

VAGRANCY IN GLOUCESTERSHIRE (1730 - 1834)

PART I

by John W. Wyatt

A cursory examination of the County Treasurer's **Accounts** about the middle of the 18th Century is sufficient to show **that** the principal item of expenditure in most normal years was what were termed Vagrancy Bills.

"Pd The Constable of Southropp. 4 Vagrancy Bills	£7.15s.10d."
"The High Constable of Longtree Hund. 2 Vagrancy Bills	£1. 4s. 4d."
"The Constable of Marshfield, 6 Vagrancy Bills	£3. 4s. 0d."

- Such are the most common type of entry in the accounts presented for audit at each quarter-sessions.

A Vagrancy Bill was a bill presented by the Constable of a parish, the High-Constable of a hundred, or the Keeper of one of the Bridewells for expenses incurred in removing a vagrant to his or her place of settlement and for the subsistence of the constable and vagrant during the journey.

The laws concerning vagrancy stemmed from The Repression of Vagrancy Act (39 Eliz. c4), 1597. This act contained a lengthy list of various types of person who were to be "taken, adjudged and deemed Rogues, Vagabonds and Sturdy Beggars." It included, amongst others, any of the following who were found begging or without means of subsistence: wandering scholars seeking alms; fortune-tellers, bearwards, jugglers, tinkers; shipwrecked seamen; discharged prisoners; wanderers pretending to have suffered loss by fire; able-bodied wandering persons or labourers without means who refused to work for current rates of wages. If one of these persons was found begging he or she was, by order of any Justice of the Peace, to be "stripped naked from the middle upwards and openly whipped till his or her body be bloody, and then passed on to his or her birthplace or last residence, and in case they know neither, they are to be sent to the House of Correction for a year, unless someone gives them employment sooner." The act was not aimed against vagrancy in its literal sense of wandering from place to place, but against persons "going about begging", "not being able to give a good account of themselves", or earning a living by what was considered to be an undesirable way.

The Act of 1597 was amended many times and was eventually repealed in 1713 when it was replaced by the Act of 13 Anne c26 which consolidated and amended the existing laws. This act was also amended and replaced several times. The Vagrancy Laws were also affected by the Settlement Act of 1662. In essence, however, the laws concerning vagrancy remained much the same from 1597 till the passing of The Poor Law Amendment Act in 1834, though certain changes will be referred to later.

In ENGLISH POOR LAW HISTORY, Chapter 6, "The Repression of Vagrancy" Sidney and Beatrice Webb wrote:

"There are no materials for even an approximate estimate of the volume of vagrancy in England and Wales at any time prior to the nineteenth century; and we know of no contemporary judgements of value as to the waxing or waning at particular dates of the unending flow of a nomadic population in which all sorts of elements were mingled."

This study was undertaken in the hope that the total number of Vagrancy Bills paid by the County Treasurer in each quarter from 1730 to 1834 might give some indication as to the waxing or waning of vagrancy at any particular period. It was hoped also that the number of Vagrancy Bills might indicate how the volume of vagrancy was affected by war and peace, summer and winter, bad harvests, economic depression or changes in the law.

The number of Vagrancy Bills paid in each quarter does not, of course, tell us the number of vagrants in the county at the time. A bill might cover the expenses of removing a single vagrant or a number. Two bills might relate to the removal of the same vagrant. For example a vagrant ordered to be removed from Bristol to Worcester would be conveyed by the Constable of St. Philip and St. Jacob to Gloucester; from there the Constable of Kingsholm would convey him to the Worcestershire border. Also the bills are only concerned with vagrants who were apprehended and removed; they tell nothing of the number of vagrants left unmolested. If constables were lax in apprehending vagrants - a duty with which they were strictly charged, and for neglect of which, under various acts passed in the period, they could be heavily fined - the number of vagrancy bills, would, obviously, be small. A sudden burst of activity

in the apprehension of vagrants would send the number of bills soaring. Nevertheless, if the authorities suddenly started putting the laws into more rigorous execution, it would be reasonable to assume that vagrancy had increased to such an extent that it had become an intolerable nuisance. Conversely, a small number of bills could indicate either that there were few vagrants or that constables were lax in apprehending them. But if constables were lax it would be reasonable to suppose that vagrancy was no great nuisance at the time; in other words there were not many vagrants. Thus, despite qualifications, the rise and fall in the number of Vagrancy Bills should give some indication of the waxing or waning of vagrancy at particular dates.

It is not possible to find the number of Vagrancy Bills in any period before 1730 because before that date the Treasurer's Accounts state only the amount of any disbursement and the name or office of the person to whom it was paid, e.g. "Pd The Constable of Kingsholm £11. 3s. 4d." There is no indication as to why the money was paid. Payment to a Constable might have been for a Vagrancy Bill - indeed it probably was - but it could have been for conveying a prisoner to gaol or some other purpose.

In 1834, by the Poor Law Amendment Act, the financial and administrative - though not the legal - responsibility for vagrancy was taken away from the Justices at Quarter Sessions and handed over to the newly-elected Boards of Guardians.

Some difficulties were encountered in extracting the information from the account books. Occasionally the number of bills to which a payment refers is not given "Vagrancy Bills" or "Several Vagrancy Bills" being substituted for a definite number. Such entries, however, are not common enough to make any substantial difference to the total for each quarter.

The Treasurer's Accounts from Michaelmas 1773 to Trinity 1797 have been lost or destroyed, leaving a gap of 24 years. In the accounts for 1797 onwards the number of bills for which a payment was made is not given. For these years therefore the amount of money expended had to be substituted in this survey for the number of bills. To make the survey uniform throughout it was necessary to

return to the accounts for earlier years and find the total amount of money expended in addition to the total number of bills. This task has not been completed. It will be noticed by looking at the chart which shews the number of bills or the amount of money expended on them, that, whether the number of bills or the amount of money is used, the resultant graph is much the same.

