parishes certificates had been issued. In most cases, the churchwardens and overseers of the poor of the community in which the pauper was resident asked the parish of settlement to provide them with the settlement certificate, and it was accordingly sent or delivered to the receiving parish, where the parish officers archived it in the parish chest. In such a case, the pauper him- or herself hardly ever, and possibly even never,

saw it. Occasionally the officers of the receiving parish required the subject of a settlement certificate him- or herself to obtain one, and the migrant accordingly either temporarily returned to the parish of settlement to get one, or made sure that (s)he carried it in on entry. In the overwhelming majority of cases the certificate was surrendered to the parish officers for safe keeping. The pauper had the right to demand it as a future insurance, but most parish officers clung on to it tenaciously for it ensured that they and their ratepayers would never be liable for this particular pauper. When John Low and his family, legally settled in Ashley (Staffordshire) emigrated from Eccleshall to Gnosall in 1749, for example, the parish officers of Eccleshall sent only a copy of the settlement certificate on the grounds that they were not prepared to part with the original.<sup>58</sup>

Settlement certificates were, therefore, intended to be delivered to the parish officers as soon as a migrant came into the parish. Sometimes, however, the pauper carried it with him to the new parish, showed it to the parish officers, and kept it with him. There is no doubt that this sometimes happened, because those interviewed or examined about their settlement occasionally said so. It was not unknown for legal disputes between two parishes to turn on the issue of whether the settlement certificate had actually been delivered to the parish officers and ensuing ambiguities about its whereabouts or even its existence. In some cases also, a long-defunct settlement certificate would be produced decades later, almost as a family heirloom, as paupers produced testimony to their father's or grandfather's settlement. Although such cases were rare, they do suggest that paupers were aware of the intrinsic value of such documents, which effectively conferred 'leave to remain'—one might almost say 'without let or hindrance'—in a foreign parish.

*IV: The Parish Badge*

The badging of the deserving poor was compulsory by law under a statute of 1697: paupers were to be denied relief unless they agreed to wear a badge of red cloth consisting of the initial letters of their parish of settlement (KP for Kenilworth parish) on their left shoulder.<sup>59</sup> Any parish officer who relieved a pauper who did not wear the badge could be fined twenty shillings. Although badges had been issued to beggars, sometimes in conjunction with begging licences, in the sixteenth century, especially in the metropolis and the provincial towns, the motivation behind the late seventeenth-century statute was not principally to identify, but rather to shame the poor and deter them from seeking relief. Badges were supposed to humiliate paupers, marking them out as a separate and dependant class among whom idleness was inherited; and rendering them vulnerable to the compulsory apprenticeship of their children, the sequestration of their personal property to indemnify the parish against their funeral costs, and (from 1723) to institutionalisation in the parish workhouses stipulated by Knatchbull's act, otherwise known as the workhouse test act.<sup>60</sup>

Late-seventeenth and early-eighteenth-century overseers' accounts are replete with payments for the making of badges, usually for the purchase of the cloth, and for the work of a tailor to in cutting out the appropriate letters and sewing them on to paupers' clothing. At Spofforth in the West Riding in 1735, for example, the overseers accounted for seven pence 'for half a yard of cloth for the badges' and a shilling 'for making the badges' themselves. They subsequently expanded provision as necessary, paying William Owthwaite a penny 'for setting on Edward Brown's badge' in 1738. Into the 1740s, they were recording sums spent for 'the badges setting on'.<sup>61</sup> In most cases, badges were apparently affixed to the paupers' own coats, which meant that the poor were themselves present in person when they were stigmatised in

this way, thus creating a situation which brings an entirely new resonance to the phrase 'red letter day'. It does not require much imaginative sympathy to visualise half a dozen elderly paupers gathered in the tailors's workshop. At least the parish officers of Fillongley (Warwickshire) were sensitive to the potential volatility of this encounter when they badged the poor in 1697 and sought to mollify the paupers by providing them with ale, at a charge of fourpence, while they waited.<sup>62</sup> The badges produced by this primitive technology were little more than patches of canvas or felt and almost invariably perished when the clothing to which they were attached finally disintegrated. Just one example, however, survives, and this is reproduced in figure five. For some reason, the overseers of Riccall in the East Riding kept an example of a parish badge, its livid red letters standing out starkly against their background of blue felt, alongside its associated printed justices' warrant (reproduced in figure six) requiring the parish officers to badge all relief claimants in 1737.<sup>63</sup>

