



**MONASH** University

***Petitioning 'John Company': Women and the English East India Company, 1600-1635***

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*(Bachelor of Art (Hons))*

A thesis submitted for the degree of (*Master of Arts*) at  
Monash University in (2018)  
(*School of Philosophical Historical & International Studies*)

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## **Abstract**

This thesis examines how ordinary women, wives, widows, mistresses, sisters and nieces negotiated the political and economic bureaucracy of the English East India Company in the first three decades of the seventeenth century. The English East India Company (EIC), informally known as ‘John Company’, has been viewed primarily as a masculine enterprise, with little attention paid to the role of women, particularly in its early decades. This thesis focuses on hundreds of previously neglected petitions presented to the Court of Committees, the organisation's governing body, by women, between 1600 and 1635. It examines petitions and requests made by women across the social hierarchy, how they interacted with the organisation, and how this determined the success or failure of their appeals. By analysing these documents, the nature of these women's requests and how the Company responded, this thesis sheds new light on an organisation that has been viewed almost exclusively in terms of its male employees.

## Declaration

This thesis contains no material which has been accepted for the award of any other degree or diploma at any university or equivalent institution and that, to the best of my knowledge and belief, this thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

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## **Acknowledgements**

First and foremost, I wish to acknowledge the wonderful and supportive supervisory team, Associate Professor Adam Clulow, Associate Professor Carolyn James and Dr Katherine Ellinghaus, without whose expertise and encouragement this would not have been possible. My eternal gratitude is most sincerely extended.

I would also like to extend my thanks to Dr Kathleen Neal for her support and advice and for the opportunity to be a part of the teaching team for Medieval Worlds, which in turn helped me to develop my skills as a historian and researcher. And to Dr Anne Holloway for her insightful and much welcomed suggestions and advice, as well as a shoulder for assorted other things! Thanks also to the wonderful library team in the Sir Louis Matheson Library at Monash University, in particular Melanie Thorn, subject librarian for Historical Studies for always alerting me to the addition of amazing resources.

Thanks also to amazing and warmly nurturing academic team in the History program in the School of Philosophical, Historical and International Studies, as well as my fellow HDR's for the sense of comradery and support. I would also like to extend my gratitude to Margaret Makepeace for her inspiration and encouragement. Her research on the labourers for the Company helped to inspire my investigation into early women petitioners and her warm and gracious advice on how to navigate the archive was most welcome and appreciated.

I wish to also thank Monash University for the wonderful opportunities available to Higher Degree candidates. In particular, funding for the research trip to London in February 2017, allowing me to access a wealth of primary source material. I am also very grateful for the comments and suggestions made by the two distinguished examiners which greatly enriched the final version of the thesis.

Finally, I would like to thank my children, who always inspire me to continue my quest for knowledge, and my life-long and dearest friend, Peggy Elizabeth. It was she who kept pushing me when it all got too hard.

Although I have not named them all, I would like to recognise each and every woman who petitioned the English East India Company in the early decades of the seventeenth century. Their voices and resilience have inspired me, and I can only hope I have done some small justice to these remarkable individuals by unearthing them from the archive.

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## INTRODUCTION

In 1624, Elizabeth Throckmorton, the widow of a senior English East India Company official, launched a legal war against her husband's former employer. In petition after petition, she accused the Company of trying to cheat her out of clear rights to her husband's estate. Over the subsequent years, Throckmorton rallied a network of powerful allies, commissioned a petition to be made public and employed a series of agents to advocate on her behalf. Around the same time, another woman, Thomazin Powell, pleaded before the Privy Council to intervene on her behalf concerning her claim to inherit the goods her deceased son had acquired during his time with the Company, as well to be given compensation for his death. Powell had appeared before the Court of Committees, the organisation's governing body, and the executive arm that was responsible for the daily running of business, on several occasions.<sup>1</sup> While its members had initially been sympathetic to her situation, they eventually resisted her pleas, as she had taken her cause outside of the Company's sphere of influence and repeatedly refused its offers. Both Throckmorton and Powell could bring some resources to bear, but the Company also received petitions from far humbler women. Ann Collins received a payment of forty shillings that was extended to her out of her husband's wages. Ann's request was small, but it was also, unlike Throckmorton and Powell's petition, successful.

This thesis examines how the wives, widows, mistresses, sisters and nieces of employees of the English East India Company negotiated with the organisation's political and economic bureaucracy in the first decades of the seventeenth century. It focuses on hundreds of previously neglected petitions presented to the Court of Committees between 1600 and 1635. The thesis

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<sup>1</sup> The Court of Committees often referred to itself as 'the Court' or, alternatively, the 'Committees'. In keeping with this I have referred to either 'the Court' or the 'Committees' where relevant.

examines three broad groups of women that I define as elite, ‘middling’ and poor women. These are inexact terms, but they refer broadly to the ability to access varying levels of resources. Elite women were privileged, they were a part of powerful families and they had access to potent allies and institutions. I use the term ‘middling’ here to define those women who were either directly or through their husbands and families in some way involved in the business of trade and commerce and were required to work for their incomes, and included, but were not limited to, yeoman, husbandmen farmers and artisans to merchants and government, and Company officials.<sup>2</sup> They could and did petition multiple times and could access external resources, albeit always on a much smaller scale. Poor women were afforded none of these opportunities and their only recourse was a petition to the Company’s Court of Committees.

I argue that the Company’s response to petitions effectively inverts standard expectations. In contrast to what might be expected, power and privilege proved to be obstacles not aids to the negotiation process. Unlike the political sphere, where the pulling of strings and the claiming of favours from the powerful were likely to help elite petitioners and lobbyists, the evidence presented here shows that poor women stood a far greater chance of cautiously measured munificence from the Company if their approach was humble, their requests small, and made only once. Middling women faced stern opposition if they repeatedly petitioned the Company or chose not to accept the Court of Committees’ decision. Resistance from the Company was particularly evident if women appealed to authorities outside of the organisation. Elite, privileged petitioners, with greater access to individuals and institutions willing to serve as advocates, faced outright refusal and condemnation in some cases.

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<sup>2</sup> This ‘middling’ class was neither very rich nor very poor, as is often where a good majority of scholarship focuses. For a comprehensive and thorough examination of who could be categorised as the ‘middling sort’, see Jonathan Barry & C. W. Brooks, *The Middling Sort: Culture, Society and Politics in England, 1550-1800*. (New York; St Martin’s Press), 1994.

In this way, the thesis as a whole argues that we can see clear patterns once we look across the broad range of hundreds of petitions by women. Chapter 1 shows, via the focus on a high-profile case, the incapacity of some elite women, even with all possible resources, to achieve results. Chapter 2 shows a more mixed picture, in which some petitions could yield a positive outcome. Chapter 3 shows something of a paradox: women with the fewest resources in some ways achieving the most. Put together, the thesis shows a Company with open avenues to access benevolence but only along very narrow and clearly defined tracks.

The English East India Company, colloquially called “John Company” has been understood as an essentially masculine enterprise, run and populated by innovative male merchants and sailors. But the wives, widows, sisters, cousins, mistresses and nieces of these men did not just passively watch their husbands, sons and brothers go off to work for the Company. Instead, elite and non-elite women petitioned, fought with and manipulated the organisation to their own ends. My thesis aims to put women back into the history of the early Company and to shed new light on how they negotiated the political and economic bureaucracy of the organisation in the first few decades of the seventeenth century, a period neglected by historians of the Company. It will do so by focusing on women in London, where the Company had its headquarters, and by using legal documents directed to and produced by the organisation. My research shows that women were a vital part of the history of the organisation, and that they negotiated and manipulated the corporate bureaucracy, influencing both the Company’s structure, as well as its interactions with its employees and associates.

## **Origins and Early Development**

The English East India Company was not the first chartered company but it was arguably the most famous. And while it would emerge as a supremely powerful organisation and a driving force behind Britain's later imperial expansion, the Company in the period focused on here, was in its infancy and particularly vulnerable to a variety of competing factors. Its success was never assured.

Although 'companies' of various sorts had been in existence since early antiquity, chartered companies had their origins in merchant guilds of the medieval period. Chartered English companies such as the Muscovy Company, the Levant Company and the Virginia Company, among others, operated from the mid-sixteenth century, seeking to form both commercial and political alliances. Chartered companies allowed merchants to band together, under official agreements, generally with the crown or 'states' patronage and endorsed permission, to maximise commercial gain through trade. These agreements granted permission to merchants over specific geographical locations as well as for specified lengths of time. Any merchant or operative found to be engaged in trade outside the charter's stated regulations faced punitive measures. By the nature of their organisational structure they were politically and economically complex entities.

The EIC started life in 1600. On 31 December, after petitioning the crown, a group of English merchants received a charter from Elizabeth I. The charter granted to them exclusive trade privileges in the East Indies for fifteen years. The organisation's first expedition was dispatched in 1601. The capital raised from the first investment went toward the purchase of four ships and a smaller victualing vessel, as well as outfitting these with both men and

provisions, including the bullion to be used in exchange for goods. Captain James Lancaster, well versed in both mercantile interests and soldiery, was chosen to lead the first voyage. Having served under Sir Francis Drake and undertaken several voyages to the Indies, the Company chose their commander well. In February, Lancaster set sail in the flag ship the Red Dragon, along with four other vessels, for the Company's first journey into the East Indies.

The expedition proved to be a success, although it was not the financial sensation that was hoped for.<sup>3</sup> Success lay in the enormous and extremely valuable experience of the journey itself, as well as the establishment of a trading factory in Bantam and the return of 500 tons of peppercorns.<sup>4</sup> The subsequent early voyages following Lancaster's initial one, were separately financed. Investment was raised for each of these early expeditions on a voyage by voyage basis and were wholly dependent upon the success of the voyage before, as each venture was dissolved upon its return and dividends paid out. These early voyages had their successes, but they were tempered with occasional heavy losses. Misfortune in the shape of lost ships, lost men and most importantly lost revenue.<sup>5</sup> Following the death of Queen Elizabeth I in 1603, her successor James I would renew the Company's charter for an indefinite period.

Though very new, the Company was also a complex organisation. The organisational structure of the Company consisted of two main arms, the Court of Proprietors and the Court of Committees. The Court of Proprietors was comprised of all those with voting rights, that is all those who had the minimal investment needed to exercise those rights, it was several hundred members strong and met infrequently, having little to do with the day to day running of the

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<sup>3</sup> John Keay, *The Honourable Company: A History of the English East India Company*, (United Kingdom; Harper Collins, 1993), 24.

<sup>4</sup> Keay, *The Honourable Company*, 24.

<sup>5</sup> Rudolph Roberts, *Chartered Companies and their Role on the Development of Oversea Trade*, (London: G. Bell and Sons, 1969), 65,66 &67.

organisation.<sup>6</sup> It was, however, charged with overseeing all activities and debating policy.<sup>7</sup> The second arm of the enterprise and the one that directed all the daily and weekly concerns of business, was the Court of Committees.

The Court of Committees consisted of the governor, the deputy governor and the twenty-four directors who were elected by the Court of Proprietors annually in April of each year. The Court of Committees, charged with making policy decisions, was a powerful body, due in main, to its equally powerful and influential members. Its function was to make decisions regarding the recurrent issues of purchasing goods, communication with its overseas agents, managing sales and a host of other things which were in turn delegated to a series of highly important sub-committees.<sup>8</sup> Each of the twenty-four directors was assigned one of ten existing committees, the three most important of these being the Committee of Correspondence, the Committee of the Treasury and the Committee of Accounts.<sup>9</sup> Its powerful and influential members were senior associates of London livery companies and leading figures in businesses that were relevant to the organisation. The Company's first governor, Sir Thomas Smythe was both a leading figure in the Muscovy and Levant Company, as well as having substantial interests in the new North American colonies.<sup>10</sup> Succeeding Smythe as governor was Sir Morris Abbot, both a member of the Levant Company as well as the Mercers Guild in London and a substantial exporter of cloth and spices, two vital commodities to the Company. These powerful men had considerable political, as well as commercial influence over the Company's relationship with other entities.

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<sup>6</sup> John Keay, *The Honourable Company*, 26.

<sup>7</sup> Nick Robbins, *The Corporation That Changed the World*, (United Kingdom: Pluto press, 2006), 30.

<sup>8</sup> Keay, *The Honourable Company*, 26.

<sup>9</sup> Nick Robbins, *The Corporation That Changed the World*, 32.

<sup>10</sup> Keay, *The Honourable Company*, 26.

The “Governor and Company of Merchants of London, Trading into the East-Indies” from the outset envisioned a clearly defined goal and conceived of itself as “one body corporate and politik, in Deed and in Name”, a group of individuals bound together by investment and functioning as a single entity.<sup>11</sup> This sense of fraternity is echoed in the words copied into the Court book along with a sense of permanence for the organisation’s “heirs and successors” suggesting that this enterprise was intended to exist for now and into the future. The charter went on to detail the complex nature of how the business would function, who would be answerable to whom and stated quite clearly its boundaries, both ideological, economically and geographically. Each of the roles of all those involved were very clearly defined.<sup>12</sup> By 1621 the Company had almost one hundred pages of rules and orders. These would be published the same year in *Laws and Standing Orders*, outlining and codifying the role and duty of both employees and management, as well as the rules of governance and internal control mechanisms.<sup>13</sup>

But the Company still faced considerable odds. Factors such as intense competition from the Dutch, ongoing conflict between the crown and the parliament and the fickle nature of the commodities market, made the enterprise vulnerable. While its investment returns may have been reasonable, these voyages always ran the risk of ending in disaster. The loss of manpower and goods cost the organisation dearly. The Dutch had long been established in the Indies and

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<sup>11</sup> IOR/A/1/2, 4.

<sup>12</sup> Both the charter and the *Laws and Standing orders* are complicated and detailed documents. The charter itself lists the names of all those who had signed on in order to petition the crown for the charter. It lists the name and role of each petitioner, it states the Company’s intention and details and repeats exactly what it is and what its proposed motivations are. The charter is a long and complicated document detailing the official role the Company planned to implement. The *Laws and Standing Orders*, published in 1621, is, again, a long and complicated piece. It differs from the charter, in that the *Laws* clearly establishes the role of the committees and sub-committees, as well as the role and expectation of each ‘department’. The *Laws* also makes it quite clear who is responsible for what and when, where and to whom these reports must be presented and the manner in which they need to be done. It is in these two documents that a hint of the later Company can be glimpsed.

<sup>13</sup> Dorota Dobija, *Emergence of Corporate Contract Set, Governance and Accountability: Standing Orders of The East India Company, 1600-1621*. Kozminski Working Papers Series, Kozminski University; Warsaw, 2009, 11.

had a hugely successful track record. Competition over the spice trade in the Indies would place pressure on the political relationship between the two rivals and would eventually see relations deteriorate badly, particularly in view of the Amboyna incident in 1623 which saw the torture and execution of ten English agents of the Company.<sup>14</sup> The English would eventually abandon a heavy investment in trade with the Spice Islands by the late 1620's. Notwithstanding the political fallout from the incident at Amboyna, ongoing conflict between the crown and the parliament was also a source of anxiety to the Company, particularly in light of the King's renewal of the charter. Competing interests made the organisation vulnerable to rival personalities and their own interests. In addition to these anxieties was the fickle nature of the London trade market. In 1603, critical of the wisdom in investing in the spice trade, there were some in London who questioned the sense in exchanging bullion for an inessential item such as pepper.<sup>15</sup> What had proved to be a boon for the first voyage, tons of peppercorn on its return, soon turned to disappointment for the Company when the London market was awash with pepper, setting prices plummeting.<sup>16</sup> Competing interests, political, economic and personal, combined to highlight the precarious nature of the Company's early existence, but by the close of its first two decades the organisation had firmly established itself.

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<sup>14</sup> The 'Amboyna Massacre', as it was referred to by the English, was the arrest, torture and execution of at least twenty men. Ten of which were agents of the Company. When news reached London, this incident caused diplomatic chaos between the Dutch and the English. The Amboyna Massacre is a regular topic of discussion for the Court of Committees throughout almost all of the 1620's.

<sup>15</sup> John Keay, *The Honourable Company*, 24&25.

<sup>16</sup> John Keay, *The Honourable Company*, 25.

## Historiography

The Company was hugely important in global history and it has, not surprisingly, generated a range of different studies. In broad terms, they have adopted three general approaches: a general overview approach, a focus on politics and a focus on economics. The general approach is typified by the work of John Keay. Keay examined the Company's history across several disciplines from the political to the imperial. In *The Honourable Company: A History of the English East India Company*, he analysed the early decades of 1600-1640, when the Company undertook its first precarious voyages to the Indies, encountered fierce competition from the Dutch and became involved in the diplomatic fallout of incidents such as the Amboyna Massacre. He has also studied the organisational structure of the Company's bureaucracy and discussed the Company's fluctuating fortunes, its difficulty in maintaining trade in the Indies and its shift to focus on India, against a backdrop of decades of ongoing conflict with the Dutch. Keay examined, too, the move to territorial power, in the period after 1710, and the organisation's eventual decline by the middle of the nineteenth century.

The most influential exponent of the political approach is probably Philip Stern. In *The Company State: Corporate Sovereignty and Early Modern Foundations of the British Empire in India*, Stern has considered the organisation as a company-state, one that from its inception in 1600 "was by its very organization a government over its own employees and corporators".<sup>17</sup> He maintains that the early protectionist policies of the organisation were less about state intervention and more about results being the consequence of petitioning and negotiation with

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<sup>17</sup> Philip. J. Stern, *The Company State: Corporate Sovereignty and Early Modern Foundations of the British Empire in India*, (New York: Oxford University Press, 2011), 3.

both agents and advocates involved with and working for the Company.<sup>18</sup> In other words policies were modified and adjusted according to the vicissitudes of the political and economic environment. English traders and agents had to be aware of the political climate in the distant places of trade, as well as those back home in London.<sup>19</sup>

In a recent PhD that was published as a book after this thesis was submitted, Rupali Mishra has also considered the relationship between the Company and the English state.<sup>20</sup> Mishra contends that the organisation was never apolitical, nor was it solely a commercial enterprise. Instead, she argues that the Company sought ways in which to negotiate the changing political and diplomatic climate of the early modern period, particularly in the context of Stuart England. She postulates the ways in which the organisation was able to put pressure on the crown to secure its own objectives. Her work examines such topics as the Company and the State, the ability to negotiate its privileges within this context and the organisation's relationship with its major rival, the Dutch and the central figures in this. She also explores the Company's relationship with its own public, how it negotiated these relationships, both private and public. How it managed and manipulated its public image is relevant to this thesis because in addition to the Throckmorton case, discussed in chapter one, she also uses the case of the *Trades Increase*

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<sup>18</sup> Philip J. Stern, "Companies", in *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*, eds, Stern, Philip J., and Carl Wennerlind, (New York: Oxford University Press, 2013). Oxford Scholarship Online, 2014. doi: 10.1093/acprof:oso/9780199988532.001.0001.

<sup>19</sup> For a comprehensive and detailed examination of the importance the EIC, its early development, organisation and its legacy on the modern corporate world see Philip J. Stern, *The Company State: Corporate Sovereignty and Early Modern Foundations of the British Empire in India*, Stern, Philip J. Stern, *The English East India Company and the Modern Corporation: Legacies, Lessons, and Limitations*. Philip J. Stern, "The English East India Company and the Modern Corporation: Legacies, Lessons, and Limitations," *Seattle University Law Review* 39, no. 2 (Winter 2016): 423-446, and Philip J., and Carl Wennerlind, eds. *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*. New York: Oxford University Press, 2013.

<sup>20</sup> Rupali Raj Mishra, "*Merchants, Commerce, and the State: The East India Company in Early Stuart England*", PhD., Princeton University, 2010.

and that of William Leske to demonstrate the importance of the organisation's image and how this could be manipulated to the advantage and disadvantage of the Company.