The total number of Vagrancy Bills in each of the four quarters of the year from 1730 to 1772, inclusive was:

Quarter ending at Easter.....	5,093
" " " Trinity.....	4,948
" " " Michaelmas.....	4,629
" " " Epiphany.....	5,770

The total number of bills for the summer months (Easter to Michaelmas) was 9,577; for the winter months (Michaelmas to Easter), 10,863. The figures suggest that there was slightly more vagrancy in winter

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From 1798 to 1820, inclusive, the amount of money disbursed for Vagrancy Bills in each quarter was:

Quarter ending at Easter	£3,398
" " " Trinity	£3,199
" " " Michaelmas	£3,783
" " " Epiphany	£4,874

Total for the summer periods: £6,983; for the winter £8,273. Again, the figures suggest slightly more vagrancy in winter than in summer.

After 1820, however, a change in the seasonal pattern occurs. From then till the end of 1833 the amount expended each quarter was:

Quarter ending at Easter.....	£2,764
" " " Trinity	£3,820
" " " Michaelmas	£4,542
" " " Epiphany	£2,771

Total for the winter: £5,536; for the summer £8,362.
The figures suggest that in these years there was considerably more vagrancy in summer than in winter.

In 1834 The Poor Law Inquiry Commissioners reported that vagrancy had "actually been converted into a trade, and that not an unprofitable one," and the report implies that a considerable proportion of the vagrants were idle scroungers who chose begging as an easy way of obtaining a livelihood. It is difficult to believe that this was so before 1820 when vagrancy appears to have increased in winter. It is hard to imagine many people wandering by choice along the roads of those days in an English winter, hoping to obtain a precarious living by begging, if they could obtain a living in any other way. In the quarter ending Easter, 1763, a period of particularly severe weather, the number of vagrancy bills rose from 94 in the previous quarter to 163. The change in the seasonal incidence of vagrancy after 1820 is probably accounted for by the great influx of vagrants from Ireland.

Irish vagrants were a problem in Gloucestershire early in the 18th Century. At the Trinity Quarter Sessions, 1716, complaints were made about the sending of Southern Irish vagrants from Chester to Bristol to be transported to the south of Ireland, and Northern Irish vagrants from Bristol to Chester for transportation. All these Irish vagrants passed through Gloucestershire between Twynning and Bristol. At the Easter Quarter Sessions, 1718, the magistrates around Gloucester were requested to consider whether action should be taken in the Court of King's Bench against the Mayor of Chester for issuing "illegal passes" to these Irish vagrants. It was, of course, cheaper for the Mayor of Chester to send these vagrants out of his city into the county of Cheshire en route for Bristol than to pay their passage to Ireland.

After 1820 the number of Irish and, to a lesser degree, Scottish vagrants increased almost every year. Here are the figures for Irish vagrants passed by sea from Bristol in the year ending 25th March, 1832

1823.....	999	1828	1,033
1824	863	1829	1,300
1825	934	1830	2,105
1826	1,116	1831	3,548
1827	1,643	Total	38,964

The County Treasurer's Accounts from Trinity 1833 to Epiphany 1834 list the number of Irish and Scottish vagrants passed by constables. The totals for the three quarters were: -

	Irish	Scottish
Twynning	405	284
Deerhurst	409	-
Barrington	8	-
Cheltenham	-	6
Kingsholm	-	215
Littlewcrth	350	-
Marshfield	167	31
Didnarton	8	-
Cold Aston	-	23
Pucklechurch	-	24
Thornbury Upper Hundred	2,366	-
St. Philip and St. Jacob	1	117

The Irish vagrants were, obviously, being passed to Bristol to be shipped to Ireland. If we count only those entering the county and disregard the numbers at the intermediate stages of transit (Deerhurst and Littleworth) we find that about 405 were coming from Worcestershire and the north but the vast majority, 2,550, from London and the east.

It is impossible to determine from these figures the number of Scottish vagrants until we discover by what route they were passed. Mention of Kingsholm suggests the road route to the north. The following entry in the accounts for Easter, 1834, - the last quarter in which vagrancy bills occur - shews that some vagrants were returned to Scotland by sea from Bristol.

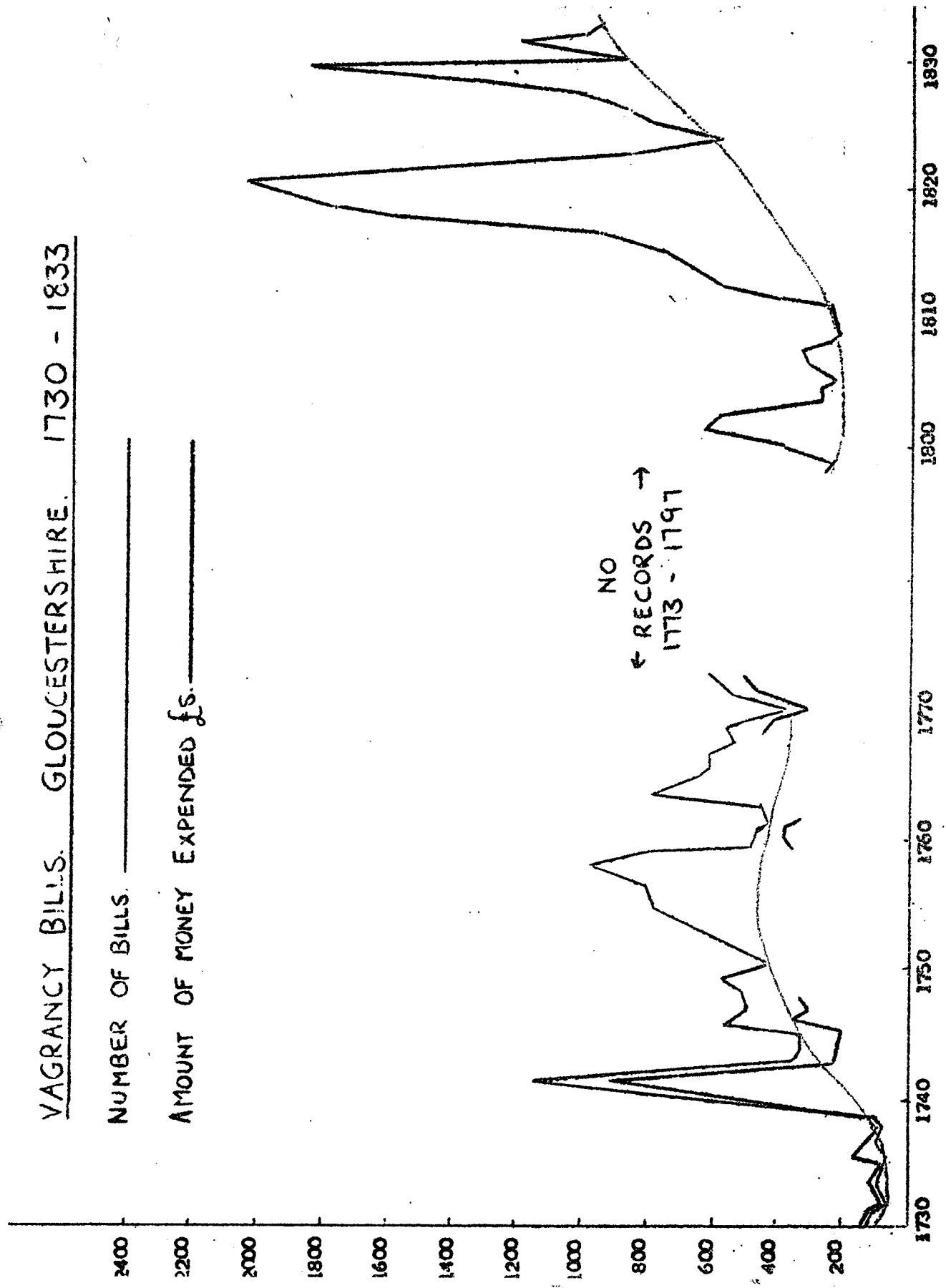
"Conveying Vagrants, under the new law.
Cheltenham. 9 Scotch to Bristol and pay^d their passage to Dublin, there being no vessels from Scotland. £9. 6s. 2d." Incidentally, this entry epitomises the whole system of dealing with vagrants: Get rid of them and don't be too fussy as to how or where.