Expenditure was more substantial (and physical evidence more likely to survive), however, where vestries opted, in the interests of durability, for metal badges. While badges made of cloth might cost a penny or two each, those stamped on tin or brass involved far greater outlay. Although the most common pattern for a badge was a pair of red cloth letters on the Riccall template, more elaborate designs were occasionally attempted. Those made in Petworth (Sussex) in 1677 were discs of brass, three inches in diameter, punched through with four eyelets for sewing onto clothing, and had the date scratched on the rim. Even more remarkable were the paupers' badges made in Romsey (Hampshire) in 1678, which were elaborate leaden plaques four inches by three inches, inscribed with the arms of the town and the inscription: 'I receves allemes of the town of Rumsey'.<sup>64</sup>

As befitted a policy of deterrence, the logic of exemplary punishment was selectively applied to those who did not wear badges. Parish pensions were actually withheld, for instance, from a widow from Brighton and from a single mother from Solihull (Warwickshire) in 1696; from another widow from Cowden (Kent) in 1698; from four women of Burton-on-Trent in 1703; from a widow of St Andrew's Holborn in 1705; from three women of Chalfont St Peter in 1729; and from a single mother and her bastard child in Whinfell (Cumberland) in 1738. One of the poor pensioners of East Barnet (Hertfordshire) was actually committed to prison in 1732 'for insulting the churchwarden and not wearing his badge as the act of parliament directs'.<sup>65</sup> At North Bradley (Wiltshire) in 1707, the vestry stipulated that 'Deborah Beavan and those that have not the mark shall not have their money'. The formula used to deprive the collectioners in the Chalfont St Peter (Buckinghamshire) case was more laconic, though no less resonant for all that: 'no bodge this month no pay'.<sup>66</sup> The preponderance of women in this sample suggests that there was a conspicuous lack of identity between, on the one hand, the targets of the discourse which condemned the culture of dependency, primarily young labouring men with families who preferred collection to labour; and, on the other, the recipients of relief as it was actually practiced across thousands of parishes, who were primarily widows, the majority of them elderly.<sup>67</sup>

Some paupers, however, may have seen the strategic advantages of wearing the badge, for it publicly advertised the official recognition of their respectability. The badged pauper had satisfied the overseers, and the ratepayers they represented, that they were deserving of the alms of the parish and that they had passed the stringent tests of eligibility on which magistrates and parish officers generally insisted. To be sure, badges symbolised paupers' inability to work, but they also publicised their

sobriety, their fear of God, and their past careers of thrift and industry on behalf of themselves and their families. They were, furthermore, evidence that the poor accepted their lot with equanimity, that they deferred to, and accepted the charity of, their betters. In this sense, badges were marks of inclusion, indicative both of a pauper's conformity to the standards of conduct on which the moral community of the neighbourhood insisted and of his or her right to settled residence.

*V: Conclusion: Identification, Entitlement and Citizenship*

The technologies of identification discussed here were, in sum, intended to regulate not merely migration but *entitlement*. Three of the documentary techniques with which we are concerned (licences, passports, certificates) essentially validated claims to certain rights—to charity, to welfare, to residence, to labour mobility—made by those who could not (and even, in the case of passports, would not) support themselves through their own efforts. In this respect they resonate with issues—especially those concerning civil liberties and the very nature of citizenship—which are central to the contemporary debate about identity cards in the twenty-first century. The fundamental tension between parish-based poor relief and endemic population turnover provided the context for these seventeenth-century experiments in the targeting of aid, just as the modern impulse towards the certification of identity arises from concerns about impact of the global movement of workers and refugees on national systems of social security. In the seventeenth-century, legislators gradually came to recognise that the relief of their poor in their own parishes, codified in 1601 could only function successfully if there were sophisticated mechanisms both to regulate the rights of those who travelled—legitimately or otherwise—across parish boundaries and to protect the interests of those who accommodated them, hence the

introduction of the settlement laws in 1662. Twenty-first century home secretaries are similarly driven to contemplate iris scans and ever more sophisticated data-bases by fears that various categories of visitors to these shores, including asylum seekers and economic migrants, will prejudice the security, rights and interests of taxpayers and benefit claimants alike. In the twenty-first century, the likely result is the more rigorous policing of international borders. In the seventeenth, the effect was the reinforcement of local thresholds of belonging, especially the parish boundary.

