

## BURIAL IN WOOLLEN

By WILLIAM KELLAWAY

Felt hats for women under the rank of gentlewoman, woollen linings for coaches and burial in woollen shrouds<sup>1</sup>—these were some of the proposed measures to revive a declining woollen industry in the latter part of the seventeenth century. Of these suggestions, only burial in woollen became law, and it is the purpose of this article to examine this legislation and its application in London parishes.

The idea of infusing new life into the cloth trade by enforcing the consumption of home-manufactured wool was not new. Indeed, it was certainly not later than the reign of Henry III, when the Oxford Parliament decreed that everyone should use home-manufactured wool.<sup>2</sup> A much later attempt to enforce consumption at home was a proclamation issued by James I “for the preventing of the exportation of Woolles. . .” (1622), which, amongst other thing, ordered :

“that when, and as often as upon the occasion of Burials or Funerals, any Blacks be hereafter given or worne; that then such blackes and mourning stuffs shall bee onely of Cloth and Stuffes, made of the Wooll of this Kingdome, and not elsewhere, nor otherwise.”

After the Restoration, the government renewed the old statute which had prohibited the exportation of wool,<sup>3</sup> believing that English wool was better than any from beyond the seas, and that therefore this measure would make it impossible for the foreign manufacturer to compete with the English. Consequently, with the threat of a glutted English market, it became imperative to promote home-consumption. Under these circumstances the idea of burial in woollen was attractive. It was doubly attractive in view of the chronic shortage of rag which, throughout the sixteenth century and for the greater part of the seventeenth century, had made paper manufacture almost impossible. Thus, it was argued, burial in woollen would, at one and the same time, create a demand for wool and, through the implicit ban on linen shrouds, prevent the waste of rags, without which a struggling paper industry could not hope to make its way.

In 1666 “An Act for Burying in Woollen onely”,<sup>4</sup> which had been originally suggested by “the Committee appointed to consider of expedients for Advance of trade and native manufactures”,<sup>5</sup> was passed. The preamble declared it to be “For the Encouragement of the Woollen Manufactures of this Kingdom and prevention of the Exportation of the Moneyes thereof for the buying and importing of Linnen”. It laid down that, as from March 1667 :

“Noe person or persons whatsoever shall be buried in any Shirt Shift or Sheete made of or mingled with Flax, Hembre, Silk, Haire, Gold or Silver

or other than what be made of Wooll onely . . . upon forfeiture of the summe of Five pounds to be employed to the use of the Poore of the Parish where such person shall be buried . . . ”

The forfeiture was to be levied by the Churchwardens and Overseers of the poor by warrant from any magistrate. The second clause excepted persons dying of the Plague.

But the act must be accounted a failure. It is typical of those seventeenth century statutes which, once they had stated their object, showed little thought in creating the machinery necessary to put it into practice. Thus, as the act had given no instructions to parish ministers, the parish registers for the period immediately following 1667 contain no reference whatever to burials in woollen. Similarly, an inspection of the Churchwardens accounts and vestry minutes of twenty London parishes for the same period reveals no evidence of any warrant issued in accordance with the act. Clearly more detailed measures were called for.

In “Reasons offered to the consideration of Parliament against the exportation of wool etc.” (?1677 March)<sup>6</sup> it was argued that as about 20,000 died in London every year, about 140,000 died yearly in England, and that allowing 3 lbs. of wool for a shroud, 420,000 lbs. of wool would have been buried yearly, had the act been successful. The argument continued:

“Had that act been duly observed, it is obvious what a quantity of wool had by this time been consumed and about 60,000 l. *per annum* saved, which is laid out for linen cloth for that use.”

In 1677 a parliamentary committee was appointed to consider the re-enforcement of the act.<sup>7</sup> The resulting bill met with considerable opposition, at least part of which was expressed in the words of one member of parliament: “’Tis a thing against the Customs of Nations.”<sup>8</sup> Another member declared in the House :

“Great men of the *Romish* Religion desire to be buried in the habit of some Order that they devote themselves to, some the *Franciscan*, some the *Dominican*, but all in Woollen. I fear this Bill may taste of Popery.”<sup>9</sup>

However, in 1678 the new Bill became law.