The number of vagrancy bills for each year, or the amount of money expended on them, is shewn on the graph.

VAGRANCY BILLS. GLOUCESTERSHIRE. 1730 - 1833

NUMBER OF BILLS. _____

AMOUNT OF MONEY EXPENDED £s. _____



The outline of the graph is very irregular and the most noticeable features are the six high "peaks" of 1741, 1757, 1763, 1801, 1820 and 1829. Perhaps a clearer picture as to the waxing or waning of vagrancy is given by the green line on the chart which passes through the base of the troughs between the high peaks. If the figures obtained are of any value it should be safe to assume that vagrancy was at a low level from 1730 to 1739 after which it rose considerably until 1757 and remained approximately at that higher rate until 1773. When the chart begins again in 1798 vagrancy was at a rather lower level until 1811, after which it rose rapidly till 1834.

We can now consider possible explanations for the high peaks on the graph.

There happens to be a rise in vagrancy bills on the outbreak of both the War of the Austrian Succession and the Seven Years' War. Further study suggests that these rises are purely coincidental. For two reasons the outbreak of war should cause a decrease in vagrancy. First is the increased demand for man-power, not only for the armed forces but for the industries supplying their needs. Secondly, by the Acts 2 & 3 Anne c 6, "all lewd and disorderly men servants, rogues, vagabonds and sturdy beggars" could be pressed into the Royal Navy, and by 17 Geo. 11 c 5 (1743-4) any vagrant over 12 years of age could be pressed into the navy or army, so most able-bodied male vagrants would quickly be disposed of on the outbreak of war. The Royal Navy's press-gang was always active in Bristol and during the Seven Years' War was operating in Gloucester and district in 1759 and 1761. The calendar of prisoners in Winchcombe Bridewell, April 27th, 1756 lists "John Dennis of the County of Bucks committed March the 21 by Robbart Tracy Esqe for want of giving a good account of himself but senses listed in to his Maggists Sarvis and discharged." (He deserted later from the 59th Foot). On January 10th, 1757, it records that Richard Allard of "Hunnibun" and Peter Green of "Weston Subbidg" have been committed for being "Idell and disorderly but senses enlisted into his Magestis Sarvis and discharged."

Soldiers' wives and widows were often forced into vagrancy, as the following article shows, and at the end of a war discharged soldiers and sailors were landed at any port and left to beg their way home, so adding to the volume of vagrancy.

There is a rise in the graph about the end of each of the three major wars in the period; less marked at the end of the War of the Austrian Succession in 1748; more marked in 1763 after the Seven Years' War; most marked at the end of the Napoleonic Wars. This is as one would expect as the 1939 - 45 war was probably the only war not followed by economic depression and unemployment or vagrancy.

Now, taking each of the peaks in turn, we will consider what factors were operating and what events happened from 1739 to 1742 which might have caused an increase in vagrancy. First, there was depression in the cloth industry in the west of England. Secondly, there was a dearth of corn. In January, 1739, the price of wheat in Gloucester market was 3s. to 3s.8d. a bushel. In September it was 4s.6d. to 5s. By June 1740 the price had more than doubled at 7s. to 8s. In July rioting was reported in East Anglia, and at Newcastle rioters destroyed the Guildhall. In the Forest of Dean a mob attempted to destroy the dwelling house and corn-mill of Joseph Sayer of Redbrook. At the July Assizes four women were fined and one of them ordered to be whipped "for riotously entering the dwelling House of Robert Shirley of Moreton-in-Marsh, and taking by Violence a large Quantity of Wheat." By September wheat cost from 8s. to 9s.6d. a bushel. In October the Gloucester Journal reported: "We hear from Stroud and other Clothing Places, that the Poor are starving for Want of Work." (The reasons given were the exportation of wool and the great number of alehouses!). At Chipping Campden "the chief inhabitants" set unemployed labourers to work on the roads at wages of 8d. a day plus 1d. for small beer. By January, 1741, wheat had reached its peak price of 8s.6d. to 10s. a bushel and it remained at almost that price throughout the winter. By July it had fallen slightly at 7s.6d. to 8s.9d. and when harvest came at the end of August was down to 4s.8d. to 5s., though early in February 1742 wheat was still at the comparatively high price of 5s. to 5s.6d. a bushel.