There is, indeed, a certain irony in the fact that just as historians of international migration in seventeenth century society are beginning to express optimism that the English might prove tolerant, perhaps even hospitable, toward international refugees, local historians are becoming ever more sensitive to the fear and hatred which might be displayed towards those who strayed across parish boundaries. 'The England experienced by the [European] immigrants of the first refuge—from the mid-sixteenth to the mid-seventeenth century—may', it has been argued, 'have represented a veritable oasis of tolerance between the more violent prejudice of the mediaeval period and the arrogant self-confidence that, in some quarters at least, accompanied the rise of English nationalism in the eighteenth century'. Indeed, it is arguable that in the international context at least, the application of the adjective 'xenophobic' to seventeenth-century Englishmen and women is misguided.<sup>68</sup> By contrast, we might endorse (though possibly antedating its chronology by perhaps two centuries) Professor Keith Snell's recent suggestion that relationships between the parishes whose welfare responsibilities were co-ordinated under the terms of the poor laws were imbued with a 'culture of *local* xenophobia'; that the social horizons of many if not most people extended no further than the parish boundary; and even that the social identities reinforced, perhaps created, by the poor

law, militated against the development of wider class consciousness in English history.<sup>69</sup>

Whatever the scale on which these technologies operated, each was underpinned by the information-gathering resources of the English state, which were already formidable even in the seventeenth century. Indeed, the welfare-related technologies of identification under discussion here were all the more effective in the sense that they could be corroborated by perhaps the most significant bureaucratic achievement of all, the compiling of parish registers of baptisms, weddings and burials which became compulsory in 1538, an innovation justified by Thomas Cromwell at least in part on the grounds that King Henry had a right to know 'whether any person is our subject or no'.<sup>70</sup> Indeed, it was by no means unusual for disputes over liability for paupers to be resolved by a search of the relevant parish registers. The protracted dispute over the maintenance of Jane Smith and her son Peter, which preoccupied both the Prescott vestrymen and the Lancashire justices in the late 1640s, for example, was settled only in 1649 when the churchwardens spent eight pence on a journey to Farnworth 'to know the age of Peter Smith', a fact that could be verified by consulting the parish register.<sup>71</sup> It is, similarly, instructive that when I asked the staff of the Wiltshire and Swindon Record Office for a reproduction of the passport of Mary Woolles, the archivist provided a covering note in which he indicated that he had (on his own initiative) checked the registers of the parish in which Mary claimed to have been born and found her baptism dated 13 January 1630.<sup>72</sup> The documentary culture we are discussing here has left an archival trail which might be just as effectively followed now by historians as it was three hundred and fifty years ago by parish officers and magistrates.



Doubtless there were abuses. Passports, as we have seen, were particularly vulnerable to fraud, since most of those to whom they were issued were travelling very long distances and it was well nigh impossible for either parish officers or magistrates to authenticate the claims made by strangers. Two of our documents (licences, certificates) were, however, issued to those with familiar faces and established local identities and were accordingly much more difficult to falsify. But underpinning each is what we might call (after the celebrated micro-history so sensitively reconstructed by Professor Natalie Zemon Davies and beautifully filmed by Daniel Vigne) the Martin Guerre paradox. A name might be inscribed on paper and engrossed on parchment, and it might resonate with local folk memory or nestle easily in the multiple folds of village reputation. But how was it possible to validate the assertion that the name went with a particular face, especially in a culture in which it was usual for individuals to depart the parishes of their birth or residence, escaping from the circuits of local knowledge, only to return months, perhaps even, years later? There were doubtless hundreds, perhaps even thousands, of prodigal sons returning to parishes whose doorways they had not darkened for decades.<sup>73</sup> This problem perhaps explains why some constables, when certifying justices of the number and names of the vagrants they had punished, chose to add pen portraits which emphasised the distinguishing features of itinerants whose assertion of identity they patently did not believe. Thus the Westmoreland justices read in 1638 of the punishments of 'a tall lusty young fellow, bare faced and having long hair upon his head, clad in blue about twenty-four yeares of age'; of 'a short woman, wan collared with black haire on her head'; of a man 'red haired, very short and of a faire complexion'; and of a child 'seven yeares old or thereabouts his face white collared and a scarre on his browe'. These men, women and children, and hundreds liked them, were stocked and whipped

until their backs were bloody.<sup>74</sup> It is, moreover, striking that these descriptions of named vagrants, associated with their particular parishes of settlement, referred not only to estimated age and to follicular and facial characteristics but also to clothing, which was considered no less than physical appearance to be a 'distinguishing feature', to be decoded and categorised by the appropriate authorities.<sup>75</sup> These efforts notwithstanding it is clear that the technologies of identification under discussion here, although predicated on the notion of 'state-approved single identities', proved to be a potential resource for the creation of further multiples, a development which also followed the more recent British experiment with identity cards during the first and second World Wars.<sup>76</sup>

