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# A Typology of Travellers: Migration, Justice, and Vagrancy in Warwickshire, 1670–1730

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**Abstract** This paper examines the relief of travellers in Warwickshire, England. By using an unusually rich set of Constables' Accounts for the parish of Grandborough, it interrogates the relationship between charity, local justice, and both official and popular perceptions of migration. It argues that the large number of migrants who passed through rural parishes were categorised by the local constable according to cultural and discretionary criteria. This 'typology' of travellers determined the nature and extent of the relief they might receive and the actions that might be taken against them. Socially threatening migrants, such as poor pregnant women, the sick, and vagrants, also found themselves affected by this same 'proscriptive calculation', often to their detriment.

## I. Introduction

On 11<sup>th</sup> July 1728, the aging William Bromley, a long-time Justice of the Peace for Warwickshire, examined Edward Price to determine his place of settlement, and he wrote an account of it in his judicial notebook.<sup>1</sup> It seems that Price's wife had recently given birth to a male child, and Bromley had to determine where to send the new parents, and which community would 'bear their charge'. Price was a fascinating character. Bromley tells us that he was 'a vagrant who wandered about the country shewing Tricks of Dexterity, or sleight of hand, commonly known by the name of the Fire-Eater'. Having apparently once served out a seven-year apprenticeship to a smith in Wolverhampton, Staffordshire, Bromley ordered Edward Price to be returned there. Bromley's final note on the matter was that Price's wife had produced a genuine certificate of marriage, which located the place of their wedding in Northampton. Price, and presumably his wife, had travelled at least forty-six kilometres from Wolverhampton to Coventry, and had clearly travelled elsewhere on several occasions. It thus seems that Edward Price, fire-eater, vagrant, and new parent, truly had 'wandered about the country'.

Particular circumstances make the story of Edward Price unique, but the fates of the Prices were absolutely typical of what happened not only to many vagrants, but also indeed to some migrants in early modern England. Social historians often strive in vain to learn more about their subjects, and the case of the Prices is no different: Bromley's notes do not tell us what became of them and their newborn son. Indeed, we do not even

know whether or not the Prices were actually punished as vagrants during their journey home. This punishment could have taken the form of whipping and incarceration in a series of bridewells if they had been deemed 'incurrigible' or 'disorderly'. Vagrancy, after all, had been a crime in England since at least the middle ages, and was subsequently the subject of a raft of Elizabethan and Stuart statutes, many proclamations, and countless judicial injunctions.<sup>2</sup> Even to contemporaries, the offence was ambiguous and hard to pin down, and the sources referred to in the following discussion will further complicate matters.<sup>3</sup>

But before examining how the vagrancy laws were selectively interpreted and implemented, it is necessary to describe some essential characteristics of vagrancy, and here the work of A.L. Beier and Paul Slack on Elizabethan and early Stuart vagrancy proves essential. Drawing upon a series of statutes from the 1563 Statute of Artificers and onwards, vagrants were to be defined by several characteristics, and Beier's *Masterless Men* summarised five in particular which contemporaries attributed to vagrants. First and foremost, vagrants were poor. Second, they were 'sturdy', that is, able-bodied and capable of working. Third, they were unemployed, or 'masterless' in contemporary parlance. Fourth, they were mobile: vagrants were 'runnagate', wanderers and rootless. Finally, they were lawless and thus a danger to the social order. Successive Acts of Parliament added various other groups to the category of 'vagrant', including particular occupations, such as bear-wards, unlicensed minstrels and healers, and indeed fire-eaters, and the Irish, Scots, and Gypsies.<sup>4</sup> Vagrants were therefore clearly distinct from the settled poor of the town and parish. Paul Slack noted that 'the vagabond class was in practice a limited one even if its boundaries were roughly defined and based on ready social prejudices' and that it excluded both widows and orphans who comprised 'the recognized domestic poor of a town'.<sup>5</sup> Slack's identification of vagrancy as a construction of social prejudices is absolutely crucial, even though such prejudices are not always easy to situate textually.

This article will argue, however, that neither Beier nor Slack's definitions of vagrancy are sufficient to describe the phenomenon of vagrancy in the later seventeenth and early eighteenth centuries. They are not broad enough to include the vast array of poor, sick, and needy migrants who should have been apprehended, whipped, and incarcerated, but who never were. By contrast, Peter Clark's study of migrants in southern England in the later seventeenth century aptly describes the causes and contours of subsistence migration, while largely neglecting to mention any relationships that migration might have with vagrancy.<sup>6</sup> These strictly separate understandings of vagrancy and migration have polarised historical scholarship on the nature of mobility in early modern England. Contemporaries either wandered, as vagrants, or they travelled, as poor migrants. And yet we know that so called vagrants frequently travelled purposefully and that travellers of substantial means often 'wandered'.<sup>7</sup> I am interested in the understudied space between these two historiographical tendencies. By studying the role of deliberate ambiguities in the practice of local justice, and by interrogating the languages of description that were employed, I will show that the definitions of migrant and vagrant should be at least partially collapsed. Vagrancy was simply the most visible and most socially threatening form of subsistence migration, and it was a state in which many poor travellers might eventually find themselves.

This article will argue that vagrancy and subsistence migration in early modern England were both symptoms of the same social and economic problems, and both subject to the same legal, social, and cultural pressures. In effect, they were two sides of the same battered copper penny; the common currency of want, of dearth, and of personal disaster. So, the subject of this article is not simply those who ‘wandered and begged’, but is rather vagrancy, migration, and local justice taken together. By interrogating legal sources such as constables’ accounts and quarter sessions order books, this article will reveal that a continuum of hazy definitions, deliberate imprecision and wide powers of discretion allowed constables and Justices of the Peace to define migrants as they saw fit. In effect, they employed a typology of travellers in their distribution of relief and in their pursuit of justice in the local context. This will also be seen in the printed manuals of those same officials, such as the well-known *Countrey Justice* by Michael Dalton.<sup>8</sup>

I draw several conclusions from these sources. Firstly, that the two historical subjects of vagrancy and migration by the poor are even more ambiguous and closely linked than previously supposed and that they change colour and form based entirely on the context studied. When the context is the enforcement of justice in a parish, the simultaneous maintenance of community ties and boundaries, the careful collection and disbursement of poor relief, and the subsequent reactions to strangers and ‘outcomers’, then those who wandered and begged must be studied alongside those whose circumstances did not presently force them to such dire necessities. This article will contend that the incidence of constables’ account entries and quarter sessions cases verifiably concerned with vagrants conceals a much larger, unprosecuted multitude of poor and needy travellers, separable from those deemed ‘lewd and idle beggars’ only by dint of a few pence in a ledger book, and sometimes not even by that slim margin. However, the wider causes of, and influences on, vagrancy and subsistence migration in the later seventeenth century require our consideration before we turn our attention to the task of proving that a typology of travellers existed at all.