To add to the hardships of the poor, the winter of 1739-40 was severe. To alleviate distress funds were raised in Gloucester city and at Eastington and Stroudwater. On January 12th the Gloucester Journal reported that a sheep was roasted whole on the Severn near the Quay. Not till February 23rd did the Journal report that the weather had abated and that ships were using the river again.

There was a third factor causing the increase in Vagrancy Bills. In the year 1739-40 a new Vagrancy Act, 13 Geo.11 c 24, came into

operation. This, like most Vagrancy Acts, started by stating that the number of rogues, vagabonds and other idle and disorderly persons was increasing daily. It then divided them into three classes:

1. **IDLE AND DISORDERLY PERSONS.** This included anyone who threatened to run away and leave his wife or children chargeable to the parish; anyone unemployed and without means of support who refused to work for the usual wages; all persons found begging - who could be sent to hard labour for a period not exceeding one month.

Anyone could apprehend a beggar and a reward of 5s. was offered for each apprehended. Any beggars who resisted apprehension, or escaped from it, were to be punished as rogues and vagabonds.

2. **ROGUES AND VAGABONDS.** This class included, amongst others, people collecting money by false pretences as sufferers by fire, etc; fencers, bearwards, minstrels, jugglers, fortune tellers, etc; actors without licence from the Lord Chamberlain; unlicensed pedlars and chapmen; any person running away and leaving wife or children chargeable to the parish; persons wandering and living in barns, outhouses, etc., and not giving a good account of themselves; beggars pretending to be soldiers or sailors or pretending to work at harvest.

Exemptions were made of soldiers needing subsistence and having a certificate from an officer or the Secretary of War, and of marines or seafaring men bearing a licence from a Justice of the Peace setting down the time and place of landing or discharge, the place to which they were to pass, and limiting the time of passage. People travelling to work at harvest, or any other time, were also exempt if they carried a certificate from the minister or one of the churchwardens or overseers of the poor of the place where they lived declaring that they had a dwelling there.

Anyone could apprehend a rogue or vagabond and a reward of 10s. was offered. Rogues and vagabonds could be sent to hard labour till the next Quarter Sessions, or such shorter time as the Justices felt fit, and then passed to their last place of legal settlement.

3. **INCORRIGIBLE ROGUES.** This category included prison breakers; end-gatherers; rogues and vagabonds escaping from custody or committing any offence under this act after a first conviction.

Incorrigible rogues could be sent to hard labour for a time not exceeding six months, and corrected by whipping as the Justices thought fit.

Magistrates were ordered to command a privy search for vagrants in the night four times a year and to pass any found to their last place of legal settlement.

Officers who refused to use their best endeavours to apprehend vagrants were liable to a penalty of 10s. to £5, and a penalty of 10s. to £2 could be imposed on any person harbouring a vagrant.

Masters of ships bringing any rogue, vagabond or beggar, or anyone likely to live by begging, from Ireland, the Isle of Man or the Channel Islands, was liable to a fine of £5 and the cost of re-conveying the vagrant. Masters of ships were obliged to accept the rates offered by magistrates for conveying vagrants.

Before this Act was passed the reward for apprehending a vagrant was 2s. and there is little evidence in the Treasurer's Accounts that it was claimed. The increase in the reward to 5s. for an "idle and disorderly person" and 10s. for a rogue and vagabond was an important factor in causing the steep rise in the number of vagrancy bills in the period 1739-42. Sometimes payment of the reward is specifically mentioned in the accounts e.g. "the Master of the House of Correction at Cirencester, 5 Bills for taking up Vagrants, £2.10s.", but other entries such as "The High Constable of Barton Regis, 52 Vagrancy Bills, £26," or to the same person in the next quarter, "82 Vagrancy Bills, £41," obviously refer to payments of the 10s. reward. In 1740, 13 such awards appear to have been made, 73 in 1741 and 153 in 1742. Bills and money expended on them which appear to be payments of the reward are not included in the graph, but the bills for passing the vagrants so apprehended are.

From the passing of the Act till Easter 1742 all vagrants for whose apprehension a reward was paid were classed as rogues and vagabonds and the 10s. reward was paid, but at the Quarter Sessions at Easter, 1742, the Gloucestershire Justices stipulated that not more than 5s. should be awarded for apprehending vagrants. From 1749 to 1773 these rewards are recorded in the Treasurer's accounts as "Five Shilling Bills." During these twenty four years 913 of these "Five Shilling Bills" were paid and it is interesting to note that 715 of them were paid in Cirencester, some to the Constable but most to the Keeper of the Bridewell. Whether the Bridewell Keeper received these personally or whether he was the agent through whom they were paid is not clear.

In 1821 a Select Committee appointed to consider the laws concerning vagrancy reported:

"The county reward of 10s. at present payable, has in some instances converted the apprehension of vagrants into a regular trade, so disgraceful in all its branches as even to prevent the more respectable constables from interfering with vagrants from a dread of sharing the obloquy attached to their apprehension."

The report stated that in some places the reward had led to a system of collusion between apprehender and vagrant in which "the latter has voluntarily entered, or been invited, into the district of the informer, and even been bribed to commit an act of Vagrancy with the view of procuring the reward of 10s, which in some cases has actually been divided between the parties."

Perhaps something like this was happening in Cirencester. As an average of £7 10s a year was being paid out in Cirencester in rewards it is certain that some person - or persons - there made a profitable part-time occupation of apprehending vagrants.

When we consider the second of the high peaks on the graph from 1753 - 58, we find that the causes appear to be similar to those which caused the first peak. There was again a depression in the woollen industry, culminating in a strike of the Gloucestershire weavers in 1756 with riots in the Stroud area. James Wolfe, then an acting-colonel, who was in command of the troops sent to control the rioters, wrote to his mother from Chipping Sodbury on October 24th, "I hope it will turn out a good recruiting party, for the people are so oppressed, so poor, and so wretched, that they will perhaps hazard a knock on the pate for bread and clothes, and turn soldiers through sheer necessity." In a further, undated, letter from Stroud he added, "They beg about the country for food, because, they say, the masters have beat down their wages too low to live upon; and I believe it is a just complaint."