If licences, passports and certificates speak to the issues of civil liberties (especially those of mobility and residence), and in turn of benefit fraud, badges in particular resonate with contemporary concerns about citizenship and exclusion.<sup>77</sup> The refusal to wear parish badges might not be the kind of civil disobedience predicted by those who argue that there will be widespread resistance to the compulsory carrying of identity cards. It is nonetheless clear that in refusing to accept the public identity of dependency ascribed to them by the parish officers, recalcitrant paupers forfeited whatever 'rights' they believed were conferred by the Elizabethan poor law. Perhaps they felt that entitlements of this kind were hardly worth the irrevocable public sacrifice of their independence. In the early sixteenth century, after all, the deserving poor had been encouraged to overcome their shame, to stretch out their hands and to raise their voices in the gestures and cries of importunacy; and they had been readily rewarded with gifts of alms. Their late seventeenth-century descendants enjoyed no such luxury. Their choice was a stark one: to accept the badge of dependency, or to go without. Either way, they were in no position to negotiate the

terms, let alone the fact, of their subordination.<sup>78</sup> Perhaps they should have been grateful, for the vagrants of an earlier generation had borne their stigmata in quite a literal sense, their bodies being disfigured with branding irons and bore-holes. The political technology of the body in Tudor and early Stuart resulted in letters which were not simply sewn onto canvas but physically scorched into flesh.<sup>79</sup> The short-lived statute of 1547 had stipulated that convicted vagrants were 'to be marked with an hot iron in the breast the mark of V'; its more enduring successor of 1572 required all vagabonds to be 'grievously whipped and burned through the gristle of the right ear with a hot iron' an inch in diameter; and branding itself was reintroduced when the vagrancy statute of 1604 insisted that incorrigible rogues be 'branded in the left shoulder with a hot burning iron of the breadth of an English shilling, with a great Roman "R" upon the iron'.<sup>80</sup> That these penal semiotics were designed to be read is confirmed by the fact Somerset justices invariably searched vagrants' bodies for physical evidence of scorched flesh when they took depositions in the early seventeenth century, an initiative doubtless motivated by the knowledge that a recidivist vagrant was by definition guilty of felony and therefore destined for criminal trial at the county assizes and ultimately for the gallows.

Finally, the resonances between seventeenth and twenty-first century debates about identifying poor migrants and relief claimants speak to more general long-term symmetries in the development of welfare, and indeed of social policy as a whole. The not-so-hidden transcript of this paper is that the technology of identification is not by any means the only issue about which current social policy-makers seem to be talking a language which would have been familiar to their seventeenth-century predecessors. The imperative to transform 'welfare to work'; the concern that poverty is an inherited, perhaps even a genetic condition, inculcated by 'feckless' parents; the

fear of a self-perpetuating 'culture of dependency' in which households, perhaps even whole neighbourhoods ('sink estates'), would rather accept hand-outs than shift for themselves: all these were no less characteristic of Stuart than of Blairite (to say nothing of Thatcherite) political culture, and have therefore constituted an integral and enduring component of the rhetoric and repertoire of rule in England since the early modern period. Might it not be too presumptuous to suggest that home secretaries might actually have something to learn from those very medieval and early modern historians whose contributions they have been happy to disparage. In July 2003, the late Home Secretary Charles Clarke (then Secretary of State for Education) notoriously remarked that he didn't 'mind there being some medievalists [and by extension some early modernists?] around for ornamental purposes, but there is no reason for the state to pay for them'. In trying to recover the situation, a spokesman for Mr Clarke helpfully explained that 'the secretary of state was basically getting at the fact that universities exist to enable the British economy and society to deal with the challenges posed by the increasingly rapid process of global change'.<sup>81</sup> But increasingly rapid processes of change are the staple of my kind of social history, and I cannot be the only person in this room to believe that, in the interests of 'understanding ourselves in time', contemporary architects of social policy might benefit from a deeper awareness of its long-term strengths and weaknesses which are, by definition, best understood in their historical context.

## HINDLE: Technologies of Identification'/Endnotes

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<sup>1</sup> 39 Elizabeth I, c.3 (1598); 43 Elizabeth I, c.2 (1601). For the context, see Paul Slack, *Poverty and policy in Tudor and Stuart England* (Longman, 1988) pp.122-131; Steve Hindle, *On the parish? The micro-politics of poor relief in rural England, c.1550-1750* (Oxford University Press, 2004), pp.227-229.

<sup>2</sup> *OED* sub 'off-comer', *n.*: 'a stranger in the sense of not having been born in the locality'.

<sup>3</sup> David Feldman, 'Migrants, immigrants and welfare from the old poor law to the welfare state', *Transactions of the Royal Historical Society* 6<sup>th</sup> ser., vol.13 (2003) pp.79-104.

<sup>4</sup> Patrick Collinson, 'Puritanism and the poor', in Rosemary Horrox and Sarah Rees Jones (eds), *Pragmatic utopias: ideals and communities, 1200-1630* (Cambridge University Press, 2001) pp.244-48.