Not surprisingly given the Company's commercial successes, a wide range of works have focused on economics. K N. Chaudhuri has analysed the Company principally as a business firm seeking to maximise profits. Taking essentially an economic approach, he has argued that in its three-hundred and fifty-year existence the organisation was a valuable instrument in the creation of the English colonial and imperial system.<sup>21</sup> According to Chaudhuri, the seventeenth century was a watershed moment in the development of the evolution of English trade arrangements.<sup>22</sup> In its first forty years, notwithstanding notable obstacles that included fierce competition from the Dutch and some resistance from several London based detractors, the organisation would, by the end of the 1600's become the foremost London financial institution, and a figurehead in the economic life of England.<sup>23</sup> Nick Robins shows how the East India Company would go on to shape the modern corporate world. He argues that what made the Company special was the way it bridged the gap between the medieval concept of the corporation as an essentially public body, and the concept of an enterprise acting primarily in the interests of its shareholders.<sup>24</sup> The Portuguese, pioneers of trade in the Indies, had pursued an entirely state -run model of trade and commerce with the Estado da India and the Dutch had engaged in mercantile interests with a mixed public-private one.<sup>25</sup> These extant models of trade, such as medieval guilds, also brought with them existing traditions.<sup>26</sup> A fusion of several elements, both old and new, were able to provide solutions to challenges the Company faced and also provided a rich tradition of

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<sup>21</sup> Chaudhuri, *The English East India Company, The Study of an Early Joint Stock Company 1600-1640*, (London: Routledge/ Thoemmes Press, 1999), 3.

<sup>22</sup> Chaudhuri, *The English East India Company*, 4.

<sup>23</sup> Chaudhuri, *The English East India Company*, 4.

<sup>24</sup> Nick Robins, *The Corporation that changed the World*, 23.

<sup>25</sup> Nick Robins, *The Corporation that changed the World*, 23.

<sup>26</sup> Nick Robins, *The Corporation that changed the World*, 23.

corporate obligation and responsibility. By describing his own foray into the financial world of London at the start of the new millennium, Robins sets the tone for his detailed and comprehensive examination of the organisation that would “change the world”. Focusing on the second half of the seventeenth century, he asks what social record the organisation left and what impact this had on the peoples and countries the Company sought to negotiate with and exploit. He does not take account of women’s voices in the extant records.

These studies and approaches are all important, but far less attention has been paid to the ordinary men and especially women who worked for and interacted with the company. The major exception is a pioneering study, *The East India Company’s London Workers*. In this, Margaret Makepeace brilliantly examined the organisation’s treatment of its dockside employees. Focused primarily on the first half of the nineteenth century, the work argues that through its management strategies, the Company had a rich and comprehensive system of social welfare programs for its employees in place, particularly those employees on the ground, in London. She draws attention to the fact that the Company had, from its earliest days, demonstrated benevolence in the treatment of its employees through a system of *ad hoc* gifts to those who petitioned, as well as more formal schemes of assistance.<sup>27</sup> And she argues that the organisation’s success was due in large part to this. In this way, Makepeace defends the Company as a “pioneer of enlightened personnel management, with a comprehensive set of welfare initiatives”.<sup>28</sup>

My thesis builds on Makepeace’s contribution, but my temporal focus and aim is different. Makepeace scrutinised the organisation at the height of its success, some two hundred

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<sup>27</sup> Margaret Makepeace, *The East India Company’s London Workers*, 71.

<sup>28</sup> Margaret Makepeace, *The East India Company’s London Workers; Management of the Warehouse Labourers, 1800-1858*, (United Kingdom; Boydell Press, 2010), back cover.

years later than the petitions to the Court of Committees under examination here. The Company I examine was far newer, far more vulnerable and far less certain. I argue that this was a very different more precarious organisation than the one that Makepeace looks at. Second, Makepeace is concerned with London dockside workers as a whole. As a result, there is no special focus on women. In contrast, I am interested in putting a range of women back into early Company history and my focus is entirely on female petitioners. Finally, I also examine petitions that were stifled, resisted or outright refused. In this way, I view the Company more negatively than Makepeace who praises the organisation as a largely benevolent entity.

In my focus on female petitioners, I draw on a revolution in the study of early modern women that has taken place in recent decades. Over the last several decades, scholars have increasingly focused on ordinary women and women's culture in the early modern period. Patricia Crawford and Sara Mendelson examined the lives of women in new ways in their book *Women in Early Modern England 1550-1720*. Their book explores 'women's culture' from its broadest context to the most intimate aspects of child-rearing and sexuality. The authors scrutinize the lives of women across a broad range of social divides by examining the medical, religious, legal, political, and social frameworks that defined them in early modern England.<sup>29</sup> In her landmark studies, *Gender in History* and *Women and Gender in Early Modern Europe*, Merry Wiesener-Hanks examines gender and its relationship with the economic, political and social. She analyses how these both influenced and dictated female agency and argues that the power a husband had over his wife was rarely disputed in the sixteenth and seventeenth

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<sup>29</sup> Sara Mendelson & Patricia Crawford, *Women in Early Modern England: 1550-1720*, (Oxford: Clarendon Press, 1990), 1.

century.<sup>30</sup> Wiesener cites as an example, the petitions presented to the English Parliament during the English Civil War, which were generally greeted with scorn or derision.<sup>31</sup>

Scholars have become increasingly interested in the lives of women in early modern London. Eleanor Hubbard has examined the lives of early modern London women in her book *City Women: Sex, Money and Social order in Early Modern London*. Using women's own voices from English consistory courts, Hubbard examined the experience of real women, and how their lives played out against a backdrop of a bustling urban environment.<sup>32</sup> Her book tracks the lifecycle of urban women. From the migrant maidservants flocking to London from rural agricultural communities in search of employment, through marriage, family, widowhood and old age, Hubbard argues that while women were narrowly restricted, the unique demographic circumstances of London gave rise to opportunities that women were able to take advantage of. Using new demographic data and case studies she highlights women's anxieties, citing the constant battle between regulating authorities and women's own concerns and how they responded to this. She warns us that it is counter-productive to view women's roles through the narrow lens of gender alone, and that while women's economies were those of the household and their politics that of the neighbourhood, women were assertive and engaged in their world.<sup>33</sup> Taking a bottom-up approach to the experiences of everyday women by examining these records, Hubbard has made real progress into early modern English society as a whole. My thesis adopts

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<sup>30</sup> Wiesner, *Women and Gender*, 296.

<sup>31</sup> Wiesner, *Women and Gender*, 298.

<sup>32</sup> In the absence of letters, diaries and personal correspondence of ordinary every day women, Hubbard has made use of over 2500 depositions to the consistory courts. Consistory courts were ecclesiastical courts with overlapping jurisdiction and they invited high numbers of woman as both litigants and witnesses. She makes the point that the information contained in the rich sources have long been overlooked as relics of the pre-reformation period in England. But on close inspection they reveal a wealth of material that enriches the way in which historians can closely reconstruct everyday life in early modern London.

<sup>33</sup> Eleanor Hubbard, *City Women: Sex, Money and Social order in Early Modern London*, (New York; Oxford University Press, 2012),275&276.

a similar approach but focuses exclusively on women as petitioners to early corporate entities like the EIC, and how they were able to negotiate limited fiscal intercourse with the organisation.

There have also been a number of recent studies on the role of women in the maritime world and colonial settings. Using sources that include ballads, poetry and popular fiction, ledgers and logbooks, historians, Margaret Creighton and Lisa Norling, examine the lives of women in an early colonial setting in their edited collection *Iron Men, Wooden Women: Seafaring in the Atlantic World, 1700-1920*. The book's essays focus primarily on the seafaring world of the Atlantic over two centuries, but they also highlight the ways in which women were by no means passive bystanders to empire building. Marcus Rediker's *Liberty beneath the Jolly Roger: The lives of Anne Bonny and Mary Read, Pirates* and Dianne Dugaw's *Female Sailors Bold: Transvestite Heroines and the Markers of Class and Gender* focus on women navigating a specifically masculine arena, that of seafarers, sailors and pirates. These essays reveal that women were present and actively involved in areas that have traditionally been seen as male dominated. Women were pirates, soldiers and sailors, just as with the Court books, contemporary documents reveal that women were conscientiously participating in the economic and political bureaucracy of the early Company.

In addition to these scholars, Linda Colley has used the trope of the captivity narrative to illustrate how women, in particular women captives, negotiated the terms of empire building in her books *Captives: Britain, Empire and the World 1600-1850* and *The Ordeal of Elizabeth Marsh*. In the latter, she focuses on how one eighteenth century woman navigated the dominant institutions governing her. Colley's work breaks new ground in examining how women were actively engaged in enterprise defined by the spread of empire by taking a bottom-up approach. Rather than focus on a grand narrative, she has given voice to those considered marginal in

earlier scholarship. In an important book, *Marriage and the British Army in the Long Eighteenth Century: The Girl I Left Behind Me*, Jennine Hurl-Eamon has examined a much-neglected area of women's engagement with traditionally masculine spheres. Hurl-Eamon's book demonstrates that women were a vital and very present part of the British Army's serving men and, discouraged as they were, she uses evidence from a variety of sources, such as ballads, court and parish records, letters and memoirs to argue that women played an important and necessary role in the lives of army personal.<sup>34</sup> Although situated in a much later period than the women under examination in this thesis, her work provides evidence that women were actively involved in what has conventionally been considered an exclusively male dominated arena.

In contrast to this burgeoning field, there has been much less work on the English East India Company and women. One important exception is the work of Pamela Sharpe. In a chapter, "*Gender at sea; Women and the East India Company in seventeenth century London*", Sharp notes that the presence of women in the voluminous literature on the Company is 'simply invisible'.<sup>35</sup> Challenging this assumption, Sharp calls attention to the women married or connected with the Company's sailors. Her chapter covers such topics as wages, class and the relationship of women to the Company. This work focuses on the vibrant relationship women had with the organisation and notes that tenders were often favourably granted to widows to make items needed for both the ships and shipyards, as well as being employed as dyers, calenderers and the like.<sup>36</sup> While Sharp's contribution is extremely valuable, all of the examples she has provided focus on women from 1630 onwards. In fact, the chapter suggests that women

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<sup>34</sup> Jennine Hurl-Eamon, *Marriage and the British Army in the Long Eighteenth Century: The Girl I Left Behind Me*, (Oxford Scholarship Online, 2014) 7,8, DOI: 10.1093/acprof:oso/9780199681006.001.0001.

<sup>35</sup> Pamela Sharp, 'Gender at sea; Women and the East India Company in seventeenth century London' in *Women, Work, and Wages in England, 1600-1850*, eds, Penelope Lane, Neil Raven & K. D. M Snell (United Kingdom; Boydell Press, 2004), 48.

<sup>36</sup> Pamela Sharp, 'Gender at sea; Women and the East India Company in seventeenth century London', 61.

are essentially absent in the Court minutes from the first decades of the seventeenth century. This is not the case, there are hundreds of petitions by women to the Court of Committees in this early period.

In her essay, *Traveling Companions: Women, Trade, and the early East India Company*, Amrita Sen has examined women who did journey to the Indies with the early EIC voyages. She considers Mariam Khan, the wife of Company employee Gabriel Towerson, murdered by the Dutch at Amboyna, and her two travelling companions. The essay focuses on themes that run counter to the ‘social and fiscal expectations of the Company’ and claims that while women did not join the EIC as company directors or factors, it would be a mistake to think that they played no role in the organisation’s rising fortunes.<sup>37</sup> The Company’s expansion into commodities such as calico, indigo and other goods resulted in the major consumers of these products being seventeenth century Englishwomen.<sup>38</sup> Suggesting that women were both directly and indirectly involved in the organisation’s growing success. She has also argued that women routinely filed claims to the organisation and poses the question that it was possible that the sheer number of claims caused the organisation a level of anxiety.<sup>39</sup> Her essay suggests that although networks of trade were dominated by men, it is necessary for historians to confront a more diverse set of relationships in the early modern trading period than has been considered in the past.<sup>40</sup> My thesis aims to build off these contributions but to expand them by tapping into a new set of sources.

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<sup>37</sup> Amrita Sen, “Traveling Companions: Women, Trade, and the early East India Company”, *Genre* 48, 2 (2015): 200.

<sup>38</sup> Sen, *Traveling Companions* 201.

<sup>39</sup> Sen, *Traveling Companions*, 202.

<sup>40</sup> Sen, *Traveling Companions*, 202.

## Methodology

Company historians are fortunate in having access to one of the great archives of the early modern world. The Company documented everything it did. The most important source for my study is the Court Minutes. These are the records of the meetings of the Company's Court of Committees which took place on a weekly, and in some cases, daily basis. These records were initially summarised by William Noel Sainsbury and his daughter Ethel in the late nineteenth century.<sup>41</sup> The Sainsbury editions are invaluable as they are printed. Because of this, they have been used by generations of historians. But they are also limited in that they are summaries rather than full text reproductions. Because of this, I have also consulted the original Court records available in the B records in the British Library covering the period 1600 to 1635 which provide significantly more detail. These are not comprehensive. Separate records were kept for each voyage. Some of these were inevitably lost and because the Company was very aware of the accumulating amount of paperwork, it routinely destroyed records deemed no longer vital.<sup>42</sup> There are also issues with the chronological order of some of the entries. Court book two, three, four, five and six cover the period 1600 to April 1620, but without chronological sequence. For example, Court book two contains entries for 1600 to 1619 but books four and six also has some entries for the same years. In addition to the record of the Committees meetings for the years 1617 to 1620 in Court book 4 (IOR/B/6), there also exists a 'rough notes' volume of minute meetings for the years 1621 to 1657, highlighting the problematic nature of the original records.<sup>43</sup> The destruction of huge quantities of documents were also a consequence of the

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<sup>41</sup> W.N. Sainsbury, ed. *Calendar of State Papers Colonial, East Indies, China and Japan*, Volume 3, 4, 6 & 8, (London: H.M.S.O. 1878).

<sup>42</sup> Margaret Makepeace, *The East India Company's London Workers*, 11.

<sup>43</sup> The rough notes form a separate volume in the sequence and is so labeled as IOR/B/247.

passing of the Government of India Act in 1858, and the dissolution of the Company in 1874. However even with these issues, we can pull hundreds of petitions from the historical record.

The Court of Committees minute books reveal a very different side of Company history. They show that women were actively engaged with the East India Company from the organisation's beginning. The records show that most of the Company's concerns were centred on the daily organisation of its business practice. The Court books are devoted to investment, running costs and, most importantly, profit. In plain sight, and recorded by Company scribes, are women. This thesis sheds light on the women that appear in the early records of the organisation and argues that the English East India Company was not solely a masculine enterprise, women were dynamically present from the outset.

## **Chapter outline**

The thesis consists of three chapters that examine the different social positions of the women who petitioned the Company and how the organisation responded to these. Chapter one examines Elizabeth Throckmorton, an elite and privileged individual with access to several layers of legal recourse. Women like Elizabeth Throckmorton are the exception rather than the rule. She is notable for her two-decade long fight with the Company and the ability to vigorously employ increasingly influential agents and advocates on her behalf without success. Chapter two discusses 'middling' women. These petitioners did not have access to the same level of resources that Throckmorton did, but they were able to draw upon some advocates and institutions that were not available to poorer petitioners. And like Throckmorton they made repeated appeals and faced resistance from the organisation. Chapter three examines poor

women. These women were very different to their elite and middling counterparts, and they represent the bulk of the petitioners to the Court of Committees petitioning the Court daily. Most of the petitioners were wives or widows and their petitions were humble requests for financial aid. An appeal to the Court was the only avenue of recourse they had, and in nearly every case they made a single request. In almost every case the Committees returned a solicitous response. Due, in part to the humble nature of the request, which was small, but in addition to this the Company was seen to be exercising its obligation and responsibility to its most vulnerable associates. And as payments were made from the significant pool of funds that made up the poor box, it made no impact on investment capital.<sup>44</sup>

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<sup>44</sup> The concept of a poor box was a common feature to almost all communities. A receptacle fastened to a wall, or some such immovable position with a slot in the top where voluntary contributions could be made. The Company was no different in keeping with social expectations and tradition of providing alms for those less fortunate.

## CHAPTER ONE: LADY DALE PETITIONS THE COMPANY

In 1620 Elizabeth Throckmorton, the widow of the high-ranking EIC official, Thomas Dale who had died in Asia went to war with the Company. At stake was her late husband's estate. Dale had died in 1619. Controversially part of this estate stemmed from a captured Dutch vessel. Throckmorton demanded a large sum that the Company would not surrender lightly. During the subsequent conflict, Elizabeth Throckmorton or Lady Dale, as she is also known, employed a range of tactics in an attempt to secure her husband's estate by engaging in a very expensive and protracted battle with the English East India Company. As part of this, she employed the services of some of the most powerful and influential figures and institutions in early seventeenth century London. Equally striking, she also attempted to manipulate the public sphere in order to highlight her case via a petition, titled *Lady Dale v East India Company*. *Plaintiff: Lady Dale*. *Defendant: East India Company*, that she prepared and subsequently had printed, after repeated appeals to both the Company itself and avenues outside of it. The pamphlet was a scathing attack on an organisation she charged with having conspired to defraud her of the estate of her deceased husband, Sir Thomas Dale.<sup>1</sup> In this way, Throckmorton went to great lengths to discredit the organisation her husband had been employed by and to argue her case.

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<sup>1</sup> A copy of the printed pamphlet that Throckmorton had disseminated can be read in the Appendix. It is a document that attacks not only the Company, but names certain individuals that she accused of deliberately and conspiratorially set out to slander her deceased spouse and deprive her of what was rightfully hers. The language employed in the petition and the pamphlet that was released to the public was, as Mishra Rupali states, to highlight 'not of a woman done wrong, but of a Company gone wrong'. Throughout the document terms such as 'unlawful' and 'wrongs' are commonly used, she names individuals and infers a conspiracy perpetrated from on high. This included senior factors and the governor himself. The original document held in the National Archives is contained in a collection of sixty-four other documents. The document's short title is *Lady Dale v East India Company*. *Plaintiff: Lady*. *Defendant: East India Company*. The document is in a fragile state and is not easily readable. The printed copy that survives is an abridged version of the original paper document but contains the most significant and important details of the original document petition.

This chapter argues that Throckmorton was a very special petitioner.<sup>2</sup> Uniquely connected with resources and assets to match, she was a formidable foe for the Company. Her position was one built upon power and influence, and her expectations were underpinned by a sense of entitlement and her ability to access a range of legal resources and influential individuals. She, therefore, stands in stark contrast with the far humbler women discussed in Chapters 2 and 3, who possessed little wealth or social standing upon which to call, and in most cases, they had no access to legal recourse or advocates outside the Company. And yet despite the formidable resources she could muster, every effort Throckmorton made proved to be fruitless. On her death in either 1639 or 1640 (the dates differ in the source), her case before the Committees had not been resolved. Her will stated that her estate be shared among several relatives and that ‘out of my estate in the hands of the East India Company...’ all her debts should be paid.<sup>3</sup> Before she died, Elizabeth Throckmorton still made it known that the estate of her deceased husband was rightfully hers by making it explicitly clear that any debt she may have had owing was to be cleared using the funds still held by the Company.

Why then did she fail? This question lies at the heart of this chapter. I suggest, first, that Throckmorton failed because of the scale of her claim and, second, because of the tactics that she deployed. She demanded the Company make payment, she continually refused the organisation’s offers and she repeatedly took her grievances to institutions outside it. Paradoxically, her position as an elite and privileged member of the social hierarchy worked to her disadvantage, and the expectation that the Company would bend to her will was outweighed by the organisation’s own expectation of its associates.

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<sup>2</sup> I have chosen to refer to her as Throckmorton rather than Lady Dale. This is to separate her from her husband. She was, by all accounts, a formidable woman, and not just an extension of her famous husband.

<sup>3</sup> Henry F. Waters, A.M, *Genealogical Gleanings in England, Vol 1*, (Boston: New England Historic Genealogical Society, 1901), 749.

## Family and Marriage

Elizabeth Throckmorton was one member of an extremely large, privileged and dispersed family, whose descendants can be traced back to twelfth-century England. The family tree contains numerous branches. Throckmorton lines branch out to locations that include various counties in England as well as the North American colonies, places such as modern-day Massachusetts and Virginia.<sup>4</sup> Elizabeth Throckmorton's pedigree stretches back centuries and she could count on powerful connections when appealing for support. Aside from this distinguished lineage, she had a direct connection to political influence through both her brother Sir William Throckmorton who at the time of her ongoing petitions, was a parliamentary commissioner, appointed by James I as well as the secretary of State, Sir Edward Conway, who was related to her by marriage.