The second act for burial in woollen, (1678),<sup>10</sup> which is more famous, because more effective, than the act of 1666, declared in its preamble that the 1666 act “was intended for lessening the Importation of Linnen from beyond the Seas and the Encouragement of the Woollen and Paper Manufactures of this Kingdome”. Further, it admitted that in the earlier act : “there was not a sufficient Remedy thereby given for the discovery and prosecution of offences against the said Law”. Repealing the 1666 act, it then laid down that :

"noe Corps of any person or persons shall be buryed in any Shirt Shift Sheate or Shroud or anything whatsoever made of or mingled with Flax Hempte Silke, Haire, Gold or Silver or in any Stuffle or thing other than what is made of Sheeps Wooll onely . . . "

and that the coffin should be lined with no material other than wool.

This act, unlike its predecessor, produced considerable contemporary comment. Pope's picturesque line :

"Odious! in woollen! 'twould a Saint provoke. . ."<sup>11</sup>

was by no means the only, though perhaps the most memorable, attack. But criticism of the act was usually incidental to the much wider controversial issue of the day: whether the encouragement of a home industry was better served by promoting home consumption, or by seeking foreign markets. An example typical of the former argument was that used by J. B. in his "Account of the French Usurpation upon the Trade of England. . ." 1679:

"The late Statute for burying in Woollen, if duly put in Execution, will consume much of our Wool, and preserve the Linen Cloth for making of Paper, which will save this Nation some hundred thousand Pounds a Year."<sup>12</sup>

The soundest adverse critic was Charles Davenant:

"I have often wonder'd upon what Grounds the Parliament proceeded in the Act for Burying in Woollen: It occasions indeed a Consumption of Wool, but such a Consumption, as produces no advantage for the Kingdom.

"For were it not plainly better that this Wool made into Cloth, were Exported, paid for, and worn by the Living abroad, than laid in the Earth here at home. "And were it not better, that the Common People (who make up the Bulk and are the great Consumers) should be bury'd in an old Sheet, fit for nothing else, as formerly, than in so much new Wooll, which is thereby utterly lost.

"The natural way of promoting the Woollen Manufacture is not to force its Consumption at Home, but by wholesome Laws to contrive, that it may be wrought cheaply in England, which consequently will enable us to command the Markets abroad."<sup>13</sup>

Wholesome or no, the act of 1678, in its attempt to force home consumption of wool, provided extraordinarily detailed machinery for achieving its purpose. Affidavits, declaring that the corpse had been buried in woollen only, were to be made by one or more relatives of the deceased before a magistrate and under the hands and seals of two witnesses. An additional act of 1680<sup>14</sup> empowered parsons, vicars or curates (but not the vicar of the parish where the burial had taken place) to administer the oath. Within eight days of the interment, the affidavit was to be handed to the minister, who must then enter its receipt in a special register of burial in woollen.

However, if the minister did not receive the affidavit within eight days he was directed to give notice in writing to the churchwardens and

overseers of the poor, and to make a memorandum to this effect in his register. The churchwardens were to present the minister's notice to a magistrate who was to issue a warrant for the distress and sale of the deceased's goods to the value of five pounds—half of which was to go to the parish poor, the other half to the informer. (The act failed to make clear who the informer was: whether the minister or churchwardens themselves could be regarded as such, or whether the informer must be another person.) The penalty if minister, churchwardens or magistrate failed in carrying out their duty was five pounds, a quarter of which was to go to His Majesty, a quarter to the informer and the remainder to the poor of the parish.

Further, the overseers of the poor were ordered to give account of all burials made, and when these were exhibited at Quarter or Petty sessions or before any two justices of the peace in monthly meetings, the accounts must contain details of the names and quality of those buried, the date of interment and whether the act had been observed. Moreover, the act again took the precaution of exempting from its rigours persons dying of the plague. It ordered that the act should be read on the first Sunday after the Feast of St. Bartholomew, after divine service, every year for seven years. *Finally it ensured protection for those enforcing it.*

So much for its provisions. However, a study of London parish records shows considerable deviation from the machinery of the act. In fact administrative practice within the parish was, from the beginning, only a rough approximation to the statutory provisions, and in later years, not even that. Nor is it possible to generalize with any certainty, as the efficiency of parochial government varied, not only from parish to parish, but also from year to year. Nevertheless, in the years immediately following the act, burial in woollen was enforced. However individual practice might differ, it is clear that all London ministers insisted on the receipt of the affidavit, and thus it was on the affidavit, primarily, that the effectiveness of the act depended.

