

# Government in Early Modern London: The Challenge of the Suburbs

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## I

TO JUDGE FROM THE CONTENT OF RECENT LITERATURE on the government of early modern London, an exercise in word association among historians would probably produce the result ‘Government of London: Stability’. The key components of the explanation for the fundamental orderliness of the capital are (with varying degrees of emphasis among the contributors to the debate): the concentration of central authority in a unitary monied élite combined with dispersal of power among local units of parishes, wards and guilds, high levels of participation in local and guild government, a fruitful symbiotic relationship with the Crown, and the elaboration of sophisticated social policies to tackle the capital’s problems.<sup>1</sup> A major problem with the emerging consensus, however, is that it rests overwhelmingly on evidence drawn from the area under the jurisdiction of the lord mayor and aldermen of London, and much of it is elusive about what it means by ‘London’. As the metropolitan area expanded, the proportion of its population subjected to the authority of the city authorities declined dramatically. Whereas about three-quarters of the population of the metropolitan area in 1560 resided in the city, by 1700 the proportion was only one-quarter.<sup>2</sup>

<sup>1</sup> V. Pearl, ‘Change and stability in seventeenth-century London’, *London Journal*, 5 (1979), 3–34; F.F. Foster, *The politics of stability: a portrait of the rulers of Elizabethan London* (London, 1977); I.W. Archer, *The pursuit of stability: social relations in Elizabethan London* (Cambridge, 1991); S. Rappaport, *Worlds within worlds: structures of life in sixteenth-century London* (Cambridge, 1989).

<sup>2</sup> N.G. Brett-James, *The growth of Stuart London* (London, 1935); R. Finlay and B. Shearer, ‘Population growth and suburban expansion’, in *London, 1500–1700: the making of the metropolis*, ed. R. Finlay and A.L. Beier (London, 1986), pp. 37–59; see also V. Harding, ‘The population of London, 1500–1700: a review of the published evidence’, *London Journal*, 15 (1990), 111–28 for some sceptical remarks.

Exercises in word association among early modern Londoners would have produced rather different results for ‘Suburban Government’. Londoners saw the suburbs as a by-word for disease, pollution and corruption. ‘What are thy suburbs but licensed stewes?’ asked Thomas Nashe. ‘Death (like a Spanish Leaguer, or rather like Stalking Tamburlain) hath pitched his tents in the sinfully polluted suburbs’, claimed Dekker in his plague pamphlet *The Wonderfull Yeaere*. Thirty years later he confirmed this view: ‘How happy . . . were cities if they had no suburbs sith whence they serve but as caves where monsters are bred to devour the cities’.<sup>3</sup> When the aldermen looked beyond the sphere of their own jurisdiction they saw a combination of problems which threatened to swamp them. Of Southwark they complained in 1588 that ‘we find so many evil disposed and licentious persons as not only fill their own liberties with all kind of disorder but send their infection into this city’. Immigration, uncontrolled building, the subdivision of tenements, overcrowding and poverty, plague, disorder, crime, and the collapse of corporate regulation were all causally connected in their minds. Citizenship was devalued: ‘the freedom of London which is heretofore of very great esteem is grown to be little worth by reason of the extraordinary enlargement of the suburbs where great numbers of traders and handicraftsmen do enjoy without charge equal benefit with the freemen and citizens of London’.<sup>4</sup>

These problems the aldermen ascribed to a want of government in the suburbs: writing of the theatres in 1583 they opined that ‘it availeth not to restrain them unless the like order be in those places adjoining the liberties’. As the political arithmetician John Graunt put it, ‘in the greater out-parishes many of the poorer parishioners through neglect do perish and many vicious persons get liberty to live as they please for want of some heedful eye to watch over them’.<sup>5</sup> It is a view which has passed into historical orthodoxy: the wider metropolis was governed by ‘an impotent alliance of parish, manorial and county authorities . . . the government of London steadily disintegrated’.<sup>6</sup>

But it has not gone unchallenged. In a recent book Joe Ward has argued for the greater effectiveness of corporate regulation in the suburban areas than has been traditionally recognised. He reminds us that company charters characteristically granted

<sup>3</sup> T. Nashe, *Works*, ed. R.B. McKerrow (5 vols, repr. Oxford, 1966), vol. II, p. 148; *The non-dramatic works of Thomas Dekker*, ed. A.B. Grosart (5 vols, repr. New York, 1966), vol. I, pp. 109–10; T. Dekker, *English villainies* (London, 1632), sig. F3v.

<sup>4</sup> CLRO, Remembrancia I, no. 579; PRO, SP16/225/71; BL, Lansdowne MS 160, fos. 95–6; MS 169, fos. 130–2; *CSP, Domestic, 1636–7*, pp. 170–1.

<sup>5</sup> CLRO, Remembrancia I, no. 538; J. Graunt, *Natural and political observations ... made upon the Bills of Mortality* (London, 1662), p. 58.

<sup>6</sup> P. Clark and P. Slack, *English towns in transition, 1500–1700* (Oxford, 1976), p. 71. The theme has also begun to attract attention from literary scholars, among which see S. Mullaney, *The place of the stage: license, play and power in Renaissance England* (Ann Arbor, 1995); J. Twynning, *London dispossessed: literature and social space in the early modern city* (Basingstoke, 1998); G.A. Sullivan, *The drama of landscape: land, property, and social relations on the early modern stage* (Stanford, 1998), pp. 157–229.

rights of search within a radius of at least three miles of the city and he shows that these rights continued to be exercised within the suburbs; he also demonstrates that the livery companies included many members living in suburban areas.<sup>7</sup> Ward's thesis does not fully persuade. One can show companies exercising their rights in the suburbs from time to time (and especially in periods of greatest anxiety about non-free labour), but whether they were exercised with any degree of regularity is much more contentious. It is true that freemen of the city dwelt in the suburbs, but what proportion of suburban inhabitants enjoyed access to the privileges of guild membership is unclear. That many of the conflicts between free and foreign labour were articulated in terms of a clash between suburban (often Westminster-based) and London artisans suggests that the proportion may not have been high.<sup>8</sup>

