

Identification Documents and the Governance of Mobilities in, through and beyond Seventeenth- Century London

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I confirm that the work submitted is my own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis examines the documentary processes used to identify people who were mobile into, out of, through and beyond seventeenth-century London. It develops the category of ‘identification documents’ to examine documents which were used by authorities to identify and thereby govern mobile people and their movements. This thesis examines these texts not merely as sources of information regarding seventeenth-century mobilities, but rather as functional documents produced and used by a variety of actors. Over the course of four chapters, this thesis examines how authorities in London used documents to surveil a broad range of patterns of movements: movements within England; movements from northwestern Europe to London; movements out of England to northwestern Europe; and movements out of London to English America. In doing so, this thesis demonstrates that the seventeenth century witnessed the development of a variety of different forms of document which were used to monitor and control a wide range of mobilities.

In the seventeenth century, the identification of mobile people developed as a key logic and mechanism of governance deployed by a variety of different authorities in London in their efforts to govern movement and mobile people. This logic of governance was fundamentally structured by patriarchy. These processes of identification developed into a central aspect of how mobile people interacted with authorities in seventeenth-century London. These interactions were crucially shaped by gender and thus led to important gendered divergences in how men and women experienced both migration and authority. This thesis demonstrates that the development of processes in which authorities monitor and control movement, including transnational movement, is not a recent phenomenon, but rather developed in early modernity as a product of the relationship between heightened levels of mobility and authorities’ efforts to govern and surveil these mobilities by producing, using and storing documents.

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Abbreviations

DRO	Dorset Record Office
LMA	London Metropolitan Archives
TNA	The National Archives

Introduction

Seventeenth-century London was a highly mobile environment. From 1600 to 1700, the population of London exploded from approximately 200,000 to roughly 500,000.¹ Since the death rate exceeded the birth rate throughout the century, this population growth was produced by continual migration into London.² Most of the migrants who came to London came from elsewhere in England.³ They were joined by tens of thousands of migrants from continental Europe, predominantly the Low Countries and France.⁴ In the seventeenth century, roughly half of the population of London was composed of individuals who had been born elsewhere and later moved to London.⁵ However, people in the seventeenth century did not only move to London, they also moved out of it. Many individuals who moved to London did so only on a temporary basis, later returning to their previous place of residence or moving to a new place entirely. Apprentices and domestic servants returned to their places of birth after completing their terms of service, continental migrants decided to return to their countries of birth, temporary visitors to London continued on their travels. In the seventeenth century, these forms of movement out of London were also joined by the novel phenomenon of the large-scale migration of people from London to English America.⁶ Even within London itself, people were not sedentary. As the urban area of London expanded outwards from the City into the surrounding suburbs in Middlesex and Surrey, residents

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- 1 Roger Finlay, *Population and Metropolis: The Demography of London, 1580-1650* (Cambridge: Cambridge University Press, 1981), pp. 2-5; Vanessa Harding, 'Families and households in early modern London, c. 1550-1640', in *The Oxford Handbook of the Age of Shakespeare*, ed. by M.R. Smuts (Oxford: Oxford University Press, 2016), pp. 596-615 (pp. 596-600); Phil Withington, 'Urbanization' in *A Social History of England, 1500-1750*, ed. by Keith Wrightson (Cambridge: Cambridge University Press, 2017), pp. 174-98 (pp. 179-81).
 - 2 Finlay, pp. 2-5; Harding, 'Families and households in early modern London', pp. 597-98.
 - 3 Harding, 'Families and households in early modern London', pp. 597-98.
 - 4 Ole Peter Grell, *Calvinist Exiles in Tudor and Stuart England* (Aldershot: Scolar Press, 1996), pp. 1-5; Lien Luu, *Immigrants and the Industries of London, 1500-1700* (London: Ashgate, 2005), pp. 2-6; Jacob Selwood, *Diversity and Difference in Early Modern London* (Farnham: Ashgate, 2010), pp. 3-4.
 - 5 Harding, 'Families and households in early modern London', pp. 597-98.
 - 6 Bernard Bailyn, *The Peopling of British North America: An Introduction* (London: I.B. Tauris, 1986), pp. 10-18; Ned Landsman, 'Migration and Settlement' in *A Companion to Colonial America*, ed. by Daniel Vickers (Malden, Massachusetts: Blackwell, 2003), pp. 76-98 (pp. 78-81); John Wareing, *Indentured Migration and the Servant Trade from London to America, 1618-1718* (Oxford: Oxford University Press, 2017), pp. 1-5.

of London frequently moved between parishes in this expanding urban agglomeration.⁷ In such an environment, where mobility was the norm not the exception and people regularly arrived in or from London across long distances, how did anyone, particularly the authorities charged with governing this teeming metropolis, know if people were who they claimed to be?

This thesis takes as its subject the processes and documents through which those vast numbers of people who moved through London in the seventeenth century were identified. While the term ‘identification documents’ is an anachronism, the phrase is used here to categorise an array of documents which were used by authorities in the seventeenth century to establish the identities of mobile people. Reflecting the broad array of patterns of mobility involving London in the seventeenth century, a diverse selection of identification documents was produced and used in seventeenth-century London: from settlement certificates used to identify people moving between parishes within England to licences to pass beyond the seas used to identify people departing from London to continental Europe and the Americas. Establishing identities was not the sole reason for the production and use of the documents examined in this thesis. Rather, these identification documents were also used by authorities to monitor, control and facilitate the movement of people. I argue that mobility and identification were strongly interrelated. When people were mobile in and through London they were also often identified by authorities. Mobility thus occasioned identification. Identification documents were produced and used by authorities and mobile individuals both as a means of establishing and maintaining a proof of the identity of individuals moving across localities and communities and as a means of governing this movement.

The seventeenth century is a particularly crucial period for understanding the development of identification documents as a mechanism for governing mobility. Three key developments occurred in the first decade of the seventeenth century which all led to a heightened emphasis on the identification of mobile people by authorities. In 1598 and 1601, Parliament introduced two acts

7 Harding, ‘Families and households in early modern London’, pp. 117-18; Selwood, pp. 14-15.

regarding poor relief and the punishment of impoverished mobile people classified as ‘vagrants’, which led to parish officials implementing mechanisms for identifying poor people moving between parishes.⁸ In 1606 and 1607, the Crown issued proclamations which mandated that individuals departing from England hold a licence to pass beyond the seas.⁹ In 1607, England began its colonisation of North America with the settlement of Jamestown.¹⁰ These events were related to wider developments over the course of the century. This heightened mobility coincided with the rise of English official practices in which authorities gathered, stored and referred to increasing volumes of information about individuals and communities.¹¹ The development of identification practices was deeply entangled with both mobility and official information-gathering practices.

Gender was key to processes and documents of identification. Across all the forms of identification document examined in this thesis, the processes of recording identity were invariably gendered in various ways. People who moved together as households were often identified as a household in a singular document. In instances where women were identified as individuals, their marital status or position in a household was often emphasised. Beyond how gender was expressed in identification documents, the processes and encounters through which identification documents were produced were themselves deeply gendered. Whereas the identification of women, children and servants was frequently mediated through the identification of the head of their household by an official, women and children who were mobile outside of normative household structures frequently

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- 8 *The Statutes of the Realm: Printed by Command of His Majesty King George the Third*, Vol. 4 part ii (London: Dawson, 1963), pp. 899-901; *Ibid* pp. 962-64; Steve Hindle, *On the Parish?: The Micro-Politics of Poor Relief in Rural England, c. 1550-1750* (Oxford: Clarendon Press, 2004), pp. 10-12; David Hitchcock, ‘Poverty and Mobility in England, 1600-1850’, *Rural History*, 24.1 (2013), 1-8 (pp. 1-3); Philip Styles, ‘The Evolution of the Law of Settlement’, *University of Birmingham Historical Journal*, 9 (1963), pp. 33-63 (pp. 33-34).
- 9 *Stuart Royal Proclamations, Vol. I: Royal Proclamations of King James I, 1603-1625*, ed. by James F. Larkin (Oxford: Clarendon Press, 1973), pp. 147-48; *Ibid*, pp. 158-60.
- 10 Misha Ewen, *The Virginia Venture: American Colonization and English Society, 1580-1660* (Philadelphia: University of Pennsylvania Press, 2022), pp. 1-4; Alison Games, *The Web of Empire: English Cosmopolitans in an Age of Expansion, 1560-1660* (Oxford: Oxford University Press, 2008), pp. 117-21.
- 11 Paul Griffiths, ‘Surveying the People, in *A Social History of England, 1500-1700*, ed. by Keith Wrightson (Cambridge: Cambridge University Press, 2017), pp. 39-59 (pp. 43-48); Nicholas Popper, *The Specter of the Archive: Political Practice and the Information State in Early Modern Britain* (Chicago: University of Chicago Press, 2024), pp. 4-16; Paul Slack, ‘Government and Information in Seventeenth-Century England’, *Past & Present*, 184 (2004), 33-68 (pp. 33-41).

faced heightened levels of scrutiny and surveillance from officials responsible for producing identification documents. Gender was thus not merely a factor of identity relevant to documents of identity, but rather processes of identification were fundamentally structured by patriarchy and gender.

Scope

Due to its focus on documents of identification both as the sources under examination and its subject of analysis, the scope of this project is determined by the source base it interrogates. Although it expands its analysis from identification documents themselves to consider the processes of identification and governance of which they were a part, identification documents nevertheless remain a central focus throughout.

This thesis primarily focuses on identification documents either produced or utilised in seventeenth-century London. London is defined broadly to include both the City of London and the surrounding suburbs in Middlesex and Surrey. By the seventeenth century, the City and the surrounding suburbs had agglomerated into a sprawling urban region in which roughly half of the population lived outside the city walls, albeit one in which authority was fractured by the existence of a variety of different authorities responsible for governing different parishes, liberties, counties and the City itself.¹²

While I discuss the movements of people to and from a wide variety of regions, my analysis remains predominantly focused on the production and use of documents in London. While there is some discussion of the production or use of identification documents that were produced or used in London either before the individuals who held them arrived in London or after their departure, these discussions nevertheless remain strongly related to processes of identification which were situated in London. Focusing on documents from London archives and the processes surrounding their

¹² Ian Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge: Cambridge University Press, 1991), pp. 58-61; Vanessa Harding, 'Controlling a Complex Metropolis, 1650-1750: politics, parishes and powers', *The London Journal*, 26.1 (2001), 29-37 (pp. 29-35).

production, use and storage, enables an analysis that, while encompassing a wide variety of patterns of movements, is also concentrated on the specificities of the forms of authority and processes of governance that were implicated in the identification of mobile individuals in London.

While the large majority of the sources under consideration were produced or used in London, some sources from outside of London are also examined. A set of indemnity bonds and settlements certificates produced in the town of Sherborne in Dorset and a register of licences to pass beyond the seas from the port of Great Yarmouth in East Anglia are both analysed.¹³ Examining indemnity bonds produced in Sherborne, a town with a population of two to three thousand in the seventeenth century, enables an analysis comparing the development of identification documents in London to their development in a location with a smaller population and a lower volume of migration.¹⁴ Great Yarmouth was the second largest port in southeastern England after London.¹⁵ Examining Great Yarmouth alongside London reveals the significance of London's status as a port city to the identification practices which developed there. The inclusion of these archival sources reflects the analytic scope of this project. While this thesis is focused on London as a hub of mobility, it is also concerned with the wider patterns of movement and methods of governance involving these documents of identification. Although the specificities of London are important to understanding processes of identification involving London, none of the forms of identification document or the kinds of movement which they monitored were wholly exclusive to London. Examining identification documents produced and used in England outside of London alongside those produced or used in London is thus useful for developing comparative analyses

13 DRO PE-SH/OV/1/1, 'Sherborne Parish Indemnity Bonds and Settlement Certificates', 1600-1801; TNA E157/21, 'Registers of Licences to pass beyond the seas', 1637.

14 Joseph Bettey, 'The dissolution of the abbey and after at Sherborne', in *St. Wulsig and Sherborne: Essays to Celebrate the Millenium of the Benedictine Abbey, 997-1998*, ed. by Katherine Barker, David A. Hinton and Alan Hunt (Oxford: Oxbow Books, 1998), pp. 188-98 (pp. 192-93); Joseph Bettey, *Dorset* (Plymouth: Latimer Trend & Company, 1974), pp. 67-69.

15 David Harris Sacks and Michael Lynch, 'Ports, 1540-1700', in *The Cambridge Urban History of Britain, Vol. 2, 1540-1840*, ed. by Peter Clark (Cambridge: Cambridge University Press, 2000), pp. 377-424 (pp. 379-80).

which reveal both specificities of identification in London and the wider development of these processes, including how they functioned in other localities.

Identification documents produced across the entirety of the seventeenth century, from 1600 to 1700 are examined. Considering the seventeenth century as a whole enables a *longue durée* analysis of how the identification of mobile individuals by English authorities developed during a critical century for the emergence of this practice. This periodisation differs from those utilised by many social historians of London and historians of migration and authority. Many social histories of London, including urban histories and histories of gender, have tended to focus on the Elizabethan and early Stuart periods from 1558 to 1640, or otherwise begin from the Restoration in 1660.¹⁶ Historians of migrant communities in London often focus on the periods surrounding moments of peak transnational movement to London, such as the large-scale migration of Dutch-speaking Protestants and French-speaking Protestants to London in the late sixteenth century and late seventeenth century.¹⁷ Historians of authority and governance often align their periodisation with social historians, or otherwise choose to focus on particular political periods, such as the reign of a particular monarch.¹⁸ The chronological scope of this project is not limited to the period of the production and use of any of particular form of identification. Some of the forms of document under consideration were produced only in the earlier seventeenth century, while others did not emerge until near its end. However, this thesis concludes before the beginning of the large-scale migration of Protestants from the Palatinate to England and British America in the first decades of the eighteenth century, which led to significant shifts in both patterns of transnational movement

16 Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford: Oxford University Press, 1996), pp. 9-12; Harding, 'Families and Households in early modern London', pp. 596-98; Withington, pp. 174-75.

17 Bernard Cottret, *The Huguenots in England: Immigration and Settlement* (Cambridge: Cambridge University Press, 1991), pp. 185-90; Grell, pp. 1-5; Sike Muylaert, *Shaping the Stranger Churches: Migrants in England and the Troubles in the Netherlands, 1547-1585* (Leiden: Brill, 2021), pp. 1-8; Laura Hunt Yungblut, *Strangers Settled Here Amongst Us: Policies, Perceptions and the Presence of Aliens in Elizabethan England* (London: Routledge, 1996), pp. 4-6.

18 Archer, pp. 15-16; G.E. Aylmer, *The Crown's Servants: Government and Civil Service under Charles II, 1660-1685* (Oxford: Oxford University Press, 2002), pp. 1-5; Steve Hindle, *The State and Social Change in Early Modern England, 1550-1640* (Palgrave: Basingstoke, 2000), pp. 3-5.

involving London and how English authorities governed these mobilities.¹⁹ Instead of focusing narrowly on a particular political era or moment of migration, adopting a synthetic approach allows for the development of a wide-ranging analysis of various forms of identification used at different points in the seventeenth century to examine how processes of identification developed across the century as a whole.

The scope of analysis is defined around four of the predominant patterns of movement involving London in the seventeenth century. It focuses on the movement of people to London from elsewhere in England; the movement of people to London from continental Europe, particularly the Low Countries and France; the movement of people out of London to northwestern Europe; and the movement of people out of London to England's colonies in the Americas. These patterns of movement do not encompass every form of movement which took place in, through and beyond seventeenth-century London. For instance, the movements of people between Ireland and England are not considered, nor are the movements of people from England to the Indian Ocean region and Asia more generally. The exclusion of these forms of movement is not a reflection of the relative importance or unimportance of these patterns of mobility. Rather, this thesis focuses on those forms of movement which, due to the priorities of English officials in this period, produced the largest volumes of identification documents. While those patterns of mobility which are considered extensively are not inherently the most important or worthy of examination, the volume of documentation demonstrates that they were those which English authorities were most concerned with monitoring and controlling.

This thesis focuses on identification documents produced or used by authorities. While, defined broadly, authority was held by an almost endless variety of actors in early modern London, such as by parents over children and masters over apprentices, authority is defined here in a narrower sense as corporate institutions which held the power to, in some sense, govern the lives of

19 Bailyn, pp. 32-37; Landsman, pp. 80-81; Philip Otterness, 'The 1709 Palatine Migration and the Formation of German Immigrant Identity in London and New York', *Pennsylvania History*, 66 (1999), 8-21 (pp. 8-11).

individuals within the communities over which they held power. There were identification documents in the seventeenth century which were produced and used in identifying people outside of the exercise of corporate authority, such as letters of introduction. However, I focus exclusively on identification documents produced and used by institutional actors as a means of revealing the development of identification as a mechanism for governance and the exercise of authority.

As a result of the wide variety of documents used to identify people in seventeenth-century London, this thesis uses carefully chosen samples of various archival holdings of identification documents, as opposed to engaging in a comprehensive study of a smaller group of documents. In doing so, it does not aim to be the final word in the study of any of the forms of identification document under consideration, but rather to develop a broad-ranging analysis which reveals a set of underlying logics and forms of governance which connect all these documents.

Sources

In developing an analysis of identification in seventeenth-century London, I examine both identification documents themselves and other documents involved in the processes of producing, using and storing identification documents. Each of the four patterns of movement which this thesis analyses were monitored by authorities through the production and use of more than one form of document. The variety of sources which must be examined to develop an analysis of identification in the seventeenth century highlights the multiplicity of authorities and documents involved in identifying people who moved in, through and beyond London.

Examining legislative acts promulgated by both the Crown and Parliament alongside communications between local officials and the Crown reveals the motivations behind seventeenth-century English identification processes and how these processes operated in practice. Legislation relating to the identification of mobile individuals was enacted at a variety of junctures across the seventeenth century. The earliest seventeenth-century legislation considered in this thesis was

enacted in 1601 and the latest was passed in 1696.²⁰ National legislation provided the basis for a large proportion of the processes of identification undertaken by local officials. Many pieces of legislation included specific directions to English officials on how mobile individuals should be identified and how the details of their identities should be recorded. However, local officials did not always follow precisely the directions of national authorities, and in some instances, local authorities developed identification practices without prior direction by the Crown or Parliament. To understand how national legislative frameworks operated in practice, I also examine orders and correspondence sent between local officials and the Privy Council. The Privy Council frequently sent supplementary directions to local authorities regarding identification practices, and in many instances local officials responsible for identification wrote directly to the Privy Council asking for guidance regarding specific cases involving identification documents.²¹ Such correspondence is highly revealing of both the functioning of identification and potential contradictions and uncertainties which existed within these systems of identification. Analysing both national legislation and correspondence related to the implementation of this legislation highlights the importance of the collaboration of officials operating at multiple levels of authority to seventeenth-century identification practices.