Sir Thomas Dale married into a powerful and well-established family when he wed Elizabeth Throckmorton in 1611. There appears to be no record of Dale's birth, of his parents or any definitive birth place. He may have been a member of the Dale family of Surrey or an Anglo-Dutch family.<sup>5</sup> There are no extant documents that survive concerning his early years. Whatever the case may be concerning his origins however, through shrewdly accommodating

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<sup>4</sup> The Throckmorton line is long and convoluted and according to many genealogical blogs, websites and other family historians who have made it their task to spend a great deal of time and resources to investigate. None of these sites can be verified other than to take what these many family members have taken a great deal of time to amass. The historical scholarship is scant when it comes to an official source. What is drawn from the genealogical record however reveals a family that may have its origins in the Norman conquest of England and had produced a number of notable members. Members such as the senior branch of the Throckmorton family involved in the Gunpowder Plot, as well as Sir Walter Raleigh's wife, Elizabeth Throckmorton, lady-in-waiting to Queen Elizabeth I. Much of this information comes from C. Wickliffe Throckmorton's A Genealogical and Historical Account of the Throckmorton Family in England and the United States with Brief Notes on the Allied Families *The Virginia Magazine of History and Biography*, Vol. 38, No. 3 (Jul., 1930), 277-279. Needless to say, Lady Dale was a figure of some eminence, as her pedigree suggests. What is in the official historical archive however is the fact that when Lady Dale decided to take her petition to the English parliament she had a wealth of resources to draw upon, including some very well-connected individuals in positions of influence.

<sup>5</sup> Brent Tarter, "Dale, Sir Thomas", *The Dictionary of Virginia Biography*, ed, Sarah B. Bearrs, (Richmond: Library of Virginia, 2006), 661-664. [https://www.encyclopediavirginia.org/Dale\\_Sir\\_Thomas\\_d\\_1619#contrib](https://www.encyclopediavirginia.org/Dale_Sir_Thomas_d_1619#contrib).

friendships made with powerful allies and with a great deal of personal ability, Dale rose through the ranks from ‘common soldier’ to deputy governor of the Virginia colony.<sup>6</sup> Sir Thomas Dale’s legacy is a highly visible presence today in modern day Virginia in the United States.<sup>7</sup> In 1598 or 1599, Dale left France and arrived in Ireland to support the Earl of Essex. Dale was briefly detained two years later after the Earl was charged with treason. Essex’s fall from grace and subsequent execution may have besmirched Dale’s reputation, for his involvement in the Essex affair saw Dale lose his command and perhaps also his credibility to some degree. But Dale was to find support in another powerful ally, Sir Robert Cecil, Earl of Salisbury.<sup>8</sup> Cecil, an administrator and politician, had held positions of power during the reign of both Elizabeth I and her Stuart successor James I. Sir Thomas was able to rely on Cecil for letters of recommendation if the need arose.

These, however, proved unnecessary, for Dale was able to secure a provisional captaincy of an English company in the Dutch service. Although little is known of his time with the Dutch, there is no doubt that the powerful friends and allies with whom he had consorted up to this point may have contributed to his knighthood by James I in 1606, followed soon after by his appointment as deputy governor of the Virginia colony in 1611. From all appearances, Dale was a very adept military man, having risen from soldier to captain by his own ability as well as the intervention and aid of the powerful friends and acquaintances he had made.<sup>9</sup> Dale married Elizabeth Throckmorton shortly before his departure for the North American colonies, and as both occupied positions of some influence, their union confirmed their status as a powerful and

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<sup>6</sup> Darrett, B, Rutman, ‘The Historian and the Marshal: A Note on the Background of Sir Thomas Dale’, *The Virginia Magazine of History and Biography*, 68 (1960), 292.

<sup>7</sup> Dale’s presence is still felt in the United States today.

<sup>8</sup> Rutman, *The Historian and the Marshal*, 289.

<sup>9</sup> Rutman, *The Historian and the Marshal*, 291.

significant couple. After Dale returned to England, he was shortly thereafter appointed commander of a fleet into the East Indies, departing in April 1618. It was, at that date, the largest fleet ever assembled to sail for the Indies. The fleet consisted of several robust and well-built vessels, significantly more powerful and well-armed than any ship in the Dutch trading fleet.<sup>10</sup> Accompanying Dale was senior Company factor, Captain John Jourdain, a name that would not only feature later in Elizabeth Throckmorton's petitions to the Company but is also significant in chapter two of this thesis. Jourdain had been in the employ of the Company on several occasions. After spending time at his home in Dorsetshire, he returned to London soon after seeking further employment. With his previous experience with the Dutch, he assured the governors of the Company at a meeting in London on 30 September 1617, that "the Flemings either dare not or will not sett upon the English".<sup>11</sup> And although there were some merchants in London who had advocated for an agreement with the Dutch, it was the advice tendered by the experienced Jourdain the governors chose to follow.<sup>12</sup> For now, and though cautioned by both the political establishment and the Company's administrative arm back in London to exercise diplomacy, these two Englishmen would proceed with disrupting Dutch trade in the East Indies and striking back against VOC aggression.

### **The Sun and the Black Lion**

The background to Throckmorton's petition lies in a rapidly escalating conflict between the Dutch and English East India Companies. It is thus necessary to provide some context to

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<sup>10</sup> Masselman, *The Cradle of Colonialism*, (New Haven & London; Yale University Press, 1963), 365.

<sup>11</sup> IOR/B/4, 18.

<sup>12</sup> Masselman, *The Cradle of Colonialism*, 364.

understand exactly what Throckmorton was asking for. At issue was a captured Dutch vessel and a lost English vessel. There was also the question of a Portuguese vessel, and its spoils, seized by Dale on the voyage to the Indies. The circumstances of these encounters became an important point in relation to the later petition of Elizabeth Throckmorton, as the Court of Committees, when questioning her over how her husband came to be in possession of certain goods and money, raised the issue of how it was possible for Dale to possess these goods when he had lost all in the going down of his own flagship, the *Sun*. In this way, the Committees called into question the course of events detailed by Throckmorton in her petition, they were determined to examine every move by Dale in the Indies to build a case of their own in opposition to her.

Dale's fleet arrived in Bantam on 19 November 1618. However, the mood was sombre, as four days earlier Dale's flagship, the *Sun* had been wrecked off the coast of Engano.<sup>13</sup> On Dale's arrival, he met with another English fleet under the command of Captain Martin Pring. On board the *Moon*, a vessel in Pring's fleet, both commanders, Dale and Pring, took it upon themselves that invasive action was the only recourse to the ongoing and intermittent conflict between the Dutch and the English. The bureaucrats and politicians back home in London desired the exercise of diplomatic caution, but the men charged with overseeing the safe conduct of English trade thought more offensive action was needed.

On the same day that the meeting took place between the two commanders, Dale captured the Dutch fleet's flagship, the *Black Lion*, heavily laden with precious cargo and on route from Patani, another Dutch vessel had barely managed to escape.<sup>14</sup> Relations between the

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<sup>13</sup> Masselman, *The Cradle of Colonialism*, 366.

<sup>14</sup> Masselman, *The Cradle of Colonialism*, 367.

two trading rivals were always difficult and an incident such as the capture of the *Black Lion* only compounded the problem. This event was noted back in London, when, Sir Dudley Carleton, Ambassador to the Netherlands, in a letter to Secretary of State, Sir Robert Naunton, wrote that not only did Dale lose “his admiralship upon the blind islands of d’Inganno”, but that he had also taken from the Dutch “a ship of theirs laden with pepper to the value of 30,000 £... under the colour of friendship”.<sup>15</sup> By “admiralship”, Carleton is referring to the vessel the *Sun*, the flagship in Dale’s fleet, which the Company contended was the vessel upon which he had lost all his goods. These goods and monies would later feature in the counter-claim by the Company against his widow, Elizabeth Throckmorton.

When news of the capture reached the Dutch fleet’s commander, Jan Pieterszoon Coen, he responded with a letter to Dale demanding the return of the ship and any and all on aboard, as well as a cessation to hostilities against the Dutch. He went on to state that this deliberately unwarranted and aggressive act was the culmination of several incidents initiated by the English to deprive the Dutch of trade. Coen pointedly noted that this act provided the proof of the ‘evil intentions of the English’.<sup>16</sup> If this act of destruction was a deliberate means of violating the peace between the English and the Dutch, then this would result in open war everywhere.<sup>17</sup> With no clear resolution to be found, tensions between the two European trading nations continued, resulting in several armed skirmishes. Dale’s actions had added to what was essentially a state of war between the two nations. In addition to the antipathy between the English and the Dutch,

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<sup>15</sup> Letters from and to Sir Dudley Carleton, Knt. during his embassy to Holland, 386.

<sup>16</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 215-231.

<sup>17</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 215-231.

was the unstable political situation that both parties had encountered on arrival in the Indies. Competing indigenous factors vied for valuable trade agreements with the Europeans.<sup>18</sup>

This incident involving the *Black Lion* was significant for two reasons. Firstly, the vessel was the prized flagship in Coen's fleet and Dale had been engaged in negotiations with the Dutch over wages he was owed while in their service. Because of this, Dale and Coen were possibly familiar with each other, as both colleagues and rivals. Masselman notes that in nearly all conflicts between nations the opposing sides are often symbolized by individuals, and the conflict between the English and the Dutch, represented by Dale and Coen, in this instance is no different. He also adds that Coen blamed, not Dale for "all these calamities", but Captain John Jourdain.<sup>19</sup> Dale was no stranger to the Dutch forces, having spent time in their service as well as still receiving payment from them while he served as deputy governor in Virginia, although this payment of arrears was not without some controversy. The seizure of the *Black Lion*, after Dale had spent significant time in the service of the Dutch, came as a substantial blow. Secondly, and more importantly for this chapter, it was the cargo of the *Black Lion*, seized by Dale, that became both the subject of ongoing petitions to the Company and other organisations and individuals, as well as the appeal that was later presented to the parliament by his wife Elizabeth Throckmorton. In addition to the hostilities between the English and the Dutch, to further complicate the case, was the increasing animosity between Dale and Jourdain, the former a military man and the latter a merchant and influential senior Company official.<sup>20</sup> The two men had clashed on several

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<sup>18</sup> For a detailed and comprehensive analysis of the events and all the parties involved in this particular incident, George Masselman's *The Cradle of Colonialism* is essential reading. Chapter 13, *1618*, provides excellent background to the events, while chapter 14, *The Crisis*, gives a full account of the events leading up to hostilities, and chapter 15, *The Siege*, provides in-depth detail to all parties involved and some results of the hostilities.

<sup>19</sup> Masselman, *The Cradle of Colonialism*, 366.

<sup>20</sup> Masselman, *The Cradle of Colonialism*, 379.

occasions, although the record does not state exactly the nature of their differences.<sup>21</sup> However, although the *Black Lion* episode would continue to be a point of discussion for the Committees for several years after, the growing acrimony between Dale and Jourdain would be a distant memory by the end of 1619. By then both men were dead, Dale most likely of malaria at Masulipatnam in August and Jourdain in battle with the Dutch one month earlier.

### **Throckmorton's claim**

Elizabeth Throckmorton was left as sole executrix of her deceased husband's estate, inheriting land, goods and money. Crucially, Throckmorton petitioned the Company for the right to the assets Dale had accumulated while in the East Indies and it was this claim that launched her decade long battle with the organisation. These assets were, the Company insisted, illegally acquired. As early as 20 February 1617, the Company had already expressed some distaste with Dale and his "employ in private trade in the Indies".<sup>22</sup> The Company asserted that according to certain testimony, Dale had lost everything when his ship, the *Sun* went down. They questioned how it could have been that he was in possession of goods and monies and asserted that the goods sent home to his wife were purchased with Company funds, or alternatively were the proceeds of the capture of the *Black Lion*.<sup>23</sup> The allegation of illegally acquired goods also brought into question the earlier capture of the Portuguese vessel. How did Dale come to be in possession of the things that were being claimed by his widow?

Eager to learn the truth, the Committees launched an 'examination' into the matter. A

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<sup>21</sup> Masselman, *The Cradle of Colonialism*, 396.

<sup>22</sup> IOR/B/4, 127.

<sup>23</sup> IOR/B/5, 149-153.

witness was called before them who attested that certain funds, and the ‘silks’ which formed part of the petition by Throckmorton, were actually purchased with monies lent to Dale by Captain Jourdain and these funds were those of the Company. This witness, Thomas Jones, had his own case to bring against Throckmorton. She had accused Jones, among others, of wilfully breaking into and stealing from her husband’s private quarters soon after his death. Jones was to be a valuable witness in the case against Throckmorton. However, in this instance the Committees replied that this issue did not concern them, and they would not enter into any discussion over it. They were, nonetheless, only too happy to have Jones serve as a witness to any possible wrongdoing by all or any involved in the Throckmorton petition. Jones arguably had his own axe to grind with Elizabeth Throckmorton.<sup>24</sup> His involvement with the case would continue on until after Throckmorton’s death, when he would request both compensation for the costs involved with his connection to the case, as well as further employment as a factor.<sup>25</sup>

Whatever the case, the Company accused Sir Thomas of illegally obtaining any goods which thereby made Elizabeth Throckmorton’s claim to any proceeds out of the East Indies void. Elizabeth Throckmorton had been well provided for in her husband’s will. He left her legal interests in a number of properties in Virginia and his estates in England. She preserved and maintained these real estate interests until her death and left them to members of her extended family, as her union with Sir Thomas had produced no heirs.<sup>26</sup> These interests did not feature as part of the estate she was claiming, but they do provide evidence that Elizabeth Throckmorton was by no means destitute. She was wealthy in her own right and the inheritance in Virginia only increased this. But she was also determined to secure the full extent of her husband’s

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<sup>24</sup> IOR/B/5, 149-153.

<sup>25</sup> IOR/B/13, 195.

<sup>26</sup> Martha. W. McCarthy, *Virginia Immigrants and Adventurers, 1607-1635: A Biographical Dictionary*, (Baltimore: Genealogical Publishing Company, 2007), 241.

estate. And this compelled Throckmorton to take her suit against the English East India Company all the way to parliament. The Company disputed the claim to her husband's estate on the grounds that much of his accumulated wealth, particularly from his time in the East Indies, and the subject of Throckmorton's claim, was the result of private trade, not trade done in accordance with and for the benefit of the Company. But they also alluded to the possibility of deception on the part of Throckmorton, or at the very least, a wrongful claim.

### **First engagement**

Elizabeth Throckmorton's name first appeared in the Committee's minutes in a non-combative manner in February 1617, when the issue of her husband's return to England was raised. In this entry, the Committees report that in a letter sent to them by Sir Thomas Dale, the Dutch were endeavouring to undercut the English on pepper prices, but that the English must remain firm against any threat, by whatever means necessary. Dale also wrote of his intention "for return for England by the latter end of Januarie".<sup>27</sup> In the meantime, she asked for "50*l.* to be lent her to provide for her husband's return".<sup>28</sup> Throckmorton's first petition for any substantial amount appeared on 14 February 1619, just after the potentially disastrous *Black Lion* incident and Dale's death, when she approached the Committees concerning a substantial amount of silks she argued were acquired for her by her husband. She requested "...to bring suite to the Company to have it freight free...".<sup>29</sup> The goods would have been of significant value, although their worth is not stated in the record, until much later, after his death.

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<sup>27</sup> IOR/B/4, 123.

<sup>28</sup> IOR/B/4, 123.

<sup>29</sup> IOR/B/4, 520.

The Company did not automatically grant the request owing to the debate over the manner in which the goods had been acquired. As early as 1617 there had been discussion by the Committees regarding what Dale had in his possession and how he had come by these goods. This petition was followed up, sometime after Dale's death, on 19 October 1621 when further mention of Throckmorton's concerns with the Company are recorded. At this time she made an application for a payment of one hundred pounds out of the wages due her husband to 'serve her present occasions'.<sup>30</sup> This was not an unreasonable request, the spouses of serving Company men, whether alive or dead, were regularly granted the payment of wages owed. She was reminded that until the Company had had time to review the accounts and debate questions concerning why Sir Thomas was in possession of certain goods and money, she had to wait for a response about exactly what she could expect to receive. She was also reminded that the Dutch were still waiting for restitution to be made to them, presumably these costs were to be borne by Dale, or at least his estate. The Company was, it seems, stalling and a resolution to her case was postponed. Again, that same month questions were asked over the silks she had requested sent home in February of 1619. Allegations were levelled at Throckmorton that "the silk and other things sent home to the Ladie Dale were bought with the Companies money".<sup>31</sup> Several witnesses at this hearing testified on behalf of the Committees, that the silks and, in addition to these, ryalls, that Dale had sent home to his wife, were purchased out of a loan that Dale had taken from Captain Jourdain, and that this money therefore belonged to the Company.

From mid-1620 to mid-1621 a volume of Court minutes is missing. Given how active she had already been it is likely that Elizabeth Throckmorton must have approached the

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<sup>30</sup> IOR/B/5, 139.

<sup>31</sup> IOR/B/5, 153.

Company on a number of other occasions prior to the next recorded appearance.<sup>32</sup> Nevertheless, by October 1621, when the Court minutes restart, the Committees were engaged in several days of lengthy debate concerning both the actions of Dale while in the Indies, as well as the state of his accounts. In the meanwhile, Throckmorton awaited a reply from the Company. In the end, the Company concluded that rather than the organisation owing Throckmorton, it was in fact she who owed the Company. The Committees went on to add that the cost of her part of the Company's adventure, which she had inherited upon the death of her husband was also in fact due.<sup>33</sup> They resolved that she was to receive nothing more from the organisation, neither goods nor wages. The Committees were resolved that this was the end of the matter. Throckmorton, however, refused to accept this. Instead, she moved her petition beyond the walls of the Company's headquarters.

### **Calling in connections**

After 1623, Elizabeth Throckmorton shifted her legal strategy. She moved outside the sphere of the Company's influence and sought to involve external institutions and individuals. In a letter from Captain Thomas Conway to his father, Secretary of State, Edward Conway, the younger Conway requested assistance from his father in helping him secure permission from the king to call upon the commissioners of the navy to help recover her seized estate out of the hands of the Company.<sup>34</sup> The letter, dated 1 July 1623, appealed for assistance for "for a speciall good

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<sup>32</sup> Rupali Mishra, Rupali Raj Mishra, "Merchants, Commerce, and the State: The East India Company in Early Stuart England" (Ph.D., Princeton University, 2010). 391.

<sup>33</sup> Mishra, *Merchants, Commerce and the State*, 391.

<sup>34</sup> Mishra, *Merchants, Commerce and the State*, 392.

friend... Ladie... Dale”.<sup>35</sup> A commission, or hearing into the matter was established and Throckmorton’s case was under discussion even as she escalated her case to parliament. The Committees moved, at the end of October 1623, that it had examined all the witnesses that had been produced on behalf of “Lady Dale” and were now “content to examine also” witnesses on behalf of the Company.<sup>36</sup> But even this appeal was ineffectual in compelling the organisation to release the estate, and the case dragged on.

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<sup>35</sup> SP/14/148, f, 10.

<sup>36</sup> IOR/B/5, 214.



Elizabeth Throckmorton not only petitioned the Company, but she also called to account, agents of the Company and former colleagues of her husband. One of these was Thomas Jones, who I have discussed earlier. Robert Owen, another colleague and servant to Thomas Dale in the East Indies was also named in the same petition by Elizabeth Throckmorton as being in possession of goods now belonging to her. The Committees recorded that “Thos. Jones and Robert Owen late two servants of the Companie... that they would be pleased to assist them in a suite concerning against them by the Ladie Dale”.<sup>37</sup> This entry goes on to state that the organisation would offer them a measure of protection if they were to be of assistance to them. The Company was referring to the fact that it believed these goods were the product of Sir Thomas’ private trade and the goods were to act as payment for any debts due the Company. Throckmorton claimed that these goods had been “seized upon” and carried out of Dale’s private quarters upon his death.<sup>38</sup> The notion that the Company was going to protect Jones and Owen formed, in part, the ‘conspiracy’ that was among the accusations made against the organisation in the petition to parliament. With more than one petition before the Court of Committees for close on two years, pleas to the Commissioners of the Navy and a possible recommendation from the King, Elizabeth Throckmorton lost patience. Her next move was to raise the stakes still further by petitioning parliament.

### **New allies**

Between 1624 and 1626, Elizabeth Throckmorton took her struggle first to parliament and then,

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<sup>37</sup> IOR/B/5, 326.