Moreover, Ward's suggestion that the experience of guild membership could help foster a 'metropolitan' identity rests on a relatively narrow institutional basis. Previous arguments for the civic identity of Londoners have been based on their membership of a network of interlocking and overlapping communities (parishes, wards, guilds and the corporation). Therefore to isolate one type of community involves ascribing potentially greater significance to it than it deserves; a discussion of identity needs to look at a much wider range of social interactions than can be obtained from a study of guild records. The effectiveness of metropolitan-wide guilds in generating identities must be doubted given the sheer size of the larger associations: the Merchant Taylors (which may well have incorporated suburban garment makers) had 8,000 members by 1640.<sup>9</sup> But Ward does succeed in problematising the suburbs, and he throws down a gauntlet in demanding that we look at the *relative* effectiveness of government in the suburbs compared to the city.<sup>10</sup> Granted that government in the suburbs had its shortcomings, were the city authorities in reality very much more effective?

This is a very important insight because it is clear that to some extent the city's rhetoric about the suburbs was self-serving. Highlighting the problems of the suburbs might well be a means of diverting attention from the failings of the city authorities. Apologists for the city liked to celebrate its 'strict and punctual government'. As James Howell put it, 'there's no City goes beyond her, nor indeed equals her, take day and night together; for there is not the least misdemeanour or inconvenience that can be, but there be officers in every corner of the city to pry unto them and find them out'.<sup>11</sup> But that is not quite the conclusion one would draw from the regular homilies given by the Crown's law officers (and sometimes by the monarch himself) about the failings of city government at the presentation of the lord mayor at the exchequer. In 1609, for example, James I praised the city for its fidelity, but dispensed 'divers noble precepts for the

<sup>7</sup> J. Ward, *Metropolitan communities: trade guilds, identity, and change in early modern London* (Stanford, 1997).

<sup>8</sup> Archer, *Pursuit of stability*, pp. 136–40.

<sup>9</sup> Pearl, 'Change and stability', p. 30.

<sup>10</sup> Ward, *Metropolitan communities*, p. 42.

<sup>11</sup> J. Howell, *Londinopolis* (London, 1657).

better government of this city with some reprehension for remissness and suffering offenders to escape unpunished requiring hereafter a more diligent and exact care to be taken by the governors of this city'.<sup>12</sup> Nor does the notion of strict and punctual government square easily with the aldermen's own monotonous fulminations against the failings of the watch and the constabulary. Such were these that in 1602 the governors of Bridewell hospital declared that the anti-vagrancy statutes were 'utterly frustrate'.<sup>13</sup> The truth was that government in both the city and the suburbs failed because it set itself impossible tasks: the elimination of vagrants, the cessation of urban growth, and the removal of gentry visitors from the capital were objectives beyond the realm of the possible. But it is by its failure to deliver on these 'targets' that suburban government is often assessed.

## II

If anyone had a 'metropolitan' vision in the later sixteenth and early seventeenth century it was the Crown, which regularly set the agenda for the authorities in the metropolis.<sup>14</sup> James I's lecture to the aldermen in 1609 was followed by a flurry of regulatory activity and the establishment of a standing committee (short-lived) to liaise with the Middlesex and Surrey justices of the peace.<sup>15</sup> In the absence of any other authority to co-ordinate the efforts of the city corporation and of the magistracies of Middlesex and Surrey, it was the privy council which undertook the task. Under Elizabeth it seems to have been customary for groups of councillors, in association with key magistrates from the various jurisdictions, to have been issued with a watching brief over the metropolitan area when the queen went on progress.<sup>16</sup> A stream of orders poured forth from the council calling for co-ordinated enforcement of social regulation. Thus in 1630–1 the council issued instructions for measures against the plague in March 1630 (requiring certificates of compliance every ten days), drew up a proclamation against vagrancy in the suburbs in April, summoned a group of suburban justices to call for the better enforcement of measures for the suppression of vagrancy and the relief of the poor in January 1631, and issued regular follow-up orders complaining of dilatory proceedings.<sup>17</sup> In periods of crisis the council pushed the city and suburban authorities

<sup>12</sup> CLRO, Rep. 29, fo. 128. Cf. Rep. 20, fo. 137; *HMC, Frankland-Russell-Astley*, p. 2; BL, Harleian MS 6849, fos. 325v–326; 'The journal of Sir Roger Wilbraham', ed. H.S. Scott, *Camden Miscellany X* (Camden Society, 3rd ser. iv, 1902), p. 5.

<sup>13</sup> K. Lindley, 'Riot control and prevention in early Stuart London', *Transactions of the Royal Historical Society*, 5th ser. 33 (1983), 118–21; Bridewell Court Book IV, 2 November 1602; CLRO, JCC 26, fos. 37v, 49r–v.

<sup>14</sup> R.M. Smuts, *Court culture and the origins of a royalist tradition in early Stuart England* (Philadelphia, 1987), pp. 126–8; K. Sharpe, *The personal rule of Charles I* (London, 1992), pp. 406–12.

<sup>15</sup> CLRO, Rep. 29, fos. 124, 125r–v, 128, 128v, 140v, 156v, 210v–211; JCC 28, fos. 24v–25v, 38v, 87r–v.

<sup>16</sup> *APC*, vol. x, 284; T. Wright, *Queen Elizabeth and her times* (2 vols., London, 1838), vol. II, p. 88.