In examining the movement of people between English parishes, this thesis examines several different forms of documents related to the Poor Laws and parish officials' resultant surveillance of the mobile poor. The most widespread identification documents related to the Poor Laws in the seventeenth century were indemnity bonds, settlement certificates and vagrant removal orders. Indemnity bonds and settlement certificates were both used by local officials to establish the identities of people who moved between parishes. Both forms of document enabled individuals to

20 *Statutes of the Realm*, Vol. 4 part ii, pp. 962-64; *The Statutes of the Realm: Printed by Command of His Majesty King George the Third*, Vol. 7 (London: Dawsons, 1963), p. 59.

21 TNA SP 25/71 f. 204, 'Instructions given by the Councell of State to be put in dedication by the Commission authorised by the said Councell to take Care of the Passage at Dover by their Commission', 1653; TNA SP 16/1417 f. 266, 'Thomas Marshall, searcher of Rye, to Sec. Windebank.', 1639.

move between parishes by absolving the parish to which an individual moved from responsibility for that individual's relief if they became indigent. However, indemnity bonds emerged earlier at the start of the seventeenth century, while settlement certificates did not develop until the 1660s and did not become widespread until the 1690s. In contrast to indemnity bonds and settlement certificates, vagrant removal orders were not directly used to establish the identities of mobile individuals. Instead, vagrant removal orders were the result of examinations of people classified as vagrants by Justices of the Peace or a city's mayor which endeavoured to determine the examined's parish of legal settlement. While vagrant removal orders were not themselves identification documents, they were crucial to the functioning of identification practices which targeted the mobile poor under the Poor Laws. This thesis examines vagrant removal orders produced in London between 1649 and 1700, enabling an understanding of how these documents changed over the course of the second half of the seventeenth century.²² Analysed together, these three types of documents allow for an understanding of how the documentary identification of people mobile between parishes within England functioned in practice, and how these processes changed over the course of the seventeenth century.

English authorities identified transnational migrants from continental Europe through the returns of aliens. These returns were censuses of the population of transnational migrants, referred to as 'aliens' or 'strangers', living in the City of London and surrounding suburbs.²³ These returns were ordered by the Privy Council and enacted by local parish constables or City aldermen who recorded the identifying details which were orally provided to them by transnational migrants. This thesis analyses the returns of aliens from 1618, 1635 and 1639, comprising three of the four returns

22 LMA P76/JS1/123, 'Examinations of Paupers and Orders of Removal, St. James, Clerkenwell: Clerkenwell Green, Islington', 1649-74; LMA P69/TR13/B012/MS505096, 'Paupers' Removal Orders: Holy Trinity the Less', 1675-1715.

23 Irene Scouloudi, *Returns of Strangers in the Metropolis 1593, 1627, 1635. 1639: A Study of an Active Minority* (London: Huguenot Society of London, 1985), pp. 1-5; TNA SP 14/102 f.1, 'Certificate of the names of strangers dwelling in London and its liberties', September 1618; TNA SP 16/414 f. 225, 'Justices of Peace for Surrey to the Council'. March 1638/9.

produced in the seventeenth century. While returns of aliens differed from many other of the identification documents examined in this thesis in that they were not related to the monitoring and control of movement as it occurred, they are highly revealing of how English authorities endeavoured to surveil a population targeted due to their association with transnational movement.

Transnational migrants in London were also identified by the consistories of stranger churches, such as through the use of attestations by the Dutch Church at Austin Friars in the City of London. Attestations were used by Reformed congregations to identify individuals who were mobile between communities and congregations, many of them transnationally. Attestations were created by the minister or consistory of the congregation from which an individual departed, carried by that individual as they migrated, and then examined by the minister or consistory of the congregation which that individual sought to join. This thesis examines three sets of these documents which were received by the Dutch Church at Austin Friars between 1627 to 1641, 1641 to 1660 and 1683 to 1692.²⁴ These attestations were produced by Reformed congregations across Europe, predominantly the Low Countries, France, and Germany, as well as in the Americas. While attestations differ from the other documents examined in this thesis in that most of them were not produced by English authorities, the consistory of the Dutch Church was delegated authority by the Crown to govern their community similarly to how authority was delegated to English local officials. Analysing these sets of documents reveals how the identification of transnationally mobile individuals was a routine part of the consistory of the Dutch Church at Austin Friars' governance of the Dutch-speaking community in London across the seventeenth century.

Identification documents were used by English authorities to monitor and control the movements of people departing from England to destinations outside of Britain. English authorities used both licences to pass beyond the seas and passports for this purpose. While these documents

24 LMA CLC/180/MS07386/002, 'Attestations of the Dutch Church at Austin Friars', 1627-1641; LMA CLC/180/MS07386/003, 'Attestations of the Dutch Church at Austin Friars', 1641-1660; LMA CLC/180/MS07386/006, 'Attestations of the Dutch Church at Austin Friars', 1683-92.

served similar functions, there were important distinctions between them. Licences to pass beyond the seas were the predominant form of document used to identify individuals departing from England between 1606 and the outbreak of the English Civil War in 1642. Their use by all individuals, excluding sailors and merchants, who wished to depart from English ports to destinations outside of Britain was mandated by the Crown in 1606 and 1607. While these licences were ephemeral documents and there only a few incidentally extant examples, port officials maintained extensive registers of these licences for future reference by authorities. I examine two registers produced in London in 1621 and 1635, and one register produced in Great Yarmouth in 1637.²⁵ These licences and their related registers were used to identify individuals departing from English ports to both continental Europe and England's colonies in the Americas. In contrast, passports were a privileged form of identification granted directly from the Privy Council to elite individuals departing from England. Although more restricted and limited in their production and use than licences to pass beyond the seas, due to the involvement of the Privy Council in their production, the records of the Privy Council from the seventeenth century contains hundreds of copies of passports and minuted references to passports.²⁶ This thesis discusses individual examples of these documents produced as early as 1600 and as late as 1680.²⁷ Both registers of licences to pass beyond the seas and passports allow for an analysis of how seventeenth-century English authorities controlled transnational movement using documents.

Indenture documents were another form of document used to identify individuals departing from London to English America, particularly to the Chesapeake and Caribbean colonies. Indenture documents were contracts signed by prospective servants migrating from England to its colonies in the Americas which bound them to a master or agent and delineated the terms of their service.

25 TNA E157/20, 'Register of Passengers Leaving the Port of London', 1635; TNA E157/21, 'Register of licences to pass beyond the seas', 1637; TNA, E157/27, 'Register of Passengers Leaving the Port of London', 1621.

26 TNA SP/15-33, State Papers, 1600-1700.

27 TNA SP 59/38 f.237, 'Passport for Alexander Livingston &c.', 1600; TNA SP 44/51 f.326, 'Pass to go to France for Sir Richard Mason with his lady', 1680.

These documents both enabled these individuals' movements to the Americas and included identifying information about the servant. While indenture documents were produced across the seventeenth century, the only extant collection of indenture documents from London was produced between 1682 and 1685.²⁸ While this collection is chronologically limited, the archival maintenance of these indenture documents was the result of a 1682 order from the Crown which instituted a system in which indenture documents were formed in the presence of local officials and duplicate copies of these, generally printed, forms were produced by a clerk for storage in archives in London.²⁹ As such, the creation and preservation of this collection was the result of an important development in English authorities' involvement in the production and storage of identification documents.

Historiographical Motivations and Contributions

This thesis contributes to the historiography of identification by emphasising the nature of identification as a localised process of governance. In 2007, Valentin Groebner published *Who Are You: Identification and Surveillance in Early Modern Europe*.³⁰ This monograph is a broad-ranging study beginning in the thirteenth century and ending in the late seventeenth century which discusses identification documents from across much of western Europe.³¹ Groebner traces the development of systems in which symbols and documents were used to identify and enable the recognition of individuals.³² However, given Groebner's broad-ranging approach and primary interest in historical semiotics, there is less attention given to the structures of authority and power which produced these forms of identification or to the development of these structures. By taking a more localised and temporally limited approach, this thesis develops an analysis of the establishment of documentary

28 LMA MR/E-1, 'Plantation Work Agreements', 1682-1685.

29 TNA CO324/4 'Order to Prevent Abuses in Transporting Servants', 13 December 1682, reprinted in John Wareing, *Indentured Migration and the Servant Trade from London to America, 1618-1718* (Oxford: Oxford University Press, 2017), pp. 261-62.

30 Valentin Groebner, *Who are You?: Identification and Surveillance in Early Modern Europe* (New York: Zone Books, 2007).

31 *Ibid*, pp. 8-11.

32 *Ibid*, pp. 18-28.

regimes of identification in seventeenth-century London as constituted through specific, localised structures of authority and governance. This thesis does not focus on identification as a reflection of development of cultural ideas of ‘identity’ or ‘individuality’, but rather as a process through which authorities endeavoured to surveil and control mobility and mobile individuals.

Analysing seventeenth-century identification documents reveals that the development of identification as mechanism of governance was neither a singular nor linear process. Historians of identification working on the late-eighteenth and early-nineteenth century, including John Torpey, Jane Caplan and Andrea Geselle, have tended to argue that the widespread expansion of the use of identification documents was a product of the development of centralised state power and the nation-state.³³ John Torpey has taken a Weberian approach and argued that the development of practices of identification represented the state’s ‘monopolisation of the legitimate means of movement’.³⁴ This approach assumes both that identification documents were inherently the emanations of centralised authority and a teleological movement towards this centralisation of authority. By taking an approach that includes a broad-range of identification documents while also maintaining a focus on a singular region, an examination of identification documents in seventeenth-century southern England highlights that these processes of identification were fundamentally characterised by the involvement of a diversity of local actors with a variety of relationships to the English government. This analysis reveals that the development of these identification documents was not the result of a teleological movement towards the centralisation of

33 Jane Caplan and John Torpey, ‘Introduction’, in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 1-12 (pp. 7-8); Jane Caplan, “‘This or That Particular Person’: Protocols of Identification in Nineteenth-Century Europe”, in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 49-66 (pp. 49-52); Andrea Geselle, ‘Domenica Saba Takes to the Road: Origins and Development of a Modern Passport System in Lombardy-Veneto’, in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 199-217 (pp. 202-04); Gérard Noiriel, ‘The Identification of the Citizen: The Birth of Republican Civil Status in France’, in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 28-48 (pp. 45-47); John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000), pp. 1-7.

34 Torpey, *The Invention of the Passport*, pp. 4-10.

authority and control of movement, but rather that these documents were produced and used by authorities in response to their concerns regarding specific forms of movement at various junctures and were often not maintained when these concerns receded.

My research contributes to a developing historiographical discussion surrounding the control of movement in early modernity. Since the emergence of social history and historical demography, historians of early modern England have often emphasised the extent to which the population was mobile.³⁵ However, in the past decade, partially in response to contemporary political developments, historians of migration have increasingly highlighted the extent to which these movements were controlled and curtailed by authorities. This turn has occurred in various areas of research into the history of early modern migration. A number of scholars have conducted research into controls on early modern territorial frontiers and transnational boundaries, such as in Luca Scholz's work on territorial boundaries in the Holy Roman Empire and Renaud Morieux's work on the Anglo-French maritime frontier.³⁶ While the control and punishment of the mobile poor in early modern Europe as 'vagrants' has long been a topic of historical research, in the past ten years historians such as Anne Winter in her research on eighteenth-century Brabant have come to explicitly conceptualise vagrancy laws as a form of 'migration policy'.³⁷ Although drawing upon an earlier historiography of the social control of transnational migrant communities in early modern London, historians Raingard Esser and Jesse Spohnholz have recently argued that institutional regulation of migrant communities was a factor shaping the experience of migration, particularly in

35 Finlay, pp. 2-5; Peter Spufford, 'Population Movement in Seventeenth-Century England', *Local Population Studies*, 4 (1970), 41-50 (pp. 42-47).

36 Bram De Ridder and Violet Soen, 'Transregional History: New Perspectives on Early Modern Borders and Borderlands in the Low Countries and the Habsburg Worlds', in *Transregional Territories: Crossing Borders in the Early Modern Low Countries and Beyond*, ed. by Bram De Ridder, Violet Soen, Werner Thomas and Sophie Verreyken (Turnhout: Brepols, 2020), pp. 13-19 (pp. 13-16); Charles S. Maier, *Once Within Borders: Territories of Power, Wealth and Belonging since 1500* (Cambridge, Massachusetts: Harvard University Press, 2016), pp. 74-78; Renaud Morieux, *The Channel: England, France and the Construction of a Maritime Border in the Eighteenth Century* (Cambridge: Cambridge University Press, 2017), pp. 18-26; Luca Scholz, *Borders and Freedom of Movement in the Holy Roman Empire* (Oxford: Oxford University Press, 2020), pp. 14-19.

37 Anne Winter, 'Regulating Urban Migration and Relief Entitlements in Eighteenth-Century Brabant', in *Gated Communities?: Regulating Migration in Early Modern Cities*, ed. by Bert De Munck and Anne Winter (London: Routledge, 2016), pp. 175-196 (pp. 178-82).

regard to gender.³⁸ Together, these diverse studies constitute an emergent historiographical field which moves beyond demonstrating the existence of widespread movement in early modernity to consider how these patterns of movement were governed and controlled by various institutions and authorities.

Centring identification and documentary mechanisms as crucial to the control of migration develops emergent understandings of the control of movement and mobile people in early modernity. Work on early modern borders by scholars such as Renaud Morieux and Peter Sahllins has demonstrated how the control of movement functioned as a form of governance engaged in by local actors in frontier spaces.³⁹ Examining identification reveals how methods of controlling movement extended beyond frontier spaces and involved a wide variety of institutional actors who monitored and controlled a variety of different forms of movement as part of wider institutional aims and documentary regimes. Other work on the control of movement and mobile people has highlighted different institutions, such as stranger churches and parish or city officials, which were involved in governing mobilities. Instead of focusing on a singular institution or category of mobile people, this thesis examines identification documents produced and used by a variety of institutions and mobile people. This focus on identification documents as a category of texts reveals the development of a governing logic across different seventeenth-century authorities in which identification and documentation became key to the control of movement as an everyday method of governance engaged in by local actors operating in a number of different institutions and spaces.

An examination of identification documents as a means of governing movement has key implications for how scholars conceptualise mobility and migration. Since the 2000s, scholars

38 Raingard Esser, 'Norwich's "Disorderly Maids": Immigrant Women and the institutions in early modern England', in *Genderpatronen in vroegmoderne samenlevingen*, ed. by Anita Boele and Raingard Esser (Leuven: University of Leuven Press, 2021), pp. 15-39 (pp. 18-23); Grell, pp. 84-87; Andrew Pettegree, *Foreign Protestant Communities in Sixteenth-Century London* (Oxford: Clarendon Press, 1986), pp. 182-84; Jesse Spohnholz, 'Instability and Insecurity: Dutch Women Refugees in Germany and England, 1550-1600', in *Exile and Religious Identity, 1500-1800*, ed. by Gary Waite and Jesse Spohnholz (London: Pickering & Chatto, 2014), pp. 111-25 (pp. 112-14).

39 Morieux, pp. 270-73; Peter Sahllins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989), pp. 7-13.

working in a variety of different fields have become interested in analysing mobility as a central feature of human societies.⁴⁰ Scholars interested in mobilities, including early modern historians, have analysed a far wider range of forms of movement, such as the short-distance and everyday, than traditional migration studies which were typically primarily interested in long-distance, permanent movements between nations.⁴¹ Early modern studies of mobility have included works on the extent to which people were mobile as part of their daily lives, as well as those on long-distance movements across empires or borders.⁴² However, due to broadness of this conceptualisation, it is often unclear what defines a person or activity as ‘mobile’. Additionally, the category of mobility has often sat uneasily alongside scholarship on migration or migrant communities. If everyone in early modernity was mobile, then what defines someone as a migrant?

Seeking to define migration as a set of activities distinct from mobility more broadly, while also arguing against constructions of migration which rely upon the existence of modern states and state boundaries, Jan and Leo Lucassen have argued that migration should be broadly defined as forms of movement which involve the crossing of cultural boundaries, including movements from rural to urban areas.⁴³ However, the definition of a cultural boundary is purposefully left vague. Additionally, due to an emphasis on avoiding ‘state-centric definitions’ of migration, this paradigm is largely uninterested in how early modern authorities and people conceived of migrants, making this definition somewhat schematic and anachronistic.⁴⁴ Examining mobility and migration through

40 Ole B. Jensen, ‘Flows of Meaning, Cultures of Movements: Urban Mobility as Meaningful Everyday Life Practice’, *Mobilities*, 4 (2009), 139-58 (pp. 141-43); Mimi Sheller, ‘From spatial turn to mobilities turn’, *Current Sociology*, 65.4 (2017), 623-39 (pp. 627-31); Mimi Sheller and John Urry, ‘The new mobilities paradigm’, *Environment and Planning*, 38 (2006), 207-26 (pp. 207-14).

41 Jensen, pp. 141-43; Sheller and Urry, pp. 207-14.

42 Liesbeth Corens, *Confessional Mobility and English Catholics in Counter-Reformation Europe* (Oxford: Oxford University Press, 2019), pp. 2-4; Anne J. Cruz and Alejandra Fanganillo Álvarez, ‘Introduction: Early Modern Women’s Mobility’, in *Early Modern Women’s Mobility, Authority and Agency Across the Spanish Empire* (Amsterdam: Amsterdam University Press, 2023), pp. 11-35 (pp. 11-14); Charmian Mansell, ‘Beyond the Home: Space and Agency in the Experiences of Female Service in Early Modern England’, *Gender and History*, 33.1 (2021), 24-49; Bob Pierik, ‘From Microhistory to Patterns of Urban Mobility: The Rhythm of Gendered Mobility in Eighteenth-Century Amsterdam’, in *Daily Lives and Daily Routines in the Long Eighteenth Century*, ed. By Gudrun Andersson and Jon Stobart (London: Routledge, 2021), pp. 105-24 (pp. 105-07).

43 Jan Lucassen and Leo Lucassen, ‘Theorising Cross-Cultural Migrations: The Case of Eurasia since 1500’, *Social Science History*, 41 (2017), 445-75 (pp. 450-57).

44 *Ibid.*

the use of identification documents allows for a conception of these phenomena which is at once expansive, including both short-distance movements between parishes and long-distance movements between polities, as well as grounded in specific early modern social practices. Identification documents demonstrate that mobile people and migrants were produced as categories of people by the operations of power and authority. By making these individuals' movements subject to processes of governance, seventeenth-century English authorities categorised people engaged in certain forms of movement as mobile or migrants. This governance also rendered these people and their movements visible both in early modern social practice and in the archives. An analysis of identification documents demonstrates the need for scholars of early modern migration and mobility to develop conceptions of these phenomena which pay close attention to how certain forms of movement were produced as discrete from other forms of social activity by early modern authorities.