## II. Settlement, migration, and demography: the 1662 Act of Settlement and onwards

The Settlement Act of 1662, passed by an obedient and conservative Parliament in the wake of the return of the Stuart dynasty to the throne, has been justifiably treated by historians as a formal codification of many practices already extant, including the removal of paupers ‘likely to be chargeable’ to their current parishes of residence.<sup>9</sup> However, there were some significant innovations in the statute, and Paul Slack in particular suggests that the Act was novel in that it finally distinguished between poor migrants and vagrants, and made provisions in turn for both.<sup>10</sup> Whether or not these distinctions between migration and vagrancy held up in practice is another matter. Regardless, the Act has had a profound effect upon the periodisation of the problem of vagrancy among scholars, since the codification of the existing informal processes of relief and resettlement created new varieties of documentation, such as settlement certificates, removal orders, and pauper examinations, which have subsequently become crucial for social historians.<sup>11</sup> Much of what we have learned about the lives of the poorer sorts in England from 1662

until the reforms of the nineteenth century has been teased from records created by the poor laws, and settlement papers have proven especially illuminating.<sup>12</sup> Moreover, the patterns of local migration, especially into and out of parishes, were deeply affected by the Settlement Act. The Act stipulated that parish officials could petition two Justices of the Peace for the removal of any pauper deemed 'likely to be chargeable' to the poor rate in the near future, as long as they rented property valued at less than ten pounds *per annum*, and did not fall under any of the other 'heads' of settlement, of which the two most important were year-long employment in the parish, or marriage to a person already settled there.

It seems that migration in the later seventeenth and early eighteenth centuries was thus inextricably and tightly bound to the Settlement Act, and that the forms of migration permitted by the statute bear little superficial resemblance to vagrancy. However, the preamble of the act itself is revealing. A combination of 'want of a due Provision of the regulations of reliefe and employment' and a general 'neglect' to enforce the laws concerning the 'apprehending of Rogues and Vagabonds' were cited as the causes of the 'want and misery' of the poor in England.<sup>13</sup> The preamble also accuses rogues, vagabonds and 'Strangers' of severely depleting parish 'Stocks' and woods and then of moving on to another unfortunate community. The existing historiography posits a primarily demographic explanation of these contemporary concerns when they arose earlier between 1580 and 1640. Most scholars who have studied vagrancy or migration in England from the Tudor period have agreed that the rate of population growth, which influenced the availability of employment and the price of foodstuffs, played a very significant role in either motivating or suppressing subsistence migration and vagrancy. The most common cause of vagrancy cited by historians of early modern England is demographic expansion in periods of economic stress, an approach adopted by almost all scholars interested in explaining the phenomenon.<sup>14</sup> Although many authors are careful to note that neither demographic pressures nor economic stresses alone can fully account for the problem of vagrancy in early modern England, the current conventional wisdom appears to be that in periods of relative demographic and social stability the incidence of vagrancy 'must surely have declined'.<sup>15</sup> Demography, therefore, appears to be a consistent, first-order cause of both vagrancy and subsistence migration throughout the early modern period.

However, evidence of subsistence migration in England in the late seventeenth and early eighteenth centuries does not appear to demarcate any correlation between demographic stability and the less socially threatening forms of migration.<sup>16</sup> Moreover, although this same period generally witnessed stagnant population growth, falling prices, and rising real wages across England, large scale migration nevertheless remained one of its principal demographic characteristics, which implies that frequent movement was an inherent *structural* element of English society during this period, and one tied only loosely to demography.<sup>17</sup> This raises the question, therefore, of why the causes of vagrancy should be expected to be more closely tied to demography than other forms of migration. The orthodox explanation cites economics: periods with stable or falling real wages as well as population growth are bound to see an increase in individuals and even families forced onto the road, due to a lack of employment opportunities or parochial resources, and Beier's study of the sixteenth century amply demonstrates this.<sup>18</sup>

This article takes a different approach and contends that emphasising broad economic and population structures as the primary engine of subsistence migration, and thus of vagrancy, in the later seventeenth and early eighteenth centuries under represents the influence of legislative and lifecycle pressures, especially in the local context. In rural parishes, long term demographic pressure was not the first order cause of migration; crisis was. Hidden from sight in the public and legal records of migration are the many acute and distinctly local periods of dearth and crisis which propelled paupers away from their parishes in an effort to use their mobility to survive.<sup>19</sup> One example is the case of the 1690s. Despite average wages when compared to other decades, the 1690s witnessed the worst period of aggregate purchasing power in the hundred years between 1650 and 1750, as well as a series of punishing harvest failures.<sup>20</sup> When we also take account of depressions in trade, the economic strain caused by William III's war with France, and the dearth of specie which prompted the recoinage, then the 1690s present an economic landscape that was dire enough to compare with another decade a century beforehand, even though demographic pressures had eased.<sup>21</sup> Predictably, the level of migration recorded in constables' accounts rose substantially during this decade.<sup>22</sup> The nature of migration and of vagrancy more broadly is also problematic after 1662. The poor could use migration as a survival strategy, which historians call 'subsistence migration'. Alternatively, they could migrate in an attempt to better their economic or social circumstances, which is called 'betterment migration'.<sup>23</sup> If we deployed a conventional understanding of vagrancy as genuinely separate from migration after 1662, then vagrants would simply be migrants whose efforts to make shift by using their mobility had failed, and our definition of failure would be based on their indictment as vagrants in the legal records of the period. The evidence considered in this article does not support this assertion.

Demography clearly does not explain the whole picture. A host of less common, but still devastating, circumstances could and did force migration. These included parish settlement disputes, seasonal unemployment or underemployment, and of course familial or household crises. The many pressures of labour, subsistence, and life-cycle which compelled individuals, couples, and even whole families to migrate should not be underestimated. Exactly the same pressures, transmitted through the reluctance or outright hostility of parish officials, could keep people on the road, shifted incessantly between parishes, in receipt of barely enough to make ends meet for a single evening. The incidence of 'great bellied' women travelling alone and in receipt only of casual aid from constables is indicative of the vagaries of settlement and vagrancy law, and the manifold ways in which one could be forced from community and kin.<sup>24</sup>