<sup>17</sup> *APC, 1629–30*, pp. 306, 312–13, 345–6, 347, 349; *APC, 1630–1*, pp. 24, 91–2, 111–12, 190–1, 194, 260.

into innovatory policing methods, demanding the appointment of provost marshals to tackle the problem of disbanded soldiers in 1589–90, in the later 1590s and in the later 1620s, and occasionally (as in 1592) appointing special commissions to tackle the problem of vagrancy over the wider metropolitan area.<sup>18</sup>

Moreover, most of the proposals for an integrated approach to the problems of the metropolis emanated from the Crown or its officers. Although there was undoubtedly pressure from the local communities for action against new building, it was the Crown which provided the mechanisms for a city-wide approach through successive building commissions with authority over the whole metropolitan area.<sup>19</sup> It was the lord chief justice, John Popham, who in 1601 put pressure on the city to subsidise projected houses of correction in Middlesex and Surrey, and it was he who developed the ‘articling’ of the magistrates to ensure the enforcement of key areas of policy.<sup>20</sup> It was Theodore Turquet de Mayerne, the royal physician, who in 1630 came up with plans for a metropolitan board of health to co-ordinate measures against the plague.<sup>21</sup> In 1633 the privy council was considering solutions to the problem of the suburbs including a proposal for the extension of the city’s authority by the creation of new wards which would include some of the suburban districts.<sup>22</sup> Encountering opposition from the city to this plan, the Crown pressed ahead with the incorporation of the suburbs in April 1636, a project (as the privy council minutes make clear) enjoying Charles I’s personal support.<sup>23</sup> In 1637 it was Charles himself who pressed for the inclusion of all the aldermen in a special commission to cover the sixteen parishes adjacent to London and nine out-parishes.<sup>24</sup>

The city corporation, while following a fairly consistent policy to reduce the liberties within the walls to its jurisdiction and while keen to see its companies exercising jurisdiction in the suburbs, was less enthusiastic about taking on wider responsibilities. It is striking that when the city acquired the Great Liberty and King’s manors and created the new ward of Bridge Without in Southwark in 1550, the new ward was only partly integrated into the city’s administrative framework. The courts leet continued to function; there were no common councillors; and the inhabitants were not involved in the election of the borough’s alderman in any way. The position of Paris Garden and the Clink remained anomalous as they were excluded from the purchases of 1550, and

<sup>18</sup> Archer, *Pursuit of stability*, pp. 229–30; *APC, June–Dec. 1626*, pp. 187, 190, 222, 306–7, 370–2.

<sup>19</sup> T.G. Barnes, ‘The prerogative and environmental control of London building in the seventeenth century: the lost opportunity’, *California Law Review*, 58 (1970), 1332–63, and for a more optimistic view, R.M. Smuts, ‘The court and its neighbourhood: royal policy and urban growth in the early Stuart West End’, *Journal of British Studies*, 30 (1991), 117–49.

<sup>20</sup> PRO, SP46/163, fo. 216; WAC, F6039; GL, MS 9680; BL, Add. MS 12503, fo. 278.

<sup>21</sup> P. Slack, *The impact of plague in Tudor and Stuart England* (London, 1985), pp. 217–19.

<sup>22</sup> PRO, SP16/248/40.

<sup>23</sup> V. Pearl, *London and the outbreak of the puritan revolution* (Oxford, 1961), pp. 31–7; R. Ashton, *The city and the court, 1603–1643* (Cambridge, 1979), pp. 165–7; PRO, PC2/49, fo. 251r–v.

<sup>24</sup> PRO, PC2/48, fo. 125.

little effort was made to acquire them in subsequent years. Although the lord mayor, recorder and senior aldermen exercised authority as justices of the peace in Southwark, their non-residence appears to have weakened the authority of the Southwark sessions, leaving the Surrey magistrates to fill the vacuum, albeit against constant protests from the corporation. The city's approach to Southwark was essentially negative, seeking to neutralise the authority of competing jurisdictions rather than properly incorporating the new ward. It is not surprising that Southwark (which continued to elect its own members of parliament) retained a separate identity, pressing for its own incorporation in 1649–50.<sup>25</sup>

Likewise, for reasons which are not altogether clear, the city opposed Charles' proposals for an extension of their jurisdiction into the suburbs. It may well have been that they feared the social dilution of the institutions of civic government—hence Southwark's attenuated representation among them—but it was also perhaps that they balked at the sheer magnitude of the task. To Charles' proposal that they exercise authority on a special commission for the suburbs, the aldermen protested that they 'had so much service to perform in their several wards and so much care requisite to be taken therein in these times of infection that they could not possibly apply themselves to look into the government or take any charge of the suburbs or places adjoining to the said city'.<sup>26</sup> When the city had its chance to put forward its shopping list for jurisdictional modifications in 1644, it is the limited scope of its ambitions which impresses. It requested an act reducing the liberties of St Martin-le-Grand, the Minories, Heneage House and Ely Place to the franchises of London; it wished that the lord mayor and recorder should be justices of the peace in Middlesex, Surrey, Kent and Essex so that felons could be pursued outwith the city's jurisdiction; it asked that three senior aldermen be added to the commission of the peace for Middlesex; and it requested that the aldermen have the power to nominate four inhabitants of Southwark to be justices there, and that the Surrey justices be excluded from the borough. It is true that the common council also demanded that the city have control of the militia within the lines of communication (the civil-war defences of the city) and the bills of mortality, a significant extension of its jurisdiction, but one dictated by military and political expediency rather than a reforming vision for the metropolis.<sup>27</sup>

The alternative to the city's extension of its own authority in the suburbs was the development of new corporations with authority over suburban areas such as that represented by Charles' incorporation of the suburbs. This too the city opposed, but for reasons which are more easily understood. The purposes of the new incorporation were in fact extremely limited. It incorporated all tradesmen who had served apprenticeships

<sup>25</sup> D. Johnson, *Southwark and the city* (Oxford, 1969), pp. 114–21, 141–55, 158–62, 165, 234–42, 325–406; M. Carlin, *Medieval Southwark* (London, 1996), pp. 126–7.