Analysing identification as deeply intertwined with documentation develops upon a growing body of scholarship on the role of documents in early modern governance. In 2000, Peter Burke coined the analytic term 'paper state' to refer to rise in early modernity of the regular and systematic collection of information by governments as a means of producing knowledge about and thereby governing the territories over which they held authority.⁴⁵ Working on early modern England, Paul Slack and Paul Griffiths have highlighted both the importance of the seventeenth century as the period in which English authorities developed a number of widespread information-gathering practices and the key role of local parish officials in the development of these practices.⁴⁶ Work on the role of documents and information in governance has extended beyond considering the production and immediate uses of these documents to consider the role of archival storage in governance by highlighting the ways in which access to retrievable information shaped the political

45 Peter Burke, *A Social History of Knowledge: From Gutenberg to Diderot* (Cambridge: Polity Press, 2000), pp. 141-57.

46 Griffiths, 'Surveying the People', pp. 39-50; Slack, 'Government and Information in Seventeenth-Century England', pp. 33-39.

calculations of institutional actors.⁴⁷ Scholars working on early modern documents and governance, particularly in the colonial and transatlantic contexts, have often emphasised the importance of the long-distance movement of documents to the transferring of information between officials and other actors in different territories of geographically dispersed polities which thereby enabled the governance of these polities.⁴⁸ Considering the role of identification documents in governance develops upon this scholarship by highlighting the mobility of subjects as well as documents and information. Seventeenth-century authorities both gathered and stored information about movement, and used the movement of people as an occasion at which they gathered and stored information about people and their identities.

An analysis of the use and production of identification documents provides novel insights into understandings of the governance of early modern London and local institutions in early modern England. Steve Hindle has argued that the development of government in early modern England was defined by the growth of local administrative institutions and national government efforts to ensure the compliance of local authorities with their demands.⁴⁹ Similarly, scholars working on early modern London, such as Ian Archer and Steve Rappaport, have emphasised the centrality of local authorities to the governance of communities in early modern London.⁵⁰ A study of the governance of mobility reveals the importance of networks and communication to local authorities. While Ian Archer has noted the overlapping and interconnected natures of institutions and authority in early modern London, his discussion of this interconnection was limited to

47 Jennifer Bishop, 'The Clerk's Tale: Civic Writing in Sixteenth-Century London', *Past & Present*, 230 Supplement (2016), 112-30 (pp. 126-30); Filippo De Vivo, *Information and Communication in Venice: Rethinking Early Modern Politics* (Oxford: Oxford University Press, 2007), pp. 2-10; Popper, pp. 49-52; Alexandra Walsham, 'The Social History of the Archive: Record-Keeping in Early Modern Europe', *Past and Present*, 230 Supplement (2016), 9-48 (pp. 26-32).

48 Filippo De Vivo, 'The composite world of early modern information', *European Review of History*, 30.4 (2023), 645-57 (pp. 647-52); Asheesh Kapur Siddique, *The Archive of Empire: Knowledge, Conquest and the Making of the Early Modern British World* (New Haven: Yale University Press, 2024), pp. 6-10; Sylvia Sellers-Garcia, *Distance and Documents at the Spanish Empire's Periphery* (Stanford, California: Stanford University Press, 2014), pp. 4-15; Ian K. Steele, *The English Atlantic, 1675-1740: An Exploration of Communication and Community* (Oxford: Oxford University Press, 1986), pp. 1-10.

49 Hindle, *The State and Social Change in Early Modern England*, pp. 3-9.

50 Archer, pp. 58-69; Steve Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth-Century London* (Cambridge: Cambridge University Press, 1989), pp. 1-5.

institutions located within the City of London and its surrounding suburbs.⁵¹ Examining the identification of mobile people demonstrates that a far wider range of local institutions, including ones outside of London or England, were engaged in communication networks which enabled the identification, and thereby the governance, of mobile people. While Hindle's account of the development of the state in early modern England has emphasised the relationship between central and local authorities, the governance of mobility involved not only the interaction of national and local authorities, but also the networked interactions of a diverse array of authorities operating at a variety of levels and which derived their authority from a number of different sources. The governance of mobility thus challenges understandings of early modern government which rely upon conceptions of discrete, territorially-defined, implicitly immobile, local communities over which a singular array of local institutions held authority.

An examination of the identification of mobile people complicates conceptions of state formation in seventeenth-century England, such as those developed by Michael Braddick.⁵² While this thesis does not generally refer to 'the state' and instead develops its analysis around the wider concepts of institutions and institutional authorities, its discussion of governmental institutions and authorities is nevertheless relevant to the historiography surrounding the state and its early modern development. Braddick has argued that the seventeenth century was a key century for the development of the English state which witnessed both an expansion of its powers and a modernisation of its operation and administration.⁵³ Braddick develops a fairly flexible definition of the early modern English state, referring to it as, 'a coordinated and territorially bounded network of agents exercising political power'.⁵⁴ While this definition appreciates the networked nature of authorities in early modern England, its emphasis on the territorially bounded nature of this

51 Archer, pp. 58-60.

52 Michael J. Braddick, *State Formation in early modern England, c. 1550-1700* (Cambridge: Cambridge University Press, 2000).

53 *Ibid*, pp. 5-8

54 *Ibid*.

authority implies the development of a ‘modern’ national or imperial state form. The nature of the production and use of identification documents, which frequently involved collaboration and communication between authorities which operated within and derived their authority from different polities, challenges the notion that seventeenth-century England inherently witnessed a development towards a national state form of governance and instead highlights the importance of transnational networks to the operation and experience of authority.

Analysing identification document helps to resolve a key tension evident in the historiography of early modern London. Historians interested in the governance of early modern London have argued that English authorities regarded large-scale migration into London and the growth of the city as dangerous phenomena which threatened the stability of the social order.⁵⁵ At the same time, social historians interested in daily life in early modern London have frequently emphasised that London’s growth did not produce an anonymous social environment, and that it instead continued to be composed of tight-knit communities in which social order was maintained by members of these communities monitoring each other.⁵⁶ However, the question of how this mutual community surveillance was sustained in a highly mobile social environment has often remained unanswered. The development and use of identification documents in seventeenth-century London reveals that maintenance of a social order characterised by community surveillance remained feasible, at least in part, due to authorities’ efforts to produce, use and store documents which identified mobile individuals. The production of these documents by authorities both drew upon community knowledge surrounding individuals and transmitted this information between communities, enabling these forms of surveillance to continue functioning in a highly mobile environment.

55 Archer, pp. 5-16; Paul Griffiths, *Lost Londons: Change, Crime and Control in the Capital City, 1550-1660* (Cambridge: Cambridge University Press, 2008), pp. 27-31; Rappaport, pp. 2-4.

56 Gowing, *Domestic Dangers*, pp. 18-22; Harding, ‘Families and households in early modern London’, pp. 607-10; Lena Cowen Orlin, *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), pp. 8-10.

A focus on the gendered nature of processes of identification contributes to histories of gender and migration by focusing not on gendered differences in mobility but rather by considering how those mobilities were managed and surveilled by authorities. Literary studies of women's mobilities, such as Bernadette Andrea's and Gábor Gelléri's, have emphasised that female mobility was discouraged in cultural productions reflective of early modern gender ideals and that, simultaneously, female movement was rendered invisible by masculinist discourses of male 'travel' and female immobility.⁵⁷ This thesis contends with gendered perceptions of mobility in early modern society, but moves beyond cultural productions to reveal how gendered constructions of movement were reflected in and shaped official texts produced through processes of governance and surveillance. As is demonstrated by the large numbers of women who were recorded in documents of identification, it was not simply that women were discouraged or prohibited from moving by patriarchal society, but rather that gendered understandings of mobility shaped how movement was surveilled. The gendered nature of this surveillance could conflictingly either render invisible or lead to a heightened scrutiny of mobile women in processes of identification. Literary scholarship on gender and migration has also tended towards a binary division of male and female movements.⁵⁸ However, documents of identification were also deeply shaped by other gendered aspects of identity, such as age and household position.

My analysis of identification documents moves beyond quantitative understandings of patterns of movement to understand both how documents which recorded movement were shaped by gender and how movement itself was shaped by the processes of governance reflected in these documents. Scholarly have regularly commented on gendered divergences in patterns of mobility or the absence of women from certain patterns of mobility. For instance, for movement within

57 Bernadette Andrea, "'Travelling Bodies': Native Women of the Northeast and Northwest Passage Ventures and English Discourses of Empire", in *Rethinking Feminism in Early Modern Studies: Gender, Race, and Sexuality*, ed. by Ania Loomba and Melissa E. Sanchez (London: Routledge, 2016), pp. 135-148 (pp. 138-41); Gábor Gelléri, 'Ars apodemica gendered: female advice on travel' in *Travel and Conflict in the Early Modern World*, ed. by Gábor Gelléri and Rachel Willie (London: Routledge, 2021), pp 205-25 (pp. 205-08).

58 *Ibid.*

England, scholars have noted the predominance of single men in prosecutions for vagrancy and the marginality of women in sources relating to the migration of apprentices to London.⁵⁹ In the transatlantic context, scholars have long noted gendered divergences in levels of migration to different colonies in English America.⁶⁰ Indeed, these quantitative observations have often been derived from some of the sources which this thesis examines, such as vagrant removal orders and colonial indenture documents. However, quantitative examinations have not considered these sources as texts shaped by gender. These texts did not neutrally register the genders of the mobile subjects recorded in them but rather the ways in which subjects and their movements were recorded, or not recorded, in these texts were deeply shaped by gender. The recording of identity and movement in documents of identification was both reflective and constitutive of wider gendered processes of governance. Considering identification documents as gendered texts thus further complicates efforts to quantitatively analyse gendered patterns of mobility and highlights the need for keen attention to the gendered processes of governance of which these documents were a part when developing analyses of the subjects and movements recorded within them.

This thesis contributes to a significant and growing field of scholarship concerning the relationship between gender and interactions with institutions and authorities. Much of this scholarship, such as Laura Gowing's and Suzannah Lipscomb's, has related to women's interactions with courts and legalistic institutions.⁶¹ Alex Shepard has examined the self-identification of people

59 Harding, 'Families and Households in Early Modern London', pp. 597-99; Hitchcock, pp. 3-4; Tim Leunig, Chris Minns, and Patrick Wallis, 'Networks in the Premodern Economy: The Market for London Apprenticeships, 1600-1749', *Journal of Economic History*, 71.2 (2011), 413-443 (pp. 418-20); Paul Slack, 'Vagrants and Vagrancy in England, 1598-1664', *The Economic History Review*, 27.3 (1974), 360-79 (pp. 366-67).

60 Hillary Beckles, *White Servitude and Black Slavery in Barbados, 1687-1715* (Knoxville, Tennessee: University of Tennessee Press, 1989), pp. 46-48; Lois Green Carr and Lorena S. Walsh, 'The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland', *The William and Mary Quarterly*, 34.4 (1977), 542-571 (pp. 542-46); David Cressy, *Coming Over: Migration and Communication Between England and New England in the Seventeenth Century* (Cambridge: Cambridge University Press, 1987), pp. 66-68; Virginia DeJohn Anderson, *New England's generation: the great migration and the formation of society and culture in the seventeenth century* (Cambridge: Cambridge University Press, 1991), pp. 1-4; Betty Wood, 'Servant Women and Sex in the Seventeenth-Century Chesapeake', in *Women in Early America*, ed. by Thomas A. Foster (New York: New York University Press, 2015), pp. 95-117 (pp. 95-96).

61 Gowing, *Domestic Dangers*, pp. 30-37; Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987), pp. 14-19; Suzannah Lipscomb, *The voices of Nîmes: women, sex, and marriage in Reformation Languedoc* (Oxford: Oxford University Press, 2019), pp. 5-11.

in English courts, analysing how women's interactions with these courts were related to their self-description of their social identities, including gendered identities, in this context.⁶² All of this work has emphasised that peoples' interactions with these institutions did not merely reflect societal gender relations but rather that these institutions operated as terrains in which gender was constructed, contested and reshaped.⁶³ Recently, Raingard Esser and Jesse Spohnholz have extended the examination of gendered interactions with institutional authorities to include women in migrant communities' interactions with both institutions in their migrant communities and those of their host communities.⁶⁴ However, while this research has considered the interactions of women in migrant communities with institutional authorities, there has not been an examination of such interactions in relation to their movements themselves. An examination of the gendered nature of interactions between mobile individuals and authorities responsible for their identification reveals a previously unexamined terrain in which gender was negotiated and reshaped both by movement and authorities' efforts to govern these mobilities.

The gendered dynamics of mobile people's interactions with institutional authorities evident in seventeenth-century identification documents has important implications for ongoing discussions in contemporary migration studies. In recent decades, gendered experiences of migration have become a key area of research in migration studies.⁶⁵ Within this field, Manuela Martini and Sumita Mukherjee have argued that scholars need to pay greater attention to the gendered nature of institutional frameworks governing migration and how migrants' interactions with these institutions were both shaped by gender and shaped these migrants' everyday lives.⁶⁶ While Martini and Mukherjee date the development of institutional frameworks governing migration to the late

62 Alexandra Shepard, *Accounting for Oneself: Worth, Status and the Social Order in Early Modern England* (Oxford: Oxford University Press, 2015), pp. 47-58.

63 Gowing, *Domestic Dangers*, pp. 50-58; Lipscomb, pp. 11-17; Shepard, pp. 24-28.

64 Esser, pp. 16-20; Spohnholz, pp. 117-24.

65 Sharon Krummel, 'Migrant Women: Stories of Empowerment, Transformation, Exploitation and Resistance', *Journal of Ethnic and Migration Studies*, 38.7 (2012), 1175-84 (pp. 1175-84); Suzanne M. Sinke, 'Gender and Migration: Historical Perspectives', *International Migration Review*, 40.1 (2006), 82-103 (pp. 82-90).

66 Manuela Martini and Sumita Mukherjee, 'Migration, Institutions and Intimate Lives: Towards a New Agenda', *Gender & History*, 31.3 (2019), 531-44 (pp. 532-37).

nineteenth century, an examination of early modern identification practices demonstrates that institutions which govern migration have a far longer history. The production and use of identification documents reveals the seventeenth century as a crucial century in which widespread institutional efforts to govern migration appeared. The seventeenth century witnessed the development of interactions with such institutional authorities tasked with governing mobility as a quotidian aspect of mobile people's experiences of migration. While Martini's and Mukherjee's research has focused on institutions which govern transnational migration, early modern authorities used identification to govern a far wider range of movements, including relatively short-distance movements between parishes.⁶⁷ A study of identification in seventeenth-century England thus highlights the need for scholars interested in the relationship between migration and institutions to avoid assuming either that the institutional governance of migration is a solely modern phenomenon or that only movements between states have been subject to institutional governance.

Methodologies

In analysing identification documents both as texts invested with authority which were involved in processes of governance and as documents which were a part of mobile people's ordinary experiences of movement, I develop an analysis which is at once a 'history from above' and a 'history from below'. An examination of the production and use of identification documents requires reading these documents 'from above' in the contexts of the institutions and authorities which produced them.⁶⁸ However, understanding how identification documents were produced and used also requires reading these documents 'from below', from the perspectives of the individuals identified in them.⁶⁹ In order to develop a holistic understanding of the interactions involved in the

⁶⁷ *Ibid.*

⁶⁸ G.E. Aylmer, *The King's Servants: The Civil Service of Charles I, 1625-1642* (London: Routledge, 1974), pp. 1-8; Hindle, *The State and Social Change in Early Modern England*, pp. 2-10; Richard Lachmann and Nelson A. Pichardo, 'Making History from Above and Below: Elite and Popular Perspectives on Politics', *Social Science History*, 18.4 (1994), 497-504 (pp. 502-04).

⁶⁹ Gowing, *Domestic Dangers*, pp. 3-8; Marcus Rediker, *Between the Devil and the Deep Blue Sea: Merchants, Seamen, Pirates and the Anglo-American Maritime World, 1700-1750* (Cambridge: Cambridge University Press,

production and use of identification documents, I endeavour to analyse these documents from the perspectives of all of the historical actors involved in their production and use, including both institutional actors and mobile individuals without access to institutional authority.

This thesis uses mapping as a starting point for analysis of how the governance of movement by authorities shaped patterns of mobility. I have produced several maps using ArcGIS which represent locations recorded in sets of identification documents. The locations listed in these documents were then translated into geographic coordinates, allowing them to be rendered using mapping software. In some instances, the translation of locations recorded in identification documents into coordinates required a degree of interpretation. These maps should thus be regarded as illustrative of wider patterns of movement, as opposed to exact geographic representations of precise movements. This mapping work allows for an initial analysis of the geographic nature of patterns of mobility which were surveilled by authorities using these documents. However, these archives of identification should not be regarded as providing unmediated access to people's movements as they occurred in practice and the likelihood of omission or distortion of some patterns of movement from these documents due to the processes surrounding their production must be taken in account.

I have also statistically analysed information recorded in sets of identification documents. This statistical analysis enables the recognition of wider patterns which appeared across large numbers of identification documents. This methodology is particularly useful for recognising gendered divergences in information recorded in documents of identification. Given the mediated nature of these texts, this methodology is not deployed to attempt to develop an analysis of the differences between male and female mobilities, but rather to analyse gendered patterns in how identification as a process of governance functioned.

1987), pp. 4-8; Natalie Zemon Davis, *Women on the Margins: Three Seventeenth-Century Lives* (Cambridge, Massachusetts: Harvard University Press, 1995), pp. 1-5.

Much of the analysis of this thesis is developed from the close reading of individual documents of identification. While some of the documents under examination have previously been considered by scholars as sources of data regarding migration, I develop a novel approach for understanding these texts by focusing on the function of these documents as methods of identification. This approach is inspired by those developed by historians of documents and archives who have analysed historical documents and their places of storage not merely as sources of historical information but rather as objects worthy of historical analysis in and of themselves.⁷⁰ These documents are analysed as reflective of wider processes surrounding their production and use. Both why authorities produced these texts and how these texts were used after their production are considered. This approach involves examining the identification documents under consideration not merely as a source of biographical details about the individuals identified in them, but also paying close attention to details relevant to the authorities which produced them, such as signatures and seals or manuscript additions to printed forms. Identification documents are also examined as texts involved in networks of communication, the analysis of which requires considering the audiences of these texts and how they were used by authorities after their production.

Analysing the perspectives and agencies of the individuals identified in identification documents requires reading these texts ‘against the grain’.⁷¹ This approach involves considering how individuals identified in the documents under examination interacted with the encounters and processes that produced these documents. This analytic method involves considering how these identification documents were utilised by the identified and, in some instances, why individuals sought out the production of these documents. Reading against the grain reveals the individuals

70 Bishop, pp. 113-20; Popper, pp. 3-8; Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012), pp. 7-9; Walsham, pp. 26-32.