<sup>5</sup> For conveniently printed collections of these differing sets of accounts, see S. Hindle, *The birthpangs of welfare: poor relief and parish governance in seventeenth-century Warwickshire* (Dugdale Society occasional papers, 40, 2000) pp.37-74 (appendix II); Martyn Bennett (ed), *A Nottinghamshire Village in War and Peace: The Accounts of the Constables of Upton 1640-1666* (Thoroton Society record series, 39, 1995).

<sup>6</sup> Steve Hindle, 'Destitution, liminality and belonging: the church porch and the politics of settlement in English rural communities, c.1590-1660', in Christopher Dyer (ed), *The self-contained village?: The social history of English rural communities, 1250-1890* (University of Hertfordshire Press, forthcoming 2006?). Cf. Steve Hindle, 'Exclusion crises: poverty, migration and parochial responsibility in English rural communities, c.1560-1660', *Rural History* vol.7 (1996), pp.125-49

<sup>7</sup> A.L. Beier, *Masterless men: the vagrancy problem in England 1560-1640* (Methuen & co., 1985) pp.7-8 provides a convenient brief summary of the putative characteristics of this 'criminal underworld'.

<sup>8</sup> The original phrase is Tawney's: R.H. Tawney, *The agrarian problem in the sixteenth century* (Longmans, Green & co., 1912) p.268. The scholarship, much of it by literary scholars, on the 'rogue literature' in which these stereotypes were propagated is rapidly growing both in scale and sophistication. See, for example, William C. Carroll, *Fat king, lean beggar: representations of poverty in the age of Shakespeare* (Cornell University Press, 1996), esp. pp.70-96; Linda Woodbridge, *Vagrancy, homelessness and English renaissance literature* (University of Illinois Press, 2001) esp. pp.39-79; the essays collected in Craig Dionne and Steve Mentz (eds), *Rogues and early modern English culture* (University of Michigan Press, 2004); and most recently Patricia Fumerton, *Unsettled: the culture of mobility and the working poor in early modern England* (University of Chicago Press, 2006) pp.33-46.

<sup>9</sup> Peter Clark, 'Migration in England during the late seventeenth and early eighteenth centuries', reprinted in Peter Clark and David Souden (eds), *Migration and society in early modern England* (Hutchinson, 1987) p.215. Cf. Thomas Harman, *A caveat or*

warening, for common cursetors vulgarely called vagabones (Henry Middleton, 1573 edn [RSTC 12788]) sig.A2<sup>v</sup>. A convenient modern edition is in A.F. Kinney (ed), *Rogues, vagabonds and sturdy beggars: a new gallery of Tudor and early Stuart rogue literature* (University of Massachusetts Press, 1990) pp.103-54.

<sup>10</sup> R.A. Houston, 'Vagrants and society in early modern England', *Cambridge Anthropology* (1980) pp.18-32; J.R. Kent, 'Population mobility and alms: poor migrants in the midlands during the early seventeenth century', *Local Population Studies* no.27 (1981) pp.35-51.

<sup>11</sup> For the European context in which these technologies emerged, see Valentin Groebner, 'Describing the person, reading the signs in late medieval and renaissance Europe: identity papers, vested figures, and the limits of identification, 1400-1600' in Jane Caplan and John Torpey (eds), *Documenting individual identity: the development of state practices in the modern world* (Princeton University Press, 2001) pp.15-27.

<sup>12</sup> Jon Agar, 'Modern Horrors: British Identity and Identity Cards', in Caplan and Torpey (eds), *Documenting individual identity*, p.120.

<sup>13</sup> Cf. Groebner, 'Describing the person', p.27

<sup>14</sup> See, for example, the fifty-one individuals for whom both vagrant's passes and settlement examinations survive in the sessions bundles of the Surrey magistracy in the 1740s and early 1750s. Surrey History Centre, Woking, QS2/6/1740-53.

<sup>15</sup> We still lack an authoritative account of the administration of the vagrancy laws in later seventeenth- and eighteenth-century England. For a valuable metropolitan case-study, see Nicholas Rogers, 'Policing the poor in eighteenth-century London: the vagrancy laws and their administration', *Histoire sociale/Social History* vol.24 (1991) pp.127-47.

<sup>16</sup> 5 & 6 Edward VI, c.2 (1552); 5 Elizabeth I, c.3 (1563); 39 Elizabeth I, c.3 (1598); 43 Elizabeth I, c.2 (1601). Clause x of the 1598 act authorised parish officers to permit poor residents to beg for victuals, but made no explicit reference to licenses, which appear to have been stipulated only in the mid-sixteenth-century legislation. Hindle, *On the parish?*, pp.67-68. The wider legislative context is discussed in Slack, *Poverty and policy*, pp.113-137.

<sup>17</sup> See, for example, Essex Record Office, Chelmsford, Q/SR 46/15.