The wording of the affidavits varied: the following is one example:  
 "Thomas Dean of the parish of St Andrew Undershaft London makes oath that the body of Mr. Abraham Korten late of the parish of St. Dunstan which was buried at the Dutch Church in Austen friers on Thursday ye 28 of October was wraped up in no dress nor put into any coffin that was lined or faced with any material but what was made of sheeps wool only  
 Sworn ye 4th November 1742  
 Before me: John James [signature]  
 Witness: Thomas Arbuthnot [signature with seal]  
 Mary Newman [signature with seal]"<sup>15</sup>

Often the declaration was made on a printed form,<sup>16</sup> generally headed with the skull and cross-bones and sometimes bearing at one side a

woodcut representation of the corpse enshrouded in woollen<sup>17</sup>, though a less macabre effect was sometimes achieved by depicting cherubim.<sup>18</sup> But few of these affidavits have survived.

The registers, in which the affidavits were to be entered, have fared no better: for example, there are only six registers of burial in woollen to be found in a random sample of sixty London parish archives. And the ultimate reason for these *lacunae* is plain: since the act of 1678, there were two places in which entries relating to burials should be made by the minister: first, there was the new register of burial in woollen; but second, there was the ordinary parish register of burials which had already been kept for generations. Thus, it is probable that many of the registers of burial in woollen were later discarded as waste books, while in some of the survivors a nineteenth century hand has written on the fly-leaf: "this appears to be a duplicate of the vellum register". Again, a note occurs in the parish register of St. Mary le Bow<sup>19</sup>:

"The Burials in this register from September 1678 to the end of Dec 1697 were faithfully transcribed from a paper register which had been kept by Mr. Astley, the Parish Clerk, during his life per me Sam. Bradford. [signature]

However, not all ministers burdened themselves with the keeping of two separate registers. Sometimes, a significant gap in the ordinary register of burials occurs for a few years following 1678; this can be seen, for example, in the register of St. Alphage London Wall.<sup>20</sup> But, more commonly, and particularly in small parishes, the current register of burials was made to do the work of the register of burial in woollen; it was here that the receipt of affidavits was often scantily recorded, by such phrases as "affidavit brought", "affid fil'd", "in woollen", or "Aff", "avid", or simply "A", and occasionally the date of receipt was also given.

This simplified practice is in marked contrast to the early entries in the prescribed registers of burial in woollen. These usually began as follows:

"A Register book for ye parish of St. Stephen Colmanstreet London giving an accompt of all persons that have beene buried 'in Woollen according to a late Act of Parliament commencing from August ye second 1678."<sup>21</sup>

Often, they would then proceed, as in the register of St. Peter Paul's Wharf,<sup>22</sup> to give the date of burial, the name of the person buried, the date of the affidavit, the name of the person who made oath, and the magistrate's name, together with the names of the two witnesses. It is interesting to notice, in passing, that even in London, where magistrates were plentiful, wide advantage was taken of the additional act of 1680,<sup>23</sup> which empowered parsons or vicars to administer the oath.