71 Walter Benjamin, *Illuminations*, trans. by Harry Zohn (New York: Schocken Books, 1968), pp. 255-57; Roger Chartier, *The Order of Books: Readers, Authors and Libraries in Europe between the Fourteenth and Eighteenth Centuries* (Stanford: Stanford University Press, 1994), pp. 7-11; Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness* (London: Verso, 1993), pp. 12-19; Raymond Williams, *Marxism and Literature* (Oxford: Oxford University Press, 1977), pp. 128-34.

identified in these documents were not passive subjects of identification but rather were frequently actively involved in their production and use. This approach aims to, as far as is possible, reconstruct the encounters which produced these documents by carefully reading documents of identification to discern aspects of these texts which involved the input and agency of the identified individuals, as well as those of the authorities which produced them. These documents are placed within the wider social contexts surrounding the patterns of movement which they concerned in order to develop an analysis of why individuals participated in these processes of identification. This thesis pays particularly close attention to the gendered nature of both the encounters which produced these documents and the social contexts surrounding their use. In doing so, I draw upon approaches developed by feminist and gender historians concerned not only with recapturing the lives and agencies of historical women, but also with analysing gender as a set of power relations, the operation of which involved their continual articulation and contestation.⁷²

Structure

This thesis is organised thematically into four chapters. Each of these chapters considers a different geographic field of mobility and the identification documents associated with the patterns of movement which took place in that field. While each of these chapters involves the analysis of multiple kinds of identification document, a structural division based upon different fields of mobility highlights the role of patterns of mobility and the actors involved governing those mobilities in shaping these documents.

The first chapter examines the governance of movement within England. This chapter develops a comparative analysis of the governance of movement in London and in the town of Sherborne in Dorset. This chapter analyses documents related to the administration of mobility

⁷² Judith Bennett, *History Matters: Patriarchy and the Challenge of Feminism* (Philadelphia; University of Pennsylvania Press, 2006), pp. 13-20; Megan Doolittle, 'Close Relations? Bringing Together Gender and Family in English History', *Gender and History*, 11.3 (1999), 542-54 (p. 542-48); Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), pp. 6-10; Lipscomb, pp. 10-21; Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999), pp. 45-50.

under the poor laws, including indemnity bonds, settlement certificates and vagrant removal orders. It argues that, over the course of the seventeenth century, English authorities operating in accordance with the requirements for administering poor relief developed a number of documentary mechanisms for surveilling people who moved between parishes within England. While these mechanisms developed unevenly and were heavily shaped by gender and status, they nevertheless came to monitor and control a broad range of people who were mobile between parishes.

The second chapter examines the identification of transnational migrants living in London. This chapter analyses the identification of transnational migrants by both English authorities and by migrant institutions in London. Transnational migrants in London were identified in both the attestations of the Dutch Church at Austin Friars and the returns of aliens produced by English authorities. Given its use of the attestations of the Dutch Church, there is a particular focus on the identification of Dutch-speaking migrants in London across the seventeenth century. This chapter develops a comparative analysis of the gendered interactions of transnational migrants with the two different sets of authorities involved in the production and use of the two different forms of identification document under consideration.

The third chapter analyses the monitoring and control of the movements of people departing from England across the North Sea to northwestern Europe. This chapter primarily analyses registers of licences to pass beyond the seas which recorded such movements, as well as passports which were granted by the Privy Council to elite individuals. This chapter analyses the development of 'bordering practices' at early modern frontiers most directly. The chapter argues that the development of the control of transnational movement at England's maritime frontiers was neither a uniform nor a linear process, but rather one in which particular forms of document were developed and utilised in response to specific concerns surrounding patterns of mobility.

Finally, this thesis examines transatlantic mobilities by considering how the movements of individuals departing from England to its colonies in the Americas were governed through

identification documents. This chapter returns to registers of licences to pass beyond the seas to examine the identification of individuals departing to English America in these registers, as well as analysing colonial indenture documents. This chapter is primarily focused on movement from England to the New England, Chesapeake and Caribbean colonies. It develops a comparative analysis of the governance of the different patterns of movement from London which involved the different colonies. This chapter argues that the identification of individuals departing to the Americas was an important documentary mechanism through which English authorities attempted to maintain their control over English America. At the same time, this final chapter also argues that both the greater distances involved in transnational movement and the novel social structures developing in English America led to important changes in how mobile people were identified.

Chapter One: National Mobilities and Identification

Introduction

In seventeenth-century England, a heightened emphasis emerged on recording the identities of individuals mobile within England through the creation and use of documents of identification, predominantly, although not exclusively, by parishes as local authorities. This development was heavily interrelated with the functioning of the Poor Laws which, due to this legislative framework's concern with assigning poor individuals legal settlement in a specific parish for the purposes of relief distribution, became heavily invested in surveilling and controlling mobilities of the poor through local parishes.¹ This surveillance was enabled through the use of a number of documentary forms of identification, mandated by national legislation, most notably indemnity bonds, settlement certificates and vagrant removal orders. Analysing these documents reveals that the development of English authorities' surveillance of mobile individuals was not a uniform process, but rather was heavily fractured, localised and shaped by gender and status.

This chapter considers the 'national' mobilities of individuals who were mobile within England, particularly into London. Migration within England into London greatly outnumbered other forms of migration into London, such as migration from continental Europe, and was largely responsible for the growth of London's population in the seventeenth century.² Demographically, a large portion of this migration was composed of young, single people who migrated to London, typically in search of employment.³ While this migration was greatly responsible for London's growth both in population and economic importance, the heightened level of mobility within

1 Steve Hindle, *On the Parish?: The Micro-Politics of Poor Relief in Rural England, c. 1550-1750* (Oxford: Clarendon Press, 2004), pp. 300-4; David Hitchcock, 'Poverty and Mobility in England, 1600-1850', *Rural History*, 24.1 (2013), 1-8 (pp. 1-4).

2 Vanessa Harding, 'Families and Households in early modern London, c. 1550-1640', in *The Oxford Handbook of the Age of Shakespeare*, ed. by M.R. Smuts (Oxford: Oxford University Press, 2016), pp. 596-615 (pp. 597-602); Peter Spufford, 'Population Movement in Seventeenth-Century England', *Local Population Studies*, 4 (1970), 41-50 (pp. 41-43).

3 Harding, 'Families and Households in early modern London', pp. 597-602.

England in the seventeenth century also led to elite concerns about disorder and ‘vagrancy’ and to various efforts to constrict mobilities, including through the use of identification.⁴

Referring collectively to a set of acts passed in 1598, 1601, 1662, 1691 and 1696, the seventeenth-century Poor Laws were not concerned primarily with governing mobilities, but rather with setting out the terms of entitlement for the parish relief of the indigent poor, as well as the punishment of many of those deemed undeserving of relief.⁵ However, the Poor Laws’ system of delegating responsibility for relief to individual local parishes who were held responsible for those born in or having ‘settlement’ in their parish made the local parish officers tasked with implementing the Poor Laws intensely concerned with surveiling and controlling the mobile poor.⁶ Invested in keeping the costs of parish relief as low as possible, parish officers were motivated to remove mobile individuals lacking settlement who were liable to become chargeable to the parish.⁷ This assessment of liability was not uniform, shaped primarily by wealth and status, but also by gender and marital status as single women were viewed as particularly liable to become chargeable due to parish officials’ concerns about the possibility of them producing children out of wedlock.⁸ The Poor Laws’ localised system of relief led to local parish officers become heavily concerned with surveiling mobile individuals deemed likely to require relief, assessments deeply shaped by status and gender.

The Poor Laws and, to a lesser extent, the documents of identification involved in their implementation have all been examined previously by historians from a variety of perspectives. The Poor Laws and related documents have all been of interest to historians of early modern England interested in a number of phenomena and processes, including poverty, vagrancy and local parish

4 Hindle, *On the Parish?*, pp. 300-4; Martine Van Elk, ‘The Counterfeit Vagrant: The Dynamic of Deviance in the Bridewell Court Records and the Literature of Roguery’, in *Rogues and Early Modern English Culture*, ed. by Craig Dionne and Steve Mentz (Ann Arbor: University of Michigan Press, 2006), pp. 120-39 (pp. 120-25).

5 Hindle, *On the Parish*, pp. 306-10.

6 *Ibid.*

7 *Ibid.*

8 Hindle, *On the Parish*, pp. 343-44; David Hitchcock, ‘The Vagrant Poor’, in *The Routledge History of Poverty, c. 1450-1800* (London: Routledge, 2021), ed. by David Hitchcock and Julia McClure, pp. 60-78 (p. 65); Paul Slack, ‘Vagrants and Vagrancy in England, 1598-1664’, *The Economic History Review*, 27.3 (1974), 360-79 (pp. 363-64).

governance.⁹ Documents such as indemnity bonds, settlement certificates and vagrant removal orders have also been used productively by social historians interested in the geographic origins of migrants to London.¹⁰ Some attention has been given to how documents related to the Poor Laws functioned as documents of identification by Steve Hindle in a 2006 paper in which he discusses settlement certificates, vagrants' passes, and Elizabethan begging licences as identification documents.¹¹ In this paper, Hindle discusses Poor Law identification documents as characteristic of an emergent, albeit localised, early modern English bureaucracy.¹² Similarly, Simon Szreter has discussed settlement certificates as a form of identity registration which enabled labour mobility in the context of a localised state with localised responsibility for relief.¹³

While documents of identification related to the Poor Laws have been well-examined by scholars, there is a need for further consideration of how these documents functioned as means of communication which connected different English authorities, thereby enabling the governance of movement and mobile people. This chapter argues that, from the perspective of English authorities, identification documents related to the Poor Laws functioned as a means of communicating information about mobile people between different authorities separated by distance or by differing positions in hierarchical structures of authority. This chapter thus moves beyond Hindle's assertion that documents of identification were characteristic of a localised bureaucracy.¹⁴ Instead, it argues that identification documents served as sinews connecting different authorities to enable the

9 Hindle, *On the Parish*, pp. 4-9; David Hitchcock, 'Poverty and Mobility in England, 1600-1850', pp. 1-4; Tim Hitchcock, 'Rough Lives: Autobiography and Migration in Eighteenth-Century England', in *Gated Communities?: Regulating Migration in Early Modern Cities*, ed. by Bert De Munck and Anne Winter (London: Routledge, 2016), pp. 197-214 (pp. 197-200); Rab Houston, 'Vagrants and Society in Early Modern England', *The Cambridge Journal of Anthropology*, 6.1/2 (1980), 18-32 (pp. 20-24); Julia McClure, 'Poverty and Empire' in *The Routledge History of Poverty, c. 1450-1800* (London: Routledge, 2021), ed. by David Hitchcock and Julia McClure, pp. 39-59 (pp. 56-58); Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London: Longman, 1988), pp. 1-5.

10 John Wareing, 'Changes in the Geographical Distribution of the Recruitment of Apprentices to the London Companies, 1486-1750', *Journal of Historical Geography*, 6.3 (1980), 241-49 (pp. 247-49).

11 Steve Hindle, 'Technologies of Identification Under the Old Poor Law' (British Association for Local History Phillimore Lecture, London, 3 June 2006), pp. 3-5.

12 *Ibid.*

13 Simon Szreter, 'The Right of Registration: Development, Identity Registration, and Social Security – A Historical Perspective', *World Development*, 35.1 (2006), 67-86 (pp. 73-76).

14 Hindle, 'Technologies of Identification under the Old Poor Law', pp. 3-5.

governance of movement and mobile people on regional and national scales, particularly towards the end of the century, and which necessarily required the cooperation and connection of multiple different authorities. This chapter develops on work on the role of communication and documents in early modern governance by revealing that the heightened mobility of subjects in early modernity was a key factor leading to authorities' development of increasingly sophisticated means of communicating between officials as a regular feature of governance.¹⁵

Both identification documents and the aims of the authorities who created and utilised them were shaped by gender. While research making use of Poor Law identification documents discussing national mobilities has examined gender, such as in assessing the gender ratios of migrants or in attempting to access the experiences of female migrants, there has been little discussion of how the documents themselves were shaped by gender.¹⁶ Reading the documents of identification applied to poor individuals mobile within England as gendered texts, it becomes evident that identification was utilised by parish officials to reinforce normative gendered household structures and to further surveil, and potentially punish, those members of the mobile poor which fell outside of these structures, particularly single women.

This chapter develops a comparative approach by analysing the use of identification documents to govern mobilities by authorities in the town of Sherborne in Dorset alongside London. Compared to London, Sherborne was a small place. Its population was no more than two to three thousand by the start of the eighteenth century.¹⁷ However, Sherborne was by no means an

15 Filippo De Vivo, 'The composite world of early modern information', *European Review of History*, 30.4 (2023), 645-57 (pp. 647-52); Filippo De Vivo, *Information and Communication in Venice* (Oxford: Oxford University Press, 2007) pp. 2-10; Nicholas Popper *The Specter of the Archive: Political Practice and the Information State in Early Modern Britain* (Chicago: University of Chicago Press, 2024), pp. 17-23; Paul Slack, 'Government and Information in Seventeenth-Century England', *Past & Present*, 184 (2004), 33-68 (pp. 33-36).

16 Hindle, *On the Parish?*, pp. 345-47; David Hitchcock, 'The Vagrant Poor', in *The Routledge History of Poverty, c. 1450-1800* (London: Routledge, 2021), ed. by David Hitchcock and Julia McClure, pp. 60-78 (pp. 65-67); Houston, pp. 22-23; Claire S. Schen, 'Constructing the Poor in Early Seventeenth-Century London', *Albion*, 32.3 (2000), 450-63 (pp. 450-51).

17 Jonathan Barry and George Tatham, 'Robert Goady, the Sherborne Mercury and the Urban Renaissance in South-West England', in *The English Urban Renaissance Revisited*, ed. by John Hinks and Catherine Armstrong (Cambridge: Cambridge University Press, 2018), pp. 57-95 (pp. 57-58).

isolated or immobile place. Situated in northwestern Dorset, bordering Somerset, seventeenth-century Sherborne was one of the three largest towns in the county and was a significant local market town notable for its production of cloth.¹⁸ Sherborne was located along the major route between London to its east and Exeter to its west.¹⁹ The town was only forty miles from the major port city of Bristol and was organised into its diocese.²⁰ Beginning from the middle of the sixteenth century onwards, rural Dorset experienced the widespread enclosure of land and the resultant movement of poor agricultural workers into towns in search of work.²¹ All of these factors contributed to Sherborne experiencing not insignificant levels of population movement in the seventeenth century, albeit on a less dramatic scale than London. Migration into Sherborne occurred on a more limited geographical basis when compared to London, with most individuals coming from nearby parishes in Dorset or adjacent counties.²² The more limited numerical and geographical scales involved in migration into Sherborne enabled Sherborne parish officials to more easily collaborate with both mobile individuals and with their parishes of origin in negotiating these individuals' settlements, including through the collaborative production of identification documents.

This chapter considers five relevant pieces of legislation, the 1598 'Acte for the punishment of Rogues, Vagabonds, and sturdie Beggers', the 1601 'Act for the Relief of the Poor', the 1662 'Act for the better Relief of the Poor of this Kingdom', the 1691 'Act for the better explanation and supplying the defects of the former laws for the settlement of the poor', and the 1696 'Act for supplying from Defects in the Laws for the Relief of the Poor of this Kingdom'. It examines the text of these acts as the legislation structuring local implementations of the Poor Laws, albeit subject to

18 Joseph Bettey, 'The dissolution of the abbey and after at Sherborne', in *St. Wulsig and Sherborne: Essays to Celebrate the Millenium of the Benedictine Abbey, 997-1998*, ed. by Katherine Barker, David A. Hinton and Alan Hunt (Oxford: Oxbow Books, 1998), pp. 188-98 (pp. 192-93); Joseph Bettey, *Dorset* (Plymouth: Latimer Trend & Company, 1974), pp. 67-69.

19 Rosalind C. Hays, 'Crossing County Boundaries: Sixteenth-Century Performance and Celebration in Yeovil, co. Somerset and Sherborne, co. Dorset', *Early Theatre*, 6.2 (2003), 73-96 (pp. 74-75).

20 Bettey, 'The dissolution of the abbey and after at Sherborne', p. 194.

21 Bettey, *Dorset*, pp. 49-50.

22 DRO PE-SH/OV/1/1, 'Sherborne Parish Indemnity Bonds and Settlement Certificates', 1600-1801.

significant local interpretation. The differences between these acts are crucial to understanding how identification processes changed over the course of the seventeenth century.

This chapter examines indemnity bonds produced and used in Sherborne. These documents were a predominant method through which parishes identified mobile individuals from the start of the seventeenth century until the 1690s. These documents were a financial agreement between an individual or individuals and a parish in which the identified provided a surety to the parish and promised to pay a financial penalty if they became chargeable to the parish. There is an unusually large volume of extant indemnity bonds from the parish of Sherborne in the seventeenth century.²³ There are no known archival holdings of indemnity bonds from London in the seventeenth century. While the survival of these records may be in part incidental, it also reflects the greater feasibility of indemnity bonds as a means of governing mobility in a relatively small market town such as Sherborne in comparison to in London.

This chapter also considers settlement certificates produced and used in Sherborne between 1662 and 1691. During this period, while the use of settlement was formally introduced by the 1662 Settlement Act, their use by parishes such as Sherborne remained marginal when compared to that of indemnity bonds. The large extant holdings of identification documents from seventeenth-century Sherborne permits a detailed comparative analysis of the use of indemnity bonds and settlement certificates by Sherborne parish officials between 1662 and 1691. Analysing both the documents themselves and the surrounding legislative contexts, this chapter considers the reasons for the lack of widespread adoption of settlement certificates by parishes prior to the 1690s.

This chapter then examines settlement certificates produced in the Middlesex parish of Enfield in the 1690s, the decade in which settlement certificates became the predominant form of identification document related to the Poor laws. As a large parish near the outskirts of London's rapid urban expansion, an examination of Enfield settlement certificates reveals how changes to

²³ *Ibid.*

Poor Law legislation in the 1690s enabled this category of documents to identify and control people in a highly mobile urban environment. Examining the texts of settlement certificates reveals how these documents functioned as a standardised means of communication between local officials, as well as highlighting the concerns of these officials surrounding gender and household structures which were expressed in these documents.

Vagrant removal orders, which enabled the removal by parish officials of individuals deemed to be lacking settled status in their parish, while not technically documents of identification themselves, are revealing of the process of identification, known as a settlement examination, in which the identities of mobile individuals in regard to their parish of legal settlement were interrogated and contested by authorities. This chapter examines removal orders produced in the Middlesex parish of St. James Clerkenwell from 1649 to 1674 and the London parish of Holy Trinity the Less from 1675 to 1700. This selection of records enables an analysis of how the identification and forced removal of individuals deemed to be ‘vagrants’ functioned in London parishes during a period of frequent changes to relevant national legislative frameworks.