<sup>18</sup> ERO, Q/SR 112/69.

<sup>19</sup> Stephen J. Pope, 'Aquinas on almsgiving and charity: an interpretation and reassessment', *The Heythrop Journal* vol.32 (1991), pp.167-191; Stephen J. Pope, 'Christian love for the poor: almsgiving and the "preferential option"', *Horizons* vol.21 (1994), pp.288-312.

<sup>20</sup> See, for example, Dorset Record Office, Dorchester, DC/BTB/DE19 (Bridport, Dorset, 1594); Centre for Kentish Studies, Maidstone, QM/SB/22A (Sittingbourne, Kent, 1594).

<sup>21</sup> Steve Hindle, 'Dearth, fasting and alms: the campaign for general hospitality in late Elizabethan England', *Past and Present* no.172 (2001), pp.44-86

<sup>22</sup> Hindle, *On the parish?*, pp.68-69; West Yorkshire Archive Service, Wakefield, QS1/52/8 (Barnsley, Oct. 1713) includes a petition for relief of a farmer reduced to poverty by the death of many cattle, granted a licence to beg for charity until 1 May following.

<sup>23</sup> London University Library, MS 684/5.

<sup>24</sup> Basil Clarke, 'Norfolk licenses to beg: an unpublished collection', *Norfolk Archaeology* vol.35 (1972) pp.327-334; London University Library, MS 684/1-15.

- <sup>25</sup> Robert Greene, *Greenes never too late: or, a powder of experience* (Thomas Orwin, 1590 [RSTC 12253]) p.20
- <sup>26</sup> Clarke, 'Norfolk licenses to beg', p.328.
- <sup>27</sup> London University Library, MS 684/1.
- <sup>28</sup> London University Library, MS 684/5.
- <sup>29</sup> Hindle, *On the parish?*, pp.58-81.
- <sup>30</sup> On the absence of the term 'vagrant', a pejorative label implying the practice of an occupation forbidden by law, from criminal indictments, see J.S. Cockburn (ed), *Calendar of assize records, home circuit indictments Elizabeth I and James I: introduction* (HMSO, 1985) p.78. On the crimes of which the wandering poor were suspected and accused, see Beier, *Masterless men*, pp.126-145.
- <sup>31</sup> For the most notorious of the sixteenth-century vagrancy statutes, see C.S.L. Davies, 'Slavery and Protector Somerset: the vagrancy act of 1547', *Economic History Review* 2<sup>nd</sup> ser. vol.19 (1966) pp.533-49.
- <sup>32</sup> The evolution of the definition of settlement is traced in Hindle, *On the parish?*, pp.306-10. Cf. Philip Styles, 'The Evolution of the Laws of Settlement', reprinted in Philip Styles, *Studies in seventeenth-century West Midlands history* (Roundwood Press, 1978) pp.175-204.
- <sup>33</sup> 39 Elizabeth I, c.4; F.G. Emmison, 'The care of the poor in Elizabethan Essex: recently discovered records', *Essex Review* vol.62 (1953) p.19. For other extant lists, see E. Melling (ed.), *The poor: a collection of examples from original sources in the Kent Archives Office, from the 16th to the 19th century* (Kentish Sources, vol.4, Kent County Council, 1964) pp.18-19 (Charing, 1601-2); C.D. Stooks, *A history of Crondall and Yateley, in the county of Hants, chiefly taken from the churchwardens' accounts and other records in the parish chests* (Warren & Son, 1905) pp.29-30.
- <sup>34</sup> 13 Anne c.26 (1714); Cumberland Record Office, Carlisle, Q/11/1/185/32.
- <sup>35</sup> Suffolk Record Office, Ipswich, FB95/G6/1-8 (a bundle of eight passes 1746-1806); Dorset Record Office, Dorchester, PE/PUD/OV/3/41, 66, 67, 124, 126, 129, 132 (settlement examinations with vagrants passes attached).
- <sup>36</sup> B.H. Cunnington (ed.), *Records of the county of Wilts., being extracts from the quarter sessions great rolls of the seventeenth century* (George Simpson & Co., 1932) p.226.
- <sup>37</sup> WSRO A1/110/1652E/218.
- <sup>38</sup> WSRO A1/110/1652E/218, 220, 222. For the parish state, see Steve Hindle, 'Power, poor relief and social relations in Holland Fen, c.1600-1800', *Historical Journal* vol.41 (1998), pp.94-96; Hindle, *On the parish?*, pp.445-449
- <sup>39</sup> Beier, *Masterless men*, p.79.
- <sup>40</sup> Joan Kent, *The English village constable: a social and administrative study* (Oxford University Press, 1986), esp. pp.200-205.
- <sup>41</sup> For the European roots of this tradition, see Lee Palmer Wandel, *Always among us: images of the poor in Zwingli's Zurich* (Cambridge University Press, 1990) pp.100-103; Groebner, 'Describing the person', pp.21-22.
- <sup>42</sup> John Awdelay, *The fraternite of uacabondes* (John Awdelay, 1575 edn), sigs.A2<sup>r</sup>, A3<sup>r</sup>. A convenient modern edition is in Kinney (ed), *Rogues, vagabonds and sturdy beggars*, pp.85-101.
- <sup>43</sup> Harman, *A caveat or warening*, from which all subsequent quotations are taken.
- <sup>44</sup> Woodbridge, *Vagrancy*, pp.41-42.
- <sup>45</sup> Harman, *Caveat*, sig.B4<sup>v</sup>.