But the zest of those who kept registers of burial in woollen rapidly declined; as the years went by, the entries were abbreviated; worse, by 1700, many London parishes had altogether dispensed with the business of entering the receipt of affidavits in either register. Perhaps the government was now less vigilant in its supervision: twenty-two years earlier, an order was issued to all parish ministers:

“ . . . to permit Richard Hill, Christopher Broughton and Henry Million and all other persons who shall desire the same to view and take copies of all registers and affidavits made or kept in pursuance of the said Act, to the end that such as shall be found offenders may be prosecuted according to law” dated Whitehall, October 26 [1678].<sup>24</sup>

The more detailed instructions of the act appear to have been generally ignored from the start. For instance, where a burial in linen has taken place, it is seldom that the minister makes the prescribed memorandum in his register that he has notified the churchwardens on a certain date. However, one example of this procedure as laid down by the act is to be found in the Register General (used as a register of burial in woollen) of St. Ethelburga within Bishopsgate:<sup>25</sup>

“John Bleachley was buryed November the 26 but noe Affidavitt was brought to me John Evans, Rector of St. Ethelburg Lond: within the time limited by the Act . . . Which neglect I certified to the church wardens for the time being the 9th day of December 1679

Richard Lucas [signature] Church warden.”

The usual entry where the law had been broken was merely—“in linen”, sometimes adding that the sum of £2 10s. had been paid to the churchwarden in consequence, and occasionally giving the name of the informer.

Examples of the minister’s notification to the churchwardens that no affidavit had been received are, as one would expect, extremely scarce, because they were presumably retained by the magistrate who issued the warrant for the distress and sale of the deceased’s goods. However, in the records of St. Stephen Walbrook, one of these notifications has been preserved; it is addressed to the churchwardens of the parish, and certifies that:

“John Moyer infans of the parish aforesaid (not dyeing of the Plague) was buried in the parish . . . [on 13th June 1679] as by the parish Register appoynted for that purpose it doth and may appeare And further that there is no Affidavitt and Certifycate brought me that the Corps of the said John Moyer infans was intered according to the directions of a late Act of Parliament entituled an act for burying in Woollen. In testimoney whereof I have hereunto sett my hand . . . [21st June 1679] Robert Merriot [signature] Rector.”<sup>26</sup>

The exhibition of burial accounts at quarter sessions was never enforced in the city of London. In the London sessions papers two

accounts, both for the parish of All Hallows Barking, were exhibited, the first for the months August-September,<sup>27</sup> and the second for the months October-December, 1678.<sup>28</sup> These appear to have been the only accounts exhibited. Each is headed :

“An account exhibited by ye Churchwardens and Overseers for ye Poore of this Parish to his Majesties Justices of the peace for ye Cittie of London (at ye Quarter-Sessions holden at Guildhall) Containing ye Names and Qualities of ye persons Buried within ye said Parish . . . ”

Other matters relating to burial in woollen in sessions records are to be found in the Middlesex sessions. In 1678,<sup>29</sup> Elizabeth Jackson petitioned the justices to the effect that her husband had been buried in linen, “in Southstreet Chappell,” in the parish of Edmonton. She had paid 50/- to Thomas Martin, churchwarden, but the minister, “being desirous to gaine fifty shillings to himself”, caused the said Thomas Martin to destrain the petitioner’s goods for £5 and she was forced to deposit that sum in Martin’s hands. Martin was ordered to return the said £5.

Another petition<sup>30</sup> to the justices at Quarter sessions (Jan. 1679-80) from the churchwardens of Stepney, complained that the Jews had a burying place at Mile End “where they bury their dead in Linen.” Forfeitures were duly made, but these were not divided amongst the hamlets of Stepney. In January 1680/81, the complaint still remained unrectified and the justices ordered the minister to produce the register of burials and give information of what affidavits had been brought to him in the last year.<sup>31</sup>

Nevertheless in its earlier years the act often gave the parish coffers a considerable income. No doubt Mandeville was right when he wrote in 1723: “At first nothing could be more shocking to Thousands of people than that they were to be buried in Woollen.”<sup>32</sup> Certainly the number of forfeitures exacted was comparatively large in the first decade after the passing of the act. In the parish of All Hallows Barking, between August and December, 1678, there were, amongst some fifty burials in woollen, five burials in linen; the vicar’s wife was one of the five.<sup>33</sup>

Evidence of the receipt of the fine for burial in linen is to be found in the churchwarden’s accounts. This usually occurs in the following form :

“Dec. 1731 By burying Eliz Watson in Linen £2 10s.”<sup>34</sup> However, the absence of such an entry does not necessarily mean that a burial was in woollen. For instance, in the register of burial in woollen for the parish of St. Bartholomew the Great,<sup>35</sup> we find an entry for 27 December, 1678 with the remark :

“A warrant issued by Sir William Turner but no distresse cold be made.”