An examination of documents of identification related to the Poor Laws focused on their function for authorities and their gendered nature has important implications for understandings of the development of identification as it relates to both gender and the state. John Torpey has characterised the development of state forms of identification of mobile individuals as a key process in the development of a ‘modern’ state, which he refers to as ‘the monopolisation of the legitimate means of movement’.²⁴ However, this Weberian approach assumes too great a level of uniformity for both the ‘state’ and ‘movement’ as objects of analysis. The development of forms of identification such as settlement certificates was not the outcome of an increasingly centralised state but rather was necessitated as a form of communication of between parishes as fractured, localised authorities. While the forms of identification deployed to enforce the Poor Laws in the seventeenth

24 John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000), pp. 1-5.

century did represent a heightened legitimization and surveillance of movement by authorities, this surveillance was not uniform across all forms of mobilities and mobile individuals equally. Rather, it was the surveillance of those forms of mobility and mobile individuals associated with poverty and seen as likely to become chargeable to parishes. The movements of women were thus far more heavily surveilled by authorities. Control over movement was thus gendered and often related to attempts to control reproduction. The development of forms of identification in the seventeenth century was thus a far from uniform process, both in terms of the institutions which implemented these processes and in terms of the cleavages of gender and status which determined who was targeted by these forms of identification.

National Legislative Contexts

The national legislation which governed the implementation of poor relief, known collectively as the Poor Laws, are key for understanding both the structures governing local implementation of poor relief by parishes. In the seventeenth century, poor relief was structured primarily by the poor relief acts of 1598, 1601, 1662, 1691 and 1696.²⁵ The acts of 1662, 1691 and 1696 all represented significant change from the earlier acts, particularly in regard to identification and the regulation of settlement and mobilities.²⁶ Examining these acts together allows for an understanding of how the identification of mobile individuals through the Poor Laws changed over the course of the seventeenth century.

While the Poor Laws were primarily about regulating eligibility to poor relief rather than regulating mobilities, this eligibility was explicitly tied to mobility. The 1601 Act for the Relief of the Poor ordered that, ‘the Churchwardens of every Parish, and four, three or two substantial Householdiers there ... are to raise weekly or otherwise by Taxation of every inhabitant ... competent Sums of Money for and towards the necessary Relief of the Lame, Impotent, Old, Blind,

25 Hindle, *On the Parish?*, pp. 300-9; David Hitchcock, ‘The Vagrant Poor’, pp. 63-67; Philip Styles, ‘The Evolution of the Law of Settlement’, *University of Birmingham Historical Journal*, 9 (1963), pp. 33-63 (pp. 34-48).

26 *Ibid.*

and such other among them being Poor, and not able to work'.²⁷ However, by localising responsibility for relief to the level of parish, parishes became specifically responsible only for the poor of their individual parishes.²⁸ According to the terms of the 1598 Act for punishment of Rogues, Vagabonds, and sturdie Beggars, 'All such persons such wander abroad begging ... shall be taken, adjudged and deemed Rogues, Vagabonds, and sturdy begers, and shall susteine such paine punishments'.²⁹ The 1598 and 1601 poor relief acts thus established a division between those impoverished individuals who were eligible for parish relief and those who were punished for vagrancy which hinged upon mobility and movement between parishes.

The terms for the punishment of mobile individuals deemed vagrants set forth in the 1598 Act explicitly endeavoured to control poor people's mobilities. The 1598 Act ordered that vagrants should be punished both by being whipped and by being, 'forthwith sent from Parish to Parish, by the Officers of every the same, the next straight way to the Parish where hee was borne'.³⁰ This clause in the 1598 Act served as the legal basis for the removal orders issued by Justices of the Peace to remove an individual deemed to be vagrant or without legal settlement from a parish. Additionally, this clause prescribed a form of mobility as punishment in which vagrants would be required to return to their parish of birth, where presumably they would be eligible for poor relief. This form of punitive mobility also produced an associated form of identification, known as vagrants' passes, which those undergoing this punishment were required to produce at officials' requests as they moved back to their parishes of birth.³¹ In practice, these passes were frequently forged and ironically, used by the mobile poor to engage in unauthorised movements without harassment from officials.³² However, in its intent, the returning of those deemed vagrants to their

27 *The Statutes of the Realm: Printed by Command of His Majesty King George the Third*, Vol. 4 part ii (London: Dawson, 1963), p. 962.

28 *Ibid*; Szreter, pp. 73-75.

29 *The Statutes of the Realm*, Vol. 4 part ii, p. 899.

30 *Ibid*.

31 Hindle, 'Technologies of Identification under the Old Poor Law', pp. 9-15; Tim Hitchcock, pp. 206-07; Slack 'Vagrants and Vagrancy in England', pp. 360-64

32 Hindle, 'Technologies of Identification under the Old Poor Law', pp. 9-15.

parishes of birth reveals an effort by English authorities to control the movements of poor individuals by literally reversing their departures from their places of birth using the punitive powers of local authorities and an associated form of identification. Both in limiting eligibility for relief to those deemed by officials to belong to their parish and in the punishment of those deemed vagrants through punitive mobility, the 1598 and 1601 poor relief acts demonstrate that authorities sought to severely restrict the movement of poor people within England.

The 1662 Act for the better Relief of the Poor of this Kingdom, often referred to by scholars as the Settlement Act, even more explicitly linked eligibility for relief to mobility or immobility. The 1662 Act specifically set out its intent as to reduce ‘vagrancy’ by setting out more clearly the terms of legal settlement required for individuals to be eligible for poor relief from parishes. The act begins by stating that,

Whereas the Necessity, Number and continual Increase of the Poor ... is very great and exceeding burthensome, being occasioned by reason of some Defects in the Law concerning the settling of the Poor, and for want of a due Provision of the Regulations of Relief and Employment in such Parishes or Places where they are legally settled, which doth enforce many to turn incorrigible Rogues, and others to perish for Want.³³

Whereas in the 1598 and 1601 acts, the terms of legal settlement had been largely undefined, the 1662 act specifically defined legal settlement as the parish ‘where he or they were last legally Settled either as Native, Household, Sojourner, Apprentice or Servant, for the Space of forty Days at least’.³⁴ The 1662 act also set out to more effectively define and punish vagrancy by empowering parish officials to detain and expel back to their parish of legal settlement any individuals ‘likely to be chargeable to the Parish ... within forty Days after any such Person or Persons or Persons coming so to settle as aforesaid’.³⁵ In practice, the relatively lax requirement for settlement of legal residence for at least forty days frequently led to the rigorous policing of the mobile poor by parish

³³ *The Statutes of the Realm: Printed by the Command of His Majesty King George the Third*, Vol. 5 (London: Dawson, 1963), pp. 402-4.

³⁴ *Ibid.*

³⁵ *Ibid.*

officials seeking to avoid financial responsibility for their relief.³⁶ By setting out explicitly the definition of legal settlement, the 1662 Act more clearly defined settlement as an aspect of individuals' identities relevant to the receipt of poor relief with a clear legal definition. In practice, as in settlement examinations, settlement was an aspect of identity that was frequently contested by interested parties.

Parliament's interest in defining legal settlement and centring it in the implementation of poor relief resulted in the 1662 Act innovating and codifying settlement certificates as a form of identification. Setting out the terms under which individuals could be mobile between parishes without potentially being deemed vagrants, the act stated that,

it shall and may be lawful for any Person or Persons, to go into any County, Parish or Place ... that he or they carry with him or them a Certificate from the Minister of the Parish and one of the Churchwardens and one of the Overseers for the Poor for the said Year, that he or they have a Dwelling-house or Place in which he or they inhabit ... and in such case ... it shall not be accounted a Settlement in the cases aforesaid'.³⁷

These certificates, commonly referred to as settlement certificates, enabled mobile individuals to move relatively freely between parishes on the condition that they were able to produce to parish officials the required certificates. Settlement certificates in turn enabled parish officials to allow mobile individuals to live in their parishes without fear of them then becoming chargeable to the parish, as in such cases they would return to their previous parish of settlement as opposed to establishing settlement in the parish into which they migrated.³⁸ In an effort to resolve the contradiction posed by a highly mobile population paired with a highly localised system of relief, the English parliament introduced settlement certificates as a form of identification in the 1662 Settlement Act.

However, despite the formal codification of settlement certificates as a method of identification in the 1662 Act, their use did not become widespread until the 1690s and failed to

³⁶ Hindle, *On the Parish*, pp. 306-10.

³⁷ *The Statutes of the Realm*, Vol. 5, pp. 402-4.

³⁸ Hindle, *On the Parish*, pp. 300-10; David Hitchcock, 'Poverty and Mobility in England', pp. 3-4; Szreter, pp. 74-76.

supplant pre-existing forms of identification such as indemnity bonds.³⁹ Rather, it was the Poor Relief Acts of 1691 and 1696 which led to the widespread adoption and use of settlement certificates by parishes identifying mobile individuals.⁴⁰

The 1691 ‘Act for the better explanation and supplying the defects of the former laws for the settlement of the poor’ strengthened the requirement for those who were mobile between parishes to hold documents of identification by explicitly tying settlement to identification. The 1691 Act stated that, ‘the forty days continuance ... in a parish of town, intended by the said acts to make a settlement, shall be accounted from the publication of a notice in writing, which he or she shall deliver ... to the churchwarden or overseer of the poor’.⁴¹ Building upon the legal definition of settlement introduced in 1662 that a person gained legal settlement by residing in a parish for forty days, the 1691 act introduced the condition that for such a settlement to be established, mobile persons had to identify themselves to the parish’s Poor Law officials through a written document of identification. This added condition was introduced in response to fears that individuals who were likely to become chargeable were simply hiding themselves from parish officials for the forty day period to establish settlement, and thereby gaining entitlement to relief without the prior knowledge or consent of parish officials.⁴² Due to the fears of parish officials that the relatively lax terms for the establishment of settlement set forth in the 1662 settlement act were being abused, the 1691 Act more firmly and explicitly mandated the use of written identification in the establishment of settlement.

The 1696 settlement act greatly strengthened settlement certificates as a method of identification, leading to their widespread use by parishes, by both setting out clearly the procedure for their creation and clarifying that individuals holding a certificate could not be legally removed

39 Styles, pp. 48-54; Naomi Tadmor, ‘The Settlement of the Poor and the Rise of the Form in England, c. 1662-1780’, *Past & Present*, 236 (2017), 43-97 (pp. 58-59).

40 *Ibid.*

41 *The Statutes at Large, from the First Year of K. William and Q. Mary, to the Eighth Year of K. William III* (London: 1764) < <https://archive.org/details/statutesatlarge38britgoog/page/n5/mode/2up>>, pp. 142-46.

42 Styles, pp. 52-53.

from a parish unless they became chargeable. Whereas, under the terms of the 1662 act it had not been clear that a settlement certificate fully protected an individual from removal by parish officials, the 1696 act stated that, ‘whenever hee she or they shall happen to become chargeable to or be forced to ask Relief of the Parish ... then and not before it shall and may be lawfull for any such Person ... to be removed’.⁴³ While the residence of individuals holding certificates was between 1662 and 1696 at least partially conditional on the continued consent of the parish, the 1696 act greatly restricted the ability of parishes to remove certificate holders without cause. While the 1662 act did not clearly specify the procedure for creating a settlement certificate, the 1696 act explicitly stated that that a valid settlement certificate could be formed with, ‘the Hands and Seales of the Churchwardens and Overseers of the Poor of any other Parish ... attested respectively by Two or more credible Witnesses ... allowed of and subscribed by Two or more of the Justices of the Peace’.⁴⁴ The legislative acts of 1691 and 1696 thus led to the widespread adoption of settlement certificates by both further tying settlement to identification and strengthening and clarifying the use of settlement certificates as documents of identification.

Seeking to control the poor through its system of poor relief led seventeenth-century English authorities to endeavour to control the mobilities of the poor. From the turn of the seventeenth century with the 1598 and 1601 acts, English authorities tied eligibility for relief to legal residence in a parish and aimed to simultaneously punish forms of mobility deemed illegitimate on this basis. The 1662 act more fully developed the terms of legal settlement and endeavoured to institute a form of identification to enable this legal identity to function. In the 1690s, English authorities more fully and explicitly tied legal settlement to identification documents and strengthened settlement certificates as a documentary form of identification. Over the course of the seventeenth century,

⁴³ *The Statutes of the Realm: Printed by Command of His Majesty King George the Third*, Vol. 7 (London: Dawsons, 1963), pp. 281-83.

⁴⁴ *Ibid.*

English authorities thus developed legal settlement as a category of legal identity and deployed documents of identification to enable it to function in a highly mobile society.

Indemnity Bonds

The predominant form of identification utilised by parishes to identify mobile individuals in relation to the Poor Laws for much of the seventeenth century, into the 1690s, was the indemnity bond. Indemnity bonds were a relatively privileged form of identification in which the identified individual would provide a surety to the parish into which they desired to move which would become forfeit if they became chargeable to the parish.⁴⁵ With the exception of a brief discussion in a 1963 article by Philip Styles, indemnity bonds have received relatively little scholarly attention in comparison to later forms of Poor Law identification documents, such as settlement certificates.⁴⁶ First observed around 1600, indemnity bonds responded to the legislative environment created by the Poor Laws of 1598 and 1601, but were not codified in these acts.⁴⁷ Rather, indemnity bonds developed independently as private agreements and method of identification arranged between an individual and a parish. Indemnity bonds developed both out of prior methods of regulating labour migration such as those related to the 1563 Statute of Artificers and out of a wider trend in sixteenth and seventeenth-century England in which bonds increasingly became key mechanisms of both local governance and the regulation of economic activity.⁴⁸ As a form of identification which predominantly facilitated the labour migration of relatively prosperous men, indemnity bonds were highly gendered, and women were largely excluded from holding indemnity bonds independently. This analysis of indemnity bonds is derived from the indemnity bonds of the town of Sherborne in Dorset from 1600 through the end of the century.⁴⁹ The large extant holdings of indemnity bonds

45 DRO PE-SH/OV/1/1; Styles, pp. 39-42.

46 Hindle, 'Technologies of Identification under the Old Poor Law', pp. 15-17; Styles, pp. 39-43; Tadmor, pp. 44-48.

47 *Ibid.*

48 Styles, pp. 39-43; Craig Muldrew, 'Debt, Credit, and Poverty in Early Modern England', *A Debtor World: Interdisciplinary Perspectives on Debt*, ed. by Ralph Brubaker (Oxford: Oxford University Press, 2012), pp. 9-35 (pp. 17-24).

49 DRO PE-SH/OV/1/1.

from this Dorset town compared to their absence in the records of London parishes reflects the greater feasibility of this form of identification, which depended on personal agreements established between migrants and parish officials, in Sherborne than in London. The role of indemnity bonds in Poor Law identification through the seventeenth century reveals the centrality of the efforts of local authorities to the development of documents and processes of identification.

Similarly to other forms of early modern bonds, indemnity bonds were a financial instrument which formalised an agreement between two parties that one would pay a financial penalty should certain conditions, specified within the text of the bond, not be fulfilled. In a typical example from Sherborne from 1634, the indemnity bond of Edmund White and Thomas Lodges, the bond began with text in Latin at the top setting out the terms of the bond, including that if the bond were violated the two men would have to forfeit to the parish ‘quadraginta libris bone et legis monete Anglis’ (forty pounds of good and legal English money).⁵⁰ The conditions of the bond were then further expanded upon below in English, stating that,

The condicion of this present obligacion is such that the above bounden Edmond White and Thomas Lodges ... shall at all tyme and tymes free and discharge the parishioners and inhabitants of the towne and parish of Sherborne aforesaid of and from all ... payments ... for the wants or necessarie relief and mayntenance of any for the above bounden Edmund White and Elizabeth his nowe wife and daugter or the above bounden Thomas Lodges and children.⁵¹

The agreement was then formalised by the signatures of two parish officials John Watt and George Forrest and the signatures and seals of Edmund White and Thomas Lodges at the bottom of the bond (see Figure 1.1). Indemnity bonds were agreements between a parish and an individual formalising that a person or family moving to a parish would not become chargeable to the parish, enforced through a sizeable financial penalty. Throughout the period, indemnity bonds were always produced in manuscript as opposed to in print.⁵² While there was as such some scribal divergences

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

in the precise wording and information included in these texts, generally these documents were highly formulaic. This conventionality of these texts reflects that the authors of these texts were following established conventions both for indemnity bonds specifically and for bonds more generally.

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Figure 1.1: Indemnity bond of Edmund White, 1634

Indemnity bonds first emerged around 1600, in the wake of the Poor Law acts of 1598 and 1601, and remained a predominant form of parish identification until the 1690s.⁵³ The first example of an indemnity bond from the town of Sherborne is from 1600.⁵⁴ Given indemnity bonds' concern with ensuring that mobile individuals would not become chargeable to the parishes in which they came to reside, the spread of these documents was a response to the structure set forth in the Poor Laws of 1598 and 1601.⁵⁵ However, at no point in the texts of either of these two acts is the use of indemnity bonds to identify and regulate the movement of persons into parishes prescribed or codified.⁵⁶ Instead, indemnity bonds were an autonomous response of local parish authorities to both the legislative structure set forth by parliament and the local necessities of identifying and regulating the movements of individuals coming into their communities. Given that indemnity bonds were in use in Dorset by 1600, this response developed almost immediately after the passage of the 1598 act.⁵⁷ The use of indemnity bonds as a mechanism for identifying mobile individuals was likely a development upon previous forms of identification used to regulate labour migration, notably the certificates which the 1563 Statute of Artificers required mobile labourers to bear.⁵⁸ This form of identification was combined with the financial instrument of the bond in response to the added financial stakes of movement into parishes due to the structure of the Poor Laws. The development of mechanisms for identifying individuals mobile within England in the seventeenth century was not driven solely by Parliament or the Crown but also by local authorities responding to both national legislation and local conditions.

As legal documents, indemnity bonds functioned as two-party agreements between individual local parishes and mobile persons without reference to higher levels of authority. Bonds

⁵³ Styles, pp. 39-42; Tadmor, pp. 70-73.

⁵⁴ DRO PE-SH/OV/1/1.; Styles, p. 39.

⁵⁵ *The Statutes of the Realm*, Vol. 4 part ii, pp. 899; *Ibid*, p. 962.

⁵⁶ *Ibid*.

⁵⁷ DRO PE-SH/OV/1/1.

⁵⁸ *The Statutes of the Realm: Printed By Command of His Majesty King George the Third*, Vol. 4 part i (London: Dawsons, 1963), pp. 414-21.

were arranged directly between the bound individuals and the relevant parish officials. A 1663 indemnity bond from Sherborne stated that, ‘the above bounden William Chetmill and John Toogood ... doe and shall ... hereafter save keepe harmlesse and indemnified the above named William Pawfolde and Robert Pinse churchwardens of the poore of the towne and parish of Sherbourne’.⁵⁹ The bond was thus a direct arrangement between the named bound individuals and the named parish officials that if the terms of the bond regarding chargeability under the Poor Laws were broken, then the bound individuals would be held financially responsible. In contrast to later forms of identification, such as settlement certificates in the 1690s, its formation did not require the authority or approval of county-level officials such as Justices of the Peace. Bonds differed from other more informal forms of financial agreement in that their formalisation through a signed and sealed document setting out their terms precisely made the conditions of a bond more readily enforceable in court.⁶⁰ While indemnity bonds were given a degree of enforceability through the recourse of both parish officials and bound individuals to the courts, their formation and typical functioning existed solely at the parish level.