The end of 1756, like the end of 1739, began a period of famine and high prices for corn. The summer of 1756 was a wet one and in some parts of England the harvest was ruined by rain. In January 1756 wheat cost from 5s. to 6s. a bushel in Gloucester market; in June it cost 6s. to 7s; by November 7s. to 8s., and it reached a peak price of 9s 6d. to 11s.6d. a bushel in April, 1757. Again there were riots in many parts of England including Gloucestershire, particularly on the banks of the Severn and Wye, where boats carrying corn to Bristol were stopped and plundered. Funds were once more raised in Gloucester and other places

to supply corn to the poor at considerably under market price. By mid-March more than 700 people in Gloucester and its out-hamlets had benefited in this way.

The third peak on the chart, from 1763 to 1768, with its summit in 1763, is less marked but has factors in common with the previous two. 1764-7 was, again, a period of high prices for food. There was a dearth of corn early in 1765 and a fund was raised in Gloucester so that rice - a food little used in England at that time - could be sold to the poor at one-third of the shop price. The Gloucester Journal reported that in one day 2,024 pints of rice were sold. In the winter of 1766 - 7 the price of wheat in Gloucester market rose to between 9s 6d. and 10s.11d. a bushel. Once more there was rioting - this time in the Stroud area - and troops were called in.

The Seven Years' War ended in 1763 and there were many discharged soldiers and seamen making their way through the county. As will be seen in Part 2 of this article, soldiers' wives and widows formed a considerable proportion of the vagrants after the war.

The weather at the beginning of 1763 was very severe. In mid-January the Severn was frozen sufficiently to allow people to cross it on foot. A fund was raised to provide coals for the poor. The cold spell was followed by heavy rain and floods. In mid-February there was heavy snow followed by floods when the snow thawed. This was hardly the weather when people would take voluntarily to a vagrant life, yet the number of Vagrancy Bills rose from 94 in the previous quarter to 163.

To summarise the findings in the first period studied (1730 - 72): There is strong evidence to show that vagrancy was mainly the result of genuine hardship and that the vast majority of vagrants did not resort to this way of life and an easy "and not unprofitable" trade. That the principal causes of the hardship were trade depression, bad harvests and a high price for corn. That severe winters, the post-war discharge of soldiers and sailors, and lack of any provision for soldiers' and sailors' widows were contributory causes. That there was a steep rise in the number of vagrants apprehended when the new Vagrancy Act of 1739 - 40 came into operation.

The second period on the graph begins in 1798 when the cost of vagrancy bills was at a comparatively low level - presumably because of the period of near full - employment during the Napoleonic

Wars. The full cost, however, is not shewn on the chart because in this period the expenses incurred by the Bridewells are not included. To 1773 many of the Vagrancy Bills were submitted by the Keepers of the Bridewells. Of 2,554 bills submitted from Trinity 1758, to Easter 1763, for example, 244, almost 10 per cent were from the Bridewell Keepers at Cirencester and Winchcombe. (For some obscure reason none were submitted from Berkeley or Lawford's Gate). After 1798 no vagrancy bills are recorded from the Bridewells. All the Bridewell expenses, except the wages of the masters, chaplains and surgeons, were recorded in one sum for each Bridewell; "Paid to the Keeper of ----- Bridewell." Obviously a considerable proportion of the Bridewell expenses was attributable to vagrancy.

The graph for the period 1798 - 1834 again shows three high peaks; a smaller peak about 1801, two very high peaks with summits in 1820 and 1829. Even the troughs between the peaks shew a steep rise in the expenditure on vagrancy from 1811 to 1834.

There has not been time during the last session of University Extension Classes to consider adequately the causes of these peaks or the local conditions which may have affected them. There are some obvious reasons: Disbandment of the navy, army and militia regiments after 1814; the period of economic depression after the Napoleonic Wars; high price of corn at periods; hardship amongst the Gloucestershire hand-loom weavers as a result of the Industrial Revolution; the invasion by Irish vagrants as a result of near, or actual, famine conditions in that country. It is hoped to do more research on this next session.

The Treasurer's accounts record occasional payments of a fee of one shilling for whipping a vagrant. The first, for Trinity, 1732, reads "Payd the Biddle for whipping a vagrant, 1/-." The others, all between 1746 and 1765, were mostly paid to one Benjamin Baker. (Who he was remains to be discovered). The accounts record the whipping of only 17 vagrants, but whipping must have been much more frequent than this. The Order Book for 1740 records that Anne Smith, a vagrant and incorrigible rogue, was sentenced to remain in Gloucester Bridewell for six months and to be whipped once a month. The Treasurer's accounts record no fee for these whippings. The law was quite definite about the whipping of vagrants. The Act of 1713 (13 Anne c 26) re-affirmed that any person found after obtaining a settlement was to be whipped till the back was bloody and then sent to hard labour in the House of Correction before being passed home. It also ordered that rogues and vagabonds apprehended

in a privy search could, if judged at Quarter Sessions to be dangerous and incorrigible, be ordered to be publicly whipped on three market days in succession at some market town. At Trinity Sessions, 1716, the Gloucestershire magistrates were requested to examine the backs of vagrants passed into the county to see if they had been whipped and, if not, to see whether the reasons for omitting it were expressed in the pass. In 1792 the Act 32 Geo. III c. 45 recited that all rogues and vagabonds ordered to be conveyed by pass were first to be publicly whipped or sent to the House of Correction and that no reward was to be paid for apprehending rogues and vagabonds until they had been punished. It added, however, that no female vagabond was to be whipped, though it is interesting to note that in 1800, according to "The Annals of Winchcombe and Sudeley," six women were publicly flogged for "hedge-pulling." This was under an Act of 1766 "For the better Preservation of Timber Trees, and of Woods and Underwoods" to prevent "idle and disorderly persons" going into woods to make poles, walking sticks, etc.