<sup>26</sup> PRO, PC2/48, fo. 150v.

<sup>27</sup> CLRO, JCC 40, fos. 108–110; *CJ*, vol. III, p. 679; Johnson, *Southwark and the city*, pp. 157–62; K. Lindley, *Popular politics and religion in Civil War London* (Aldershot, 1997), pp. 373–5.

but who lacked the freedom of the city and were resident within the city or within a three-miles (5 km) radius of it.<sup>28</sup> The incorporation proposed no solution to the long-standing problems of suburban social regulation, and its officers promptly declined Secretary Windebank's suggestion that they should fund the provost marshal for Middlesex.<sup>29</sup> It also clashed with the rights of city companies, several of which (largely from the building trades) petitioned the aldermen in November 1637, complaining that 'the greatest part of their livelihoods is gotten without the liberties of the city' and that they were restrained from working by the incorporation.<sup>30</sup>

### III

The result of the Crown's failure to implement a more integrated approach to the suburbs was that, apart from periodic bouts of privy-council sponsored co-ordinated action, government in the metropolis remained fragmented and largely unreformed. That is not, however, quite the same as saying that it did not work. Authority was shared between overlapping manorial authorities, parish vestries and the justices of the peace. The patchwork of manorial authorities continued to function, appointing officers and taking twice annual presentments, but they seemed overwhelmingly concerned with nuisance and marketing offences and they were hamstrung by the infrequency of their meetings. 'There is no lawful warrant to punish . . . malefactors but by the leet or law day which by law is to be holden but twice in the year only against which time being well known such malefactors do avoid and flee from the city and liberty until the said court and sitting be past, and then in mockery return and continue without any punishment'.<sup>31</sup> Occasionally there are signs of the inquests empanelled at the courts leet taking on a greater role in regulation, as in the precinct of St Katherine's by the Tower whose apparently conscientious constables were supervised by the inquest.<sup>32</sup>

The greatest level of adaptability of manorial institutions was evident in Westminster, under the watchful eye of the central government. A special act of parliament in 1585 divided the liberty into twelve wards each under a burgess (appointed by the dean of Westminster Abbey) and assistant, who were to meet weekly. Although the act

<sup>28</sup> *CSP, Domestic, 1635–6*, pp. 359–60; Bodleian Library, Bankes MSS 12/46.

<sup>29</sup> *CSP, Domestic, 1637–8*, p. 19.

<sup>30</sup> CLRO, Rep. 52, fo. 12v; cf. Pearl, *Outbreak*, pp. 35–7.

<sup>31</sup> PRO, SP12/177/29; LMA, M93/1–4; CLRO, Southwark Manor court book, 1539–64; King's Manor presentments, 1620 and 1624; Guildable Manor presentments, 1620 and 1624; H. Llewellyn-Smith, *The history of East London from the earliest times to the end of the eighteenth century* (London, 1939), pp. 52–69; Camden Local Studies and Archives Centre, P/LS/M1; WAC, verdicts and presentments of inquests and juries of the manor court of the duchy of Lancaster; J. Ritson, *A digest of the proceedings of the court leet of the manor and liberty of the Savoy . . . from the year 1682 to the present time* (London, 1789).

<sup>32</sup> GL, MS 9680; C. Jamison, *The history of the Royal Hospital of St Katharine by the Tower of London* (Oxford, 1952), p. 137.

claimed that the burgesses and their assistants were ‘to do and deal in every thing and things as aldermens deputies in the city of London’, in practice their powers were limited to the enforcement of the ordinances of 1585, the main preoccupation of which was the regulation of immigration.<sup>33</sup> The burgesses could not levy rates and they do not appear to have been able to pass by-laws. Acknowledging the limits of the burgesses’ powers, Westminster petitioned unsuccessfully in the 1630s and 1640s for formal incorporation.<sup>34</sup> Nevertheless their powers of summary conviction represented an impressive addition to the machinery of social discipline in the suburbs. Their minutes demonstrate a determined assault on immigrants. Newcomers were required to provide testimonials and expelled if they could not provide them, property owners were bound not to receive inmates—typically lodgers—and fined if they failed to comply, while moral offenders were subject to carting and occasionally ducking in the Thames. But Westminster was an exceptional case, and elsewhere in the county the responsibility for order devolved on the members of the commission of the peace.<sup>35</sup>

Middlesex was in some respects intensely governed. Its gaols were delivered between eight and ten times per annum in contrast to the twice annual meetings of the assizes in other counties; regulative offences could be presented not only at quarter sessions but also in the court of king’s bench; although the evidence is patchy, there is reason to suppose that divisional meetings among the justices (at least on an *ad hoc* basis) were in operation by the 1570s, and certainly regularly by the 1630s; in Westminster, the Middlesex quarter sessions were supplemented by local sessions meeting quarterly from 1619 as well as by the court of burgesses which met at least fortnightly.<sup>36</sup> The point is frequently made that, in spite of the increase in the size of the commission of the peace in Middlesex (43 in 1561, 60 in 1595, 129 in 1680, 212 in 1702), the number of active justices remained small.<sup>37</sup> In the 1560s, over 70 per cent of the recognisances issued by Middlesex justices seem to have been taken by three men; a century later eight men seem to have issued two-thirds of the recognisances.<sup>38</sup> But this does not seem to have had a deterrent effect on recourse to the legal apparatus. Bob Shoemaker, surveying the later seventeenth-century material, suggests that urban justices may in fact have been more accessible than their rural counterparts as they lived closer and met more

<sup>33</sup> Westminster’s act was 27 Eliz. I c. 31; see also BL, Harleian MS 1831. See the important account by J. Merritt, ‘Religion, government and society in early modern Westminster, c.1525–1625’ (PhD thesis, University of London, 1992), pp. 102–66.