Indemnity bonds, although related to Poor Law legislation, were not concerned with governing the movements of the poor but with making possible the movements of relatively prosperous individuals into parishes for the purposes of work. Due to the significant sums of money—typically between twenty and one hundred pounds—involved in these bonds, they were unavailable to the poorest strata of mobile individuals.⁶¹ The typical bearer of an indemnity bond was a male of some status seeking to set up a household, either as a craftsmen or a yeoman, in a parish and for whom the parish wanted some assurance that he and his household would not become chargeable to them if they became unable to support themselves.⁶² The functioning of these documents as a means of facilitating labour migration is evident in the identifying details included

⁵⁹ DRO PE-SH/OV/1/1.

⁶⁰ *Ibid.*

⁶¹ *Ibid*; Styles, pp. 39-42.

⁶² Styles, pp.39-42.

within their texts. Within the Latin text of indemnity bonds, the bound men were almost invariably identified by their occupations, as well as in some instances by their parish of previous residence. In the previously discussed 1633 indemnity bond of Edmund White and Thomas Lodges, they are both identified as ‘yeoman’.⁶³ In the 1650 indemnity bond of Thomas Seamer, it notes both his occupation as ‘taylor’ and his previous place of residence in ‘Millborne Porte’.⁶⁴ The variable presence of the identified’s previous place of residence reflects the secondary concern of these documents with facilitating migration whereas the invariable presence of their occupation reflects the primary concern of these bonds with ensuring that mobile persons did not become chargeable to the parish.

In seventeenth-century England, bonds were a key mechanism enabling economic commerce. In most instances, bonds functioned as a form of formal credit agreement enabling market transactions in a society with limited access to currency.⁶⁵ Financial bonds ensured the payment of money through a financial penalty for non-payment enforceable by a court.⁶⁶ Becoming increasingly common from the sixteenth century onwards, financial bonds enabled the credit economy to function and grow by strengthening the trust in credit relations through greater recourse to the courts.⁶⁷ Indemnity bonds were a transference of this logic from the realm of direct economic transactions to that of labour migration. For parishes such as Sherborne, the instrument of the indemnity bond allowed Poor Law officials to place trust in individuals seeking to work and set up households in their communities that they would not become chargeable through the use of a conditional financial penalty enforceable by the courts. Just as financial bonds allowed economically active individuals to expand their trust in credit relations through the bond’s

63 DRO PE-SH/OV/1/1.

64 *Ibid.*

65 Muldrew, pp. 11-14.

66 *Ibid.*

67 *Ibid.*

enforceability, indemnity bonds allowed parish officials to expand their trust to mobile individuals from other parishes, enabling them to work and reside in their parishes.

As a form of financial agreement, identification in indemnity bonds was closely related to credit relations. In early modern England, an individual's wealth or credit was frequently central in the construction of identity.⁶⁸ However, credit was not solely a matter of an individual's wealth, but also referred to their standing in communities to which they belonged and their ability to draw on others for support, financial or otherwise.⁶⁹ In indemnity bonds, a mobile individual's credit was expressed in the names and signatures of individuals supporting the mobile person. In a typical example from Sherborne in 1689, an indemnity bond noted that, 'John Allen is lately come to inhabit and dwell within the Towne of Sherborne'.⁷⁰ However, the bond continued and stated that,

If therefore the said John Allen, Stephen Pine and Charles Wyatt ... hereafter fully and clearly acquitt discharge and save harmlesse ... the Inhabitants and parishioners of the same towne ... from all manner of coste charges and payment whatsoever which shall or may at any time hereafter arise happening or due or be imposed upon them or any of them for or by reason or means of him the said John Allen living and inhabiting in the said towne.⁷¹

While only John Allen had moved to Sherborne, two other men were also named in support of him in the bond and were similarly held financially liable for the conditions of the bond should Allen require parish relief. Additionally, the signature and seal of Allen at the bottom of the bond was accompanied by those of Pine and Wyatt.⁷² Given the significant financial penalties associated with these bonds—in this instance, forty pounds—it is unsurprising that individuals frequently had to draw upon multiple supporters. By signing in support of the mobile individual's bond, the co-signatories attested to the fundamental creditworthiness, and thus worth and honour, of the mobile

⁶⁸ Shepard, pp. 1-6.

⁶⁹ Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford: Oxford University Press, 1996), pp. 48-52; Muldrew, pp. 10-15; Shepard, pp. 24-28; Cathryn Spence, 'Women, Gender and Credit in Early Modern Western European Towns', in *The Routledge History Handbook of Gender and the Urban Experience*, ed. by Deborah Simonton (London: Routledge, 2017), pp. 21-32 (pp. 21-24).

⁷⁰ DRO PE-SH/OV/1/1.

⁷¹ *Ibid.*

⁷² *Ibid.*

individual. Mobile individuals bearing indemnity bonds drew upon the support of other men from their communities and networks to enable their establishment in a new community. The signatures of other men on indemnity bonds demonstrates that identity was not constructed in isolation in the seventeenth-century but rather through the communities and networks which produced key aspects of identity such as credit.

In some instances, multiple male heads of household moving to a parish were identified together in the same bond. For instance, in the previously discussed 1634 bond of Edmond White and Thomas Lodges, the bond indemnifies Sherborne for ‘necessarie relief and mayntenance of any for the above bounden Edmund White and Elizabeth his nowe wife and daughter or the above bounden Thomas Lodges and children or any or eyter of them’ (see Figure 1.1).⁷³ This phrasing indicates that both the White and the Lodges families moved to Sherborne, necessitating the town be indemnified from the potential relief of both families. The bond is signed by both White and Lodges but not by any other men attesting to their credit. This document suggests a collaboration between White and Lodges both in migrating to Sherborne simultaneously and in working together to meet the financial requirements for receiving a bond. In effect, these two men worked together to provide each other credit. While the identification of people in indemnity bonds was structured by the household and primarily the identification of male heads of household, this example of an indemnity bond identifying two households indicates that the significant financial penalties associated with indemnity bonds alongside the importance of community and credit relations could lead to the identification of multiple households together as a single mobile group.

Given the nature of indemnity bonds which involved the establishment of trust and credit through a financial agreement arranged prior to migration, the production and use of these documents was more feasible in smaller localities, such as Sherborne, with more limited fields of migration than in large cities like London. Indemnity bonds were predominantly produced and used

⁷³ *Ibid.*

by parishes in rural areas and smaller towns.⁷⁴ Given the lack of examples of these documents in the records of London parishes, it is evident that indemnity bonds were primarily produced to facilitate the migration of householders in smaller localities. The individuals identified in Sherborne indemnity bonds predominately migrated from nearby parishes within Dorset or neighbouring Somerset, and they invariably came from less than forty miles from Sherborne.⁷⁵ This limited geographical scope suggests that, due to the complicated financial agreements and credit testimonials that had to be completed in-person prior to migration, the production and use of indemnity bonds was much more feasible in locales with more limited fields on inward migration, such as Sherborne, than in London where individuals often migrated from hundreds of miles away.

The production and use of indemnity bonds in particular localities like Sherborne highlights the fundamentally local and variable nature of responses to migration and the development of identification documents. The development of indemnity bonds was thus not an inevitable or invariable response of parish officials to the framework for determining eligibility relief set forth by parliament in the 1598 and 1601 Poor Law legislation but rather was a form of identification developed by officials in certain parishes in response to local conditions of mobility and which officials in other parishes, such as those in London, did not adopt due to the differing nature of movement into their parishes.

It was rare for women to hold their own indemnity bonds, and in such instances, they were unable to directly participate in their formation. In a 1663 indemnity bond regarding Elizabeth Bisse, the text read that, ‘the condicion of this obligacion is such that the above bounden William Chetmill and John Toogood ... hereafter save keepe harmlesse and indemnified ... the towne and parish aforesaid ... by means or reason of Elizabeth Bisse or the said childe late borne of her lodged in Sherbourne’.⁷⁶ It is clear from this document that Bisse was moving to Sherborne with her child

⁷⁴ Styles, pp. 39-45.

⁷⁵ DRO PE-SH/OV/1/1.

⁷⁶ *Ibid.*

to establish an independent household. However, the bottom of the indemnity bond included the signatures of Chetmill, Toogood and Sherborne's Poor Law officials, but not that of Bisse (see Figure 1.2).⁷⁷ Although the bond was concerned with the residence of Bisse and her infant child, she did not participate in its creation. Instead, the bond was created on her behalf, relying on the credit of two men she was able to rely upon for support. The inability of women to form indemnity bonds independently reflects the uneven ability for women to access formal credit and enter into credit relations.⁷⁸ The rarity of women holding indemnity bonds, and their inability to do so on their own behalf, did not simply reflect a lesser access to wealth or financial credit for women, but rather reflected a constraint upon women to enter into such credit relations.

The inability of women to form indemnity bonds has significant implications for understandings of gender and credit in early modern England. Scholars such as Amy Louise Erickson and Cathryn Spence have convincingly argued that women were highly active economically and in credit networks in early modern England.⁷⁹ In her work on self-assessments of credit and worth in early modern English courts, Alex Shepard has argued that, while married women's assessments of their worths was often complicated by coverture, women, including married women, testifying in English courts made claims of financial worth and creditworthiness.⁸⁰ However, the inability of women to form indemnity bonds indicates that women's abilities to formally claim creditworthiness or enter into credit relations was constrained in certain contexts. While research on legal constraints on women's financial agencies, such as Amy Louise Erickson's, have typically focused upon the effects of coverture on married women, Elizabeth Bisse's indemnity bond demonstrates that even unmarried or widowed women were often limited in their

⁷⁷ *Ibid.*

⁷⁸ Gowing, pp. 49-52; Spence, pp. 21-24.

⁷⁹ Amy Louise Erickson, 'Coverture and Capitalism', *History Workshop Journal*, 59 (2005), 1-16 (pp. 9-13); Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), pp. 10-15; Spence, pp. 27-30.

⁸⁰ Shepard, pp. 45-63.

ability to enter into financial arrangements and required the support of men to be able to do so.⁸¹ Given the role of indemnity bonds in governing movement between parishes, constraints upon women's abilities to enter into certain formal credit agreements in early modern England was not only a limit upon their financial and legal agency, but also acted as an important gendered mechanism by which women's abilities to move independently without male support were curtailed.

81 Erickson, 'Coverture and Capitalism', pp. 7-13.

Figure 1.2: Indemnity Bond of Elizabeth Bisse, 1663

When women were identified in indemnity bonds, it was generally in relation to a male head of household with whom they migrated. As was typical for seventeenth-century identification documents, the identities of women and children were textually subordinated to that of the male head of household. A 1656 indemnity bond referred to ‘Thomas Willoughby Joane his wyfe and Thomas their sonne’ and stated that, ‘himself wyfe and family ... hath allowed and promised to save harmlesse and indemnified the said towne and inhabitants’.⁸² Only Thomas Willoughby signed and sealed the bond and was referred to as being ‘bound and firmly obliged unto ... the overseers of the towne of Sherbourne’.⁸³ While the indemnity bond applied to the Willoughby family as a whole, only Thomas as its head of household participated in its creation and his dependents were subordinated to his identity. The 1650 indemnity bond of Thomas Seamer stated that, ‘the above bounded Thomas Seamer is likely become an inhabitant within the towne and parish of Sherborne aforesaid bringinge thither with him Joane his wyfe and Alicia and Joane their children’.⁸⁴ The language here of ‘bringing thither with him’ here is telling. This language both subordinates the movement of Joane, Alicia and Joane Seamer to that of Thomas Seamer and in doing so effaces their agency in moving to Sherbourne. Indemnity bonds were primarily concerned with men moving between parishes for the purposes of work and establishing households; the movements and identities of other members of these households were thus viewed as adjuncts of and of secondary concern to that of the male head of household who formed the bond.

Indemnity bonds reflected a continual concern of parish officials with the reproductive potentials of the men who were identified in these bonds. The bond of Thomas Seamer and his family included the phrase, ‘Thomas Seamer and his wyfe and children or any other childe or children which the said Thomas Seamer shall hereafter happen to have borne within the towne and parish of Sherborne’.⁸⁵ This reference to ‘any other childe or children ... hereafter borne’ was

⁸² DRO PE-SH/OV/1/1.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

standard across many indemnity bonds.⁸⁶ Given that indemnity bonds were typically issued to men, and often relatively young men, migrating to establish households, this interest in future reproduction is unsurprising. Many of these men would likely go on to have additional children after moving parishes, so parishes sought to ensure that these children would not become chargeable to them. Although indemnity bonds were documents concerned with facilitating men moving to parishes for work, establishing a household for the purposes of labour also often entailed establishing a family through reproduction. Indemnity bonds thus did not make a clear distinction between labour and familial migration as the two were interrelated for male heads of household. Interestingly, Seamer's bond also includes the phrase 'or come' between the phrases 'happen to have borne' and 'within the towne'.⁸⁷ This insertion recognises the possibility of two scenarios related to the movements of households and families. It potentially refers either to the existence of scenarios in which part of a family moves to a new parish to establish a household and then later sends for the rest of the family, or to situations of bastardy in which an illegitimate child outside of the family and household could potentially move to the parish of their father and claim residence. Either potentiality points towards the complexities of household composition and migration when officials were concerned with the families and reproductive potentials of men migrating to establish households.

Indemnity bonds were a relatively privileged form of identification available to and utilised primarily by men of a significant level of wealth and status who sought to establish households in a new parish. The predominance of indemnity bonds as parochial identification from the first decade of the seventeenth century until the 1690s and the development and function of this form of identification without the involvement of national or regional authorities challenges narratives of the development of identification documents. Historians of identification such as John Torpey and Andrea Geselle have argued both that documentary identification was a product of the centralisation

⁸⁶ *Ibid*; Styles, p. 40.

⁸⁷ DRO PE-SH/OV/1/1.

of power in a central state and that this identification was, in some sense, forced onto identified subjects by the state.⁸⁸ However, this narrative is challenged both by the lack of central state involvement in seventeenth-century indemnity bonds and by the fact that indemnity bonds were a form of document which identified individuals had to actively seek out and access to which was relatively privileged.

The Transition from Indemnity Bonds to Settlement Certificates

Although the use of settlement certificates as a form of identification was first codified in the 1662 Settlement Act, it was not until the passage of subsequent acts in 1691 and 1696 that their use became widespread, outstripping indemnity bonds as a method for parishes to identify mobile individuals. For this reason, Philip Styles and Naomi Tadmor have both argued that the introduction of the use of settlement certificates should primarily be dated to the 1690s, as opposed to 1662.⁸⁹ However, although less numerous than indemnity bonds, settlement certificates were produced by parishes between 1662 and 1691. The parish records of Sherborne in Dorset contain several such examples.⁹⁰ The years between 1662 and 1696 were thus a transitional period in which both indemnity bonds and settlement certificates were produced and used by parishes. During this transitional period, settlement certificates failed to become a predominant method of identification over indemnity bonds as settlement certificates remained effectively private agreements between two parishes and lacked a direct method of enforcement. Although the use of settlement certificates became widespread in the 1690s with the passage of two acts in 1691 and 1696, the spread of settlement certificates was not simply a top-down process driven by parliamentary legislation. Rather, analysing settlement certificates produced prior to 1691 reveals that their strengthening by

88 Andrea Geselle, 'Domenica Saba Takes to the Road: Origins and Development of a Modern Passport System in Lombardy-Veneto', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 199-217 (pp. 201-3); Torpey, pp. 1-5.

89 Styles, pp. 50-53; Tadmor, pp. 58-59.

90 DRO PE-SH/OV/1/1.

legislation in 1691 and 1696 was shaped by the precedents and limitations of pre-existing processes of identification at the parish level.

There are only two examples of settlement certificates from Sherborne between 1662 and 1691, compared to twenty-four indemnity bonds from this same period.⁹¹ Despite the efforts of national authorities, settlement certificates largely failed to replace or supplement the use of indemnity bonds by many parishes. The use of settlement certificates was reinforced and strengthened through additional legislative acts in 1691 and 1696. The 1691 ‘Act for the better explanation and supplying the defects of the former laws, for the settlement of the poor’ mandated the use of written identification when moving between parishes, reinforcing the principle that settlement could not be legally made in the absence of written identification.⁹² The 1696 ‘Act for supplying from Defects in the Laws for the Relief of the Poor of this Kingdome’ introduced both a formal, codified procedure for producing a settlement certificate and strengthened the power of these documents by introducing the principle that an individual holding a valid settlement certificate could not be removed from a parish unless they required relief.⁹³ The formalisation and strengthening of settlement certificates in 1691 and 1696 had a significant impact on processes of identification by parishes. In Sherborne, only four indemnity bonds were produced after 1691, and none at all after 1696, compared to seven settlement certificates in this same period.⁹⁴ By the first decade of the eighteenth century, settlement certificates had effectively supplanted indemnity bonds as the preferred method of identifying mobile individuals by parishes in England.⁹⁵

The relative failure of settlement certificates to replace indemnity bonds prior to the 1690s requires a comparison of settlement certificates produced between 1662 and 1691 with those produced thereafter. The 1681 settlement certificate of Elizabeth Pinkerd stated that,

91 DRO/ PE-SH/OV/1/1.

92 *The Statutes at Large, from the First Year of K. William and Q. Mary, to the Eighth Year of K. William III*, pp. 142-46.

93 *The Statutes of the Realm*, Vol. 7, pp. 282-83.

94 DRO PE-SH/OV/1/1.

95 Tadmor, pp. 71-72.

Whereas Elizabeth Pinkerd widow of the parish of Beerhackett in the County of Dorsett is desirous to settle and live as parishioner within the towne of Sherbourne ... which if she may bee permitted ... the Master churchwardens and overseers of the poore of the parish of Beerehackett and other of the Inhabitants of the said parish doe hereby promise and agree to and with the churchwardens and overseers of the poore of the towne of Sherbourne aforesaid ... that the Master Churchwardens and overseers of the poore of Beerehackett and their successors shall ... receive back againe the aforesaid Elizabeth Pinkerd in the sayd parish.⁹⁶

This agreement was then formalised by the signatures of a minister and the churchwardens and overseers of the poor of Beer Hackett and Sherborne at the bottom (see Figure 1.3).⁹⁷ This settlement certificate, as an agreement that Pinkerd's home parish would take her back and provide her relief if she became chargeable, was broadly similar to those produced after 1691. However, given that until 1696 it was not codified into law that settlement certificates prevented removal unless an individual requested relief, settlement certificates produced prior to the 1690s required a greater level of mutual agreement between the parishes involved and were less authoritative. Pinkerd's certificate requiring the signatures of officials from both parishes and the use of the phrase 'if she may bee permitted' attests to the requirement of two-party agreement for the creation of document and to its less-than-authoritative nature. In comparison, settlement certificates produced after 1696 did not require the agreement or signatures of officials in the parish into which an individual moved, only that of their parish of legal settlement.⁹⁸ Unlike settlement certificates produced from the 1690s onwards, those produced prior to that point were primarily direct agreements between two parishes.