### **III. The problems of discretion and of sources: constables' accounts and their ambiguities**

Vagrancy was a crime of status or, more specifically, it was the crime associated with a particular state of existence which contemporaries frequently described as 'wandering and begging'. Although its prosecution often coincided with indictments for petty theft or 'wandering and begging' without a license, any traveller could be apprehended and held as a vagrant at the discretion of the local constable. Historians concerned with recovering

the lived experience of different varieties of subsistence migrant in early modern England must thus interrogate a wide variety of sources related to local justice and its execution by Justices of the Peace and parish constables. The contours and characteristics of local justice and enforcement during the later seventeenth century could vary wildly in different geographical contexts, but enduring similarities in prosecution and practice remained. Enforcement of the statutes against vagrancy and idleness fell to the Justices of the Peace and the high constables as the representatives of central government in the localities. Their vigorous, or lethargic, pursuit of vagrants in their various communities was a discretionary activity and evidence of the pre-eminence of local considerations in the administration of justice. The eighteenth century in particular has provided scholars with good evidence of the powerful role of discretion in local justice. This discretion was exercised not only by Justices of the Peace, but also by juries, who often found themselves reluctant to apply the draconian penalties of the written law.<sup>25</sup>

The sources considered here indicate that such discretion extended still further down the scale of enforcement, to the petty constables and the inhabitants of the parishes of England, each of whom could choose to prosecute, apprehend, or turn a blind eye to the actions of their neighbours when a crime was committed.<sup>26</sup> However, when dealing with strangers, travellers, and 'outcomers', these same inhabitants were far less likely to be understanding, even if they still readily dispensed small sums and sent 'passengers' of all stripes onwards down the road. Local oligarchies of the 'principal inhabitants' occupied the parish offices each in turn, and every officer had a hand in the regulation of both 'settled' paupers and the needy strangers passing through. No local officer was more active in this respect than the petty constable, usually a man of husbandman status or above, free from debts and of good reputation. They were the type of man described by the Jacobean vicar Godfrey Goodman as 'the great governor among us'.<sup>27</sup> Michael Dalton informed his readers that the term 'constable' itself was derived from two ancient Saxon words meaning 'King' and 'stability', which he took to mean that 'these ancient officers were reputed to be as the stability or stay of the King and Kingdom'.<sup>28</sup> As the lowest rung in a series of agents sworn to the crown, the office of the constable embodied particular tensions between the demands of government and the communities in which the officeholders lived and prospered. These tensions are evident in the frequent interactions between constables and Justices of the Peace, and in their detailed account books. Among their myriad duties and powers, constables had the ability summarily to arrest and punish suspected vagrants, but there are few records detailing how frequently they did this between 1650 and 1750, being largely limited to small sets of extant vagrant passes and certificates and the occasional calendar of prisoners held in the county house of correction. The office of constable also came with many additional duties. These included collection of county rates for road and bridge maintenance; the implementation of 'Hue and Cries' about offenders at large; the execution of warrants; and, as constables' accounts routinely show, the relief of travellers.<sup>29</sup>

A problem arises when the historian interrogates those local sources concerning vagrancy which do survive in any quantity, particularly constables' accounts. Constables' accounts are the written records of their levies and expenditures during their single year of office, and these documents are routinely signed and verified by the 'principal inhabitants'

of the parish. They are generally as common as parish registers, but accounts of any significant quality or revealing detail are substantially rarer. A sustained and useful run of well-kept accounts, such as the thirty years of the Grandborough series used here, is very uncommon indeed. Vagrants explicitly identified as such are, contrary to what might be expected, distinctly unusual in these accounts. This is because the primary punishments associated with vagrancy, whipping and commitment to a House of Correction, did not directly cost the constable money, and thus do not appear in the account. These costs, and a more accurate presentation of the number of vagrants passing through a village, would be found in constables' presentments, but these largely ceased in the late seventeenth century.<sup>30</sup> Moreover, the costs of conveying vagrants back to their parishes of origin were frequently invoiced on the backside of vagrant passes, most of which do not survive.<sup>31</sup>

These accounts are still, however, invaluable reservoirs of description. Each line contains the written categorisation of a person or group of people, and the sheer volume of traffic permits a quantitative analysis of this proscriptive language. The accounts of one Warwickshire parish have been examined in detail here, but the language employed in other parishes in England seems reasonably consistent, and it appears that a significant grey area existed in the written identification of travelling strangers: a deliberate vagueness of social description which left enough room for local constables to ignore or 'miscategorise' persons otherwise legally vagrant if they were not causing any trouble in the parish.<sup>32</sup> Defining a stranger as a migrant or as a vagrant clearly had a great deal to do with the boundaries of parish and community. Several cases from the Warwickshire quarter sessions that involved vagrants should also serve to bolster this interpretation. By examining the ambiguous terminology found in contemporary legal manuals, and then by using Warwickshire as a case-study for the application of these descriptions, it will be argued that the incidence of cases verifiably concerned with vagrants conceals a much larger and deliberately unprosecuted multitude of poor and needy travellers, and it would not have been easy to differentiate between them and 'sturdy beggars' for contemporaries.

#### **IV. Quantifying social description**

One of the key methods deployed in this article is a basic quantification of social description. The term 'typology' has been used to describe what amounts mainly to contemporary patterns of description and classification and, by examining such descriptors, this study has attempted to follow the lead of historians such as Keith Wrightson. In his work over several decades, Wrightson has paid particular attention to the vagaries of social description and its relationship to power and local status, and his efforts, alongside the incorporation of the 'linguistic turn' into social history, have informed a subsequent generation of social and cultural historians, several of whom have offered new approaches to social description and differentiation.<sup>33</sup> Although slightly modified, the aims of Wrightson and others who have studied social description in early modern England are echoed here.<sup>34</sup>

This article examines the descriptions and identities that others gave to the poor.<sup>35</sup> The terms of description considered here were applied to poor migrants from above, and were explicitly linked to the authority, powers, and concerns of local officials. Historians have

fortunately provided examples of how to approach this material. Steve Hindle's discussion of a 'discretionary calculus of eligibility' which was applied to the relief of settled paupers is of particular interest.<sup>36</sup> In the construction of this calculus, Hindle begins with Michael Dalton's 1618 manual for Justices of the Peace, which defined who in the parish deserved poor relief: 'those for whom the granting of pensions *should* have been unambiguous'.<sup>37</sup> This calculus was applied by local officials, and its main components were sobriety, deference, church attendance, industriousness, and the 'duties of parenthood'.

By adopting, and adapting, the idea that local officials weighed and measured the recipients of the relief which they disbursed, and often found these people wanting, a modified form of the discretionary calculus can be applied to a different subset of the poor: those who were 'unsettled', mobile, 'out of doors'.<sup>38</sup> Changing the subject slightly reframes the idea, and thus it seems more appropriate to say that petty constables and local Justices of the Peace made use of a 'calculus of relief and punishment' when they interacted with poor migrants, and that this calculus could be proscriptive or pragmatic as circumstances warranted. These decisions were most often based on protecting the parish rate, and ratepayers, from additional burdens, as well as on the maintenance of community boundaries, the enforcement of settlement and migration laws, and personal discretion. The following analysis of the language deployed by contemporaries to describe migrants will be divided into two main parts: a consideration of the descriptions found in contemporary printed treatises, and an examination of the descriptions found in constables' accounts, coupled with a brief comparison of the constable's descriptions with those employed in the Warwickshire Quarter Sessions. The typology of travellers thus constructed reflects the ambiguities of discretionary justice in the English locality, and its ultimate aim is to describe aspects of the early modern experience of mobility, as reflected in contemporary social description.