<sup>34</sup> CSP, *Domestic, 1636–7*, p. 315; HMC, *Hatfield House*, vol. xxii, pp. 289–90.

<sup>35</sup> WAC, court of burgesses minutes, 1610–1613.

<sup>36</sup> Archer, *Pursuit of stability*, p. 228; F. Dabhoiwala, ‘Prostitution and police in London, c.1660–c.1760’ (DPhil thesis, University of Oxford, 1995), pp. 99–100; *Justice in eighteenth-century Hackney: the justicing notebook of Henry Norris and the Hackney Petty Sessions book*, ed. R. Paley, London Records Society, xxviii (1991), pp. xxii–xxvii, xxviii–xxx; PRO, SP16/226/77; 231/17, 18; 241/87; 268/13, 14, 60; 269/50; 270/73; 319/73.

<sup>37</sup> BL, Lansdowne MS 1218, fo. 72r–v; PRO, C66/1435, m. 15; Dabhoiwala, ‘Prostitution and police’, p. 169.

<sup>38</sup> Archer, *Pursuit of stability*, p. 227; R.B. Shoemaker, *Prosecution and punishment: petty crime and the law in London and rural Middlesex, c.1660–1725* (Cambridge, 1991), pp. 68, 70–6.



frequently. With the exception of the East End, per capita prosecution rates were higher in the urban periphery than in rural Middlesex, and although that might reflect lower levels of social tension in rural communities, it might also relate to the accessibility of the legal apparatus.<sup>39</sup>

Overlapping authorities need not necessarily give rise to conflict when different jurisdictions are staffed by the same people. The privy council and corporation records give a misleading impression by highlighting the occasions of conflict between the city and the suburban authorities: the city's annoyance at the reluctance of the inhabitants of the suburbs to contribute to the city's military charges, even when required by the privy council, and the corporation's hostility to subsidising poor relief in the suburbs are well documented. But in fact there is reason to suppose that a considerable degree of co-operation prevailed because of the different hats worn by the same people. The lord mayor, recorder and senior aldermen sat with representatives from the central judiciary on the gaol delivery for Middlesex, and (at least for the Elizabethan period, where we have the information) many of the active Middlesex justices had strong city connections.<sup>40</sup> Recorder Fleetwood's correspondence with Lord Treasurer Burghley (an accidental survival which sheds a great deal of light on policing which would otherwise have been lost to view, but which does raise thus far unanswered questions of typicality) shows city officials co-operating with suburban magistrates. In 1575 he describes the way in which pairs of justices carved up the metropolitan area (Southwark, the adjacent parts in Surrey, the eastern suburbs, the northern suburbs, the Duchy and Westminster) in something approaching petty sessions to enforce the lord keeper's directives against alehouses.<sup>41</sup> During Elizabeth's reign there seems to have been little problem about committing offenders tried at the Middlesex sessions to the London Bridewell, which in any case had jurisdiction over the suburban area by virtue of its charter from 1553.<sup>42</sup> Westminster acquired a separate commission of the peace in 1619 but many active justices operated in both jurisdictions so that there was little distinction in practice between them. Nor did the Westminster justices conflict with the Westminster court of burgesses because key burgesses sat as justices.<sup>43</sup>

It is of course extraordinarily difficult to assess the impact of government. Dabhoiwala has emphasised that the very complexity of jurisdictions in the suburbs renders it difficult to assess the effectiveness of the criminal-justice system. It is only by looking at all the different jurisdictions in which an offence could be prosecuted that one can hope to get an idea of the impact of the authorities. Sexual offenders, for

<sup>39</sup> Shoemaker, *Prosecution and punishment*, pp. 9–10, 284–8.

<sup>40</sup> Archer, *Pursuit of stability*, pp. 227, 230. The composition of the commission of peace in later periods remains in need of serious study.

<sup>41</sup> Wright, *Elizabeth*, vol. II, pp. 18–19.

<sup>42</sup> BL, Harleian MS 7018/6, fos. 30–38: Bridewell court books, I–III; *Tudor economic documents*, ed. R.H. Tawney and E. Power (3 vols, London, 1924), vol. II, pp. 335–6. Committals from Middlesex to Bridewell were much rarer in the early seventeenth century.

<sup>43</sup> Dabhoiwala, 'Prostitution and police', p. 99; Merritt, 'Westminster', pp. 146–7, 150, 199–200, 202.

example, could be summarily sent to the houses of correction for either Westminster or Middlesex; they might be bound over by recognisance to appear at quarter sessions; they might be indicted at quarter sessions; or (a peculiarity of Middlesex) they could be proceeded against in king's bench by indictment, information or presentment. Estimating the level of prosecutions in all jurisdictions in the later seventeenth century, he concludes that sexual offenders were subject to constant harassment, that prosecution rates in this period were probably higher than those in the early seventeenth century, and that rates of prosecution in the Middlesex suburbs were probably higher than within the traditional city.<sup>44</sup>