<sup>38</sup> ‘A briefe of the Lady Dale to the Parliament’.

even more ambitiously, the public. She commissioned an eloquent but determined petition to be presented before them. A copy of this document survives in both printed abridged form as a pamphlet, as well as the original handwritten, and much more detailed, but fragile, petition in the National Archives in Kew. After the parliament had received Throckmorton's petition in March 1624, it summoned the Company to attend a hearing where it was requested to answer the charges that she had now presented to them.<sup>39</sup> On 2 April the Court books record that Throckmorton's petition had been exhibited in parliament and it was agreed that representatives of the organisation would appear to answer the charges the following week. Several other incidents had resulted in an unhappy relationship between the parliament and the Company, and Throckmorton's petition added to an already uneasy relationship. Her petition claimed she was being denied the justice of her husband's estate, named several individuals as culprits and accused the Company of directing the men named of deliberately abetting in the fraud against her. Throughout 1624 before the Committees, her case remained the subject of debate among several parties, as to who should be responsible for handling the business and the matter continued, unresolved.<sup>40</sup>

Although a resolution was again deferred and did not result in any financial gain for Throckmorton, it was a victory because it proved to the Company, particularly those on the Court of Committees, that she was serious about her claim. It gave her petition a greater legitimacy and it proved to the Governors, the Directors and the various committees and sub-committees that she would continue to pursue the case. It also made it quite clear to the Company as a whole that she was not satisfied with any previous outcome and that she was prepared to take this matter as far as possible. In addition to this her grievances were now made

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<sup>39</sup> Mishra, *Merchants, Commerce and the State*, 392.

<sup>40</sup> IOR/B/6, 525.

public by commissioning them in print. Throckmorton was trying to make two important points. Firstly, she was frustrated at the speed with which her case was being dealt with and secondly, she felt she was being bullied by the Court of Committees. By bringing her grievances out into the public arena she was effectively airing the Company's dirty laundry. She had also taken advantage of the particularly difficult relationship between the Company and parliament. The relationship between the organisation and the parliament was precarious and never clear cut, subject to shifting tensions and repeated negotiations.<sup>41</sup> The fact that the parliament was unsympathetic toward the Company and her successful attempt to gather the support of others who had grievances against them, added weight to her case.<sup>42</sup> She had chosen her timing well, in her mind and the minds of her supporters, there was no better moment than now to assume an outcome in her favour. But resenting the involvement of outside influences, the Company appeared to dig its heels in.

In fact, two other cases of the use of print media and public perception may have influenced Throckmorton's choice to make public her grievances. These were the case of the *Trades Increase* and that of William Leske. The *Trades Increase* was a huge vessel, and much fanfare surrounded the launching of her, James himself, as well as his royal entourage, were keen to be present at her launch.<sup>43</sup> But published in 1615, and bearing the same name as the ship, was a pamphlet criticising the Company. Connections between the two could not help but be made, and in light of the unfortunate voyage and fate of the vessel (she caught fire and was lost in Bantam Harbour, after a series of equally unfortunate events occurred during the voyage), public

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<sup>41</sup> Philip J. Stern "Companies: Monopoly, Sovereignty and the East Indies." in *Mercantilism Reimagined: Political Economy in Early Modern Britain and its Empire*, ed, Philip J. Stern and Carl Wennerlind, (Oxford Scholarship Online, 2014), 180-181, DOI: 10.1093/acprof/oso/9780199988532.001.0001.

<sup>42</sup> Mishra, *Merchants, Commerce and the State*, 393.

<sup>43</sup> Mishra, *Merchants, Commerce and the State*, 374.

reception was not favourable.<sup>44</sup> A second case centred on William Leske, a minister, who had been sent to the Indies to engage with the Jesuits. However, Leske found the temptations of a new and exotic environment hard to resist, and he was ultimately sent home in 1617.<sup>45</sup> But perhaps to avoid too much personal scrutiny, he created a serious level of discord by making public accusations of breaches of Company policy in regard to certain individual's private trade, in an attempt to court favour with the Committees.<sup>46</sup> Like the publicity surrounding the *Trades Increase* pamphlet, and Leske's public sermons condemning specific Company individuals, Throckmorton also used the medium of print media and public perception to manipulate the organisation.

April 1624 proved to be a busy time for the Court of Committees in relation to Throckmorton. A copy of the petition presented before parliament was read out on 2 April before the Court. It was agreed that on the following Monday the Court would debate the issue.<sup>47</sup> The entry goes onto record that the Court had determined that the Company was also intending to appoint lawyers in the matter when the organisation's representatives were to appear in the parliament in response to Throckmorton's accusations. The governor and several others had appeared before the parliament to answer the charges she had made. Again, on 14 April the minutes recorded that the Throckmorton case was to be discussed before a committee of the Lower House of parliament. With still no resolution in sight, it was at this point that Throckmorton's next move was to make her petition known to the wider public and to do this she commissioned the printed publication of her case.<sup>48</sup> *A briefe of the Lady Dales petition to the*

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<sup>44</sup> Mishra, *Merchants, Commerce and the State*, 376, 377.

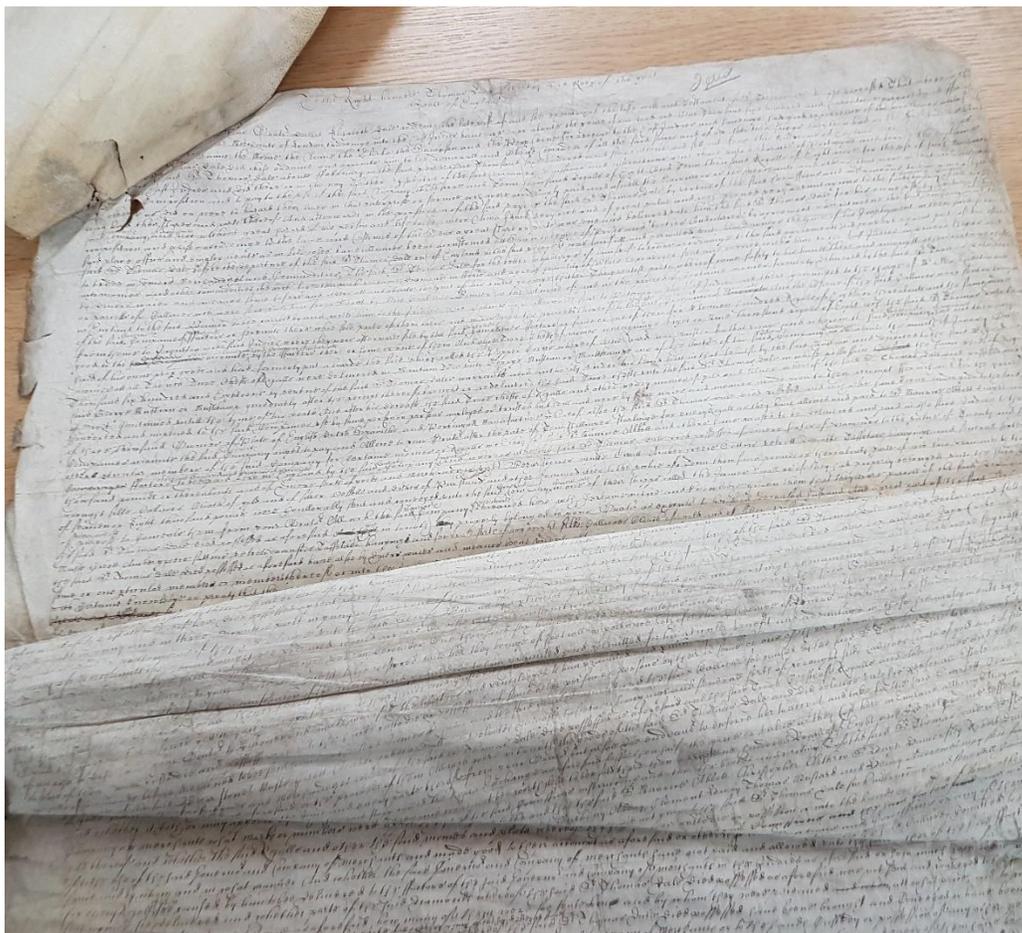
<sup>45</sup> Mishra, *Merchants, Commerce and the State*, 381.

<sup>46</sup> Mishra, *Merchants, Commerce and the State*, 381, 382.

<sup>47</sup> IOR/B/6, 472.

<sup>48</sup> A copy of the abridged, printed version of the petition can be found in the appendix.

*parliament* was a shrewdly constructed document with one aim in mind, a successful resolution in her favour. She, or perhaps an author commissioned by her, manipulated the text to make a harsh judgment on those who sought to disprove her claim, while carefully positioning herself as a genuine claimant. Throckmorton made serious accusations against the Company. She charged them with conspiring to rob her of the estate of her husband and she painted them as sinister co-conspirators and alluded to their evil intentions.<sup>49</sup>



Image, part 1, of the full petition that Elizabeth Throckmorton (Lady Dale) presented before the English parliament in 1624. Image taken by author at the National Archives Kew, London, February 2017.

<sup>49</sup> Mishra, *Merchants, Commerce and the State*, 394.



Image, part 2, of the full petition that Elizabeth Throckmorton (Lady Dale) presented before the English parliament in 1624. Image taken by author at the National Archives in Kew, London, February 2017.

She opened the petition by drawing attention to the fact that her husband was not just in the employ of the Company, but that his position was a vital one, that of “chief Commander of their Fleete into the East Indies”.<sup>50</sup> While executing his duty to the Company, her husband died there and upon his death everything he had acquired reverted to her. Throckmorton stated this in a few short sentences making her claim very clear and asserting certain facts that could be checked

<sup>50</sup> ‘A briefe of the Lady Dale to the Parliament’, (S. I.:W. Jones, 1624) STC (2<sup>nd</sup> ed.) Harvard University Library <http://eebo.chadwyck.com.ezproxy.lib.monash.edu.au/search> & <http://quod.lib.umich.edu/e/eebo/A19763.0001.001/1:1?rgn=div1;view=fulltext>, University of Michigan Library, accessed 30/01/2015.

against the Company's own records. She then proceeded to accuse specific individuals of conspiring with the Company to defraud her of her husband's estate. Thomas Jones, and Sir Thomas Dale's own servant Robert Owen, as well as three other factors, George Ball, William Methald and Augustine Spaulding were singled out in the brief. She alleged that, in collusion with the Company they had "by a forehand private direction from Governors, Treasurers and Committees of that Company, to seize upon all his goods for the use of the Company, and so to swallow up all his estate".<sup>51</sup> She proceeded to detail that these men, at the Company's direction had in fact broken into his cabin and storeroom and "unlawfully" removed Sir Thomas' goods and money, together with ledgers and books and other "particulars of his estate there" and deliberately concealed them so they could share the rewards amongst themselves.<sup>52</sup>

Because the accusations were public, all of these men had no option but to respond to her petition. Their silence in this matter would risk making the Company themselves appear as if they were hiding something and only add to the tenuous nature of the Company and the parliament's already precarious relations. Not only did she name the co-conspirators, but she also accused the Company of being in collusion with these men and with malicious intent, directed them in their course of action, as they have "since practiced to defeat the Petitioner".<sup>53</sup> The Company also risked losing favour with the wider public at a time when it would not have been in their best interests to do so.

In the *Briefe* she went on to accuse the Company of deliberately stalling the proceedings by alleging it was her husband who owed them, "the supposed debts of her husband to the Company to the value of 2600 pounds".<sup>54</sup> Throckmorton proffered this as a deliberate attempt to

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<sup>51</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>52</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>53</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>54</sup> 'A briefe of the Lady Dale to the Parliament'.

draw the issue out and presented evidence that while one agent of the Company had billed her husband's estate another has refuted this and "has upon oath confessed this to be an unjust charge".<sup>55</sup> She stated that she had attempted to move things along by presenting her suit in the Admiralty Court naming Jones and Owen as "principall actors of the said wrongs and spoile there" but that the Company had, time and again, blocked her with counter allegations.<sup>56</sup> She also accused the Company of suppressing and concealing books and memorials, which proved the goods and estate in question belonged to her husband.<sup>57</sup> In the *Briefe* she highlights the 'scornful' manner in which the Company had treated her and her advocates, when she sought "justice and equitie".<sup>58</sup> By the end of the petition she most "humbly prayeth this honourable Court" to consider her suit and finds favour with her by demanding the Company produce the missing documents for examination.<sup>59</sup> Specific protocols had to be followed as was custom in the chamber, and Elizabeth Throckmorton deferred to the authority of the parliament, particularly in reference to 'this honourable Court', while still maintaining her forthright manner.<sup>60</sup>

Although Throckmorton's name only appears once during 1625, she did not give up on her case and it likely she continued seeking recourse through other means. Her petition in parliament and the subsequent debates over this was neither a success or a failure. The case remained in a state of impasse, as further parties continued to discuss the matter.<sup>61</sup> Ultimately the refusal of representatives of the Company to back down from their counter-argument went in

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<sup>55</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>56</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>57</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>58</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>59</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>60</sup> 'A briefe of the Lady Dale to the Parliament'.

<sup>61</sup> Mishra, *Merchants, Commerce and the State*, 396-398.

the Company's favour. Governor Morris Abbot reported back to the Court that the parliamentary committee, established to hear the case, backed away from it and referred the matter back to navy commissioners, where it had been referred to by the king in 1623.<sup>62</sup> Throckmorton's case made few appearances in the Court minutes throughout 1625 and 1626 and it is logical to suggest that the Committees were pre-occupied with the business of trade. However, on 3 May 1626, the Committees reported that her case had been passed in the lower house of parliament. There had been some debate over the passing of the complaint and the Committees were once again particularly critical of her and re-affirmed this by stating that "the Lady Dale had unjustly grounded her complaint against the Company".<sup>63</sup>

But once again the matter was put to rest for now, and they determined that the case be put aside for later consideration. This was another delay tactic by the Committees. Throckmorton, yet again, was thwarted in her attempt to advance a resolution. In December 1626 Throckmorton's hopes for a resolution were once again dashed when her case is further postponed. On 1 June 1627, the Committees declared that they were in the process, with the aid of the Company's solicitor, Mr Acton, in drawing up the account books of Sir Thomas Dale themselves. These accounts the Committees attested to were "to be produced in opposition to those copies insisted upon by the Lady Dale".<sup>64</sup> The Committees were explicitly accusing Throckmorton of having produced account books that were at best in error, or at worst deliberate forgeries.

By the beginning of the year 1628, Elizabeth Throckmorton's name makes significantly fewer appearance in the Committees minutes. The only entry that makes direct reference to the

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<sup>62</sup> "Maurice Abbot", The History of Parliament, 16/03/2018, <http://www.historyofparliamentonline.org/volume/1604-1629/member/abbot-maurice-1565-1642>.

<sup>63</sup> IOR/B/8, 400.

<sup>64</sup> IOR/B/9, 549.

petition before them is one that concerns “an account of interest between the Company and the Lady Dale”.<sup>65</sup> There are very few details regarding this entry other than the fact that this directive had come out of the Court of Chancery. There was still no definitive conclusion to her case. After 1628 there are no detailed reports of Throckmorton’s continuing grievance, although we know from a reading of her will in 1640, that any debts she had were to be settled out of the estate still held in the Company’s hands, suggesting she never received the estate in question.<sup>66</sup> Her case is still noted, in 1632, but not in direct reference to her earlier claims. Thomas Jones, who stood as a witness on behalf of the Committees several years earlier, petitioned the Court to be employed once again as a factor in the Indies. In this same petition he also requested substantial restitution for losses incurred because of his association with the Throckmorton case. His plea before the Committee named the Lady Dale (Elizabeth Throckmorton) as the sole reason behind his inability to raise the funds for his position as factor and he claimed that this had cost him five hundred pounds, an amount which the Company argued was inflated.<sup>67</sup>

It is not difficult to understand why Throckmorton abandoned the case as she had been fighting unsuccessfully for years. She had also called in every possible ally, leaving no further avenues open to her. Across this long period, Elizabeth Throckmorton strategically positioned herself as a victim of a faceless, powerful and patriarchal institution, but she never used her gender explicitly to gain favour. Unlike her ‘middling’ and poorer counterparts, Throckmorton was able to amass a substantial assortment of powerful supporters, she had the means and the access to significant avenues of legal recourse and she was also possessed of the funds to pursue her case for more than a decade. Her most powerful tool was the printed petition that was made

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<sup>65</sup> IOR/B/10, 419.

<sup>66</sup> Waters, *Genealogical gleanings in England*, 748-749.

<sup>67</sup> IOR/B/13, 195.

public. And like the Trades Increase pamphlet, and the case of William Leske, her petition added to a pool of potentially damaging public criticism, and in this case from the wife of a powerful Company official. The power of the document lies in the careful manipulation of the Company's public image. Elizabeth Throckmorton shrewdly used the medium of print to bring to light what she believed to be a gross injustice done to her. Throckmorton's powerful petition provides the evidence that woman such as her were able to control their own affairs.

## **Conclusion**

Throckmorton was exceptional. She could call on powerful and influential allies to assist her cause and she possessed the ability to negotiate her way through the political and economic institutions available to her. Because of her position, she believed she was entitled to compensation and she would not compromise. And yet for all her resources and legal acumen she failed. It was highly unlikely from the beginning of her long fight that she was ever going to be awarded everything she petitioned for, and her increasingly influential 'outside' resources almost surely made matters worse. I have suggested in this chapter that this was because of her elite and privileged social status, which led her to make persistent demands on the Company and to pitch these demands at the highest possible level, making the EIC very unlikely to accept them. Just as Throckmorton's petition failed due to the legal nature of her approach and the large sums she was demanding, the women in the next chapter would also face determined resistance because of the nature of their individual cases, and as we shall see the outcome was often a begrudging resolution to the case but accompanied by a warning not to return once the case was resolved.

## CHAPTER TWO; 'MIDDLEING' WOMEN AND THE COMPANY

This chapter shifts the focus from elite women to a different group that I have characterised as the 'middling sort'. Although not nearly as privileged as Throckmorton, such women possessed the resources to follow through with multiple petitions and they repeatedly appeared before the Court of Committees. Their cases were often lengthy and drawn out affairs, lasting many months and sometimes even years. These petitioners were also set apart in that they could, and indeed did, seek support from other institutions outside the Company's authority, something the organisation tended to resent. And unlike their poorer counterparts, they did not eagerly accept the Company's offers of restitution. Because of this, the entries in the Court minutes contain substantial detail, much the same as Throckmorton's case, highlighting the scrutiny that Company officials paid to these petitions and the very thorough manner the organisation investigated the claims. And like Throckmorton, these women became a problem for the Company, which was unwilling to respond favourably to their demands.

In addition to introducing three case studies, this chapter examines the similarities and the differences between these cases and the Throckmorton case. This chapter will, moreover, make some initial comparisons with poor women's petitions, which are the subject of chapter three. Even though the petitions differ markedly, there is a consistent pattern that applies to each of the petition types. In order to do this, I will examine the rhetoric used by both the petitioner and the Company to determine how the middling women's cases are analogous to the elite example and how they differ. I will also compare this with the language and rhetoric used in chapter three's example of poor petitioners. The three case studies under examination here are the petitions of Thomazin Powell, Susan Viney/Susan Jourdain and Mary Jackson. Each of these cases are

different, but there was one common factor shared by all of the petitioners: the Company resisted a swift and successful resolution to their petitions.

Thomazin Powell was a widow and mother. Her son William was employed by the Company in the Indies, where he had perished. Her petitions spanned a little over twelve months, from May 1623 to April 1624. We do not know in what capacity her son was employed, but the records offer some clues. That the petition noted he had been relieved of all his goods and the fact that his mother saw fit to petition repeatedly, suggests he may have been more than just a seaman. It is unclear exactly how many times she had appeared before the Court of Committees, but in at least two entries in December 1623, the Committees made it clear that she had been paid money on several earlier occasions. In her effort to seek compensation, Powell also made pleas to the Lords of the Privy Council, hoping to gain support in her case against the Company. The Jourdain case was drawn out over a decade and involved his sister, Susan Viney, and his widow, Susan. Finally, this chapter will also consider Mary Jackson, the sister of George Cokayne, factor in the Indies, who also endured the antipathy of the organisation and another drawn out suit.

The three case studies involved petitions that requested goods, money and compensation. These were the result of ongoing conflict between the English and the Dutch VOC. As intense rivals to the lucrative commodities trade in the Indies, the relationship between the two countries was always precarious, and at times outright hostile. It was the result of ongoing hostilities that claimed the lives of all three men, whose woman kin are the petitioners.

What was the background of these women and their relatives who were employed by the Company? Captain John Jourdain was a high-ranking English merchant who occupied a prominent role in the early history of the organisation. He was a man of substance, having

maintained a successful, independent business before joining the Company. Jourdain and Cokayne occupied positions of authority, which commanded a certain level of respect from their subordinates. William Powell was likely a far humbler figure. Jourdain, Cokayne and Dale, husband of Elizabeth Throckmorton, were all engaged with one another in the Indies. They were both colleagues and competitors operating as representatives in different capacities for the Company.