### V. Dalton's *Country Justice* and Gardiner's *Compleat Constable*

Historians have argued forcefully that by the end of the seventeenth century, the 'middling sort' in England had generally removed themselves from the 'popular culture of their neighbours' and had become allied with the interests of their magistrates and ministers and that this social division manifested a 'hierarchy of belonging'.<sup>39</sup> Social distinction was reflected in the burgeoning corpus of moral and legislative literature which ostensibly directed and informed the 'substantial' inhabitants of every parish when they were required to hold parochial office. Two treatises in particular demand our interest: Michael Dalton's influential *Country Justice*, first printed in 1618, and reprinted at least seven times between 1650 and 1700, and Robert Gardiner's *Compleat Constable*, issued in 1692, and reprinted throughout the early eighteenth century. By the later seventeenth century, Dalton's text had undergone substantial, and often politically motivated, revisions since it first emerged, but as the *de facto* manual for practising Justices of the Peace for over 128 years, the text can justifiably be taken as a representation of the opinion of the English legal establishment in the localities during the seventeenth century.<sup>40</sup> Gardiner's text, although less well known to posterity, served as a manual for constables and parish officers such as vestrymen and Overseers of the Poor. Each of these documents contains a substantial

section on vagrancy, including the punishment of vagrants. Taken together, these texts provide us with a formal, yet pervasive, typology of who was ‘officially’ vagrant during the seventeenth century. As one might expect, the injunctions zealously to apprehend, examine, and punish vagrants are severe and frequent, but several interesting grey areas emerge when the language is interrogated closely.

Dalton’s *Countray Justice* listed fifteen headings of persons defined as legally vagrant under the terms of a range of Elizabethan and Stuart statutes. The majority of these categories are standard fare: pedlars, tinkers, gamesters, and ‘players of interludes’ each make an obligatory appearance, but the overall emphasis is decidedly on those who could work and who refused to do so, as well as those who begged.<sup>41</sup> Migrants ‘unable to give good account of themselves’ and travelling strangers ‘without sufficient testimonial’ were also liable to be punished as vagrants.<sup>42</sup> However, travellers with a pass or with a credible reason to be on the road were not to be molested, and despite frequent contemporary suspicions about forged passes, these largely unmolested migrants appear to make up the bulk of the ‘passengers’ in contemporary constables’ accounts. *The Compleat Constable* left even more room for a constable’s personal discretion, noting that while the apprehension of rogues and vagabonds made up a ‘large branch’ of the constable’s responsibilities, and one which required explication over ten subsequent pages, the constable was not to ‘hastily post away’ sick or pregnant vagrants, nor was he to punish young children who were found wandering. In practice, however, we shall see that both the sick vagrant and the expectant mother were usually removed quite quickly beyond the parish boundaries. More intriguing still, Gardiner considered that an entire section of the law which dealt with departing servants who had no testimonials was ‘often diluted’ and largely unenforced.<sup>43</sup> Night watchmen, who were officially expected to detain every stranger arriving after sunset, actually did nothing of the sort. Instead, ‘by custom’ they briefly questioned approaching travellers. If they found ‘no cause for suspicion’, the traveller could continue onwards or into the town.<sup>44</sup>

The language of social description in both Dalton and Gardiner’s treatises is both formal and familiar. Both employ well-worn phrasings such as: ‘sturdy beggar’, ‘idle and disorderly person’, and ‘rogue’. Both posit an explicit link between the ‘suppression’ of such people, and the repression of ‘idleness’, which ‘of itself is the root of all evil’.<sup>45</sup> In the words of Francis Harvey, the ‘punishment’ of vagrants was ‘all the charity that the law affordeth them’.<sup>46</sup> However, both authors explicitly leave the precise definition of who was and who was not to be apprehended as a vagrant in the hands of the local officials, and they remained content with merely reprinting the exhaustive Elizabethan list of distrusted professions and trades as assistance in that endeavour. Both authors articulated a very specific set of actions which must be taken against each vagrant: first, a whipping; second, the manufacture of a pass and testimonial; third, a journey to their parish of origin. But both Dalton and Gardner seem to recognise that this formula was not assiduously followed. In the 1697 edition, Dalton’s editor exhorts Justices of the Peace to avoid sending vagrants to the Houses of Correction until they arrive in their parish of settlement, and yet we know that it was common practice to do so. *The Countray Justice* also acknowledged that it was up to the Justice, rather than the constable, to determine whether any given ‘rogue’ should be whipped, although in practice constables themselves

could still decide to administer or withhold punishment. It seems that while both Dalton and Gardner were at pains to provide as exhaustive a guide as possible to the handling of vagrancy cases, both authors also deliberately left a discretionary space open to Justices of the Peace and constables, which the laws of the time did not in and of themselves seem to grant. Given such a wide range of possible exemptions in the official literature, it is little wonder that constables appear to have enforced vagrancy and migration laws according to their own discretion and in the context of the needs and preferences of their local communities. One such community, the Warwickshire parish of Grandborough, will provide a specific location in which to interrogate the ambiguous definitions of 'vagrant' and 'poore passinger' and the responses to each from the local constables.

### **VI. The Parish of Grandborough, Warwickshire: 1671–1704.**

The parish of Grandborough is found in Knightlow Hundred in mid-Warwickshire, on a tributary of the river Leam. The parish lies on the road from Coventry to Daventry, and this geographical location may partially account for the very large levels of annual migration through the parish. The pattern of land ownership in Grandborough during the late seventeenth century seems typical, with significant Priory holdings dissolved in the late 1530s and only a few substantial landowning families remaining by 1670.<sup>47</sup> Sir William Dugdale wrote that Grandborough was a small village old enough to appear in the Domesday book, and that the parish contains 'lands of good value' which had initially belonged to the local monastery.<sup>48</sup> The Hearth Tax returns for Warwickshire in 1670 listed a total of 122 households in the parish, with eighteen of them exempt from the tax.<sup>49</sup> This suggests that Grandborough would have had an approximate population of 525 at this time.<sup>50</sup> The particularities of its location on a well travelled road in the West Midlands must make us cautious about drawing conclusions about overall numbers or rates of migration through Grandborough. Instead, the excellent series of constables' accounts which survive permit us to attempt something arguably more interesting: the quantification of social description at the local level.