We lack comparable data for earlier periods that might enable us to assess the relative success of the city and suburban authorities as Ward has challenged us to do, but there are suggestive indications of greater effectiveness among the suburban authorities than we have come to expect. To judge from the 312 surviving recognisances from ale-house keepers, Middlesex was quick to comply with the licensing legislation of 1552.<sup>45</sup> Fleetwood's admittedly complacent reports on the swoops on vagrants suggest that the authorities could at least temporarily alleviate the problem: 'not one rogue stirring', he reported after a search in January 1582.<sup>46</sup> When a commission was appointed to proceed against vagrants in the summer months of 1592, 26 per cent were arrested within the areas under the lord mayor's jurisdiction, 27 per cent in the northern suburbs, 23 per cent in the eastern suburbs, 17 per cent in Westminster, and 6 per cent in the more distant Middlesex parishes.<sup>47</sup> The surviving returns of aliens in the later sixteenth and early seventeenth century—covering the whole of the metropolitan area and including data on occupations, household composition and church attendance—are impressive testimony to the capacity of the local constabulary apparatus in enumerating the population.<sup>48</sup> Ben Coates' survey of tax collecting during the civil war and interregnum does not find very significant differences between the effectiveness of suburban and city collection.<sup>49</sup>

Where the Middlesex and Surrey commissions showed their weakness was in their inability to formulate a common policy for the metropolitan area. A large proportion of their activity took place out of formal sessions, particularly as the seventeenth century progressed, and their sense of collegiality may have weakened. Moreover, the sheer

<sup>44</sup> Dabhoiwala, 'Prostitution and police', pp. 121–9. Cf. T. Harris, *London crowds in the reign of Charles II: propaganda and politics from the Restoration until the Exclusion crisis* (Cambridge, 1987), pp. 66–7 for data on persecution of nonconformists in the 1680s.

<sup>45</sup> *Middlesex county records*, ed. J.C. Jeaffreson (4 vols, London, 1886–92), vol. i, pp. 10–11.

<sup>46</sup> *Tudor economic documents*, vol. II, p. 336.

<sup>47</sup> BL, Harleian MS 7018/6, fos. 30–38.

<sup>48</sup> *Returns of aliens dwelling in the city and suburbs of London*, ed. R.E.G. and E.F. Kirk (Huguenot Society Publications, x, 4 vols., 1900–08); *Returns of strangers in the metropolis, 1593, 1627, 1635, 1639* (Huguenot Society Publications, LVII, 1985).

<sup>49</sup> B.J. Coates, 'The impact of the English civil war on the economy of London, 1642–1650' (PhD thesis, University of Leicester, 1997), pp. 51–68.

scale of the social problems confronting many parishes probably made them more reluctant to contribute to county-wide rates than elsewhere. Although there are occasional rates levied for the support of plague victims, there is no sign of a rate-in-aid scheme operating in Middlesex or metropolitan Surrey, as the legislation permitted, and as operated (albeit with limited effectiveness) within the old city. It was probably for this reason that Middlesex and Surrey were slow off the mark in setting up houses of correction. The undertakers' scheme of 1601–3 collapsed in a whiff of scandal, and Surrey and Middlesex did not acquire their houses until 1611 and 1615 respectively. The rate levied for the Middlesex house of correction was widely resisted.<sup>50</sup> A statute of 1662 which appeared to encourage an integrated approach to poor relief in the metropolitan area by authorising the establishment of corporations of the poor in Middlesex, Westminster and London (on the model of the London corporation of the 1650s) failed to generate sufficient enthusiasm within the county and the scheme had to be radically downsized.<sup>51</sup>

But the weakness of the authority of the sessions was to some extent compensated for by the vigour of parochial government. Tudor legislation had steadily devolved more authority on to the parish, making it a key unit of civil administration, particularly in the sphere of poor relief. Regular meetings among parishioners to manage the affairs of the church and increasingly to distribute charitable resources encouraged the discussion of social problems and the devising of strategies to meet them. The vestry of St Saviour Southwark, which was in the unusual position of having been incorporated by act of parliament in 1540, managed an impressive array of local amenities, including a grammar school established between 1559 and 1562 and almshouses established by a combination of private philanthropy and public subscription in 1580, and it farmed the rectory of the parish from the Crown before eventually purchasing the fee simple in 1611, giving it enhanced power over its clergy.<sup>52</sup> Although the vestrymen of St Saviour's liked to think of themselves as a model administration, their neighbours in St Olave's were not far behind, running their own petty school, managing the commons on Horsey Down for the benefit of parishioners, and also farming their tithes.<sup>53</sup>

Both vestries were conscientious administrators of the poor relief, supplementing the rates with special collections at communions and the receipts of legacies, which they

<sup>50</sup> CLRO, Remembrancia, II, nos. 231, 254; LMA, P92/SAV/450, p. 439; *Middlesex sessions records*, ed. W. le Hardy (4 vols, London, 1936–41), vol. II, pp. 118–19, 214–15, 291, 338, 343; vol. III, pp. 66–8, 138–40; vol. IV, pp. 89–90, 157–8, 206, 282, 367; *Middlesex county records*, vol. II, pp. 103–4.

<sup>51</sup> V. Pearl, 'Puritans and poor relief: the London workhouse, 1649–1660', in *Puritans and revolutionaries*, ed. D. Pennington and K.V. Thomas (Oxford, 1978), pp. 206–32; 14 Car. II c. 12; E.G. Dowdell, *A hundred years of quarter sessions: the government of Middlesex from 1660 to 1720* (Cambridge, 1932), pp. 46–51.

<sup>52</sup> The 1540 act was 32 Hen. VIII c. 64; see also LMA, P92/SAV/449, pp. 162, 163, 169, 202; P92/SAV/450, pp. 432–6, 454, 458; R.C. Carrington, *Two schools: a history of the St Olave's and St Saviour's Grammar School Foundation* (London, 1971); J.P. Boulton, *Neighbourhood and society: a London suburb in the early seventeenth century* (Cambridge, 1987).