Thomazin Powell, the Vineys and Mary Jackson were not without resources, although neither Powell, Viney or Jackson had the means at their disposal that Throckmorton did. Jourdain's widow seems to have had access to far fewer resources. Thomazin Powell, Susan Viney and Mary Jackson, in the Company's eyes were neither humble, nor were their requests small. Susan Jourdain, by contrast, was a far more modest figure, who seemed desperately in need of support.

This chapter introduces three individual cases involving four women who had experienced loss. Each circumstance involved a protracted battle with the Company, who resisted their petitions. Resolutions to each case were eventually concluded, but these were not resistance or criticism of the women involved, and the end results were hardly what the petitioners had expected. Of the four women involved, Susan Viney, Jourdain's widow, would appear to have been treated with the most compassion.

### **A grieving mother: The Powell case.**

The Powell case shows what happened when a woman with some resources petitioned repeatedly. As is often the case, constructing a timeline from the documents we have is difficult,

but the broad facts of the case are reasonably clear. Thomazin Powell was requesting both goods belonging to her son that had been seized, as well as compensation for his death. In the first of three undated petitions to the Privy Council, “The humble petition of Thomazin Powell a poore widdow”, begs the Lords of the Council to intervene on her behalf in the ongoing matter with the Company, stating ‘that her sonne, William Powell a young man aged some 26 yeares... was shipped for the east Indies by the said Company in the good ship called the Swan...’.<sup>1</sup> Powell pleaded with the Council, ‘as a very poor woman’, to assist her in her case against the organisation.<sup>2</sup> Her son was dead, taken by the Dutch onboard another vessel, the *Solomon*, and all his goods had been taken from him, she was in no way able to secure a livelihood for herself and begged the Lords “to have some restitution or satisfaction from the estate”.<sup>3</sup> The Company, the plea goes on, had declined to award her anything and she trusted that if the Council were to support her case the Committees would have no choice but to honour her request. In this plea, she desired intervention of the Lords for “mediation with the saide Company or the States Holland... to make speedy(?) compensation or satisfaction”.<sup>4</sup> We do not know whether Powell herself was making the plea or whether another individual was doing so on her behalf, but the plea before the Council was couched in humility and this demonstrates similarities to the petitions of poor women. This is very different to the tenor of the language that appears later before the Court of Committees where she demanded satisfaction. Although, taking her case to a higher authority may have required a humbler approach, this did not serve her well before the Company’s Court.

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<sup>1</sup> SP/14/124, f, 221.

<sup>2</sup> SP/14/124, f, 221

<sup>3</sup> SP/14/124, f, 221.

<sup>4</sup> SP/14/124, f, 221.

As far as we can make out, she first appeared before the Company's Court of Committees on 11 February 1623, where the Court "was moved on behalf of the widdow Powell to be shown something in charity".<sup>5</sup> However, the Court responded by stating that she had received reply and payment, and even though she had taken her complaint against the Company to the Privy Council, the Court was still willing to "bestowe upon her 40 shillings out of the poore box".<sup>6</sup> We can determine from this that the Committees were familiar with her case, that she was a repeat petitioner but they nonetheless were willing to give her something in charity. So, on the one hand the organisation was demonstrating its magnanimity while on the other it was scolding her brazenness by adding, in a coldly corporate manner, that owing to the "exorbitant nature of her demands", the Company declined to offer her anything else.<sup>7</sup> This is a consistent response to any petitioner that questioned the authority of the Court or acted outside the Company's sphere of influence. And it demonstrates that the organisation was carefully measuring its own behaviour and response to matters of responsibility and obligation. The precedent for its own corporate accountability was being tested, if the Company was seen to be benevolent, it risked jeopardizing its own interests. On the other hand, the organisation was well aware of its own public perception. The organisation's response was such because Powell had gone beyond the authority of the Company, to plead her case before the Lords of the Privy Council. This course of action was not looked upon favourably by the organisation. In fact, over the twelve months that followed the February appearance before the Committees, the only thing Thomazin Powell achieved was to add to the growing resentment of the organisation to anyone who challenged their jurisdiction.

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<sup>5</sup> IOR/B/6, 405.

<sup>6</sup> IOR/B/6, 405.

<sup>7</sup> IOR/B/6, 405.

On December 12, 1623 Powell was back before the Court of Committees. In yet another petition, covering almost half a page in the original Court book entry, she was informed by the Company that they had granted her the motion of sending another of her sons out to the East Indies as a show of good faith, but now requested he be returned to London. It had been with great expense that this had been granted and, although he was able to do them no service and she had become so troublesome, it was resolved that he be sent home.<sup>8</sup> By responding in this manner, the Company was issuing veiled threats, (and may have been the result of her plea before the Privy Council) the danger was that she could be left destitute, with no means of financial support. It is never made clear whether these inherent threats amounted to anything as there is no evidence to suggest her son was recalled from the Indies. This could arguably have been a pretence in order to ‘shut her up’, but it did not work. And although the organisation firmly believed it had granted Powell enough recourse and referred to her complaint as being unjustly founded, she was back before the Committees in just a few short days.<sup>9</sup>

In fact, just five days later, on 17 December 1623, in a show of frustration, the Company responded that Powell’s widow and the rest (presumably this was in reference to the other widows who along with Powell had petitioned the Privy Council), should they further trouble the Company or their Lordships, they should be “whipt”.<sup>10</sup> This show of frustration on the part of the Company came as the result of one of the undated appeals, sometime in 1623, to the Privy Council. In this plea, Powell and “about 30 other poore distressed widdows” appealed to the Lords.<sup>11</sup> Although Powell’s name only appears in the title of the plea, the petition states that the matter was “touching the loss of their husbands and children lives and goods, violently taken

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<sup>8</sup> IOR/B/6, 305 & 307.

<sup>9</sup> IOR/B/6, 305 & 307.

<sup>10</sup> IOR//B/6, 316.

<sup>11</sup> SP/14/124, f, 222.

from them at the Molockoes by the Hollanders”.<sup>12</sup> This plea was to the president of the Council, Viscount Mandeville. The widows, and this presumably included Powell, were begging for relief of their present condition, as well as compensation for the loss of their loved ones. As the Dutch had already compensated the merchants involved in the episode, the petitioners also wanted restitution made. The Council ordered that the merchants should duly make payment. The matter was referred to Trinity House and the Court of the Admiralty, but once again the petitioners felt cheated, Sir Henry Martin, Judge of the Admiralty declared that after the merchants had deducted their costs, the petitioners would be paid their kinfolk’s wages, but very little more.<sup>13</sup> With no resolution from the Council, Powell returned to the Company’s Court of Committees. Two earlier appeals to the Council also seemed to have fallen on deaf ears and although none of the three appeals in the State Papers concerning the reign of James I and the widow’s petition are dated, the corresponding entries in the Court minute books of the Company suggest all matters relating to Powell’s case had appeared before Privy Council the same year as her case before the Committees, in 1623.

Toward the end of Powell’s entries, before she disappears from the record, she was frequently referred to as a “troublesome woman”, often berated for her “daily clamour” and accused of “importunities”.<sup>14</sup> And to drive their point home the Company threatened her, along with several other women, that if they continued to trouble the Court. This raises the question, why did Thomazin Powell not just quietly accept the Company’s offers of restitution when many other petitioners did? Unfortunately, the records do not allow a final conclusion, but it almost certainly stemmed from the fact that she possessed the capacities and resources to return again

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<sup>12</sup> SP/14/124, f, 222.

<sup>13</sup> SP/14/124, f, 221.

<sup>14</sup> IOR/B/5, 487.

and again to the Court. In addition to this she was in a position to take her case to the Privy Council, at least three separate documents attest to her case before the Lords.

What happened to Powell? The record reveals no further mention of her after 9 April 1624, where it was decided by the Governor to pay her what she had requested, and this was to be the end of the matter.<sup>15</sup> We can assume that she accepted but her encounter with the Company was not a happy one. The more she petitioned for recourse the more hostile the language used in the response became. This case shows that this was not always a paternal and benevolent organisation. It could and did resist claims for compensation however justified. The next case, however does reveal that benevolence could still be present, although it would appear in carefully measured doses.

### **Tangled webs: The Jourdain/Viney case.**

This case centres on a famous and well documented character in the early phase of the Company's expansion, John Jourdain. Jourdain was a senior Company official in the East Indies and his career has been well studied by historians.<sup>16</sup> Far less well known is the protracted and drawn-out case involving Jourdain's widow, sister and nephew. The Jourdain/Viney case is a complicated affair involving multiple petitioners who received very different responses from the Company.

Jourdain's own journal describes his many years of service with the organisation. In his mid-thirties, with a flourishing personal business, he was a well-established merchant before

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<sup>15</sup> IOR/B/6, 478.

<sup>16</sup> Martine van Ittersum, *Profit and Principle: Hugo Grotius, Natural Rights Theories and the Rise of Dutch Power in the East Indies, 1595–1615* (Leiden: Brill, 2006).

joining the Company and he had taken a pay cut in order to do so.<sup>17</sup> Why he may have chosen to do this is unclear, but there is a good case to be made for the idea that the newly established Company offered the likes of Jourdain the opportunity to make a great deal of money. He shared the same voyage out to the Indies as Sir Thomas Dale. He and Dale were in fact colleagues, although their relationship was far from congenial. The details of the case under discussion in this chapter, involved Susan Viney, his sister, Jonas Viney, his nephew and his widow Susan Jourdain. The Jourdain/Viney/Jones/Dale cases overlapped significantly. His death in July 1619, saw his sister Susan Viney appointed sole executrix of his estate. Although Jourdain was still married at the time, his wife was not named as a beneficiary. There was however a five-hundred-and-fifty-pound investment made on behalf of his son, with the interest of this to be paid accordingly. On the death of his son, his wife was excluded from his will altogether.<sup>18</sup> The reasons for this remain a mystery but would bear relevance to the petition later on.<sup>19</sup>

Susan Viney received a hostile response from the Company. In March 1621 Susan Viney petitioned the Court of Committees for the Company to bear the costs of her deceased brother's funeral.<sup>20</sup> The Court's entry for this day was accompanied by a menacing tone in response to that request. They stated that any request to cover the funeral costs may incur further questions over the state of her brother's accounts and the matter of a missing 4000 rhyalls.<sup>21</sup> The same entry also notes that Jonas Viney had 'humbly' petitioned the Court for an amount of 1500 rhyalls he alleged his uncle, Captain Jourdain, had bequeathed him.<sup>22</sup> The Company did not

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<sup>17</sup> Masselman, *The Cradle of Colonialism*, 286.

<sup>18</sup> Masselman, *The Cradle of Colonialism*, 286.

<sup>19</sup> The case is a complicated and interesting one. There are several petitions relating to the estate of Captain Jourdain. Not only does the matter see Susan Viney and her son Jonas petitioning, but several other family members are named in several different suits. Named in this suit is another nephew, John, who went out to the Indies with Jourdain, as his manservant, hence the tangled web.

<sup>20</sup> IOR/B/5, 356.

<sup>21</sup> IOR/B/5, 356.

<sup>22</sup> IOR/B/5, 356.

record whether or not it covered the costs of Jourdain's funeral expenses, nor did it make reference to the claim of Jonas Viney for the 1500 ryhalls. The next entry of real significance was later in the year.

In October 1621 Susan Viney, requested, among other matters, for eight-hundred pounds to be released to her by the Company. This amount had been "left in the Companies hands" and she was now seeking the return of it.<sup>23</sup> The Court was also considering Jourdain's estate, which suggested that no moneys were to be paid to his sister until the accounts had been thoroughly scrutinised and that it was stated that "the court remembered that Mrs Viney hath already been paid 100 pounds" and that any more requests on her part were to wait until all her brothers accounts had been finalised.<sup>24</sup> The Company was clearly stalling, on account of the fact that Susan Viney was, by now a repeat petitioner. It cannot be known what was in the minds of the Committees, but the language and tone of this appearance suggests that the Company was not impressed with her requests up to this point and they responded by further delaying her case. Not helping her cause in any way was the additional request in this entry that also noted that Jonas, her son, was asking for the return of a 'box' or 'cabinet' containing jewellery. The cabinet or "compatoire" Jonas was requesting, contained several items of some value, including rings set with precious stones which had been, according to the petition, gifted to him by his uncle.<sup>25</sup>

The issue concerning the return of the box and jewellery was presented before the Court again in November. The month of November also sees the Company again discuss the contents that Jonas Viney is inquiring after, as well as the addition of certain "ryhalls" that were now said

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<sup>23</sup> IOR/B/5, 133.

<sup>24</sup> IOR/B/5, 133.

<sup>25</sup> IOR/B/5, 133.

to have been in the box Jonas Viney was requesting.<sup>26</sup> There was no resolution to be had at this stage, as the Court determined that all accounts were to be scrutinised. November appeared to be a busy month for the Viney's. There were repeated appearances before the Court regarding the estate of Jourdain, but no clear resolution. In fact, it would appear the Court was becoming agitated at these repeated requests. At one point the language of the Court suggested that Susan Viney did not understand the accounts, when the Committee recommended that "they desired her that she bring some friends that understood accounts".<sup>27</sup> This attitude and language of the Court toward women such as Susan Viney was common, and very different to the language and response to poor petitioners. It infers an attempt to discourage her in the hope that she will settle on what the Company had to offer. Alternatively, this was a prevailing general stereotype regarding women and their ability to understand complexity in regard to finance and trade. But what is clear from both the repeated requests of Susan and her son, and the response of the Company, was that neither party was prepared to concede defeat.

In spite of continued discouragement by the Committees and increasingly disparate rhetoric in what were attempts to ward off further requests, the Court on 16 November 1624, was content to lend her 100 pounds.<sup>28</sup> The organisation seemed to be implementing several different strategies in order to have the matter dealt with by either issuing small bequests and hoping she would simply go away, subtle threats of being left with nothing at all and insults aimed at her person. Further evidence of what seemed to be tactics to delay the case, is apparent later that month, for in another entry into the minutes, with yet more reassurances, the Committees inform Susan Viney that the accounts between her brother and the Company were still in the process of

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<sup>26</sup> IOR/B/5, 195-196.

<sup>27</sup> IOR/B/5, 205.

<sup>28</sup> IOR/B/5, 210.

being finalised.<sup>29</sup> Susan Viney, by this point, was perhaps under the impression saw she would receive a favourable outcome, even as the Committees continued to stall her. However, by March 1622, relations between the two parties had soured and there was some question over the validity of both Susan Viney's petition as well as that of her son Jonas. The Court was again questioning the truth of how Captain Jourdain came to be in possession of certain goods, whether they had been unlawfully taken from the Dutch or through private trade. And if this was the case then the circumstances surrounding these goods would only provide further headaches for both the Vineys and the Company. In addition to this, Jonas Viney was "demanding satisfaction" over gifts he argued were bestowed upon him by the "Queen of Pottanie", however the Court argued that these gifts were unjustly taken and did in fact belong to the Company.<sup>30</sup> The fortunes of this petition changed again when by November 1623 Susan Viney was dead and her son Jonas left as sole executor. The Company however, refused to award any amounts in question, pointing to the fact that he had yet reached the full age of twenty-one. However, the organisation saw fit to award him a small amount in lieu of him reaching the age of consent, which providing he caused them no further disruption, he thankfully accepted.<sup>31</sup> Although once again this would not be the end of the matter.

With the death of Jourdain's sister, Susan Viney, and a small bequest paid to her son, the Committees could be mistaken in thinking the entire matter had been resolved but what makes the Viney case so interesting is that in December 1624, the wife of the deceased Jourdain, Susan Jourdain, appealed to the Court concerning the wages of her dead husband and the case involving her sister-in-law and nephew. Her petition pitted the widow against the sister and her son, Jonas

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<sup>29</sup> IOR/B/5, 219.

<sup>30</sup> IOR/B/5, 355.

<sup>31</sup> IOR/B/6, 249.

Viney. Susan Jourdain received a different response from the Company. It appeared that she was requesting that before any further monies were to be awarded to Jonas Viney, the Court consider her own circumstances. The Court noted as follows “At this Court was read a petition on the behalfe of the late wife of Captayne Jourdain wherin she pleads the monies hereforto paid to Jonas Viney and his mother out of that estate, to have been wrong paid” and the petition goes on to request “that the widow of that estate may remayne still in the Companies hands”.<sup>32</sup> Susan Jourdain, estranged widow of Captain Jourdain, humbly appeared before the Committees asking that before any more money was paid to either Jonas or his now deceased mother, the Court consider her own case. In response to this the Company agreed to put any payment on hold for the time being. Widow Jourdain did not demand anything of the Court, she employed a neutral tone when she simply asked that further enquiries should be made. Susan Jourdain would continue to use language that humbled her before the Court, and she ensured she that her case remained firmly within the authority of the Company. Her language of humility evoked a more sympathetic response from the organisation, unlike the rhetoric employed against her deceased sister-in-law and nephew. Jonas Viney’s next appearance was in stark contrast to this.

Appearing before the Committees again in May 1625 Jonas Viney “demanded” of the Court the remainder of his Uncle’s estate, at which the Company responded with a terse announcement that it was he who was “indebted to the Company to a great value”.<sup>33</sup> These ‘demands’ did not amount to much for Jonas and the Court did not take kindly to petitioners who demanded anything of it and reminded him in threatening tones of who was indebted to whom and that Jonas “were he not satisfied”, he could attend a meeting with Company’s chief

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<sup>32</sup> IOR/B/ 7, 277.

<sup>33</sup> IOR/B/8, 54.

accountant, Mr Lanman.<sup>34</sup> It is not clear whether Viney did indeed do so, as the next entry concerning the case is almost two years later in April 1627. Two ministers, John Geare and John Hazard, as well as a merchant, Peter Hazard, all presumably acquainted with Susan Jourdain, petitioned on her behalf for some form of “yearly maintenance” on account of her “great misery” which resulted in her “beggeth from door to door”, a result of her “extreme poverty.”<sup>35</sup> Although the Company did not concede to pay her the yearly maintenance they had petitioned for, she was granted a ten-pound payment from the poor box.<sup>36</sup> Susan Jourdain had enlisted the support of advocates, but again because of the humble nature of the petition on behalf of her, the Court exercised sympathy with her cause and she was awarded some means of relief. Unfortunately for Jonas Viney, the Court entry informed him he was to have no further payment.<sup>37</sup> And in another entry a little later in November that same year, there was further discussion over amounts that had already been paid to Viney. The case was again put on hold until certain evidence requested by the Committees was to be produced in either the Court of Delegates or the Admiralty.<sup>38</sup>

Over twelve months later in November 1628, after appealing against her nephew, Susan Jourdain was awarded what remained of her husband’s estate after the books had been thoroughly searched to determine what was left owing.<sup>39</sup> She did not, however disappear from the record. There are several appearances in the Court books between November 1628 into 1633 when she appeared as a witness against her nephew Jonas at his trial in Guildhall for fraud. But her name consistently appeared in the minutes for over ten years. These women were not

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<sup>34</sup> IOR/B/8, 54.

<sup>35</sup> IOR/B/9, 498-499.

<sup>36</sup> IOR/B/9, p, 498-499.

<sup>37</sup> IOR/B/9, p, 498-499.

<sup>38</sup> IOR/B/10, p, 155.

<sup>39</sup> IOR/B/11, p, 134.

content to sit back and wait for a trinket or two, they actively fought by whatever legal means available to them, for resolution. The Viney/Jourdain case was a drawn out and lengthy affair, much like the Throckmorton case, though neither Susan Viney nor Susan Jourdain were in quite the same league as Elizabeth Throckmorton. But this process took a good deal longer than the petitions of poor women.