The Grandborough constables' accounts from 1671 to 1704 record that approximately 6000 migrants passed through the parish in roughly thirty years, plus 217 additional 'companies' of passengers, the membership of which the constables did not enumerate precisely.<sup>51</sup> These records are difficult to interpret quantitatively, because they hide a very significant 'dark figure': an unknown number of migrants who passed through Grandborough and who were neither relieved nor recorded. The calculations which follow are based on the entries in the account books of Grandborough. They tabulate a minimum number of migrants at best, and offer no real accounting for the membership of uncounted 'companies' in the records. The vast majority of the men, women, and 'poore passingers' mentioned in the accounts received relief from the purse of the local constable, most often in the form of very small cash payments. The annual variations in the volume of migrant traffic are quite significant. The average year saw around 175 migrants relieved, but years of high grain prices or war, such as 1696–7, could witness totals as high as 550.<sup>52</sup> This means that during an average year a rough equivalent of one

Table 1:  
*Quantifying social description: Grandborough, 1671–1704*

<b>Description:</b>	<b>Number of Entries:</b>	<b>%</b>
<b>Passengers</b>	4472	74%
<b>'Companies' of Passengers</b>	217	3%
<b>Families</b>	79	1%
<b>Crippled or Sick</b>	151	3%
<b>Single Men</b>	232	4%
<b>Single Women</b>	113	2%
<b>Women and Children</b>	117	2%
<b>Soldiers or Seamen</b>	539	9%
<b>Vagrants or Gypsies</b>	104	2%
<b>Total</b>	6004	100%

third of the parish's population travelled through it and received relief. However, larger sums were also frequently spent on 'carriage' or a horse for a single traveller of either sex.

Moreover, the total annual expenditure by the constables is impressive indeed. In years like 1686–7, the total could reach as high as eighteen pounds in annual expenses, of which at least eighty per cent was disbursed to migrants or travellers.<sup>53</sup> Expressed another way, each household paid approximately two shillings and sixpence *per annum* to relieve poor migrants who travelled through the parish. The actual itemised entries in the constables' accounts frequently contain some incidental elements of interest in addition to a more generic social description. Terms such as 'poore cripel', and 'poore woman' are frequently employed, and often the more assiduous constables would note the destination to which poor migrants were headed, as in 1693 when the constable John Goode noted that he had spent one shilling and one penny on 'carr[y]ing a poor boy to Dunchurch and relief'.<sup>54</sup> Table 1 shows the total number of entries in the Grandborough accounts which use frequently recurring social descriptions.

Despite appearances, the most interesting number here is the one associated with simple passengers, many of whom had passes and were guided to another parish down the road. When we compare the large number of passengers to the drastically smaller totals of 'poore cripels', single men and women, and soldiers, we see how widely applied the term must have been. The broad and ambiguous nomenclature of 'passinger' was applied to seventy four per cent of the migrants who travelled through Grandborough between 1671 and 1704, and of those, a significant majority were considered 'poore' passengers. One important caveat concerns entries of 'companies' of passengers, where the constable has neglected to record the number of the migrants travelling together. Some estimate of the numerical composition of the 217 'companies' in the Grandborough accounts can be made by looking at the amount of money they were paid, but this method is still quite imprecise. However, the number of migrants quantified here is clearly an underestimate, since if each company contained a minimum of three persons, then approximately 650 additional migrants moved through Grandborough over thirty years, bringing the total to around 6504.

The various descriptions in these accounts are significant in two ways. Firstly, the migrants who were not classified as 'passengers' were categorised far more clearly than those who were and more information was usually provided concerning them. Secondly, it seems that the constables were generally content to refrain from more precise descriptions unless circumstances warranted, perhaps partly owing to the constraints of time and space but also partly because deliberately vague social descriptions allowed the best exercise of discretion based on community norms. The accounts thus begin to divulge truly interesting data once they are broken down by using an adaptation of the constable's own 'language of social description'.<sup>55</sup>

The accounts also tersely disclose some undoubtedly tense moments when the boundaries of 'parish and belonging' were sorely tested.<sup>56</sup> In three consecutive years, between 1688 and 1690, several huge companies of gypsies passed through Grandborough, often staying overnight. The first year this occurred must have been truly dramatic. The constable's entry for his expenses reads as follows: 'a company of passingers in the habit of gipsis about 26 from Saturday til Monday and t[w]o horsis', and the listed expense was the enormous sum of ten shillings.<sup>57</sup> The fact that the constable described the 'company' as both gypsies and passengers in the same entry is telling: legally, all gypsies had been punishable as vagrants since at least the 1572 Vagrancy Act, but one can easily imagine why this particular constable chose to exercise some personal discretion. Smaller bands of gypsies passed through the parish in subsequent years, never numbering less than twelve persons, and it seems that all of these 'companies' passed through unmolested, and that they received a measure of relief from successive constables in a manner that was comparable to any other poor migrant. It seems clear that it was often in the constable's interests to avoid the rigorous enforcement of the vagrancy statutes, and that the ambiguities of the descriptive terminology they employed resonate with the necessity of configuring local justice to meet the demands of the moment, especially if that moment involves one constable and a very large and highly organised band of men, women and children.

Constables' accounts also permit the consideration of gender in the disbursement of relief, and it might be more appropriate to say that two typologies of travellers existed: one for men and one for women. Taking the year 1675–6 as an example, the constable handed over ninety-seven discrete cash payments to 210 travellers of all varieties, amounting to £4 1s 3d from a total levy of £11 7s 15d, that is, approximately forty-two per cent of the constable's total expenditure for that year. The average individual payment was two pence per person, but an interesting subset of migrants received substantially more money: single women. Solitary female travellers and single mothers with children received approximately one shilling each in relief from the constable, often because they were conveyed away from Grandborough by a horse or cart. Thus, although only fourteen payments in 1675–6 were to migrants explicitly listed as women, compared with over thirty-two discrete payments to single men, the total amount spent by the constable on both men and women is comparable: 12s 6d on men and 12s 3d on women. This data suggests that women migrants were more frequently in a state of acute distress when encountered by the constable, or perhaps even that there was a gendered aspect to the distribution of casual relief.<sup>58</sup>

It is highly likely that the Grandborough constable unofficially dealt with substantially more 'idle and disorderly' persons between 1670 and 1700 than were listed in the accounts. The 'hidden' nature of vagrancy cases in the localities thus restricts the amount we can learn about these marginalised migrants through quantification of surviving records. When we try to reconstruct the fate of many vagrants during this period, and indeed of many poor migrants, our glass remains dark indeed. However, despite the occluding tendencies of constables' accounts, one occasionally finds rare moments where the Grandborough constable explicitly describes vagrants and their treatment, including the solitary man 'taken wandring' in 1675, whose pass and subsistence cost the constable eleven pence to secure, or the genderless vagrant in 1690, who was 'whypt and sent away with a gyde' as well as with six pence, a sum three times what the average 'poore passer' would receive.<sup>59</sup> Parliament never enacted a statute allowing constables to give charitable relief to vagabonds, who were always supposed to be punished and moved on without payment, although provision was made for them when they were conveyed to their parishes of settlement. Several laws and frequent injunctions exhorted constables to be more rigorous in their prosecution of people that they found 'wandring and begging', but these brief account entries illuminate the poignant tensions between the necessities of local justice, the maintenance of community boundaries, and a very human impulse to be charitable.