According to Sidney and Beatrice Webb, whipping was fairly common early in the 18th Century but there is no evidence of any really continuous attempt to carry out the intentions of the Vagrancy Acts, which, by their severity, defeated their own purpose. Whipping was barbaric and the sending of wretched beggars "to the physical horror and moral contamination of the eighteenth century gaol was abhorrent to the thoughtful Justice of the Peace." They state however that in 1787 "a regular epidemic of whipping appears to have broken out." This is in the period for which the Treasurer's accounts are missing.

References to payments for the burial of a vagrant occur eleven times between 1743 and 1767, three at Kingsholm, two at Highnam, three at Cirencester Bridewell, one at Minchinhampton and two at places unspecified. The five on the outskirts of Gloucester had obviously been sent out of the city - probably because they were ill or dying. In 1752 and 1753 the Constable of Kingsholm was paid the expenses of a woman lying-in, and there were occasional payments for maintaining sick vagrants.

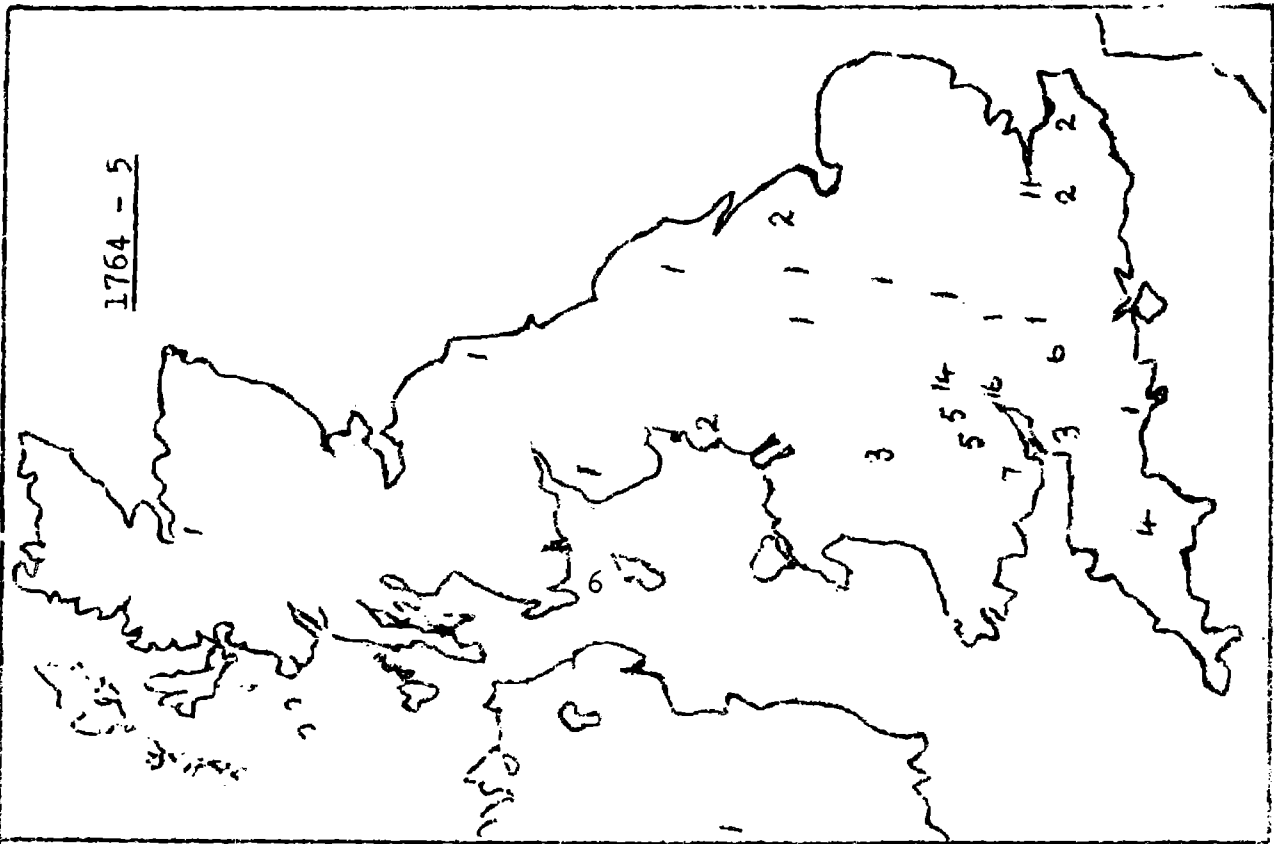
The Act of 1795 stated that "Poor Persons are often removed or passed to their place of settlement during the time of their sickness, to the great danger of their lives." It ordered Justices to suspend execution of removal orders until satisfied that they could be executed safely. The expense of the delay was to be paid by the parish to which they were ordered to be removed. A further act of 1809