There are patterns emerging here in relation to the case of Susan Jourdain. On each occasion, she appeared before the Court there consistently appeared a measure of sympathy toward her by the Committees. All of her petitions were 'humbly' presented to the Court, she never demanded the Court release payment, in fact she frequently requested that the estate of her deceased husband remain in the Court's hands and this strategy appeared to work in her favour. Arguably the Committees did not trust the Vineys, particularly Jonas, after he was left to carry on alone following the death of his mother, Susan Viney. The Court regularly made small amounts out to Susan Jourdain, going as far as awarding her funds in support of her case against her nephew Jonas, these funds were released to her out of her deceased husband's estate. Ultimately by the time the case of the Viney/Jourdain was ended the estate could not have amounted to its original worth. Susan Jourdain, Captain Jourdain's widow humbled herself before the Committees at each of her appearances and her language bespoke the humility in which she sought the assistance of the Court. The Viney's on the other hand, demanded their share of the estate, and the language they employed demonstrated their sense of entitlement and this was what the Company objected to. Susan Jourdain, in her humble and respectful manner was the recipient of a sympathetic organisation. The Vineys, demanding, forthright and entitled encountered a very different organisation and this is demonstrative of the Company's consistent resistance to simply granting complex and repeated petitions.

The appearances of the Vineys continued for over a decade, well into the 1630's and all the entries are in relation to the estate of Captain Jourdain. The final entry regarding the entire case is in July 1633, when Jourdain's widow petitioned the Court to have a trial held in Guildhall and called upon officers of the Committee to act as witnesses for her. She had made charges against Jonas Viney concerning the fraudulent acquisition of monies stolen from her by him out of her husband's estate.<sup>40</sup> We do not know what the outcome of the trial was. We do know that the trial itself was held on the Saturday following and after more than a decade of petitions to the Court, and subsequent payments. It is logical to assume that the estate may have eventually whittled down to very little, or alternatively, the Company itself may have absorbed an amount left owing before making final payment to Jourdain's widow.

### **Brother, where art thou?**

Like the petition of the Vineys, Mary Jackson endured both the continued ire of the Company, and she was also accused of fraud. Her brother, George Cokayne, was a primary factor in the Indies for the Company for over ten years and had worked closely with John Jourdain. He was murdered travelling between factories sometime in May 1619 in his official capacity as chief factor at Succadana.<sup>41</sup> In a letter sent to the Company in July 1620 from Jacatra, the news of the "inhumane murder by Chinese" reached the Committees in London.<sup>42</sup> George had not been happy about his time in the Indies, made evident by his letters of correspondence to the Committees throughout 1617-1619. He dearly wished to be sent home. He wrote, in a letter

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<sup>40</sup> IOR/B/ 13, 326.

<sup>41</sup> The Journal of John Jourdain, 244.

<sup>42</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 378-387.

from Succadana in June 1618 of finding the factory there in a “strange, confused fashion”.<sup>43</sup> George Cokayne had made it very clear that he was keen to get back to England and that he had very few good things to say about a number of his fellow Englishmen or the disorganised and “shameful business” when he first arrived at Succadana.<sup>44</sup> His earliest complaint dates from February 1617, and he follows the February complaint up with further dissatisfaction in March, when it is noted that he had run into some difficulties with the Dutch.<sup>45</sup> In fact it would appear that George voiced his concerns and discontent right up until his untimely death in several correspondences. Due to his many complaints, the Court of Committees were very aware of George Cokayne. Sadly, Cokayne never arrived back in England. In an entry of the Company’s minutes dated November 1621, a payment of £100 has been made to his mother.<sup>46</sup> In December of that same year the record notes his sister receiving £50.<sup>47</sup> In both these instances however, Cokayne’s accounts were to be scrutinised and the inference was, these sums were to be repaid if the Court was unsatisfied with the outcome of the examination.

Soon after, in February of the following year Mary Jackson’s case was still before the Committees and there was a sense of increasing frustration with her on the part of the Court. The Committees stated that “this is a woman and therefore not so ready or so understanding in accounts as to be satisfied”, adding that she was permitted to bring a friend with her so that they could explain these accounts to her.<sup>48</sup> This was also offered to Susan Viney, not so much to sully their reputation, but a standard prevailing stereotype. However, this is the same Jackson to whom the Company had so generously given 50£, but now she was woman hardly fit to

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<sup>43</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 168-173.

<sup>44</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 168-173.

<sup>45</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 3: 1617-1621, 19-23.

<sup>46</sup> IOR/B/5, 190.

<sup>47</sup> IOR/B/5, 246.

<sup>48</sup> IOR/B/5, 335.

understand such things as bookkeeping and accounts. This was a clear show of resistance by the Company to women who made repeated appearances. In an attempt to discredit her petition, and by extension it was now inferred she had perpetrated a fraud, she was also accused of producing a questionable witness, "a man that for an offence not to be named was sent home and had deserved to be hanged in the Indies."<sup>49</sup> She was told that she should be grateful for what "hath already been afforded her".<sup>50</sup> The Company, it would seem, had no intention of awarding her the estate of her brother. The language used by the Company and the reply to her continued appearances before the Committee was designed to not only discourage her but painted her character in an unflattering light. She had been accused by inference of attempting to defraud them. An accusation of fraud was also levelled at Throckmorton and could arguably have been a tactic employed by the Court to discredit these types of petitioners. Although both the language and the apparent intent was to see her desist from further complaint, she had acquired the intervention of arbitrators in her case in June 1624 and by September of that same year the response of the Company had softened somewhat, allowing her to "make use of the books concerning her deceased brother's estate at her pleasure".<sup>51</sup> It was then reported to the Court on 29 October 1624, "...that the matter in question between the Company and Mary Cokayne concerning the Estate of her Brother George Cokayne deceased in the Indies, had received a hearing by those unto whom it had been referred on both sides, but that it was agreed she shall have 100 Marks and give a loyall? discharge to the Company".<sup>52</sup> Both these entries in September and October suggest that Mary Jackson had been given the opportunity to examine the account books of her late brother, and having done so the Committees had conferred on the

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<sup>49</sup> IOR/B/6, 10.

<sup>50</sup> IOR/B/6, 10.

<sup>51</sup> IOR/B/7, 143.

<sup>52</sup> IOR/B/7, 178.

matter and it was decided that she would be awarded a set amount. She was also reminded that that the Committees expected this to be the end of the matter.

While it may appear that the response of the Committees is inconsistent, this is in keeping with the consistently resistant manner with which the Company dealt with women who routinely made repeat appearances. The Company vacillated between goodwill and contempt, but even when the organisation exhibited a measure of goodwill, as in the case of the £50 awarded to Jackson, this was done so reluctantly. She was awarded this payment in the in the hope that this would be the end of the matter. Jackson was then left to deal with the inference she was defrauding the Company. Though not explicitly stated by the Company that she herself may have intentionally committed fraud, the accusation that she had endeavoured to produce a false witness, might well have been a threat on behalf of the organisation, once again, in the hope that this would prove enough of an incentive to cease with any continued appeals. Several times the organisation made small payments to her, perhaps hoping that this would be the last time they would have to deal with her, but Mary Jackson did not give up. She repeatedly appeared before the Court making claims to her brother's estate. No definitive conclusion is recorded in the Court minutes in regard to Mary Jackson's petition. Her name does not appear beyond the close of 1624. It would seem that the one hundred marks she was awarded, noted in October of that year was the end of the recorded matter.

Thomazin Powell, Susan Viney and Susan Jourdain, and Mary Jackson were women belonging to the 'middling sort'. Thomazin Powell, a grieving mother, Susan Viney and Susan Jourdain, grieving sister and wife respectively, and Mary Jackson a grieving sister. Of Thomazin's son we know very little. Both Susan Viney and Susan Jourdain's brother and husband, as well as Mary Jackson's brother, we know substantially more. The fact that both

men, Captain John Jourdain and factor, George Cokayne, were not simply unskilled labourers for the Company, did not ensure success for their surviving female claimants. In fact, it may have made their petitions all the more difficult to secure a favourable outcome. The Company was under no obligation to provide any sort of benevolent reward to these petitioners, unlike the petitions of the many poor women who appear. Nor was there any sense of charity or relief present in these cases. But why should there be? The petitioners in this chapter were not poor women, nor were each of these cases seeking relief, they were all requesting substantial compensation out of the estate of their deceased male relative. Some of these estates may have been quite substantial, particularly the estate of John Jourdain and George Cokayne. Both were most probably involved in private trade, something the Company no doubt recognised was occurring on a grand scale, but nonetheless caused the organisation great anxiety. If private trade is how either of these men had acquired their estates, which may have been large indeed, then upon petition to the Court by their loved ones, the Company was prepared to do battle with them. Particularly if it meant that the petitioner was the one who would eventually bear the costs of lengthy suits. While these cases were played out in London, and the petitioner was footing the bill, the organisation was still free to absorb the worth of the estate back into its coffers until such time as the petition was eventually resolved. These petitioners were also women who repeatedly appeared before the Committees. They were not happy with the outcome of their petitions, they made repeated requests, they made appeals to authorities outside the Company's sphere of influence and they used language that saw them often berated in front of the Committees for their audacity to question an outcome.

In the case of Powell and Jackson, the Committees rhetoric is evident of the increasing frustration the organisation has with their cases. They were a nuisance, they were mere women,

with little or no understanding of accounts and they kept coming back. This rhetoric, though still present, is less acerbic in the case of Jourdain's widow, and in the later entries in the minutes we can see that the Court had taken a very particular attitude in relation to the case and it is not in favour of the Vineys. It is not clear why this might have been the case, although perhaps the way in which the Vineys went about undermining her, and the charges of fraud levelled against Jonas Viney, may have been a factor. Or it is possible that because she was the widow of Jourdain, a man of significant regard, she was less harshly treated. The language in her requests may have also contributed. She appeared as humble and courteous before the Court, she never demanded satisfaction, but pleaded consideration. And in turn the Company, it seemed, exercised some level of empathy and compassion regarding her case. Alternatively, this may have simply been a matter of the organisation protecting its own interests and picking which claimant would cost them the least.

## **Conclusion**

Powell, Viney/Jourdain and Jackson are just three examples of middling women who battled the early English East India Company and they faced obstacles much like their elite counter-part Throckmorton did. There was a consistently resistant response from the Company in each case, the exception being Jourdain's widow's appeal. Without the degree, or access to the resources that Elizabeth Throckmorton had, they were still in positions of some influence, or, perhaps, were possessed with a greater sense of entitlement than their poorer counterparts, who are the subject of the next chapter. To be 'poor' may have been advantageous when appealing to the Company's sense of obligation to its employees and their family members. Now we shall turn to

poor petitioners, and again, the organisation shows consistency in its response to these petitioners.

### CHAPTER THREE: THE LAST RECOURSE

On 9 April 1614, the Court of Committees became ‘acquainted’ with the case of Mrs Hudson for the first time. Her husband was deceased, leaving her “very poore, and unable to maintain her regard”. Because of this, she implored the Court to provide employment “of a young youthe, a sonne of his”. The Company was, she argued, “partly obliged in charity to give assistance in regard that his father had perished in the service of the Commonwealth”. The Court resolved to recommend the son into the care of someone that was to go on the next voyage.<sup>1</sup> We do not know much more about Mrs Hudson, but she was one of hundreds if not thousands of similar women who petitioned the Company daily.

Up to this point, the thesis has focused on female petitioners who occupied the top of the social scale and petitioners who could mobilise some resources. But of course, the bulk of the women connected with the Company did not fit into either of these groups. These women had no other recourse. They were poor, including a high percentage of wives and widows. They lacked the resources available to their elite and middling counterparts and seldom appeared before the Court on more than one occasion. We cannot know with absolute certainty what their social standing was as the Court minutes do not provide this detail, but the Company used terms such as ‘relief’, ‘charity’ and ‘benevolence’ when it described its actions in response to these petitioners while making payments out of the poor box. All of this suggests that these petitioners bear very little, if any similarities to their elite and middling counterparts.

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<sup>1</sup> IOR/B/3, 89.

These women made use, I suggest, of a very different language of petition and one that was oriented around humility.<sup>2</sup> These were humble requests to the organisation but ones that in nearly every case resulted in an outcome favourable for the petitioner. They were neither demands nor legal suits, and their rhetoric was very different. The discourse used highlights the various ways in which the Company responded to different types of petitioners. The response from the organisation was usually couched in solicitous terms.

There is another very important difference between the petitioners from the lowest strata of society and the elite and middling cases. The network of resources that Elizabeth Throckmorton, Susan Viney and Susan Jourdain, Thomazin Powell and Mary Jackson relied upon were unavailable to the poor. Given the mobility of populations, networks of family support were sometimes absent as whole families relocated to areas surrounding the Company in their search for employment.<sup>3</sup> By doing this they may have lost their own intimate networks of friends and extended kin. Their only recourse when misfortune befell them was to fall on the mercy of the Company that had taken their husbands and sons. This is an important feature when we examine the way in which the Company responded to petitioners who lacked the sense of entitlement that was common among their elite and middling counterparts. They had no

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<sup>2</sup> In reference to the language employed in relation to the petitioners in this chapter, it is not always made clearly discernable whether the petitioner uses terms such as “relief”, “benevolence”, or “charity”. There are instances where it is very clear, as in the case of the three widows, Whiting, Freeland and Bennett (page 83) but less so in the case of Hester Lunn (page 87). It is arguable however, that in order for the scribe to note that plague had visited Lunn’s house, and that her circumstances had left her “in great extremity”, that she herself must have expressed this in terms that compelled the court to note just how bad her particular situation was. It could therefore be argued that if the petitioners used these terms, it may have been done so intentionally because by using them petitioners knew this was what the Company wanted to hear and would result in the payment of some funds. We cannot know the minds of these petitioners, but we do know that people often use language to influence an outcome in their favour. This use of language is the subject of Natalie Zemon Davis’ book *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* where she examines the difference between men’s and women’s use of language and how both played into gender stereotypes and norms when seeking royal pardons for the commission of the crime of murder.

<sup>3</sup> “Research project” People in Place: Families, households and housing in London 1550-1720, 25/3/2018. <https://www.history.ac.uk/cmh/pip/project.html#family>.

accumulated wealth upon which they could rely. In the strict confines of prevailing class structures, they had no reputational capital upon which to draw or access to alternative legal avenues. Their only course of action was a humble appeal to the Court of Committees in the hope that their cases would be compassionately received.

### **Categories and characteristics**

These petitioners share a number of broad characteristics. Firstly, and most strikingly, they only appeared once before the Court. Unless they were instructed by the Committee to return, or it was noted that they had appeared on an earlier occasion, these women petitioned on a single occasion. Second, they wrapped themselves in the language of humility and desperation. Third, a petition before the Committee was one of the few options available to them. Finally, these petitioners are far more numerous and far less documented, but no less visible. There are also several themes common to these petitioners. One theme is compensation for loss, injury, absence or death. Another theme is the petition of the poor widow, coupled with payments from the poor box. Occasionally such petitioners invoked exceptional events such as the plague or, in this period, the 1623 murder of ten English merchants at Amboyna. Events such as these could be considered as out of the ordinary, everyday experience of both the Company and its associates.

Petitioners made a wide range of requests to the Company. Broadly speaking, these petitioners can be grouped within three payment categories. The most common category of payments was those made from the poor box. The Company maintained its own poor box and reference to this is made regularly in the Court minutes. In addition to the poor box, employees

were expected to contribute to the welfare of their colleagues and their families. On 27 August 1623 the Court of Committees recorded “therefore ordered that a chest shall be provided with a hole in the topp where men may putt in money. This shall be left upp in Mr Hurte’s office”.<sup>4</sup> This money was intended to go to the poor inhabitants of Ratcliffe who had lost family members to the Company.

Most payments allocated from these funds were in the range of five to forty shillings. The act of giving to the poor was seen as part of the Company’s ‘religious and pious work’.<sup>5</sup> Donations made to communities were most likely made out of the poor box and dispensed by the organisation to those villages and hamlets that were in close proximity to the Company’s headquarters. As well as the poor box, deceased or absent mariner’s wages were also handed over to community leaders. These were frequently in the guise of both food stuffs and/or funds and awarded to the churchwardens or overseers of the poor and subsequently allocated on a needs basis, always to the poor widows and children of serving men, both living and deceased, as was the case with the wages of Thomas Jackson and John Sownd.<sup>6</sup> Although the record does not state whether they were living or deceased. These payments were also commonly made at Christmastime. The sums allocated to poorer individual petitioners and communities alike, is in stark contrast to those that appear in elite and middling women’s cases. The petitions of women in this chapter rarely exceeded ten pounds at the utmost limit.

A second, important category concerned wages. This included wages owed, those yet to be paid, (which I have labelled as a drawdown of wages) and claims for compensation, both in money and goods. In the case of a drawdown of wages, several petitions appealed for wages

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<sup>4</sup> IOR/B/6, 88.

<sup>5</sup> Daniel O’Connor, *Chaplains of the East India Company, 1601-1858*, (Continuum; London & New York, 2012), 9.

<sup>6</sup> IOR/B/4, 419. Payments such as these appear regularly. The funds or goods were turned over to the community’s leaders for allocation to the recipients.

expected, but not yet paid, to be released. There are also a number of petitions that requested goods in lieu of incomes. These goods were either held in the Company's hands or were items that had been sent home by spouses or other family members but were retained by the organisation. They were often in the form of commodities such as pepper or silks, or in currency, such as Spanish ryalls.<sup>7</sup> Compensation cases could also involve the payment of restitution for the loss of both lives and goods, as well as serious injury. This occurred most frequently in connection with the sporadic conflict with the Dutch, where husbands or sons had been captured and killed in skirmishes mainly in Southeast Asia.

The last category, which generated a response closer to that articulated in the first two chapters, were the petitions that caused the Company anxiety. I have labelled these as "speculative petitions".<sup>8</sup> They often involved more detail, the requirement of the supplicant to present further proof and the need for a return appearance before the Court. Alice Harrison's petition, which will be discussed later, is an example of a problematic petition that generated some resistance from the Company. In such cases, the organisation refused or delayed a straightforward resolution.

Petitions made by women appear at virtually every Committee meeting although we have no records from 1620-21 when the Court Minute books are missing. In some other cases, there was no space in individual meetings for such petitions. The Company had to prioritise, and women's petitions were not necessarily important. In addition to this, this was a turbulent period for the Company both in terms of overseas trade and domestic conditions. External factors, such

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<sup>7</sup> Spanish ryalls (or reals, meaning royal) were a unit of Spanish currency which became popular in international trade and commerce in the seventeenth century. These were an important commodity for the Company and were also a measure of wealth accumulated through private trade.

<sup>8</sup> As "speculative" they required further investment on the part of the Company, in both time and resources to investigate the veracity of the petitioners claim, and therefore caused the organisation some anxiety because they were not easily resolved in a single appearance.

as political and commercial difficulties with the Dutch in Southeast Asia, the outbreak of the Thirty Years War on continental Europe, trade depression and plague, as well as the Company's own internal structural issues were all sources of anxiety for the organisation.<sup>9</sup>

## Events and individuals

Petitions stemmed from broad events like the plague or the so-called Amboyna massacre and individual misfortunes that applied to just one person. This meant that we can see surges in petitions. There are several petitions that cite plague as a contributing factor to the unfortunate circumstances petitioners found themselves in. London had been plagued by epidemics of typhus, dysentery and smallpox, as well as a more virulent outbreak of plague in 1625, which claimed an estimated forty-one thousand lives.<sup>10</sup> This impacted most acutely on the poor.

Therefore, the Court of Committees took prudent measures to stem the spread of disease. It was agreed in July 1625 that public Courts were to be held only once a week on Fridays due to the threat of the spread of contagion.<sup>11</sup> With the death of James I in March 1625, and the coronation of Charles I soon after this, London saw an influx of visitors during the height of the plague. As

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<sup>9</sup> For a fuller and more comprehensive analysis of the external and internal pressures plaguing the Company throughout the 1620's and 30's Kirti Chaudhuri, in his monograph *The English East India Company: the Study of an Early Joint Stock Company 1600–1640*, has covered this extensively in chapter three. External pressures facing the Company included political and commercial instability between the English and the Dutch in the Indies, the outbreak of the Thirty Years War in Europe, England's relationship with Spain and France throughout the 1620's, the re-appearance of plague and war and famine in India. These external pressures were the cause of some disruption to the normal commercial activities. The Company was also facing pressure from within. Some shareholders were still under the impression that there was a 'quick buck to be made', profit yields were relatively low and there existed some instability of investment. While 1620 saw the Company as having established itself as a major trading concern in the City of London, there were some problems concerning its internal organisation. In particular, some ideological and political differences between the Court of Proprietors and the Court of Committees concerning how the Company should be run.

<sup>10</sup> J. F. D Shrewsbury, *A History of the Bubonic Plague in the British Isles*, (London: Cambridge University Press, 1970), 315.