### **VII. Quarter sessions, (mis)classification and conclusions:**

I will now briefly consider the records of the county magistrates. The Commission for the Peace in Warwickshire was an unstable and turbulent body in the later seventeenth century. Every county bench underwent significant restructuring during the early years of the Restoration, but an increase in party strife and a rise in political tensions (due to the Exclusion Crisis) in the later 1670s caused appointments to the commission to become increasingly fraught with political considerations.<sup>60</sup> However, the rapidly changing composition of the Warwickshire bench had no measurable effect on the language deployed in quarter sessions orders which were concerned with vagrancy and migration. The bench continued to handle a large volume of cases and to punish vagrants and those accused of lodging them. Moreover, from the 1680s, the bench issued blanket injunctions to put all the vagrancy laws into full effect, probably in an effort to motivate local constables and to increase the volume of presentments that they gave to the commission.<sup>61</sup> The large, and increasing, number of subsistence migrants moving through the county was also clearly a pressing concern.<sup>62</sup>

Studying the languages of social description deployed by the magistrates in Warwickshire, as elsewhere, is by necessity anecdotal rather than quantitative. Additionally, the language used in cases concerning vagrants was morally charged and stern in a manner that the rather more laconic entries in constables' accounts were not. The very nature of the records of the sessions also complicates any comparison of the responses to vagrancy and the language used by constables and Justices of the Peace, since entries in the quarter sessions order books and manuscripts are generally formulaic and short.<sup>63</sup> However despite all of these caveats, comparing constables to magistrates does

provide us with a broader picture of justice in the county, and it highlights the tendency of parochial tensions and concerns to filter up through the judicial system and to affect the business of the bench.

In the Easter Sessions of 1674, a formal order on the 'late increase' of 'rogues' and vagabonds was read out in court. In it, the assembled Justices chastised the constables of the county for their 'general neglect' in enforcing the vagrancy statutes, and they ordered the constables to conduct 'privy' searches and to report all of their efforts concerning vagabonds at every monthly meeting. The ultimate aim of these tighter controls was that 'the real poor of this county may be better relieved and maintained, trades and tradesmen encouraged, and the county in some good measure eased and secured from this growing and so justly complained of mischief of rogues, vagrants, and sturdy beggars'.<sup>64</sup> No mention was made of how constables were to differentiate between the mischief of the 'real poor' and the mischief of 'sturdy beggars', identities which were imposed from above on those at the bottom of the social and economic order. We thus find the descriptive language employed by Justices of the Peace in the quarter sessions to be far more formal and proscriptive than the classifications used by constables in Grandborough. However, despite the tendency to use a formal language of punishment when dealing with vagrancy cases, the quarter sessions still made use of a broad range of social descriptions of migrants.

This is evident, for example, in the linguistic differences and contrasting outcomes of the cases of Thomas Savage and Edward Conduit. Thomas Savage, his wife Elizabeth, their three daughters, and a large company of additional men and women were apprehended as vagrants and tried in the Trinity sessions in 1677. They had refused to confess their places of birth, and they were quickly committed to the Warwick house of correction, there to receive 'daily correction and to be set on work and there to remain till they are delivered by due course of law'.<sup>65</sup> A more textbook example of all of the stereotypes of vagrancy would be hard to find: the people apprehended were travelling in a large band and therefore constituted an unmistakable emblem of social threat; they all refused to co-operate with authority, doubly reinforcing their dangerous status as social outcasts; and they required 'daily correction' until the court decided that they had reformed. They were clearly idle, and certainly disorderly.

In contrast, an order in 1680 stipulated that Edward Conduit and his family were to be returned from Warwick to Arnesby in Leicester and to be provided for in that parish as settled poor, despite his previous apprehension as a vagrant. The court found that Conduit was never whipped, and that there was no testimony under oath about his status as a vagabond, and thus that his treatment had not been 'well warranted by law'.<sup>66</sup> It seems that Conduit and his family had not been subject to the full rigour of the vagrancy laws, although we do not know if they were ever confined to a house of correction. It also seems that Conduit had actually made a living as a shepherd in Arnesby for many years, and had 'lived by his labour'. Perhaps Conduit and his family were in the wrong place at the wrong time, or perhaps they were the unfortunate subjects of a parochially motivated process of exclusion that ultimately led to them becoming mislabelled as vagrants, and removed from their parish via the legal machinery of the vagrancy laws. Conduit was given three shillings by the court and the overseers of the poor were instructed to convey

the family back to their home; a directive which wholly embodied the Conduit family's move out of a vagrant identity and into the social and economic space provided for the 'real poor'.<sup>67</sup>

The stark contrast between the proscriptive identification and punishment of the Savages and their companions on the one hand, and the retrospective reclassification of the Conduit family on the other, nicely encapsulates the range of reactions to mobility, migration and social disruption in early modern England. It seems that the heavily encoded, culturally laden, and morally charged category of 'vagrant' could be levelled at or lifted from the mobile poor based on the social prejudices of officials, the local needs of communities, or the discretion of the constable. Neither the control of migration nor the punishment of vagrancy was an easy duty, and real people often suffered as a consequence of the deliberate imprecision of officials and the shifting boundaries of the typology of travellers. In 1680, Sarah Johnson fell ill and died while travelling back from Oxford, where she had been conveyed as a vagrant. She left behind a three year old boy named William Johnson, and this 'poor infant' was then shuffled from pillar to post due to parochial reluctance to care for him out of the poor rates.<sup>68</sup> One parish official had gone as far as to perjure himself in front of the quarter sessions in order to remove the Johnsons from his parish of residence. Sarah Johnson had been unable to prove that she belonged in Oxford, and she had been cast out of a parish in Stafford because its chief inhabitants wanted to restrict their own arena of belonging. As a 'vagrant woman', Sarah had no place there. The now-orphaned William Johnson was eventually carried back to that same Stafford parish and, by order of the Justices, they were to provide for him and settle him there.