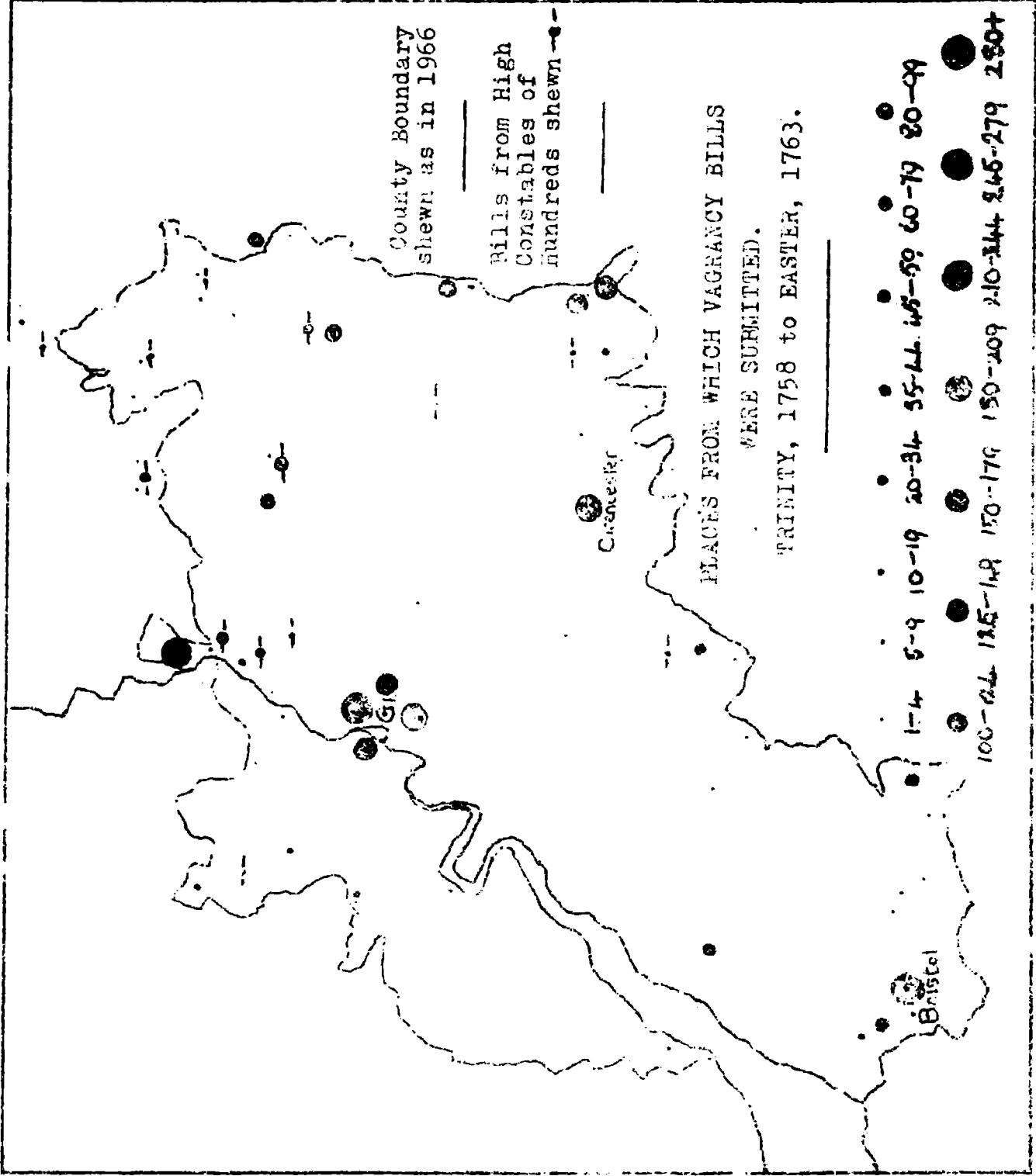
VAGRANTS' PLACES OF SETTLEMENT. (COUNTIES)

1746 - 53



1764 - 5





County Boundary
shewn as in 1966

Bills from High
Constables of
hundreds shewn

PLACES FROM WHICH VAGRANCY BILLS
WERE SUBMITTED.

TRINITY, 1758 to EASTER, 1763.

- 1-4 5-9 10-19 20-34 35-44 45-59 60-79 80-99
- 100-114 115-149 150-179 180-209 210-244 245-279 280+

VAGRANCY BILLS

TRINITY 1758 to EASTER 1763

Submitted by Constables of: -

Parishes on outskirts of Gloucester

Littleworth	196	
Over (52) Highnam (76)	128	
Kingsholm	253	
Wotton (38) North Hamlets (64)	<u>102</u>	679

Parishes on outskirts of Bristol

S. Philip and S. Jacob	284
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Parishes on County boundary

Tidenham	1	
The Lea	12	
Preston (Near Dymock?)	18	
Newent	5	
Corse	2	
Deerhurst	11	
Twyning	240	
Tewkesbury	8	
Aston-under-Hill	1	
Hinton on the Green	1	
Willersey	2	
Welford	3	
Clifford Chambers	6	
(Chipping) Campden	3	
Moreton in Marsh	1	
Little Compton	64	
Adlestrop	1	
Barrington	98	
Little Barrington	8	
Southrop	122	
Lechlade	147	
Ampney (Down?)	2	
Minety	4	
Tetbury	26	
Shipton (Moyne?)	2	
Didmarton	2	
Marshfield	58	
Cold Aston	2	
Wyck and Abson	1	
Westbury on Trym	41	
Henbury	<u>10</u>	902

VAGRANCY BILLS

(2)

Other Parishes

Bourton on the Hill	6
Condicote	1
Winchcombe	4
Cowley	1
Chedworth	1
(Minchin) Hampton	1
Stonehouse	1
Newnham	1
Fairford	15
Siston	2
Pucklechurch	1
Langlyde (? Langley Hundred)	1
Stone	1
Slaughter (Hundred?)	82
Thornbury (Hundred ?)	<u>39</u>

157

High Constables of Hundreds

Westminster	23
Westminster Upper	10
Tewkesbury	38
Tewkesbury Upper	4
Kiftsgate	69
Kiftsgate Upper	17
Kiftsgate Lower	6
Deerhurst	11
Deerhurst Upper	11
Bradley	3
Slaughter	29
Longtree	15
Tibblestone	32
Crowthorne	3
Brightwells Barrow	14
Botloe	<u>3</u>

288

Keepers of Bridewells

Cirencester	186
Winchcombe	<u>58</u>

244

Total: - 2,554

(49 Geo.III c 124) ordered that when husband or wife, or any persons closely related were moved by a Removal Order or Vagrant Pass and the order was suspended because of the illness of one, the suspension should apply to the other persons also.

The Act 5 Geo.IV c 83 (1824) stated that Visiting Justices of Gaols might grant certificates to discharged prisoners to receive alms when on the way to their place of settlement. At Trinity Sessions, 1832, payments are recorded to the High Constable of Westminster Upper (£7. 17s.7d) and the Constable of Littlecrth (£11. 8.11d) for relieving discharged prisoners on pass. Thereafter, until the end of the period, such payments occur each quarter. These sums are not included in the totals of Vagrancy Bills on the chart.

There are numerous interesting references to gratuitous payments to vagrants. According to the law certain people such as discharged soldiers or sailors, could be given a pass permitting them to beg on their homeward journey.