In the same register the minister has, in typical fashion, taken the law into his own hands, entering in the register :

"Noe affid. made he being poor."

Again, there is the entry (which is one of several) 11 August, 1678 :

"Noe affidivat made he beinge buried in Herbs."

or simply the note : "Covered with sweet Herbs."

Thus could the poor escape the strictures of the act. The rich, of course, could afford to be contemptuous towards it. Anderson, in his "*Origin of Commerce*", had commended the act but had explained :

"such still is the vanity of many of the rich and great, that they continue to pay the penalty, rather than not adorn their deceased friends' bodies with fine linen, lace, etc. though so contrary to our true national interest."<sup>36</sup>

Certainly the man who was buried in linen was generally well-to-do, as can usually be ascertained, either from his title, or from the gifts he made to the parish during his life time. Occasionally it became traditional for members of a wealthy family to be buried in linen : the Whiting family in the parish of St. Bartholomew the Great, for example, or the Houblon family in the parish of St. Benet Paul's Wharf.

It has been suggested by W. E. Tate in "*The Parish Chest*" that "it was usual for a member of a family to act as informer, and so in effect reduce the penalty from £5 to £2 10s." Certainly it is difficult to find any trace of this collusive arrangement in London parishes, though Tate gives an interesting example of its occurrence in Yorkshire. In many instances it would appear that the minister issued his notification to the churchwarden, not on the grounds that the corpse had been buried in linen, but on the grounds that no affidavit had been received within eight days of the interment. In such cases, as presumably there was no informer, the executors, or those responsible under the act, would only have to pay the churchwardens £2 10s. for the use of the parish poor.

So much for cases of divergence from the law. But where the act was enforced with any degree of efficiency, most people were buried in woollen, the cost of a cheap woollen shroud<sup>38</sup> being preferable to a heavy fine.

The act was, indeed, instrumental in creating a new industry. A French visitor to England at the end of the seventeenth century wrote at length concerning funeral customs in England, giving a detailed description of burial in woollen,<sup>39</sup> and pointing out that :

"Faire ces *Accoustremens* & les vendre, est un art, & un négoce particulier, qui s'exerce par les Lingeres & quelquefois par des gens qui ne font que cela, comme s'exercent toutes sortes de metiers. Tellement que ces habits de morts se trouvent tous faits, de tout prix & de toute grandeur, pour des personnes, de tout âge & de tout sexe."



At least one such maker of woollen shrouds lost no time in setting herself up. In 1678 the following advertisement appeared in the *London Gazette* (12-15 August):

"Whereas decent and fashionable laced Shifts and Dressings for the Dead, made all of Woollen have been presented to His Majesty by *Amy Potter* Widow (the first that put the making such things in practice) and His Majesty well liking the same, hath, upon her humble Petition, been Graciously pleased to give her leave to insert this Advertisement, that it may be known that she now wholly applies her self in making both lace and plain of all sorts, at reasonable Rates; and lives in *Crane Court* in the *Old Change* near *St. Pauls Churchyard*."

By 1750, the provisions of the act were generally ignored in London parishes; affidavits and the recording of their receipt were most unusual, and the number of forfeitures accounted for by the churchwardens declined throughout the eighteenth century. This may be partly explained by Mandeville's remark :

"By this time [1723] Burying in Linen being almost forgot, it is the general opinion that nothing could be more decent than Woollen, and the present Manner of Dressing a Corps . . ." <sup>40</sup>

However, occasional fines for burial in linen were recorded during the second half of the eighteenth century and there is a very occasional example to be found in the first fourteen years of the nineteenth century.<sup>41</sup>

In country areas, the act seems to have been enforced with greater vigour. In Essex, the receipt of affidavits was still being recorded in twenty-five parishes after the middle of the eighteenth century.<sup>42</sup> That ten of these fall within the Tendring Hundred suggests that the country justices, unlike those of London, may have insisted on compliance with the law. The parish of Rivenhall was making entries for burial in woollen in its parish book until 1821,<sup>43</sup>—seven years longer than was necessary, for the acts relating to burial in woollen were repealed in 1814.<sup>44</sup>