<sup>11</sup> IOR/B/8, 100.

warmer weather approached, several measures were introduced to limit the movement of people and goods in and out of the City of London.<sup>12</sup> The densely populated areas where a significant proportion of inhabitants were engaged with the Company would be hardest hit by disease, particularly places like Stepney and its surrounding hamlets, closest to the river Thames and the docks. This situation would also see a number of petitions made like that of Elizabeth Wilkinson, “a poore widow”, who on 16 November 1625 petitioned the Court for “one months pay extroadinaire as she was in great necessitie” due to the plague.<sup>13</sup> Elizabeth was not alone. The Court was ‘moved’ on Elizabeth’s behalf, as the minutes stated, she was a “poore widow” in great “necessitie”.<sup>14</sup>

The examples discussed above are only a very small percentage of petitioners. Women’s names appeared in the Court minutes at every sitting of the Committees. Most of these petitioners were wives, widows or mothers and while the number of petitions remained constant overall, there were certain times that saw the number of wives and widows petition in slightly higher numbers. Several reasons might account for this. News of the execution of ten Company agents, labelled the Amboyna massacre, reached London in May 1624 and while this may have had some influence on the number of petitions brought before the Board.<sup>15</sup> Although this is not to suggest that the massacre at Amboyna was the sole, or even a major, reason for petitions.

What it does argue is that the incident may have contributed to the approach some petitioners

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<sup>12</sup> Shrewsbury, *A History of Bubonic Plague in the British Isles*, 321.

In fact, Shrewsbury’s entire book recounts in detail the history of plague throughout the British Isles, most relevant here is chapter seven, *The First Quarter Of The Seventeenth Century*, provides comprehensive insight into the manner in which London dealt with the outbreak of 1624-1625, what measures were in place by various official arms of government and bureaucracy to stem the flow of contagion, this would arguably have also influenced decisions made by the EIC.

<sup>13</sup> IOR/B/10, 149.

<sup>14</sup> IOR/B/10, 149.

<sup>15</sup> No definitive reference is consistently made to Amboyna but phrases that repeatedly occur, such as “died in the Indies” and cruelties inflicted by “the Hollanders”, with additional details contained in a specific entry, suggests that it may be.

may have taken. I argue that Amboyna was a focal point of discussion in London, as well as a major source of concern over diplomatic relations between the Dutch and the English. As any modern, major diplomatic incident makes headlines around the world, so Amboyna did in the 1620's, and would continue to sour relations between the Dutch and the English throughout much of the seventeenth century. The Court of Committees contains lengthy and detailed correspondence concerning the incident, as well as the delicate process of diplomacy to avoid further conflict during much of 1624 and into 1625. And this would have been a topic of discussion among all social levels, particularly in and around all those sites of operation connected with the Company. In October 1624 in a letter from the Duke of Buckingham to the Prince of Orange, the Duke made it quite clear that the excesses committed by the Dutch in Amboyna had deeply unsettled all, from the King, indeed the entire English nation and most particularly the English East India Company.<sup>16</sup> This sentiment expressed how keenly felt the entire Amboyna incident was, and for those with close ties to the Company, how important the events may have been. So important was the incident that the Court decided in October 1624 that it saw fit to have a small number books on the incident printed and given to “principall persons of the Nobility”.<sup>17</sup>

Plague would also have been a factor, particularly the 1625 outbreak. The highest mortality rates occurred during the warmer months, in and around the densely packed population centres that supplied the Company its labour. The populations living in and around these sites, particularly those nearest the river and the docks, in unhygienic and poor sanitary conditions, would be most vulnerable to disease.<sup>18</sup> Plague was not the only disease to run in epidemic

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<sup>16</sup> Sainsbury, ed. *Calendar of State Papers*, Volume 4: 1622-1624, 416-432.

<sup>17</sup> IOR/B/ 7, 149.

<sup>18</sup> Neil Cummins, Kelly Morgan and Cormac O Grada, “Living standards and plague in London, 1560-1665”, *Economic History Review* 69, 1 (2016): 17. doi 10.1111/ehr.12098

proportions at this time, typhus, cholera and a host of other illnesses may have contributed to an increase in petitions to the organisation.<sup>19</sup> Amboyna and disease alone are only contributing factors, the early flourishing commodities market was fickle. Prices rose and fell, fortunes could be lost in an instant. Small time investors in the trade were arguably more vulnerable to the whimsy of the spice trade and any individual, and/or their family members, engaging with the Company were at risk of losing everything.

### **Benevolence**

One consistent feature of the response to the petitions was an emphasis on benevolence. Terms such as “charity”, “reliefe” and “charitable benevolence” recur through the Court minutes. These denote the same thing, that is the gifting of small sums of money, generally from the poor box, to the petitioner on the grounds of compassion. It also shows some sense of obligation and responsibility. On 18 September 1624, Joane, wife of Richard Atkinson received payment for “charitable benevolence”.<sup>20</sup> Joane had already been the beneficiary of funds from the Company, and on this occasion the minutes noted she had petitioned for a sum of “5 pounds 5 shillings”.<sup>21</sup> There are no details concerning the reasons behind her rather substantial request, or whether this request was the result of her husband’s inability to return to work due to the injury he had sustained. Her husband Richard had broken his leg at Blackwall docks while in the service of the Company and an injury such as this may have ended his working life, and therefore deprived

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<sup>19</sup> Cummins, Morgan and O Grada, “Living standards and plague in London, 1560-1665, 17-20.

<sup>20</sup> IOR/B/7, 118.

<sup>21</sup> IOR/B/7, 118.

the family of a steady income. There are no other details, but as a result of Joane's petition the Court agreed to pay her "40 shillings more out of the poore box".<sup>22</sup>

In somewhat similar circumstance, Alice, widow of William Trenoden, petitioned for "benevolence" on 25 February 1624, and was awarded 5 shillings out of the poor box.<sup>23</sup> Alice had lost her husband aboard the ship the *Hector*. Her petition was granted but only after the Company's chief accountant, Christopher Lanman had provided certain documentation of her husband's accounts. Unlike Joane, Alice was required to produce paperwork in order for her to receive the "Companies benevolence".<sup>24</sup> Although there is no way of knowing definitively, the tone of the entry recorded by the Committees suggests that it was Alice herself who used the term "benevolence". Both Joane Atkinson and Alice Trenoden had relatively uncomplicated requests and they both received favourable outcomes to their petitions, although these were not without some additional requests from the Company. But the widow of William Trenoden could have easily become a problem for the Company. If her husband's accounts were in any way questionable, or if she had not accepted the Company's bequest to her, she ran the risk of becoming a problem. There are no details regarding the request for supplementary evidence in this case, and Alice Trenoden did not appear again. This was a successful and simple petition, resolved without further cause, according to the Court minutes.

The petitions that follow are examples of simple, one-off appeals before the Court and therefore they prove in favour of the petitioner. Alice Knight, "a very poore widow" saw the "Court out of pittty of her poverty" in April 1624, award her a payment out of the poor box.<sup>25</sup> Elizabeth Healing, on 21 February 1625, was compensated five shillings for the loss of her

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<sup>22</sup> IOR/B/7, 118.

<sup>23</sup> IOR/B/6, 427.

<sup>24</sup> IOR/B/6, 427.

<sup>25</sup> IOR/B/6, 472.

husband.<sup>26</sup> On 23 March 1625, Elizabeth Johnson, for “charity” and benevolence is again exemplified in January 1626, when Elizabeth Becke was granted eleven shillings out of the poor box.<sup>27</sup> There are no details as to why these payments were granted and no reference at all to their circumstances, other than the fact that they were widows. All of these cases were humble in nature, small in relation to the request for funds and single appearances. For the Company these were easily resolved.

In August of the same year 1623, Ann, widow of Roger Smith, petitioned “the Courte for their charitie” to help both her and her two children, she was awarded ten shillings out of the poor box.<sup>28</sup> The same “charitie of the Courte was humbly sought” by Jane Huff widow of John Huff on 10 September 1623. Here the Court saw fit to award her forty shillings out of the poor box. Both these petitions were clearly seen as acts of charity by the Company. In yet another petition on 1 October 1623, Elizabeth Burte was awarded ten shillings out of the poor box. Each of these women had lost husbands on voyages out to the Indies and found themselves in need. The Court simply ordered payments to be made from the poor box. The minutes record the decision as a benevolent gesture.

Further examples of the organisation’s limited benevolence is evident at an afternoon session of the Court in late October 1623, when Magdalen Hayes and Jane Scott, both “poore widows” were awarded “charitie” out of the poor box.<sup>29</sup> A month later the “poore widows” Joane Archbell, Sarah Roome, Amy Walker and Miriam Turner were also awarded payments from the same source.<sup>30</sup> No detail was recorded other than their status as “poore widows” and

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<sup>26</sup> IOR/B/7, 351.

<sup>27</sup> IOR/B/8, 216.

<sup>28</sup> IOR/B/6, 54.

<sup>29</sup> IOR/B/6, 197.

<sup>30</sup> IOR/B/6, 284.

the fact that they were awarded “charitie”. In almost all cases where the payment was a charitable one, the Company clearly stated this, and the payments were out of the poor box, not out of the organisation’s own capital. These petitioners were all women who had found themselves tried by circumstances beyond their control, and if not for the petitions to the Company their situation could have become perilously dire.

### **Donations to the Poor**

A similar theme is evident when we examine general donations. Even though it was focused on profit, the Company regularly made donations to the poor in the surrounding villages and hamlets where it drew its pool of labour. The recipients of these donations were always the poor widows and orphans of Company employees. The donations were given over to the community leaders, churchwardens or aldermen, whose role it was to allocate the funds to those most in need.<sup>31</sup> It was not only payments in money that were made, but often in the form of victuals, such as beef and “biskett”. These were made on a regular basis, most notably, as earlier suggested, at Christmas time. Several villages in the parish of Stepney appear in the Court minutes over the course of decades. The parish was in close proximity to the Company’s original headquarters, the inhabitants of the parish were the beneficiaries of the organisation’s charity. The Company always explicitly recorded that the poor relief was to be given over to the widows and children of men who had perished in the service of the organisation.

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<sup>31</sup> Donations to the poor may not be directly related to any one thing that women were specifically doing, but what it does demonstrate is that the concept of benevolence was actively present. Makepeace has argued that the management practices of the Company, even in its infancy, contributed to the success of the organisation. This is evident in the discussion of donations here. In addition to this, these donations may also have been the result of a response by the Company to the growing number of women petitioners requesting assistance and recognition of the fact that their situations were desperate.

The parish and its surrounding villages appeared in the minutes regularly. The Court of Committees held its meetings in the home of its first governor, Sir Thomas Smyth, in Philpot Lane, until 1621. The hamlets in the parish of Stepney were close by the governor's home, and a large number of the inhabitants would have found employment with the Company. In October 1619, in one of Stepney's hamlets, motherless children were the beneficiaries of relief out of the wages of Thos. Jackson and John Sownd, men employed from the village of Ratcliffe.<sup>32</sup> In April 1627 the Company ordered that the "churchwardens and overseers of the poor" have monies made available for orphans of one Walter Smith and that money from the estate be made available "for setting them forth apprentices".<sup>33</sup> Presumably this was for Walter Smith's sons, so that they may be sent into the service of the Company.

The minutes also note that on 25 August 1623, "old biskett given to the poore" in the several hamlets surrounding the parish of Stepney and that the recipients were to be the "poore widows and fatherless children".<sup>34</sup> 'Old' infers that these gifts were most probably made out of the left-over goods that were meant to outfit the ships headed for the Indies. These would have been long paid for by the Company when the voyages were arranged, so while these victuals were in most need, they were by no means good quality foodstuffs, nevertheless the Company was seen to be acting charitably and meeting its obligations, however limited these might have been. Again, on the 27 August that year the Court heard a petition from the inhabitants (one can assume that those presenting the petition were the community leaders) for the relief of their poor. The petition claimed that many "seafaring" men were lost in the service of the Company and that the responsibility of "widdows and orphans" was left to the leaders of the community, they

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<sup>32</sup> IOR/B/4, 419.

<sup>33</sup> IOR/B/9, 481.

<sup>34</sup> IOR/B/6, 85.

were requesting some “charitie” for those left widowed and orphaned.<sup>35</sup> This request infers that the community leaders were not prepared to carry the burden of those left destitute alone and that seeing as the Company was supplied labour from the village’s menfolk, they were then obligated to provide some relief to those left in need, lest the costs of maintenance fall squarely on the shoulders of the community and church leadership.

Further entries record, that on 17 December 1624, the village was given £10 to support the women whose husbands had died poor in the Company’s service.<sup>36</sup> Again, in October 1625, it is one of three, including Blackwall and Ratcliffe, to be the recipient of £10 to be distributed as relief to the poor.<sup>37</sup> In December 1626, as according to their “usual custom against this blessed time”, Stepney and three of its hamlets were afforded £10 again for the relief of their poor.<sup>38</sup> December 1628 also sees Stepney receive “wonted charity” of £10 to be allocated by the churchwardens.<sup>39</sup> Stepney reappears in an entry dated 17 December 1624 and on this occasion the minutes state that the £10 ordered, was “something for the reliefe of that hamlett”.<sup>40</sup> Relief continued to be allocated for distribution to the village long after the period under discussion, well into the 1630’s. It can be assumed that the Company maintained its support for Stepney and its surrounding hamlets for a considerable time after the 1630’s and that this support was advocated for by the community leadership, most probably not out of compassion alone, but out of a sense of cost effectiveness and an expected responsibility and obligation on the part of the village churchwardens and aldermen that they felt the organisation owed.

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<sup>35</sup> IOR/B/6, 88.

<sup>36</sup> IOR/B/7, 269.

<sup>37</sup> IOR/B/8, 118.

<sup>38</sup> IOR/B/9, 245.

<sup>39</sup> IOR/B/11, 201.

<sup>40</sup> IOR/B/7, 269.

Stepney is not the only village or hamlet to receive goods and/or monies from the Company. Blackwall was also the recipient of the Company's investment and not only in terms of relief, since it played a major role in the Company's success. After outgrowing its facilities at Deptford, the Company purchased land at Blackwall in 1614, as is recorded in the minutes of 27 August of that year.<sup>41</sup> By 1617, the area was fully operational and the surrounding hamlets, such as Poplar were a rich source of labour for the Company. Blackwall would also be the recipient of construction works initiated by the Company. By 1627 the provisions for the construction of a hospital at Blackwall would also see benefits extended to the inhabitants of the area. These would also provide additional scope for petitions. The construction of a hospital would provide further employment, not only to those already present in the area, but to those who may have flocked to Blackwall and its surroundings in search of employment.

### **Claims for compensation**

Claims for compensation were a feature of women's petitions and they used a different language that emphasised benevolence framed by the right to existing funds. These entries contain significantly more detail. They are not benevolent payments, even if the funds granted come out of the poor box. The first example demonstrates three petitioners appealing as a group and suggests that while most cases lack any suggestion of a network, these women were able to draw upon each other as a source of encouragement. The entry also suggests that as the three men were work colleagues and quite possibly friends, so too were their wives and this likewise would have provided much needed support. Such examples are the exception rather than the rule. On

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<sup>41</sup> IOR/B/3, 197.

27 April 1625, the widows of Richard Whiting, William Freeland and Nicholas Bennett, with “ten children between them and deprived of all means of lively hood”, all petitioned for “some benevolence”.<sup>42</sup> The Court, having ascertained the matter to be true, awarded them 20 shillings each apiece in light of the fact all three men had tragically drowned while on route from Blackwall to Deptford. The Court stated that it would award them some manner of relief but that it was “upon condicion that they should not trouble anymore in this behalf”.<sup>43</sup> This very clearly suggested that while this was a benevolent gesture the Court would not look favourably upon them should they decide to return with another petition. Again, the case of the three widows, Whiting, Freeland and Bennett had the potential to become a problem. The Court found it necessary to examine the events claimed in the petition before awarding any payment. The tone of the recorded entry suggests that the Company deemed it necessary to ward off any further requests, hence the mildly threatening tone of the Court’s response, that the payment was made under specific conditions. Similar circumstances surround the case of Elizabeth Sadler, widow of long time Company man, Nicholas Sadler. Sadler had been a long-term employee of the Company’s shipyard at Deptford and had also invested in one of the Company’s adventures. His account books had not been up to date due to his sudden illness. Taking into consideration his position at Deptford and his investment, his widow’s petition was granted due to the unfortunate financial state she found herself in, though not the amount of over seventy-four pounds she had originally requested. She was awarded £5 out of the poor box, still a substantial sum. Nicholas Sadler’s long-standing association with the Company may have contributed to the way the organisation treated his wife’s petition. This was, again not without further investigation by the Court to determine the state and veracity of his account books. It is highly likely that if

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<sup>42</sup> IOR/B/8, 9.

<sup>43</sup> IOR/B/8, 9.

Elizabeth had decided to pursue the much larger sum she had requested, she would have been a very big problem for the Company. But she chose to accept the payment she was offered, and the case was resolved without further cause.

The Whiting, Freeland and Bennett petition, as well as the wife of Nicholas Sadler, had the potential to cause anxiety of the Company. They neglected to do so because the women did not appear again before the Court and they accepted the outcome. This does not mean that they were satisfied with the outcome. What it does show is that they accepted the resolution and the charity the Court bestowed upon them. Perhaps out of fear, intimidation or simply because they had no other choice but to accept the offerings or risk obtaining nothing at all. The Whiting, Freeland and Bennett petition shows us, they were actively and explicitly encouraged not to petition again. And it is made quite clear to Sadler's widow, she was only given consideration because of her husband's long-standing association with the Company.

So far, I have discussed payments of recompense made from the Company's poor box. Now I turn to the category of payments of compensation that concern wages, including claims for loss of life, goods or injury. Men employed by the Company were absent for long periods of time, and wages were paid sporadically at best. The wives, or other kin, may have been without a source of income for months or years on end. These petitions requested either payments in wages owed, or alternatively, those yet to be paid. These petitions also include those that sought compensation. Accompanying these petitions on several occasions, was the phrase "wages extraordinaire" and this meant to convey the message that this payment was out of the ordinary and was one that was made only under exceptional circumstances as is the case with Alice Mannering. Alice, on 9 November 1627, presented a petition before the Court. As the "wife of John Mannering who went out in the Great James obteyned the favor of the Court in respect to

her poverty”, she was also requesting provision for her two children.<sup>44</sup> The mention of her two children was perhaps an appeal to the beneficence of the Court to support her case. The Court responded by awarding her “1 mo: pay extraordinary upon the promise she never trouble the Court any further herein”.<sup>45</sup> The Court granted the request, but stipulated there would be no further assistance. These explicit and implicit threats were common and most, if not all these petitioners never did return to appeal for further funds for fear of receiving nothing at all.

These petitions were not appeals for charity per se, although in several cases the unfortunate circumstances of the appellants are highlighted. Rather they were petitions for the payment of earnings. I have categorized these payments as ‘loans’. Pointing to hardship or ‘poverty’, or as in the case of Alice Mannering, the welfare of her children, was an appeal to the Court for leniency and compassion. These petitioners were asking the Court for an extension of wages they expected their spouses to earn, but as yet had not been received. And although the Court generally saw fit to award them some measure of payment, it did so, not on the grounds of charity, but under the auspices of its own obligation and responsibility to its employees. And by adding that it was not a regular operating procedure.

Again, we see the Court suggest that its willingness to consider the case was not standard. While no stated poverty or hardship was noted, in February 1606, Ann Collins’ petition was presented the Court. The entry records that Ann’s husband Edward was a servant of the Company in Bantam. According to the minutes taken on 27 February, Ann was awarded a ‘loan’ out of her husband’s wages and this amount was then to be accounted for in the Company’s books.<sup>46</sup> This was not a charitable payment and there is no detail regarding Ann’s situation and

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<sup>44</sup> IOR/B/10, 146.

<sup>45</sup> IOR/B/10, 146.

<sup>46</sup> IOR/B/2, 41.

the implicit inference here is that this ‘loan’ may have been required to be repaid once her husband’s accounts had been audited. These types of ‘loans’ appeared regularly in the Court minutes and were often accompanied by the term ‘charity’ but in this context ‘charity’ suggests that the Company made these payments but stipulated explicitly that they would have to be repaid, and that they were an extension of payment out of wages expected to be received at a later date. In addition to this, the organisation measured the severity of the petitioner’s circumstances before making a final decision. The Company was honouring its obligation and responsibility to its employees and their families but was doing so in a limited capacity. If it was later discovered that the Company was in fact owed, these ‘loans’ would have to be paid back.