To conclude then, this article has attempted to complicate our understandings of mobility, migration, and vagrancy in the later seventeenth and early eighteenth century. It has argued that the survival strategy of subsistence mobility in its varying forms could lead to many of the mobile poor being treated as vagrants when they were not, or as migrants when they actually were. Local demands and the discretion of Justices of the Peace and constables created the need for a calculated way to disburse or deny relief properly, and to handle prosecution and punishment. This proscriptive, or pragmatic, 'calculus of relief and punishment' was manifested in the language deployed by officials and the actions they took in response to increasing rates of migration, whether socially threatening or otherwise. It seems clear that historians need to examine further the cloudy relationship between vagrancy and migration after 1662. One of the important characteristics of vagrants in the previous period does appear to be missing: that of 'permanent' or 'semi-permanent' mobility, and it could be that this form of movement remains hidden from historians by the edifice and operation of the Settlement Act.<sup>69</sup> What we have found instead is that the categories of vagrant and migrant were deployed almost interchangeably based on the needs of the locality, the discretion of officials and the demands of the historical moment. A 'typology of travellers' did exist in early modern England, although similar attitudes towards vagrancy and migration remained heavily mediated by the necessity of context. But poor migrants surely felt its effects, which could still come in this period as the sting of the constable's lash and a bloody back, or as the crucial two-penny relief dispensed so regularly from the very same hands which had

held the whip not long ago. Vagabonds and subsistence migrants could be one and the same, and ultimately all 'poore travellers' were 'passengers' on the same road.

### Notes

1. Warwickshire County Record Office (hereafter Warwickshire RO), CR103, f. 99. Bromley's judicial notebook covers the period between 10<sup>th</sup> October 1685 and 6<sup>th</sup> December 1728.
2. More specifically, the reign of Edward III, Statute: 23 Ed. 3. Additional statutes follow with regularity in from 1572 onwards, see 14 Eliz. c5 in *Statutes of the Realm: Volume 4* (London, 1819), p. 590.
3. A. L. Beier, *Masterless Men: The Vagrancy Problem in England, 1560–1640* (London, 1985), p. 3, and for vagrancy as a 'protean concept', see p. 4.
4. *Ibid.*, p. 4. The 1572 Vagrancy act (14 Eliz. c5) provides the list of trades and persons that were considered vagrant, a list repeated verbatim in the pre-ambule to the 1662 Settlement Act (14 Car 2. c12).
5. Paul Slack, 'Vagrants and Vagrancy in England, 1598–1664', *The Economic History Review*, 27:3 (1974), 367.
6. David Souden and Peter Clark, eds, *Migration and Society in Early Modern England* (London, 1987), pp. 213–252. David Souden's chapter in the same volume interrogates overseas migration and vagrancy.
7. For vagrants with destinations and a purpose, see Margaret Spufford, *The Great Reclotting of Rural England: Petty Chapmen and their Wares in the Seventeenth Century* (London, 1984). For 'wandering' outside of the context of vagrancy, see Andrew McRae, *Literature and Domestic Travel in Early Modern England* (Cambridge, 2009). Part II examines the travels of royal progresses, and of John Taylor, Celia Fiennes, and Daniel Defoe.
8. Michael Dalton, *The Countrey Justice* (London, 1697).
9. 14 Car 2. c12. in Raithby, ed., *Statutes of the Realm: Volume 5, 1628–80* (London, 1819).
10. Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London, 1988), p. 31.
11. Philip Styles, 'The Evolution of the Law of Settlement', in *Studies in Seventeenth Century West Midlands History* (Kineton, 1978), p. 175.
12. A great deal of path-breaking work has been done in the last few decades. K.D.M. Snell's *Annals of the Labouring Poor: Social Change and Agrarian England, 1660–1900* made perhaps the most thorough use yet of settlement documentation in 1985, but additional subsequent work by scholars such as Steve Hindle, Alannah Tomkins, Peter Clark, and many others, has made innovative and often exhaustive use of settlement documentation.
13. (14 Car 2 c.12) Raithby, ed., *Statutes of the Realm*, p. 401.
14. Many studies, correctly cite a well-known 'crisis-point' in the two decades between 1610 and 1630, alongside rapid and sustained population growth from the late Elizabethan period. See Paul Slack, 'Vagrants and Vagrancy', in Souden and Clark, eds, *Migration and Society in Early Modern England* (London, 1987), pp. 49–76. The introduction to the same volume also makes a similar contention regarding demographics. Beier's argument in turn also revolves around the pressures of economics and population, although he is careful to note that these causes are not exclusive, see Beier, *Masterless Men*, p. 172. Also see J.A. Sharpe, *The History of Crime in Early Modern England, 1550–1750* (London, 1999), p.142.
15. Beier, *Masterless Men*, pp. 171–2.
16. Souden and Clark, eds, *Migration and Society*. See, in particular, Peter Clark's chapter on Kentish migration, pp. 213–52.
17. See Peter Laslett, 'Clayworth and Cogenhoe', in P. Laslett, ed., *Family Life and Illicit Love in Earlier Generations* (Cambridge, 1977), pp. 50–101.
18. Beier, *Masterless Men*, p. 172, outlines Beier's conclusions on demography and its impact.