#### NOTES

1. David Ogg. *England in the reign of Charles II*, 1934, Vol. I, p. 71.
2. Herbert Heaton. *The Yorkshire woollen and worsted industries*, 1920, p. 252.
3. 12 Car. II cap. 32.
4. 18 & 19 Car. II cap. 4.
5. *Journal of the House of Commons*, Vol. 8, p. 650.
6. *Calendar of State Papers Domestic*, 1677-8, pp. 69-71.
7. *Journal of the House of Commons*, Vol. 8, p. 440.
- 8 & 9. Archibell Grey. *Debates of the House of Commons . . . 1667-1694 . . .* 1763, Vol. 5, p. 155.
10. 30 Car. II cap. 3.
11. Alexander Pope. *Moral Essays*, Epistle I, ll. 246-251.
12. Quoted by John Smith. *Chronicon Rusticum Commerciale*, 1747, Vol. I, p. 331.
13. Charles Davenant. *Essay on the East-India Trade*, 1698, pp. 26-7.
14. 32 Car. II cap. 1.
15. Guildhall Library Ms. 7387, f. 3284.

16. For an illustration of one of these see W. E. Tate, *The Parish Chest*, 2nd edit., 1951, pl. VIII.
17. Guildhall Library Ms. 7387, ff. 3280-3288.
18. *Essex Parish Records, 1240 1894*. 1950, p. 134.
19. Guildhall Library Ms. 4997.
20. Guildhall Library Ms. 5746/1. Burial entries cease in August 1678, and do not recommence until 1699 in Ms. 5746/2.
21. Guildhall Library Ms. 4451/1.
22. Guildhall Library Ms. 5724.
23. 32 Car. II cap. 1.
24. *Calendar of State Papers Domestic, 1677-8*, p. 484.
25. Guildhall Library Ms. 4236/1.
26. Guildhall Library Ms. 3611/4.
27. Guildhall Records Office, Misc. 87.3
28. Guildhall Records Office. Sessions papers 1678.
29. Middlesex County Records. Calendar of Sessions books. Sessions book No. 357, p. 37.
30. *Idem*. Sessions book No. 370, p. 29.
31. *Idem*. Sessions books No. 382, p. 39.
32. Bernard de Mandeville. *The Fable of the bees*, 6th Edit. 1732. Vol. I, p. 378.
33. Guildhall Records Office. Sessions papers 1678 and Misc. 87.3.
34. Guildhall Library Ms. 878/3. St. Benet, Paul's Wharf.
35. Guildhall Library Ms. 6780.
36. Adam Anderson. *Origin of commerce*. 1790. Vol. 3, p. 69. This remark is copied *verbatim* by Macpherson. *Annals of Commerce*, 1804. Vol. 2, p. 592.
37. P. 68.
38. It is difficult to ascertain the price of woollen shrouds. Certainly for simple shrouds the price was very low. Tenders for deal coffins and woollen shrouds in 1760 for the burial of the parish poor seem to have ranged from 2 shillings each for persons under seven years of age and 4 shillings each for persons over seven years of age, while a tender for deal coffins only was 3 shillings and 9 pence for a large coffin and 1 shilling and 6 pence for a small one. (St. Giles Cripplegate. Guildhall Library Ms. 8481.)  
 In 1793 an undertaker was charging the churchwardens of St. Katherine Creechurch 6 shillings and 6 pence for burying a pauper in woollen, and by 1801 the charge had risen to 8 shillings. (Guildhall Library Ms. 7720.)  
 The shroud itself must have represented a very small proportion of these charges.
39. Henry Misson de Valbourg. *Mémoires et Observations faites par un voyageur en Angleterre*. 1698, pp. 129-134.
40. *Fable of the bees*. Vol. I, p. 378.
41. E.g. Guildhall Library Ms. 524/2. St. Michael Wood Street, churchwardens' accounts.
42. *Essex parish records, 1240-1894*. 1950. p. 6
43. *Idem*.
44. 53 Geo. III cap 108.