Sufferers from fire could be given a similar pass. These gratuitous payments usually refer to such people. Typical examples are:

"To Eight poor Miserable Seamen as per order, 10s." (Mich.1750)

"Paid to Poor Soldiers and Seamen as per order, 9s." (Mich.1753)

"Gave to Several poor Disabled Soldiers and Seamen and Poor Distressed Women and their Children to help them on their way home, £1.13s." (Easter, 1755)

"Paid to Several Foot passes Begging by order of Mr. Bell."
(Trinity, 1757)

"By an Old Soldier to pass him on his **Jorney** being Ill,
2s.6d." (Easter, 1766)

An interesting item appears in the accounts for Easter, 1749: "To 224 Discharged Soldiers Seamen Wives and Children, £13.16s." Evidently some regiment had been discharged at the end of the War of the Austrian Succession. A rather hurried perusal of the Gloucester Journals for this period revealed no reference to such a regiment being brought into Bristol, but the Journal of January 17th reported that Lord Loudon's Highland Regiment had been disbanded at Yarmouth and that 400 of the men had been given 1s. each as they passed through Norwich. A fortnight later the Journal stated

that letters from Yorkshire reported that the men ■ have suffered extremely by Cold and Want, being retarded by the Severity of the Weather, and not having Sufficiency to carry them Home, and that they make very grievous Complaints as they pass along, some of their Habitations being beyond Inverness." In a callous age, in few ways was the nation more callous than in its treatment of old soldiers and sailors, their wives or their widows. The government could be generous at times; John Churchill got a dukedon and Blenheim. His old soldiers got a permit to beg.

THE MAP shews the places from which the Vagrancy Bills recorded in the Treasurer's Accounts in the five years from Trinity, 1758 to Easter 1763, originated. It will be noticed that they are not distributed evenly over the county; in fact, of all the towns and villages in the county, the constables of only 53 submitted a bill during the whole five years. Bills were submitted by the High Constables of 11 Hundreds and by the Keepers of the Bridewells at Winchcombe and Cirencester. It was, obviously, not possible to place accurately on the map the bills submitted by High Constables of Hundreds. These have been placed somewhere near the centre of the hundred and are distinguished by a red line on either side.

As can be seen, almost all the bills were submitted from the Constables of parishes either on the outskirts of Gloucester or Bristol, or near the county boundary. Those submitted from the county boundary may have been for conveying vagrants apprehended there, or - and probably mainly - for vagrants apprehended in other counties and being passed either into Gloucestershire or through Gloucestershire to some other county. As the bills no longer exist it is impossible to say which, but obviously the bills were for the expense of conveying vagrants into the county.

The bills from the parishes on the outskirts of Gloucester were for conveying vagrants turned out of Gloucester - either apprehended there or being passed through. Those from Kingsholm were for vagrants being sent northwards; from Littleworth to the south, etc. It will be noted that most vagrants were being passed along what is now the A38 from

Worcestershire through Twynning to Gloucester, Bristol and the south and vice-versa, or from London and the South-East through Cirencester, Lechlade, etc.

It must be remembered that a vagrant made two journeys: the first to the place where he was apprehended; the second when he was conveyed back by the constables. The bills only concern the second journey. The first journey he made either at his own expense or - and much more likely - by begging. There seems to have been little attempt in most places to apprehend a vagrant on this first journey. It will be noted, for example, that many vagrants were being passed back from Gloucester through Over or Highnam to Wales and the west. They must have come into Gloucestershire yet almost no vagrants were apprehended on the western boundary of the county.

It seems that so long as a vagrant was making his or her way to some definite place, either in search of employment or for some other reason, he was left unmolested. It was usually when he or she reached that destination, tried to settle there and, finding no work, was reduced to begging, that the vagrant was apprehended. The law was not intended to prevent people going in search of work. The settlement Act of 1662 stated that it was lawful for a person to go to any parish to work in time of harvest, or at any time to work at any other work, if he carried a certificate from the Minister and one of the Churchwardens and one of the Overseers of the Poor in his place of settlement stating that he had a dwelling place there and had left his wife and children, or some of them, there. Such work was not to procure a settlement in another parish. An Act of 1696-7 confirmed this and stated that only when chargeable to the parish to which they had come were they to be removed. The intention of the law was very different from its effect, for an Act in 1795 (35 Geo. III c 101) states that "many industrious Poor Persons chargeable to the place where they live, merely from Want of Work there, would in any other Place, where sufficient Employment is to be had, maintain themselves and their families without being burthensome to any parish, and SUCH POOR PERSONS ARE FOR THE MOST PART COMPELLED TO LIVE IN THEIR OWN PARISHES. etc." It goes on to re-enact that "no poor person shall be removed until he has become actually chargeable to the parish he then inhabits."

Most vagrants in search of employment would, naturally, make for a town and if there was employment available for them they would be welcomed. In the first half of the 18th century, and possibly later, deaths in the towns exceeded births, so some influx of people from outside was necessary to keep up the population, more if the industry and population of the town were to expand. The Industrial

Revolution would not have been possible without the migrants who became "rogues and vagabonds" if, through finding no employment or falling ill when they arrived, they were reduced to the necessity of asking alms.

The map suggests that most of the vagrants apprehended were apprehended in the towns. This suggestion is strengthened by the evidence in Part 2 of this article. The towns were, in effect, able to rid themselves of some surplus workers who were not actually settled there at the expense of the county. It cost little for the city of Gloucester to hand over a vagrant to the Constable of Kingsholm; it cost the county considerably more to convey him from Kingsholm across the county border. The county would also have to pay the expense of conveying a vagrant settled in Gloucester who was apprehended in, for instance, Oxford, from Barrington to Gloucester. The townspeople received some benefit from a nomadic population; the country folk paid the cost.

This is not a finished piece of work. It will be necessary to search the Quarter Sessions Order Books for more information as to the methods and routes employed in passing vagrants, and the rates of expenditure authorised by the magistrates. Were the vagrants "farmed" as in some counties? The accounts and reports of the Bridewells might give more information. It may be possible to read the reports of government Committees appointed from time to time to consider vagrancy, and to note any evidence submitted from Gloucestershire.

In the interests of accuracy some of the figures given need checking, though they are substantially correct.