<sup>53</sup> Archer, *Pursuit of stability*, pp. 85–6.

tenaciously pursued by litigation if necessary. But their determination to limit expenditures led them both into pioneering measures to tackle the problem of poor immigrants, apparently without prompting from above. St Olave's appointed surveyors of inmates in 1585 'to view that none keep no inmates nor suffer none with child nor no other poor to come out of other parishes to the burden of this parish but that they shall give notice to the deputy and churchwardens if any such shall come'. St Saviour's followed suit in 1593, and officials like St Olave's surveyors were widely imitated in the urbanising suburban parishes of the early seventeenth century.<sup>54</sup> Another striking feature of these Southwark parishes was their power of collective organisation. St Olave's promoted bills in parliament for the protection of its title to Horsey Down in 1552 and for its school in 1566 and 1571, while in 1601 the two vestries got together to discuss matters to be moved in parliament 'for the good of the borough'. St Saviour's petitioned the privy council against playhouses and consulted Popham about the restraint of new buildings.<sup>55</sup>

Doubtless the anomalous position of Southwark within the city, the peculiar legal status of St Saviour's and a degree of rivalry between the two parishes encouraged this remarkable degree of self-help, but the Westminster parishes were not dissimilar in the degree of innovation and the vigour of their governance. St Martin in the Fields built its own house of correction and parish almshouses about 1604.<sup>56</sup> The neighbouring parish of St Margaret's had acquired almshouses for twenty poor persons through a benefaction from Lady Dacre in 1595, and between 1622 and 1625 it established a house of correction and an orphanage (incorporated as Charles I's Hospital in 1633), each costing about £85 per annum to run by the later 1630s and funded by a mixture of resources from the church stock and legacies.<sup>57</sup> As in the Southwark parishes, the authorities struggled to match resources to the escalating problems of poverty they confronted, but the increases in available relief were impressive. In St Martin's, income from the poor-rates rose from about £30 per annum in the 1570s to £550 per annum on the eve of the civil war, during a period when the population rose from approximately 1,500 to possibly 17,000.<sup>58</sup> As in Southwark the resourcefulness of the parishioners in mobilising the machinery of central government to their ends is impressive. The 1585 act for the government of Westminster which established the court of burgesses was promoted at the instance of the parishioners of St Margaret's.<sup>59</sup>

<sup>54</sup> Southwark Local Studies Library, St. Olave's VM, fos. 69, 73, 82v, 84; LMA, P92/SAV/450, pp. 275, 290; P92/SAV/1314–1317. For examples from other suburban parishes, see GL, MS 6554/1, fos. 10, 13v, 38; Camden Local Studies Centre, P/GF/M1, pp. 39–41.

<sup>55</sup> Southwark Local Studies Library, St Olave's VM, fos. 2v, 38v, 109v; LMA, P92/SAV/450, pp. 308, 323, 325, 346, 361, 363.

<sup>56</sup> Merritt, 'Westminster', pp. 279, 293.

<sup>57</sup> *Ibid.*, pp. 279–80; WAC, E13–E21.

<sup>58</sup> WAC, F301, F372; Merritt, 'Westminster', pp. 276–7; Smuts, 'Court and its neighbourhood', p. 118. But cf. Shoemaker, *Prosecution and punishment*, p. 327 for a lower population figure for the 1660s.

<sup>59</sup> Merritt, 'Westminster', pp. 109–10.

A key element in the arguments for London's stability is the high levels of participation in local government. The large populations of the suburban parishes might lead one to expect that levels of participation would be low, but this was not necessarily the case. Jeremy Boulton found that there was one office for every nine householders in the Boroughside district of Southwark in the 1620s; Julia Merritt found one office-holder for 6.5 householders in St Martin's in 1600. These figures compare with the one in ten calculated by Valerie Pearl for the old city. It is true that rapid population growth diluted the office-holding component in spite of increases in the numbers of offices. By 1619 the number of office-holding householders in St Martin's had fallen to one in twelve.<sup>60</sup> Moreover, real power in these suburban parishes was usually concentrated in a select vestry of prominent parishioners.

However, it would be wrong to accept the Webbs' damning verdict that the select vestries became 'the instrument of petty jobbery, corrupt waste, and extreme partiality'. Their case rests on material raked up in eighteenth-century controversies where ideological conflict may have distorted many of the charges.<sup>61</sup> Although vestrymen were drawn from the parochial élite, vestries in the early seventeenth-century metropolis remained pluralistic, usually reflecting the occupational profile of the parish. St Olave's comprised brewers, victuallers and a variety of crafts prominent in the local economy. The vestry of St Dunstan's Stepney was dominated by men prominent in shipping and shipbuilding, which provided the main source of employment in the parish. The West End vestries were more subject to colonisation by the gentry and royal officials, reflecting the prominence of the Court in the local economy, but they were counterbalanced by tradesmen, particularly from the Office of the Royal Works in St Martin's and from among victuallers in St Margaret's. Although more subject to the pressures of aristocratic intervention, the parishioners were not slavish adherents of the Court—for instance, Court candidates were rejected in Westminster elections in 1628—and they were capable of exploiting their Court connections to further their own goals.<sup>62</sup>

As the suburban areas are subjected to more detailed investigation, so the picture of administration in collapse appears in need of qualification. But one should be wary of generalisation, not least because of our relative ignorance about the state of the eastern suburbs which were much poorer than the West End parishes: whereas 25.7 per cent of households in the West End were exempt from the hearth tax of 1664, the proportion in the eastern suburbs was 51.9 per cent; crisis mortality ratios for the eastern suburbs

<sup>60</sup> Boulton, *Neighbourhood and society*, pp. 263–8; Merritt, 'Westminster', p. 169; Pearl, 'Change and stability', pp. 15–17.

<sup>61</sup> S. and B. Webb, *English local government from the Revolution to the Municipal Corporations Act: the parish and the county* (London, 1906), pp. 191, 193, 244, 252–3.