<sup>46</sup> Martine von Elk, 'The counterfeit vagrant: the dynamics of deviance in the Bridewell court records and the literature of roguery', in Dionne and Mentz (eds), *Rogues and early modern English culture*, pp.127-128.

<sup>47</sup> R.H. Tawney and Eileen Power (eds.), *Tudor economic documents* (3 vols, Longmans, 1924) vol.3 p.343.

<sup>48</sup> Worcestershire Record Office QSR 1/1/26/37; York City Archives, York, F.7/328.

<sup>49</sup> ERO Q/SR 76/56.

<sup>50</sup> Beier, *Masterless men*, p.143; cf. William Hunt, *The puritan moment: the coming of revolution in an English county* (Harvard University Press, 1983) p.51.

<sup>51</sup> Paul Slack (ed.), *Poverty in early Stuart Salisbury* (Wiltshire Record Society vol.31, 1975) p.42 [no.295].

<sup>52</sup> For a particularly well executed counterfeit pass, see Cunnington (ed.), *Records of the county of Wilts.*, pp.236-37

<sup>53</sup> ERO Q/SR 79/82; Cunnington (ed.), *Records of the county of Wilts.*, p.52.

<sup>54</sup> Based on an analysis of the 567 passports listed in the Salisbury register of passports for vagrants, c.1598-1669 in Slack (ed.), *Poverty in early Stuart Salisbury*, pp.17-65.

<sup>55</sup> Although settlement itself was codified by 13 & 14 Charles II c.12 (1662), certificates were first stipulated by 8 & 9 William III c.30 (1697). The legal technicalities of this complex system are unravelled in K.D.M. Snell, 'Pauper settlement and the right to poor relief in England and Wales', *Continuity and Change* vol.6 (1991) pp.375-415; and K.D.M. Snell, 'Settlement, poor law and the rural historian: new approaches and opportunities', *Rural History* vol.3 (1992), pp.145-72.

<sup>56</sup> For studies of the implications of 'non-resident' or 'out-parish' relief, see Pamela Sharpe, "'The bowels of compation'": a labouring family and the law, c.1790-1834', J.S. Taylor, 'Voices in the crowd: the Kirkby Lonsdale township letters, 1809-36', and Thomas Sokoll, 'Old age in poverty: the record of Essex pauper letters, 1780-1834', all in Tim Hitchcock, Peter King and Pamela Sharpe (eds), *Chronicling poverty: the voices and strategies of the English poor, 1640-1840* (Macmillan, 1997) pp.87-108, 109-26, 127-54. For late seventeenth-century examples drawn from Cambridge (in 1690) and Alcester, Warwicks. (in 1693), see E.M. Hampson, 'Settlement and removal in Cambridgeshire, 1662-1834', *Cambridge Historical Journal* vol.2 (1926-28) p.287; Styles, 'The evolution of the laws of settlement', pp.62-63.

<sup>57</sup> I am immensely grateful to Professor Keith Snell of the University of Leicester for his invaluable help in reconstructing the bureaucratic culture associated with the settlement laws on which this and the subsequent paragraph are based.

<sup>58</sup> S.A. Cutlack, 'The Gnosall records, 1679 to 1837: poor law administration', *Collections for a history of Staffordshire, Part I* (Mort, 1936) p.67.

<sup>59</sup> 8 & 9 William III, c.30; Steve Hindle, 'Dependency, shame and belonging: badging the deserving poor, c.1550-1750', *Cultural and Social History* vol.1 (2004) pp.6-35.

<sup>60</sup> 9 George I, c.7.

<sup>61</sup> West Yorkshire Record Office, Leeds, RDP 96/71 (Spofforth overseers accounts, 1707-67), unfol.

<sup>62</sup> WCRO, DR404/67, unfol.

<sup>63</sup> University of York, Institute of Historical Research, MS Romans 60.

<sup>64</sup> Hindle, 'Dependency, shame and belonging', p.22 (& figure 1).