⁹⁶ DRO PE-SH/OV/1/1.

⁹⁷ *Ibid.*

⁹⁸ Styles, pp. 54-57.

Unlike settlement certificates produced from the 1690s onwards, earlier settlement certificates lacked the authorisation or signatures of city or county-level officials. The 1696 settlement act codified that for a settlement certificate to be validly formed it required the signatures of either two Justices of the Peace from the county of a mobile individual's legal settlement or the mayor of their town.⁹⁹ While Elizabeth Pinkerd's 1681 certificate featured the signatures of parish officials from both affected parishes, it did not feature those of Justices of the Peace or a mayor.¹⁰⁰ The involvement of county or town officials in the formation of settlement certificates was thus an innovation of the 1696 legislation devised by Parliament. This involvement was a determining factor in the replacement of indemnity bonds by settlement certificates. Whereas previously settlement certificates had required the direct co-operation and agreement between two parishes both in their formation and in their enforcement, from 1696, their formation and enforcement were streamlined and strengthened by the involvement of county-level officials. Prior to 1696, indemnity bonds were more readily enforceable than settlement certificates due to the attached financial penalty. By attaching the authority of Justices of the Peace, who were invested with the power to punish minor criminal offences, including by issuing removal orders for vagrancy, settlement certificates were given a mechanism of enforcement of at least equal strength to that of indemnity bonds. The involvement of county-level officials in settlement certificates from 1696 onwards thus both streamlined the process by removing the need for direct co-operation between two parishes and made settlement certificates more readily enforceable.

Both settlement certificates produced in Sherborne between 1662 and 1691 involved individuals moving from parishes nearby to Sherborne. The previously discussed 1681 settlement certificate of Elizabeth Pinkerd was formed between Sherborne and Beer Hackett, a parish also in Dorset and a mere three miles away from the town of Sherborne.¹⁰¹ Similarly, the 1679 settlement

⁹⁹ *The Statutes of the Realm*, Vol. 7, pp. 282-83.

¹⁰⁰ DRO PE-SH/OV/1/1.

¹⁰¹ *Ibid.*

certificate of Elizabeth Downe enabled her movement from the parish of Compton Pauncefoot which, while in the adjacent county of Somerset, was only eight miles away from Sherborne.¹⁰² In contrast, while many indemnity bonds from Sherborne in this same period were similarly concerned with migration from nearby parishes, they could also be concerned with individuals moving from further afield. A 1689 indemnity bond authorised the movement of Robert Banks, a silk dyer, to Sherborne from Bristol, nearly forty miles away.¹⁰³ The use of settlement certificates exclusively for short-distance migration reflects the great deal of collaboration between two parishes required for their production and use, which was made more difficult by distance. Prior to 1696, settlement certificates were disadvantaged as a method of identification compared to indemnity bonds as the level of co-operation between two parishes which they required made them largely only functional for short-distance migration between nearby parishes.

Settlement certificates, such as they functioned between 1662 and 1691, did not address the difficulties of regulating migration over longer distances. Instead, as indicated by the production and use of settlement certificates in this period only for individuals moving across short distances, settlement certificates continued the previous trend of the use of identification documents related to the Poor Laws only being feasible in locales which mainly experienced people migrating over short distance. The requirement for inter-parochial cooperation in the production of settlement certificates prior to 1691 made their use over relatively long distances more impractical than the production of indemnity bonds which required only that the prospective mobile individual meet with parish officials in their destination prior to migration, as opposed to requiring the meeting of two sets of parish officials. It is thus unsurprising that settlement certificates were not adopted by officials in London parishes prior to 1691. It was not until the introduction of the oversight of Justices of the Peace over settlement certificates that a mechanism for ensuring the feasibility of identifying and facilitating the movements of people in accordance with the terms of settlement set out in the Poor

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

Laws in regions such as London which witnessed large numerical and geographical scales of migration.

It is significant that both women identified in the two settlement certificates produced in Sherborne prior to the 1690s were widows. In 1681, Elizabeth Pinkerd is identified as ‘Elizabeth Pinkerd widow of the parish of Beerhackett’.¹⁰⁴ Similarly, in her 1679 settlement certificate, Elizabeth Downs is identified as ‘Elizabeth Downs widow of the parish of Compton Pauncefoot’.¹⁰⁵ This similarity suggests the importance of gender, and particularly marital status, in determining the use of settlement certificates as a method of identification prior to their use becoming widespread in the 1690s. Elizabeth Downs’ settlement certificate goes on to state that Downs, ‘is removed into Sherbourne to live with her sonne Henry Downs for her better livelyhood’.¹⁰⁶ The relation of Elizabeth Downs to the household of her son Henry in Sherborne where she goes to reside here is telling. Whereas a mobile individual seeking to establish a household in Sherborne would have been expected to hold an indemnity bond, individuals subordinated within the household, such as married women, children and servants, would not require such a bond as their head of household was responsible for their maintenance. As a widow living with her son, Downs was neither neatly the head of a household nor subordinated within one. While Downs’ habitation with her son made it inappropriate to require an indemnity bond of her, the lack of clarity about her son’s responsibility for her required that Downs be identified and Sherborne indemnified from any potential responsibility for her relief. The use of settlement certificates by parishes prior to the 1690s was thus in many cases caused by the complexities of household structure and the inability of indemnity bonds to fully contend with these complexities. Therefore, while it is tempting to view the transition from indemnity bonds to settlement certificates as solely triggered by the changes in legislation in the 1690s, this transition was at least in part due to the limitations of indemnity bonds in relation to

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

household structure and widows' mobilities which had been recognised by local parishes who began using settlement certificates in response.

The central importance of the empowerment and authority of county-level officials like Justices of the Peace in the transition from the identification of mobile individuals by parishes using indemnity to using settlement certificates points towards the wider, underappreciated importance of the county and county officials in seventeenth-century English governance. While historians such as Steve Hindle and Ian Archer have demonstrated the importance of local institutions and parishes to both Poor Law administration and governance more broadly, the role of the county and county-level officials has received relatively less attention.¹⁰⁷ The lack of widespread adoption of settlement certificates prior to the 1690s demonstrates both the inability of the parliamentary codification of their use in 1662 to lead to the adoption of forms of identification at the local level and the inability of unmediated inter-parochial co-operation to serve as the basis for a widespread system of identification. By contrast, the codification in the 1690s of the involvement of county-level officials in the production and enforcement of settlement certificates led to the widespread adoption of their use by parishes. The role of the county as nexus of authority between national authorities and the localities was key to the development of national identification and in governance more widely. These processes were thus not a matter of the simple increasing centralisation but rather the increasing effective empowerment of a variety of institutions at different levels of governance, including that of the county.

While Philip Styles and Naomi Tadmor have both argued that the introduction of settlement certificates should be dated to 1691 and not 1662, the examples of settlement certificates from Sherborne in this period indicates that settlement certificates should not be entirely discounted as a means of governing movement within England between 1662 and 1691.¹⁰⁸ Rather, the years

¹⁰⁷ Hindle, *On the Parish?*, pp. 311–24; Steve Hindle, *The State and Social Change in Early Modern England, 1550–1640* (Palgrave: Basingstoke, 2000), pp. 8–16; Ian Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge: Cambridge University Press, 1991), pp. 58–63.

¹⁰⁸ Styles, pp. 50–53; Tadmor, pp. 58–59.

between 1662 and 1691 should be regarded as a transitional period in identification under the Poor Laws in which settlement certificates began to be adopted by some parishes, albeit on a limited scale, alongside the continuing use of indemnity bonds. However, the use of settlement certificates by Sherborne officials to identify mobile widows indicates that, despite their potential limitations, these officials intermittently made use of settlement certificates as a means of avoiding the limitations of indemnity bonds' focus on identifying heads of household. The development of settlement certificates between 1662 and 1691 was thus related to the patriarchal structuring of identification and the governance of mobility.

Settlement Certificates

Following the passage of the relief acts of 1691 and 1696, settlement certificates became a primary mechanism for the identification of individuals mobile within England. Following the promulgation of these acts, most individuals moving residence between parishes were required to first acquire a settlement certificate from officials in their former parish and county of residence and then present it to parish officials in their new parish. Unlike mobile individuals who did not bear settlement certificates, individuals with certificates could not be removed by officials as vagrants unless they requested relief. Given the passage of these acts in the 1690s, this section focuses exclusively on the last decade of the seventeenth century. This decade merits specific examination as the widespread adoption of the use of settlement certificates by parish officials in the 1690s represented a significant development in the identification of mobile individuals. The examples used here are taken from the settlement certificates presented to Poor Law officials in the parish of Enfield in the 1690s.¹⁰⁹ Located in Middlesex, then on the suburban outskirts of London's urbanisation, the parish of Enfield was a highly mobile environment into which individuals moved both from elsewhere in London and Middlesex and from further afield. As a result, Enfield parish officials received a significant volume of settlement certificates in the 1690s. Parish officials

¹⁰⁹ LMA DRO/004/D/03/001, 'Enfield Settlement Certificates', 1698-1714.

received at least seven settlement certificates from individuals moving to Enfield in 1698 alone.¹¹⁰ Although produced at the behest of and carried between parishes by mobile individuals, settlement certificates were fundamentally documents of communication between officials in different parishes given legal power through the authorities of both parish officials and county or city officials. Settlement certificates are revealing of both the functioning of identification at local and regional levels of authority, and how the concerns of parish officials surrounding identity and identification were heavily shaped by gender.

Settlement certificates were formatted and functioned as a form of communication between officials in two different parishes. In a typical example, the 1698 settlement certificate of Lucretia Hills, the body of the text began by stating, ‘We the Churchwardens and Overseers of the Poore of the Parish of Ware in the County aforesaid doe hereby Certify to the Churchwardens and Overseers of the Poor of the parish of Enfield in the County of Middlesex’ (see Figure 1.4).¹¹¹ Although most likely carried by Lucretia Hills between the two parishes, the certificate was written by and addressed to parish officials. The document continued that, ‘we doe hereby oblige the said parish of Ware to receive and provide for the said Lucretia Hills ... whenever she or they shall become chargeable to ... the said parish of Enfield’.¹¹² Settlement certificates constituted a legal promise communicated between two sets of parish officials in different parishes that the officials in the mobile individual’s former parish would continue to recognise them as legally settled in their parish, despite establishing residence in a new parish. Settlement certificates were a bureaucratic mechanism of communication between two parishes as local authorities responsible for poor relief which reflected the interests and concerns of the parish officials who composed and were the primary audience for these documents.

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² *Ibid.*

Settlement certificates were given power and authority by their approval by county-level officials. In Lucretia Hill's settlement certificate, as was typical for settlement certificates after 1696, although the body of the text was addressed between the parish officials of Ware, Hertfordshire and Enfield, Middlesex, the certificate was also signed at the bottom by two Justices of the Peace for the county of Hertfordshire: Thomas Byle and John Slinder (see Figure 1.4).¹¹³ These signatures served to demonstrate the approval of the certificate by the Justices of the Peace and thereby invest it with their authority. In some instances, settlement certificates were signed by and invested with the authority of a city or town's mayor instead of Justices of the Peace.¹¹⁴ Justices of the Peace held the authority to produce removal orders and remove those deemed vagrants from parishes.¹¹⁵ The authorisation of Justices of the Peace thus assured the officials of the recipient parish that the promise of the sending parish's officials that the identified individual would be removed to their parish if they became chargeable was enforceable. The authority of county-level officials, textually represented using signatures, enabled the function of settlement certificates as a form of communication between two parishes by providing the concerned parishes with a level of authority above their own that was invested in these documents and to which they had recourse in their implementation.

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ Styles, p. 57.

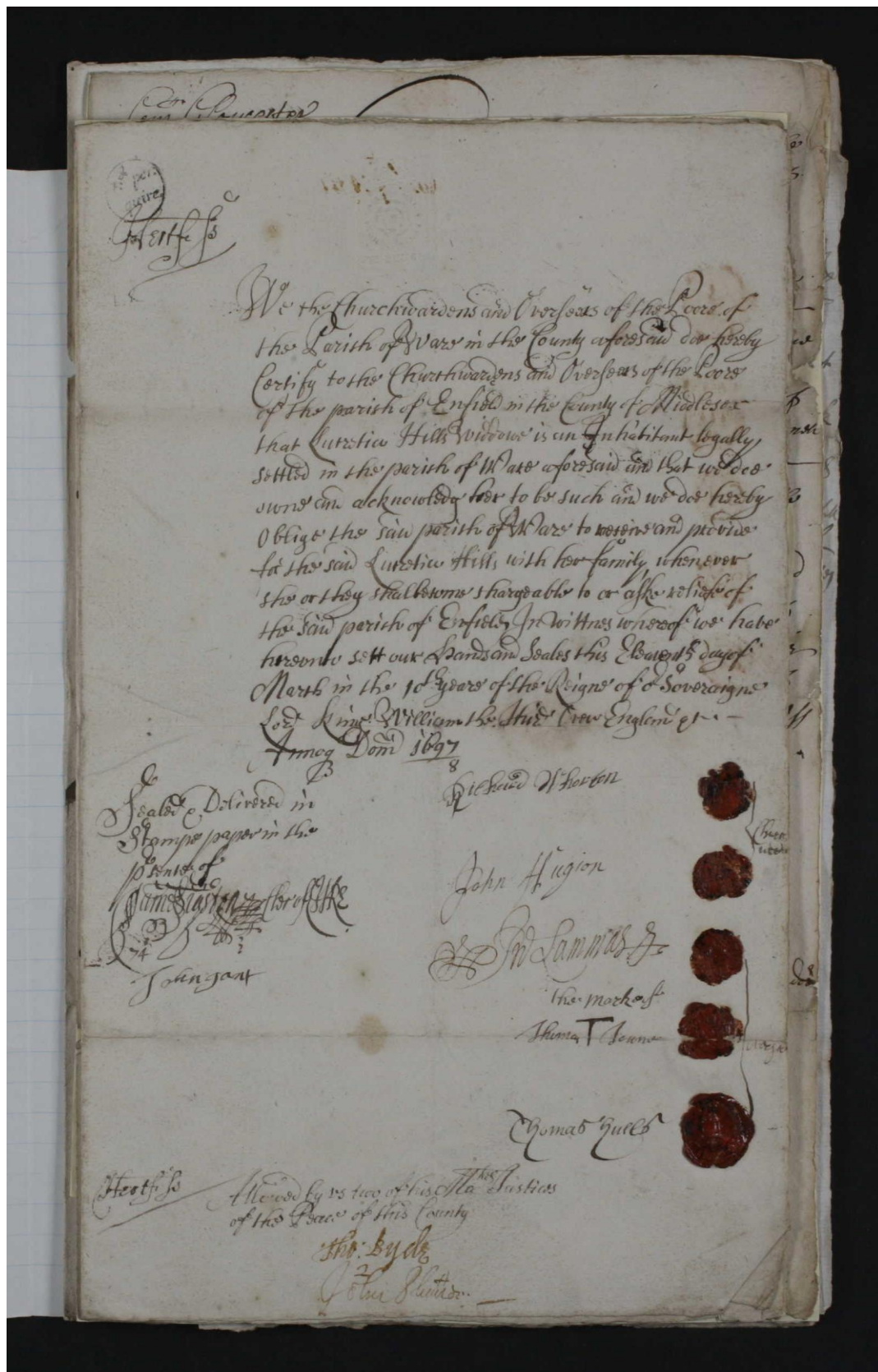


Figure 1.4: Settlement Certificate of Lucretia Hills, 1697

Through the end of the seventeenth century, settlement certificates were almost exclusively manuscript documents. In examining settlement certificates addressed to London and Middlesex parishes, I have found only one example of a printed settlement certificate from the seventeenth century: the 1699 settlement certificate of Thomas and Jean Howe (see Figure 1.5).¹¹⁶ Given that these settlement certificates were originally composed in a number of different parishes, both inside and outside of London, it seems highly likely that manuscript remained the almost exclusive medium in which settlement certificates were composed through the end of the seventeenth century. It was only in the second decade of the eighteenth century that more examples of printed settlement certificates appeared, becoming predominant in this decade.¹¹⁷

Given the predominance of manuscript, the veracity and authority of these texts was established through means other than standardised print. The centrality of signatures and seals to establishing the legitimacy of settlement certificates is prominent in the certificate of Lucretia Hills, which had eight individual signatures and five seals.¹¹⁸ Five of these signatures and accompanying seals were from Ware Poor Law officials (two churchwardens and three overseers of the poor), authorising her continued legal settlement in their parish.¹¹⁹ These signatures and seals were accompanied by two additional signatures at the bottom confirming that the document had been ‘attested by us two of his Majesties Justices of the Peace of this County’ (i.e. Hertfordshire). Additionally, there was another signature verifying that the document had been ‘sealed and delivered in stampe paper’ in the signatory’s presence. As Valentin Groebner has argued, seals and signatures on documents served to guarantee their authenticity by ‘doubling the person’ of the issuer and granting them their authority in the absence of their physical presence.¹²⁰ The veracity of the identified individual’s identity in settlement certificates was thus established through the identities

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ Valentin Groebner, *Who are You?: Identification and Surveillance in Early Modern Europe* (New York: Zone Books, 2007), pp. 183-90.

and authorities of the issuers of said certificates, reproduced and established through their signatures and seals.



Figure 1.5: Printed settlement certificate of Thomas and Jean Howe, 1699

The function of settlement certificates as documents which acted to communicate between several different sets of officials complicates understandings of processes of governance related to the Poor Laws which characterise them as fundamentally local in nature and dominated by local officials. Scholars have generally emphasised the role of parish officials and local negotiations around belonging in the administration of the Poor Laws.¹²¹ However, highlighting the function of settlement certificates as documents communicating information between parishes reveals that the governance of movement and mobile people under the Poor Laws was not achieved by individual sets of local officials but rather by networks which comprised multiple different local authorities. As indicated by the importance Justices of the Peace and mayors to the production and use of settlement certificates from 1691 onwards, the development of these networks as an effective means of governing movement required the cooperation of officials operating at multiple different levels and scales of authority, including the regional. Facilitation by city or county level authorities was crucial to the functioning of networks of local authorities in governing mobility. Similarly, when disputes between parishes regarding settlement emerged, including in cases involving settlement certificates, parish officials appealed to city or county level officials or courts to resolve these disputes. The administration of the Poor Laws, particularly in relation to the governance of mobilities and mobile people, was thus characterised by the networked cooperation of multiple different sets of officials at different levels of authority as opposed to being a solely local matter.