<sup>62</sup> Archer, *Pursuit of stability*, pp. 71–2; Merritt, 'Westminster', pp. 188–90, 200–1, 212–13; J. Merritt, 'The social context of the parish church in early modern Westminster', *Urban History Yearbook* (1991), 20–31; *Memorials of Stepney parish ... the vestry minutes from 1579 to 1662*, ed. G.W. Hill and W.H. Frere (Guildford, 1890–1).

were appreciably higher than those for the Westminster parishes.<sup>63</sup> It is clear that the initially dispersed nature of Stepney meant that parochial identity was weaker than elsewhere in the suburbs. The vestry comprised representatives of each of the four hamlets of Ratcliffe, Mile End, Poplar and Limehouse, and care was taken to ensure that each of the hamlets was represented among the key parochial officers.<sup>64</sup> There are indications that each of the hamlets was made responsible for its own poor, so that in 1646 the justices of the peace had to intervene to order a parish-wide assessment to aid the overburdened hamlet of Ratcliffe, and there is evidence of greater difficulties in poor-relief administration in the East End during the civil war than in Westminster.<sup>65</sup>

It would appear that the lord of the manor was actively involved in Stepney's local government in the Elizabethan period, and the manorial courts remained active through the seventeenth century, but as elsewhere they remained concerned with nuisances and did not develop a specialised staff.<sup>66</sup> Stepney seems to have lacked resident justices in the later seventeenth century, and this may help explain the lower levels of prosecution found in this area by Shoemaker. But the impressions of lawlessness may have been exaggerated. In the later sixteenth century at least, the churchwardens appear to have been committed to regulation, swooping on alehouses in service time, and very vigilant against those harbouring single women. Laura Gowing has shown that these parishes attracted a disproportionate share of defamation litigation, reflecting the large numbers of independent women (sailors' wives), but also suggesting that the institutions of government were not alien to the local community. As the seventeenth century progressed, the East India Company assumed greater importance in the affairs of the East End as a major employer in its dockyards, and its role in maintaining social discipline is worth further investigation. Shoemaker suggests that the key variable in explaining differential levels of prosecution in the metropolitan area is the level of social tension rather than the weaknesses of the machinery of justice. Prosecutions were highest in the West End because of the greater levels of social tensions arising from a more inegalitarian social structure.<sup>67</sup>

This chapter following Ward's challenge has presented a more optimistic view of metropolitan government than is customary, but it would be wrong to infer from this that the governmental structures discussed contributed to a sense of metropolitan iden-

<sup>63</sup> M.J. Power, 'The east and west in early modern London', in *Wealth and power in Tudor England*, ed. E.W. Ives, R.J. Knecht, and J.J. Scarisbrick (London, 1978), p. 181; Slack, *Impact of plague*, p. 162.

<sup>64</sup> *Memorials of Stepney parish*; M.J. Power, 'Shadwell: the development of a London suburban community in the seventeenth century', *London Journal*, 4 (1978), 29–46.

<sup>65</sup> *Middlesex county records: calendar of the sessions books*, ed. W.J. Hardy (21 vols, TS, 1911–23), 1644–52, p. 43. I am grateful to Ben Coates for this reference, and also for his sharing with me his thoughts on poor relief in the civil war metropolis.

<sup>66</sup> LMA, DLC 211/1, fos. 179–81; Shoemaker, *Prosecution and punishment*, pp. 300–6.

<sup>67</sup> GL, MS 9064/13, fos. 24, 30, 31, 95v, 99v, 103, 125v, 228v (for single women), and 6v, 76, 113v, 114, 224v–225 (for alehouses); L. Gowing, *Domestic dangers: women, words and sex in early modern London* (Oxford, 1996), p. 36; Shoemaker, *Prosecution and punishment*, pp. 300–6.

tity. On the contrary, as Joanna Innes points out, it is the fragmentation of authority that impresses. Londoners were intensely conscious of boundaries, nowhere more so than in those parishes like St Botolph Aldgate, St Sepulchre, St Andrew Holborn and St Giles Cripplegate, which straddled the city and Middlesex, where the divisions were maintained in the choice of vestrymen for the different parts of the parish, and where testators could particularise their bequests in such a way as to confine their charity to ‘the poor within the liberties’.<sup>68</sup> Few Londoners showed a metropolitan vision in the distribution of their charity, continuing to distribute monies to parishes where they had been born, had resided or held property. Citizenship—and the privileges that came with it—remained a critical social marker, but it was one that divided rather than united within the context of the metropolis, as divisions between freemen and ‘foreigners’ were acutely felt.

<sup>68</sup> GL, MSS 9236, 4251/1; 6048/1; PRO, PROB11/170, fo. 281v; 171, fos. 230v–231v, 340v–341v, 347v; 172, fos. 63v–64v, 144–145v; 237, fos. 35, 160.





# List of Abbreviations

<i>APC</i>	<i>Acts of the Privy Council</i>
BL	British Library
<i>CARD</i>	<i>Calendar of the Ancient Records of Dublin</i> , ed. J.T. and R.M. Gilbert, 19 vols (Dublin, 1889–1944)
CLRO	Corporation of London Record Office
<i>CJ</i>	<i>House of Common Journals, England</i>
<i>CSP</i>	<i>Calendar of State Papers</i>
<i>Ec.HR</i>	<i>Economic History Review</i>
<i>HCJI</i>	<i>Journals of the House of Commons of the Kingdom of Ireland</i>
GL	Guildhall Library
<i>HMC</i>	<i>Historical Manuscripts Commission</i>
Lambeth PL	Lambeth Palace Library
LMA	London Metropolitan Archives
NAI	National Archives of Ireland
NLI	National Library of Ireland
PP	Parliamentary Papers
PRO	Public Record Office, Kew
PRONI	Public Record Office, Northern Ireland
RCB	Representative Church Body Library, Dublin
RIA	Royal Irish Academy
WAC	Westminster Archives Centre