<sup>65</sup> Dorothy Marshall, *The English poor in the eighteenth century: a study in social and administrative history* (Routledge, 1926) p.103; Edward Turner, 'Ancient parochial



account book of Cowden', *Sussex Archaeological Collections* vol.20 (1882) p.115; S.C. Ratcliff, H.C. Johnson, and N.J. Williams (eds.), *Warwick county records* (9 vols., Warwickshire County Council, 1935-64) vol.9 p.129; Sidney Webb and Beatrice Webb, *English local government volume VII, English poor law history part I: the old poor law* (Longmans, Green & Co., 1927) p.161; W.J. Hardy, *Middlesex county records: calendar of sessions books, 1689-1709* (Middlesex County Council, 1905) p.291; G.C. Edmonds, 'Accounts of eighteenth-century overseers of the poor of Chalfont St Peter', *Records of Buckinghamshire* vol.18 (1966) p.7; Cumbria Record Office, Kendal, WQ/SR/93/3; W. Le Hardy (ed.), *Hertford County Records* (9 vols, Hertfordshire County Council, 1905-39) vol.2 p.70.

<sup>66</sup> WSRO 533/38 (North Bradley overseers disbursements, 1707-1716), unfol. (May 1707); Edmonds, 'Overseers of the Poor of Chalfont St Peter', p.7.

<sup>67</sup> Tim Wales, 'Poverty, poor relief and the life-cycle: some evidence from seventeenth-century Norfolk'; and W. Newman-Brown, 'The receipt of poor relief and family situation: Aldenham, Hertfordshire 1630-90', both in R.M. Smith (ed), *Land, kinship and life-cycle* (Cambridge University Press, 1984), esp. pp.353, 360-78, 412, 419; Hindle, *The birthpangs of welfare*, p.18.

<sup>68</sup> Nigel Goose, "'Xenophobia'" in Elizabethan and early Stuart England: an epithet too far', in Nigel Goose and Lien Luu (eds), *Immigrants in Tudor and early Stuart England* (Sussex Academic Press, 2005) pp.110-35 (quoting p.129).

<sup>69</sup> K.D.M Snell, 'The Culture of Local Xenophobia', *Social History* vol.28 (2003) pp.1-30.

<sup>70</sup> W.H. Frere and W.M. Kennedy, *Visitation articles and injunctions of the period of the reformation* (Alcuin Club collections, 1910), vol.II, pp.39-40; G.R. Elton, *Policy and police: the enforcement of the Refomation in the age of Thomas Cromwell* (Cambridge University Press, 1972) pp.259-60.

<sup>71</sup> Thomas Steel (ed.), *Prescot churchwardens' accounts, 1635-1663* (Record Society of Lancashire and Cheshire, vol.137, 2002) p.134. For the context, see Hindle, *On the parish?*, pp.421-422.

<sup>72</sup> I am immensely grateful to Steve Hobbs of the WSRO for his efforts in this, as in so many other regards.

<sup>73</sup> N.Z. Davis, *The Return of Martin Guerre* (Harvard University Press, 1983).

<sup>74</sup> TNA:PRO, SP16/388/7/10/3, 16/1, 18/1-2.

<sup>75</sup> N.B. Harte, 'State control of dress and social change in pre-industrial England', in D.C. Coleman and A.H. John (eds), *Trade, government and economy in pre-industrial England* (Weidenfeld and Nicholson, 1976) pp.132-65.

<sup>76</sup> Cf. Agar, 'Modern Horrors', p.102.

<sup>77</sup> E. Higgs, *The Information state in England* (Palgrave, 2004) pp.194-205.

<sup>78</sup> Cf. David Levine and Keith Wrightson, *The making of an industrial society: Whickham, 1560-1765* (Oxford University Press, 1991) p.348; Michael J. Braddick and John Walter, 'Introduction: grids of power: order, hierarchy and subordination in early modern society', in Michael J. Braddick and John Walter (eds), *Negotiating power: order, hierarchy and subordination in early modern society* (Cambridge University Press, 2001), p.42.

<sup>79</sup> Kellie Robertson, 'Branding and the technologies of labor regulation', in Kellie Robertson and Michael Uebel (eds), *The middle ages at work: practicing labor in late medieval England* (Palgrave, 2004) pp.133-53. Carroll. *Fat king*, pp.33-47.

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<sup>80</sup> I Edward VI c.3 (1547); 14 Elizabeth 1, c.5 (1572); 1 James I c.7 (1604). For the wide range of retributive punishments to which vagrants might be subject, see Beier, *Masterless men*, pp.158-64.

<sup>81</sup> Will Woodward and Rebecca Smithers, 'Clarke dismisses medieval historians', *The Guardian* (Friday May 9, 2003).