Another example of the Court extending ‘loans’, is the case of Hester Lunn in June 1625. Lunn’s husband had been a pulley maker for the Company. Following his death, her current situation was one of “great extremity”, due also to the incidence of “plague upon her house”.<sup>47</sup> Her husband had been held in high regard by the Company, as both a servant and businessman. Therefore, the Company saw fit to award Hester the amount of forty shillings, the request was granted on the condition that her husband’s accounts were to be audited to determine if the forty shillings might need eventually to be repaid.<sup>48</sup> This granted Hester much needed funds and may have also provided an opportunity to continue on in a business capacity, providing a future means of income. The fact that her husband was a pulley maker also suggests that he was a specialist tradesman and the loss of him would impact the family in a major way. What the entry also gives insight into is the possibility that because of this specialist trade of pulley maker, Hester may have been somewhat better placed in the social hierarchy than many of the petitioners who appealed for charity or relief. She was also calling upon support due to the

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<sup>47</sup> IOR/B/8, 75.

<sup>48</sup> IOR/B/8, 75.

unfortunate, but not so every day, incidence of plague. Plague, and the status her husband may have held by virtue of his specialist trade, might have facilitated Hester's appeal to the Court.

In July 1623, Jane Davies made a claim for compensation. Davies, the wife of the late Captain John Davies, petitioned the Court for both her husband's wages, as well as compensation. Her appeal stated that she "petitioned the Courte that she might receive wages for her husband for the time he was prisoner with the Dutch" and also "recompense for his losses when the Swann was taken".<sup>49</sup> The "losses" she was referring to, were the matter concerning "200 Ryalls Left to her by her husband".<sup>50</sup> After some debate by the Court over what goods and monies were in her husband's possession and how he may have been in possession of said goods, the Court decided that "in compassion of her poverty" it was to allow her some measure of compensation. She was granted but a small portion of the ryalls she had claimed, and the minutes recorded that this was a "free gift of the Companie".<sup>51</sup> The organisation paid her, but it also made it quite clear that it was doing out of a limited sense of obligation. Compensation was also a feature in another case in August 1623. Emma Chesmore and Ann Fryar, both widows of seamen who perished in the ship the *Triall*, petitioned the Court for relief of their current circumstances. They had appealed to the Court for a partial payment of their husband's wages, but the Court offered them a one third share of their husband's dividend in pepper instead.<sup>52</sup> Such a resolution could prove either lucrative for the women or disastrous, depending on the market in London. Pepper prices frequently fluctuated and a fall in the price may not have amounted to the same value as the wages. Presumably they accepted the Company's offer, as their names do not appear again in the Court minutes.

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<sup>49</sup> IOR/B/6, 14.

<sup>50</sup> IOR/B/6, 14.

<sup>51</sup> IOR/B/6, 14.

<sup>52</sup> IOR/B/6, 55.

Wages and compensation feature in the following examples of petitions by women seeking the payment in goods rather than wages or loans. On 9 March 1614, Mary Spure and Joan Giles petitioned the Court for a payment in pepper that had been sent them by their husbands. The petition read that a third party had sold the volume of the spice on, they were both petitioning the Company for a replacement of the said commodity. Soon after on 14 March, the Company agreed that both women were to receive their share in pepper.<sup>53</sup> Sara Wright petitioned the Court in November 1621 for certain ryalls of eight her husband had acquired in the Indies, the Court determined on this occasion that if the Company's accountant, Mr Lanman, found the accounts to be in order, there was no reason why Sara's petition would not be resolved in her favour.<sup>54</sup> And in November 1626, the wife of John Kingstone petitioned the Court for her parcel of China Roots to be sent home to her, being about "1 cwt in weight".<sup>55</sup> There are no details regarding why John's wife required the China Root, but we can make some assumptions as to why this may have been financially advantageous to her. China Root had long been used in China as a medicinal application for syphilis, as the disease spread along the overland trade routes.<sup>56</sup> This entry invites further analysis because Kingstone's wife was not requesting money, but goods and these goods may well have been worth a considerable amount. We cannot know whether she was requesting these goods for herself or perhaps to sell. But it is logical to argue that China Root may have been in demand for its medicinal qualities and Kingstone's wife could have made a tidy profit from the herb as 1cwt was worth approximately fifty kilograms. It is not clear, however whether her request was granted.

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<sup>53</sup> IOR/B/3, 50, 61.

<sup>54</sup> IOR/B/5, 197.

<sup>55</sup> IOR/ B/9,180.

<sup>56</sup> Anne E. Winterbottom, "Of the China Root: A Case Study of the Early Modern Circulation of *Materia Medica*" in *Social History of Medicine*, 28, 1, February 2015, 22.

Sarah Kitchen petitioned the Court in October 1621, that a certain measure of ryalls, acquired by her deceased husband in the Indies, be paid to her.<sup>57</sup> Although she did not receive the entire amount, the Court saw fit to award her some money. Spanish ryalls/real feature markedly in the petition for goods by wives or widows, and as each measure of Spanish currency had a different value depending on the quality of the silver or gold with which they had been minted, these ryalls/real could mean a substantial windfall for the petitioner. Goods could be sold on, giving the petitioner the opportunity to make money. Goods were also a way of obtaining compensation from the Company, which may have been financially more valuable to wives and widows than a benevolent payment. There is also some sense of entitlement associated with the request for goods, particularly from widows, although it is reasonable to assume this was measured with a certain level of pragmatism, given that many of their husbands had been gone for lengthy periods of time or they were deceased. We can simply never really know whether these requests for goods would benefit these petitioners, most disappear from the record after their petition was resolved.

### **Speculative petitions**

In this section, I turn to petitions that caused anxiety for the Company. These petitions bear similarities to the petitions of elite or middling women in that they were not quickly resolved, nor were they without complications. These petitions also demonstrate the consistent response of the Company to petitions that were troublesome. This consistency exists across the three

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<sup>57</sup> IOR/B/5, 165.

types of petitions under examination in each chapter. That is, if a petitioner was a problem and caused the Company anxiety, the case was never quickly resolved.

Joane Leeke “widow of Thomas Leeke Boatswain in the Lesser James” was not a successful petitioner and she left the Court empty-handed. Joane petitioned for her son John’s wages, but the Company questioned the legitimacy of her claim. Stating “the Courte finding no entry of his name in their books”, the Court refused payment.<sup>58</sup> Joane, like many others, disappears from the record after this. It is unclear from the Court book entry why Joane was at first questioned over the veracity of her claim, or why the Court stated that her son’s name was not recorded in the books. There may have been a hint of deception on Joane’s part, but this is purely supposition and we are left to wonder why the Company took this course of action.

The following case has a much better outcome for the petitioner, although it is not without some complications. On 10 September 1623, the petition of Alice Harrison read that her son Philip, who went out in the ship the *London* and was enticed ashore and slain there and on account of her being very poor, the Company granted a request for her to be paid some portion out of her son’s wages.<sup>59</sup> It did so however, somewhat reluctantly, for the Company noted that by its reckoning, her son had ‘run away’. Nonetheless, it still saw fit to grant her petition and did so because of her grief and poverty. The payment was made but there was some doubt about her honesty. This case is very similar to the case of Joane Leeke. Just as the Court questioned Joane’s son’s name not appearing in the books, it stated that it believed Alice’s son Phillip had absconded from the Company’s service. Yet it still saw fit to award payment to her.

Rebecca Agard was a problem for the Company, although she did receive ‘sattisfaction’ but not without her petition being vociferously discussed in June 1622. The members reminded

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<sup>58</sup> IOR/B/6, 507.

<sup>59</sup> IOR/B/6, 118.

the Court that “this woman” had not only received a payment of ten pounds in 1620, but that on “22<sup>nd</sup> May 1622 wherein she had 30 pounds given her”.<sup>60</sup> The Court made it quite clear she had appeared before them on earlier occasions and they were not pleased that she had done so. Her petition shares some similarity to the experience of the middling women discussed in chapter two. Rebecca Agard was not satisfied with the Court’s response to her first petition, even though the Court had agreed to pay her a portion of what she was claiming, while at the same time questioning the manner in which her husband came to be in possession of the pepper, her case was resolved.

It is not explicitly clear that the petitioners themselves used terms such as “benevolence” or “charity”, or whether these terms were applied to each case by the Committees. We cannot know what either the petitioner or the Company were thinking, but we can speculate by examining the repeated use of these terms. Poor women petitioners may have used these terms intentionally, knowing that this was something the Company wanted to hear, and therefore would get them the funds they needed. As is the case of Alice Trenowden, the tenor of her entry suggests that she presented her circumstances as dire and used the term “benevolence” herself, and although she was required to substantiate her request, she received an outcome that was favourable.

## **Conclusion**

Amboyna, plague and the fickle nature of the early commodities market were all factors, so too were normal day to day living requirements. Food, lodging, family commitments, employment,

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<sup>60</sup> IOR/B/5, 455&457.

things not dissimilar to modern anxieties and as has been illustrated here, the need for some kind of support or relief when things were going badly. Though not generally associated with the distribution of welfare, the early Company, though measured in its generosity, did display a sense of limited obligation to the most vulnerable personnel associated with its operations. And it did so with consistent measure. The response of the organisation demonstrates a consistency to each petitioner depending upon the themes and characteristics that each of the petitioners share. Those petitioners whose poverty is most palpable and appeal most earnest, generally received a compassionate response. Those who seemed to cause the Company anxiety however, were received with less consideration and their outcomes were not without issue. This consistency is also evident with elite and middling women.

Examination of the petitions in this chapter suggest that this was an organisation in constant metamorphosis, it was essentially 'finding its feet'. The Company, only founded in 1600, was testing its own limits and limitations in relation to the multifarious individuals and institutions with which it was interacting. While each interaction was unique to some degree, the organisation's response to different types of petitions was consistent across the different categories, elite, middling and poor. The Company was very clear in its response to women higher up the social hierarchy, exemplified by the case of Elizabeth Throckmorton. Its response to women of the middling sort was also consistent, and there are several similarities between elite and middling cases. And while poor petitioners, or those petitioners at the lower end of the social hierarchy differ markedly from their socially and financially better placed counterparts, the response of the organisation remained consistent.

This also applies to the language used by both the Company in response to different types of petitions and the petitioners themselves. Elite petitions were more likely to demand

satisfaction, repeat their petitions or seek recourse from higher authorities, as well as employ avenues of legality available to them. The choice to pursue the different strategies did not find favour with the organisation, it achieved the very opposite, contempt and refusal. Middling petitions were also bound to fail, or at the very least find their cases protracted and obfuscated if the petitioner was to seek assistance outside the Court or repeatedly appeal, although Susan Jourdain, using the language of humility was able to avoid this. Also employing humility were poorer petitioners and for as long as their requests remained small and their appeals singular, they found favour with the Court. Humility, over privilege, was more generously received.

## CONCLUSION

Sir Thomas Dale and his wife, Lady Elizabeth Throckmorton were born into privilege. They were a powerful and influential couple. This is in stark contrast to the humility of the women who are the subject of chapter three, but in some ways less so than those who are highlighted in chapter two. Chapter two examined women who occupied a 'middling' position in the existing social hierarchy, and in this, they share some of the characteristics common to the Throckmorton case. They include, but are not limited to, the repetition of appeals, the language and rhetoric of the nature of the cases (that is they resembled legal demands), the appeals to avenues outside of the Company's sphere of influence (something the organisation resented), and the consistently reluctant response of the Company to granting these petitions. Throckmorton and the women who are the subject of chapter three have nothing in common. In addition to this, unlike Throckmorton and her 'middling' counterparts, the subjects of chapter two, their requests were small and their networks of support minimal. These women petitioners were dependent upon a language couched in humility and the hope of a solicitous response from the Company. The only element common to all three chapters is the consistent response of the organisation to each category of petitioner.

I have argued that power and privilege were obstacles to the negotiation process. I have shown that the more elite one's position was, the less likely the Company was to grant a petition, even if the petitioner was able to call upon the parliament or the crown. This did not guarantee success, in fact it may have ensured failure. And I have contended that poor women were more favourably received if they could demonstrate the required level of humility. Notwithstanding the restricting gender norms and expectations of the early modern period, this thesis has shown

that for the early Company gender was not a primary motivating factor used to either grant or refuse a petition, the Company was only focused on making money.<sup>61</sup> The same cannot be said for class or standing within the existing social structure. The more privileged one's position, the more resistance these petitioners faced from the Company.

I have also argued that benevolence, as discussed by Margaret Makepeace as being fundamental to the Company's later success, was present from the organisation's inception. A personal management practice that drew upon much older traditions established and practiced by medieval guilds and the Church, was a feature of the early organisation. Payments of charity, relief or benevolence were common practice and demonstrated that the Company was honouring its social obligation and responsibility.

This thesis has also shown that the changing nature of scholarly debate reveals new and exciting methodologies are an important part of examining the role of women in the construction and maintenance of empire. The Sainsbury summaries are an extremely valuable tool in understanding the minute meetings, but they are limiting. Transcribed in the late nineteenth century, they have their perspective based upon the prevailing social and cultural conditions of the time. Women's roles are not adequately highlighted in the summaries. Where a line or two exist in the summaries, the corresponding entry in the original Court books are much richer in detail. To the Company these women were important, if not there would be no need to provide such detail to their petition. The Court minutes focused primarily on the commercial and fiscal nature of the Company's operations, but where petitions by both poor men and women appear,

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<sup>61</sup> I am by no means suggesting it was as simple as this. The decision of the Court to grant or deny a petition that was or was not based on gender was significantly more complicated. Early modern patriarchal norms demanded women be deferential and dependent, not assertive and the Court of Committees was solely populated by men whose expectations of women petitioners were in keeping with the social norms of the period. Something not unique to the English East India Company. A humble, deferential woman had more appeal than a demanding and repeatedly petitioning one.

there is little disparity between the importance the Company placed on their case and its resolution. The firm was principally about making money, there was no conscious exclusion of participation based on gender, but rather on position in the existing social hierarchy. As exemplified by the Throckmorton case, privilege and power were not automatic guarantees for success, and the ability to access authority and influence was, in some cases, a disadvantage. Women of the middling sort also faced similar disadvantages and resistance. Poor petitioners fared better. Their requests were always small, their appearances minimal and their manner humble. The organisation in its early decades was faced with financial insecurity, petitions that required disbursement of large settlements could have been ruinous. Small requests were manageable, payable from the Company's substantial poor box and so therefore did not threaten the organisation's main objective, profit.

Women were present in the Company's earliest decades and they were actively engaged in trade and commerce. For each man that sailed with Company, or laboured for the organisation was a wife, a mother, a sister, a daughter, a niece, a mistress and a widow. I have explored the women who were negotiating with the Company from its inception. Women invested in 'adventures', women sent their husbands and sons into the employ of the organisation and women's voices can most definitely be heard throughout the archive. Women fought the Company, begged the Company for relief, entreated for the return of their loved ones and were employed specifically themselves by the Company.

This thesis has addressed women who have long been neglected by historians, in the very early period of the Company's existence. The organisation took great pains in recording the presence of these petitioners and therefore there is much work left to be done on how these women contributed to the early construction of corporate entities such as the EIC. I have

focused on a small data set of individuals and specific categories, but there is much more that the record can tell us. I have sought to draw women in from the margins of English imperial expansion by examining the early modern trade and commerce practices of the English East India Company in relation to women petitioners. I have not focused on women toiling in the colonial context, nor have I examined the Company at the height of its success. I have scrutinised women at the epicentre of the early organisation, in London by concentrating on the first three decades of the Company, its tenuous hold on its ability to wield power and influence in its endeavour to grow and expand and compete in a fiercely competitive and unknown environment. And women are present from the outset.

## Appendix.



## A briefe of the Lady Dales petition to the Parliament.

*Sir Tho. Dale im-  
ployed to the East  
Indies by the Com-  
panye, dyed, leaving  
a great estate there  
in his Ship belonging  
to the petitioner as  
his Executrix.*

*The estate there  
after his death sheld  
by the Companyes  
factors and his own  
servant, and shared  
between the & the  
Governors, Treasur-  
ers, and Committees  
of the Companye,  
& his state-booke  
taken and suppress-  
ed by them.*

*The Governours,  
Treasurers and Com-  
mittees practise  
further to defraude  
her of all her estate  
at home, lying in  
their hands.*

*She seeketh remedy  
in the Court of Ad-  
miraltie for her  
wrongs beyond  
Sea, but obtaines  
not justice there  
according to her  
proofes.*

*All she hath thus  
detained from her,  
not able to main-  
taine suite, her wit-  
nesses not to be had  
at all times, their  
depositions already  
taken, not serving  
in any other Court.*

*Praying this high  
Court to consider  
of her cause, to call  
the parties, to view  
the state-booke and  
the proofes already  
made, and thereupon  
to take order for  
her redresse.*

*Shewing,*

**T**HAT Sir Thomas Dale her husband being employed (in the yeare 1617) by the East India Companye as chiefe Commander of their Fleete into the East Indies, and there dying (in the yeare 1619) leaving a great estate there in money and other things (in his Ship called the *Atone*, then floating at Sea) to the value of 20000 pounds, all which after his death belonged to the Petitioner as sole Executrix of his last Will made before his going in that Voyage.

Shortly after his death, one *Thomas Jones* a Factor for the Companye there, and *Robert Owen* a servant of the said *Sir Thomas*, by confederacie with *George Hall*, *William Meechold* and *Augustine Spaulding* Factors likewise for the said Companye (according to the usual customes of those Factors in case of any mans death there, by a forhand private direction from the Governours, Treasurers and Committees of that Companye, to seize upon all his goods for the use of the Companye, and so to swal ow vp all his estate) got aboard the said Ship in the absence both of the Master and Purser of the same, and there unlawfully brake into *Sir Thomas* his Cabbin and store-roume, and tooke and carried from thence all his money, goods and estate there whatsoever, together with diuers written bookes and memorials of the particulars of his estate there, which bookes and memorials they have suppressed and concealed, and haue shared all the said estate betwene themselves; and the said Governours, Treasurers and Committees of the said Companye giuing no part thereof, nor the sight of the said bookes and memorials to the Petitioner euer sithence.

The said Governours, Treasurers and Committees not herewith content, haue since practised to defraude the Petitioner of all her estate at home (lying all in their hands) being a matter of 2000 pounds or nere thereabouts, aduentured by her said husband in both the ioynt stocks of that Companye, besides the prouts thereof and some other moneys owing by the Companye to her husband, causing an officer of theirs to charge her for that purpose with supposed debtes of her husbands to the Companye, to the value of 2000 pounds, which vpon examination of another of their officers in her cause, hath been since confessed by him vpon oath to be an vnjust charge, and excused as a mistaken by the Companye.

That the Petitioner hath sought remedy for the former of these wrongs (done in the Indies) by a suite in the Admiraltie Court against the said *Jones* and *Owen*, being the principall actors of the said wrongs and spoile there, where notwithstanding that good proofe was made, as well of their said unlawfull fact, as of diuers particulars of the said estate (to a great value) so vnlawfully taken away by them, besides a much greater estate concealed by their taking and suppressing of the said bookes and memorials, yet through the greatnesse and potencie of the said Governours, Treasurers and Committees bearing those fellows out in that suite against the Petitioner, she could not there obtaine recompence of the said wrongs, according to her proofe made thereof.

So the said Governours, Treasurers and Committees, and those others before mentioned, detaining from the Petitioner all she hath, and the said Governours, Treasurers and Committees not onely denying to yeeld her any part of her meanes in their hands, either for the righting of her selfe by suite, or for her necessary maintenance, but refusing also very scornfully as much as to treat with her (or her friends for her) of iustice and equitie, especially because the depositions already taken in her cause, will not auail her in any other ordinary Court; and her witnesses (of the wrongs done her beyond Seas) being sea-faring men, are not to be produced at all times to serue her turne, some of them (who haue been examined already in her cause) being since gone againe to Sea.

Humbly therefore prayeth this honorable Court to take her cause into their considerations, to call the parties aboue mentioned (or such of them as are nere at hand) to appeare forthwith before them, commanding them to bring the said bookes and memorials into the Court, and vpon view thereof, together with such proofes as are already made in the cause, without further trouble or other examinations, to take such order for her reliefe and satisfaction for the said severall wrongs, as their wisdomes shall finde agreeable to iustice and equitie.

Image 3.

The abridged and printed version of the petition Elizabeth Throckmorton (Lady Dale) presented before the English parliament. This document was made available and distributed to the public. It contains the most important sections from the original petition.

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