19. Such local periods of dearth have been discovered and commented on most insightfully by E.A. Wrigley and Roger Schofield in *The Population History of England 1541–1871* (Cambridge, 1989), pp. 332 ff.
20. See Joan Thirsk, ed., *The Agrarian History of England and Wales V. II 1640–1750: Agrarian Change* (Cambridge, 1985), p. 879.
21. D.W. Jones, *War and the Economy in the Age of William III and Marlborough* (Blackwell, 1988), pp. 127–34.
22. See the accounts for the 1690s in Warwickshire RO, DRO 111/22. Totals as high as 550 persons annually passing through were reached in this decade.
23. Souden and Clark, eds, *Migration and Society*, pp. 30–1. Also see the introduction to Ian D. Whyte, *Migration and Society in Britain, 1550–1800* (Basingstoke, 2000).
24. For a treatment of what this dire experience could be like, see David Postles, ‘Surviving Lone Motherhood in Early-Modern England’, *Seventeenth Century*, 21:1 (2006), 160–83. See also the case of Sarah Johnson discussed in Section VII of this article.
25. For the importance of discretion in the administration of local justice in England, see Peter King, *Crime, Justice, and Discretion in England, 1740–1820* (Oxford, 2000); Douglas Hay and E. P. Thompson, eds, *Albion’s Fatal Tree: Crime and Society in Eighteenth-Century England* (New York, 1975); and Krista Kesselring, *Mercy and Authority in the Tudor State* (Cambridge, 2003).
26. See Keith Wrightson, *English Society 1580–1680* (London, 2003), p. 62. For a more specific look at the discretion of local constables, see Joan Kent, ‘Population Mobility and Alms: Poor Migrants in the Midlands during the Early Seventeenth Century’, *Local Population Studies*, 27 (1981), 35–51.
27. Quoted in Steve Hindle, *The State and Social Change in Early Modern England 1550–1640* (New York, 2000), p. 204.
28. Dalton, *The Country Justice*, p. 56.
29. For a much more complete treatment of the English constable and the tensions of the office, see Joan Kent, ‘The English Village Constable, 1580–1642: The Nature and Dilemmas of the Office’, *Journal of British Studies*, 20:2 (Spring, 1981), 30–1.
30. Beier, *Masterless Men*, p. 171.
31. For an example of a surviving vagrant pass, see Chester RO: QAV-1, 1701. For several issued and signed by a Justice of the Peace, see Chester RO, PC 16/5 f. 126–149.
32. For examples of another parishes’ constables’ accounts, see Cheshire RO: P241/7/1 Capesthorpe with Siddington.
33. For Wrightson’s key work on this subject, see ‘Estates, Degrees, and Sorts: Changing Perceptions of Society in Tudor and Stuart England’, in P. J. Corfield, ed., *Language, History and Class* (Oxford, 1991), pp. 30–52.
34. See Alexandra Shepard, ‘Poverty, Labour and the Language of Social Description in Early Modern England’, *Past and Present*, 201 (2008), 51–95.
35. Similar to the ‘labelling’ found by Paul Griffiths, see *Lost Londons: Change, Crime, and Control in the Capital City 1550–1660* (Cambridge, 2008).
36. See Steve Hindle, *The State and Social Change and On the Parish? The Micro-Politics of Poor Relief in Rural England, 1550–1750* (Oxford, 2004). For Hindle’s ‘discretionary calculus’ see p. 379.
37. Hindle, *On the Parish?*, p. 380.
38. See Patricia Fumerton, *Unsettled: The Culture of Mobility and the Working Poor in Early Modern England* (Chicago, 2006), pp. 3–12.
39. See Keith Wrightson, *English Society 1580–1680* (London, 2003), p. 235; Henry French, *The Middle Sort of People in Provincial England 1600–1750* (Oxford, 2008); and Hindle, *The State and Social Change*.
40. See L. R. McInnis, ‘Michael Dalton: The Training of the Early Modern Justice of the Peace and the Cromwellian Reforms’, in Jonathan A. Bush and Alain A. Wijffels, eds, *Learning*

- the Law: Teaching and the Transmission of Law in England, 1150–1900* (London, 1999), pp. 255–72.
41. Although begging could be licensed by Justices of the Peace under the 1598 poor legislation, it should be noted that begging was technically illegal in England after the 1601 reforms to the law, except in several very specific circumstances such as the awarding of formal ‘alms places’, or in case of fire or other personal disasters.
  42. Dalton, *The Country Justice*, pp. 202–5.
  43. Robert Gardiner, *The Compleat Constable* (London, 1692), pp. 30, and 43 for servant testimonial legislation.
  44. *Ibid.*, pp. 30–1.
  45. Dalton, *The Country Justice*, p. 204.
  46. Francis Harvey in the 1630 Assize Resolutions, as quoted in Dalton. *Ibid.*, p. 212.
  47. R. B. Pugh, ed., *The Victoria History of the Counties of England: Warwick, Volume VI* (London, 1951), pp. 94–7.
  48. Sir William Dugdale, *The Antiquities of Warwickshire Illustrated: From Records, Leiger-Books, Manuscripts, Charters, Evidences, Tombes, and Armes, Volume 1* (London, 1730), pp. 312–13.
  49. Tom Arkell and Nat Alcock, eds, *Warwickshire Hearth Tax Returns: Michaelmas 1670 with Coventry Lady Day 1666* (Stratford-Upon-Avon, 2010), pp. 280–1.
  50. This estimate uses the multiplier of 4.3 suggested in Tom Arkell, ‘Multiplying Factors for Estimating Population Totals from the Hearth Tax’, *Local Population Studies*, 28 (1982), 51–7.
  51. The following discussion is based on Warwickshire RO, DRO 111/22: ‘Constables Accounts 1671–1720’, and DRO 111/23: ‘Constables Accounts 1720–1750’; QS 40/1/8 ‘Quarter Sessions Order Book 1709–1720’; QS 40/1/9 ‘1720 onwards’.
  52. Warwickshire RO, DRO 111/22.
  53. The rest of a constable’s expenses were typically administrative or associated with the maintenance of roads and bridges. Warwickshire RO, DRO 111/22, f. 82–84. Accounts for Year 1686–87.
  54. Warwickshire RO, DRO 111/22, f. 113. Accounts for Year 1693–94.
  55. Keith Wrightson, ‘Estates, Degrees and Sorts: Changing Perceptions of Society in Tudor and Stuart England’, in P. J. Corfield, ed., *Language, History and Class* (Oxford, 1991), pp. 30–52.
  56. For the phrase ‘Parish and Belonging’, and its fuller formulation, see K. D. M. Snell, *Parish and Belonging: Community, Identity, and Welfare in England and Wales, 1700–1950* (Cambridge, 2006).
  57. Warwickshire RO: DRO 111/22, f. 90. Accounts for Year 1688–9.
  58. See J. Walter, ‘Gesturing at Authority: Deciphering the Gestural Code of Early Modern England’, *Past and Present*, 203, Supplement 4 (2009), 96–127.
  59. Warwickshire RO: DRO 111/22, Years 1675 and 1690.
  60. S. C. Ratcliff and H. C. Johnson, eds, *Warwick County Records: Volume VII. Quarter Sessions Records Easter 1674, to Easter 1682* (Warwick, 1946), p. xxiii.
  61. These injunctions were issued in Warwickshire in 1670, 1674, 1677, 1684, 1687, routinely in the 1690s, and yearly in the early eighteenth century. See *Warwick County Records*, Volumes V, VII, VIII, and IX. For orders in the eighteenth century see Warwickshire RO: QS/40/8/1 ‘to 1720’ and QS/40/9/1 for post 1720. Other counties document similar levels of concern. See *Hertford County Records, Volume VI: 1658 to 1700* (Hertford, 1930) and Volume VII for 1700–52.
  62. Here the statistical indices of Peter J. Bowden are highly illustrative. See Thirsk, ed., *The Agrarian History of England*, p. 879.
  63. Warwickshire RO: QS 40/1/8 for 1709 to 1720 and QS 40/1/9 for 1720 onwards.
  64. *Warwick County Records, Volume VII*, p. 4.

65. Ibid., p. 93.
66. Ibid., p. 184–5.
67. For more on vagrant spaces see Fumerton, *Unsettled*.
68. *Warwick County Records, Volume VII*, p. 195.
69. Beier, *Masterless Men*, p. 172.