Parish officials often displayed a keen attention to the legal contexts within which these documents were operating. The settlement certificate of ‘Thomas Haradine Wife and one child’ who moved from Cheshunt in Hertford to Enfield stated that, ‘Wee whose names are here under written Doe by vertue of a Law lately made in their behalfe Promise and engage to ... any charge that may arise ... by the said Thomas Haradine wife and Child’.¹²² As well as referring specifically to the 1696 settlement act, it continued on to state that, ‘provided hee the said Thomas Haradine wife and

¹²¹ Hindle, ‘On the Parish?’, pp. 4-9; Hindle, *The State and Social Change*, pp. 30-33; Tadmor, pp. 77-82.

¹²² *Ibid.*

child noe not in the meane time otherwayse obtaine or provide a legall settlement in some other place or parish so as to excuse and free the said Parish of Chesthunt from all further charge'.¹²³ In these references to the legal context surrounding settlement certificates, which composed the bulk of the document's text, the Poor Law officials of Cheshunt demonstrated a clear understanding of both the legal function of these texts in regard to the Poor Laws and of the specificities of the relevant legislation, including the possibility of legal settlement being transferred between parishes through residence.

Despite functioning as documents of identification, settlement certificates were characterised by a relative paucity of identifying information about their bearer. In most instances, biographical details were limited to the name and parish of settlement of the bearer. For instance, the only identifying information given in the 1698 settlement certificate of Zachariah Field was simply, 'that Zachariah Field which is lately come into the said parish of Enfield is an inhabitant within our said parish of All Saints Hertford'.¹²⁴ Unlike in many documents and processes of identification in early modern England, ages or men's occupations were generally not included in settlement certificates.¹²⁵ Given that most settlement certificates were manuscript, there was of course some variation. The 1699 settlement certificate of William and Mary Swaine from the parish of St. James Clerkenwell noted that William was a 'farrier'.¹²⁶ The 1699 settlement certificate from Latton, Essex of 'Henry Crouch and his wife' even gave a reason for their migration, stating that they, 'for the better meanes of getting a livelihood are gone to reside in the parish of Endfield'.¹²⁷ However, typically, biographical details was limited to name and place of legal settlement. In the printed settlement certificate of Thomas and Jean Howe, the only blank spaces requiring information about the identified are for their names, parish of legal settlement and parish of new

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ Shepard, pp. 10-11.

¹²⁶ LMA P76/JS1/123 'Examinations of Paupers and Orders of Removal, St. James, Clerkenwell: Clerkenwell Green, Islington', 1649-74.

¹²⁷ LMA DRO/004/D/03/001.

residence, which suggests that these were the standard identifying details (see Figure 1.5).¹²⁸ Given the authors and intended audiences of settlement certificates, the identifying details included in settlement certificates reflect the interests and concerns of parish officials. Due to the function of these documents, the primary and often sole aspect of identity perceived as relevant beyond the bearer's name was their parish of settlement.

The identity of the bearers of settlement certificates were often textually marginalised in comparison to the identities of the officials who composed these documents. Settlement certificates invariably featured at least four individual signatures and seals from a mixture of Poor Law officers, Justices of the Peace and clerks.¹²⁹ In comparison, the signatures or marks of the identified individuals were never included. This omission created a clear division between the parish officials who held power and actively engaged in the production of these documents and mobile individuals who were identified as the subjects of these documents but played no active role in their creation within the texts. The numerous signatures and seals of officials also foregrounded the identities of these officials and their functions in authorising and authenticating the document over the identities of the documents' bearers.

In settlement certificates, as was typical for documents of identification in seventeenth-century England, individuals were identified within family and household units. These documents often expressed idealised hierarchies and bonds of household dependence. In some instances, such as in the identification of 'Thomas Haradine, Wife and one child', the identities of married women and children were subsumed entirely by their relation to the male head of household to whom they were legally dependent. In other instances, such as in the 1700 settlement certificate from Spitalfields of, 'Edward Budd, Mary his Wife and Edward, Robert, John, Frances, Elizabeth and Letty his children', the names of married women and children were included, but nevertheless framed in relation to their relationship to the male head of household. The family served as the basic

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

unit of identity in settlement certificates and expressed the patriarchal structure of early modern households in which women and children were ideally dependent upon and subordinate to a male head of household.¹³⁰

Legal definitions of settlement served to reinforce normative household structures. The 1662 Settlement Act, defined legal settlement on the basis of where an individual ‘was last legally Settled, either as a Native, Householder, Sojourner, Apprentice or Servant’.¹³¹ By referring to various positions within the household, including householder, apprentice, and servant, in its definition of legal settlement, the act implicitly defined legal settlement as participation and residence in a household unit. In contrast, vagrants were defined as ‘poor People ... not restrained from going from one Parish to another’.¹³² Deploying tropes of the mobile poor as people who existed outside of normative hierarchies of labour and allegiance located in the household due to their unrestrained mobilities, the 1662 act defined vagrancy in opposition to its definition of legal settlement predicated on participation in a household.¹³³ The household thus stood at the centre of seventeenth-century legal definitions of both settlement and vagrancy.

The formulation of settlement certificates in the 1662 act deployed normative ideals of gender and family relations in its establishment of this form of identification. The act stated that settlement certificates would allow

Person or Persons ... to work in Time of Harvest, or at any Time to work ... so that he or they carry with him or them a Certificate ... that he or they have a Dwelling-house or Place in which he or they inhabit, and hath left Wife and Children, or some of them there.¹³⁴

Settlement certificates were imagined by the English Parliament which introduced them as enabling male labour mobility, particularly at times of acute demands for labour such as harvest time, while their families would remain in their parishes of legal settlement. In addition, the use of the pronouns

¹³⁰ Gowing, *Domestic Dangers*, pp. 5-10; Harding, ‘Families and Households in early modern London’, pp. 607-10.

¹³¹ *The Statutes of the Realm*, Vol. 5, pp. 402-4

¹³² *Ibid.*

¹³³ Houston, pp. 18-20.

¹³⁴ *The Statutes of the Realm*, Vol. 5, pp. 402-4.

‘he or they’ on settlement certificates, and the absence of a singular feminine ‘she’, implied a perception that the medium or long-term mobilities that would require their use were undertaken only either by only individual males or by people moving in groups. The text of the 1662 act introducing settlement certificates thus relied upon an idealised gender divide between male mobility and female immobility. However, in practice, settlement certificates were utilised by individuals engaged in a far wider array of mobilities than simply men seeking temporary work unaccompanied by their families, including many women moving independently.

Non-normative, female-headed households frequently appeared in settlement certificates. For instance, a 1699 settlement certificate from Meldreth in Cambridgeshire to Enfield identified, ‘Isabel Ingerstone widdow and Alice and Samuell children of the said Isabell’.¹³⁵ While, as a female-headed household, the Ingerstone family fell outside of the ideal construction of a household, the identities of its members are nevertheless expressed through the ideology of the family. Isabel is referred to as a widow, expressing her ability to acceptably serve as a head of household. The identities of Alice and Samuell are expressed in relation to that of their mother, to whom they are dependent as children. The appearance of female-headed households in settlement certificates attests both to the demography of early modern England which, due to mortality rates, featured a great number of households with children headed by widows and to the frequency with which women in seventeenth-century England were mobile independently of men.¹³⁶ However, given the additional scrutiny faced by widow-headed households, particularly by parish officials who regarded such households as particularly likely to become chargeable, the frequency with which widows appear in holdings of settlement certificates likely also reflects that widows were

¹³⁵ LMA DRO/004/D/03/001.

¹³⁶ Jeremy Boulton, ‘London widowhood revisited: the decline of female remarriage in the seventeenth and early eighteenth centuries’, *Continuity and Change*, 5 (1990), 323-55 (pp. 343-45); Amy Froide, *Never Married: Singlewomen in early modern England* (Oxford: Oxford University Press, 2005), pp. 3-7; Gowing, *Domestic Dangers*, pp. 22-24.

particularly likely to need to acquire settlement certificates to move between parishes to avoid potential expulsion by Poor Law officials.

It is notable that the marital statuses of women were included in their settlement certificates given the wider paucity of identifying detail. The status of women like Isabel Ingerstone and Lucretia Hills as widows is mentioned specifically.¹³⁷ In addition, married women were identified as such by virtue of being referred to as the ‘wife’ of their husband.¹³⁸ The inclusion of women’s marital statuses in their identifications is not, in and of itself, unusual; marital status was one of the standard biographical details typically included in documents which identified women.¹³⁹ However, in such instances, the inclusion of women’s marital statuses was typically mirrored by the inclusion of men’s occupations.¹⁴⁰ As previously established, men’s occupations were only rarely mentioned in settlement certificates. Given that settlement certificates were, in part, predicated on the ability of mobile persons to support themselves, the lack of reference to men’s occupations is striking and reflects the extent to which settlement certificates reduced the identities of their bearers to essential details which were most directly relevant to the concerns of parish officials. The inclusion of women’s marital statuses thus demonstrates that Poor Law officials regarded this information as crucial to the governance of poor relief.

The inclusion of women’s marital statuses in settlement certificates reveals that Poor Law officials were highly concerned with surveilling women’s reproductive capacities. Interestingly, the certificate of ‘Lucretia Hills Widdowe’ does not refer specifically to her having any living children.¹⁴¹ However, it does refer to, ‘Lucretia Hills with her family, whenever she or they shall become chargable’.¹⁴² While it is possible that the identities of Hills’ children were simply subsumed into that of their mother, the lack of reference to any children and the use of ‘she or they’,

¹³⁷ LMA DRO/004/D/03/001.

¹³⁸ *Ibid.*

¹³⁹ Shepard, pp. 10-11.

¹⁴⁰ *Ibid.*

¹⁴¹ LMA DRO/004/D/03/001.

¹⁴² *Ibid.*

implying the possibility of Lucretia Hills receiving relief as a lone individual, points towards Hills migrating as a widow without any children at that time. Rather, the reference to ‘her family’ and ‘or they’, instead likely referred to her potential future children. Regarding women without husbands moving to their parishes, Poor Law officials were particularly concerned with the possibility of said women bearing children while resident in their parish, who would then become chargeable to said parish.¹⁴³ It is thus unsurprising that the settlement certificate of Lucretia Hills would make it clear that any such children would be chargeable, through their mother, to her parish of legal settlement in Ware as opposed to in Enfield where she established residence. The inclusion of women’s marital statuses in their settlement certificates was thus part of a broader effort of Poor Law officials to surveil the reproductive capacities of mobile women. Although settlement certificates first began to be used by some parishes in the 1660s, the widespread adoption of their use in the 1690s represented a significant development in English authorities’ practices of identification. Investing these documents with the authority of city or county-level officials enabled their use by officials in parishes in areas which experienced high levels of mobility, such as in London. While the use of these certificates did serve to facilitate some individuals’ movements between parishes, they also represented a patriarchally structured form of surveillance which targeted mobile poor people. Settlement certificates were strongly related to networks of communication between multiple sets of English officials. The functioning of settlement certificates was both enabled by these networks and served as a form of documentary infrastructure furthering these networks.

Vagrant Removal Orders

When individuals were found by parish officials to be both living outside of their parish of legal settlement and likely to become chargeable, this situation led to the production of a removal order by a county’s or city’s Justices of the Peace or mayor to have them removed to their parish of legal settlement. Although these documents were not identification documents in the sense that

¹⁴³ Hindle, *On the Parish?*, pp. 342-44.

settlement certificates were—as in documents carried by the identified individual to establish their identity—they were nevertheless produced through processes of identification and are highly revealing of how identification functioned in seventeenth-century London. Additionally, removal orders often led to the production of further documents of identification as the removal of an individual over a long distance beyond which they could be accompanied by an officer of a parish entailed granting them a vagrants' pass.¹⁴⁴ This chapter analyses removal orders from the Middlesex parish of St. James Clerkenwell from 1649 to 1674 and the London parish of Holy Trinity the Less from 1675 to 1700.¹⁴⁵ Examining removal orders from two parishes in the City of London and suburban Middlesex over a roughly fifty year period allows for an analysis of the functioning of these documents in London and how it developed over the course of the later seventeenth century. These documents provide a detailed, individual level view of instances in which legal settlement as an aspect of both identity and mobility was contested by local parish officials. By describing these moments of contestation, removal orders reveal how legal settlement and identity functioned in seventeenth-century London and how they were shaped by mobility and gender.

Vagrant removal orders were texts produced and issued by Justices of the Peace or mayors which enabled and ordered parish Poor Law officials to remove individuals without legal settlement from their parish. Removal orders were invariably produced in manuscript, including into the eighteenth century.¹⁴⁶ Considering that these orders contained a large volume of highly variable information regarding the details and causes of the removal, as well as about the removed individual themselves, it is unsurprising that removal orders remained in manuscript throughout the period. As documents produced by Justices of the Peace or mayors with the audience of parish officials, removal orders were a form of communication between different levels of authority.¹⁴⁷ While the

144 Hindle, 'Technologies of Identification under the Old Poor Law', pp. 9-15; Slack, 'Vagrants and Vagrancy in England', pp. 360-61.

145 LMA P69/TR13/B012/MS505096, 'Paupers' Removal Orders: Holy Trinity the Less', 1675-1715; LMA P76/JS1/123.

146 *Ibid.*

147 Archer, pp. 225-30.

surveillance of mobile individuals by officials at the level of the parish was crucial to the initiation of the process of removing individuals from parishes, the approval of Justices of the Peace or mayors at the level of the city or county was required to authorise the removal of mobile individuals. As documents conveying the orders of the mayor or Justices of the Peace, the authority of these manuscript texts was established by the signatures and seals of at least one, but generally two, officials.¹⁴⁸

Removal orders were documents centrally concerned with migration in that they were caused by the unauthorised movement of an individual or family which in turn authorised their forcible movement to their parish of legal settlement. For instance, the 1675 removal order of ‘Matthew Wood a poor persons with his wife and two children’ was produced at the request of the parish officials of Holy Trinity the Less after the Wood family

came lately out of the Liberty of St. Martins Legrand into the said parish of St. Leonard Foster where they lived and had their last residence according to Law who it is feared will prove a charge to their said parish the Trinity if not speedily removed.¹⁴⁹

The removal order thus documented a series of movements within London and Middlesex of the Wood family: coming first from St. Martin’s Le Grand into St. Leonard Foster Lane, where they obtained legal settlement, and then finally into Holy Trinity the Less, where they were without legal settlement. In seeking to determine legal settlement, the officials producing removal orders were necessarily deeply interested in details of movement and residence to determine a parish of legal settlement with which people could be identified in order to be removed there. Having determined their legal settlement, the document then ordered the parish officials, ‘to take the bodys of the said Matthew Wood his Wife and two children and them carry and convey out of their said parish into the said parish of St. Leonard Foster’.¹⁵⁰ Removal orders thus discussed the movements of the

¹⁴⁸ LMA P69/TR13/B012/MS505096.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

identified persons to enable their further, forced movement into a parish of legal settlement with which they were identified.

Produced in instances when legal settlement was contested, removal orders reveal how authorities determined an individual's legal settlement in practice. Removal orders were often related to periods of crisis for the individuals they concerned. The 1691 removal order of Elizabeth Cook stated that, 'Henry Cooke lately decd (deceased) hath for the space of foure yeares last past and noe Longer been previously intruded ... the said parish of St. Leonard Shoreditch ... and hath left Elizabeth Cooke his daughter aged about six years chargeable the said parish' (see Figure 1.6).¹⁵¹ Despite Elizabeth Cook having lived in St. Leonard's Shoreditch with her father for four years, his death left her in need of poor relief and led to the parish officials arguing that her father had not obtained legal settlement in the parish. Although, according to the 1662 relief act, legal settlement was automatically granted by living in a parish for forty days without being removed, in practice, London officials used a more complex set of factors in determining settlement. In seeking to determine the legal settlement of Elizabeth Cook, the officials composing the removal order were keenly interested in the Cook family's movements and residences, noting that,

Henry Cook lived only the span of four yeares in the said parish of St. Leonard Shoreditch and not longer and before his coming there he together with Sarah his wife deceased lived as settled inhabitants and legal residents in Jack Alley in Great Trinity Lane in Trinity parish aforesaid for the space of eight years.¹⁵²

Places of residence and length of residence were thus important factors in determining legal settlement. However, these were not the only factors. The removal order also noted that Elizabeth Cook had been born in the parish of Holy Trinity the Less and had been baptised in the church of St. Michael Queenhithe in the same parish.¹⁵³ Place of birth and baptism thus constituted another factor, alongside places of residence, in determining legal settlement. Ultimately, it was ordered that

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

Elizabeth Cook was to be removed to Holy Trinity the Less, despite her having lived the majority of her young life in St. Leonard's Shoreditch, due to a combination of her father having lived in Holy Trinity the Less longer and that having been her place of birth and baptism.

While removal orders remained broadly similar in form and function across the later seventeenth century, the 1662 Settlement Act's codification of more precise conditions for an individual to hold legal settlement in a parish led to a clearer and stricter definition of settlement in removal orders. Removal orders produced prior to 1662 often displayed more ad-hoc definitions of settlement in determining the parish to which individuals should be removed. The 1651 order removing Charles Pomfrett from the parish of St. Margaret's, Westminster to St. James, Clerkenwell stated that

Rosannon Pomfrett the mother of Charles Pomfrett (a child about the age of foure yeares) did formerly leave her said sonne to the charge of the parish of Margarett Westminster aforesaid: where for a long time past hee hath beene maintained ... whereas the mother of the said Charles Pomfrett, about the space of three monthes last past, hath beene resident in, and an inhabitant of the said parish of Clerkenwell ... in which parish the said child ought to be maintained and provided for, according to Lawe.¹⁵⁴

The removal of Charles Pomfrett was thus decided by simply determining the parish in which his mother was currently living and had been resident for a period of several months. While the removal order stated that the parish in which Charles Pomfrett's mother Rosannon was residing was thus the parish to which he should be removed 'according to Lawe', there was no reference to specific legal conditions for determining Rosannon Pomfrett's parish of legal settlement beyond Clerkenwell being her current parish of residence. Similarly, in the 1659 removal order of Reynold Hill from Bedford, Bedfordshire to Clerkenwell, Hill's settlement in Clerkenwell was determined on the basis that, 'hee was last an Inhabitant in Clarkinwell in the said county of Middlesex And hath had noe other place of settlement since wee doe therefore order that the said Reynold Hill doe returne to Clarkinwell in the County of Middlesex his last place of residence'.¹⁵⁵ In this removal order, Hill's legal settlement in Clerkenwell was simply determined by that having been his last place of residence and it was therefore ordered that he should be returned there. Prior to 1662,

¹⁵⁴ LMA P76/JS1/123.

¹⁵⁵ *Ibid.*

removal orders did not refer to any conditions for determining an individual's legal settlement beyond simple residence.

In contrast, removal orders from St. James Clerkenwell produced from 1662 onwards determined the legal settlement of removed individuals with specific reference to the legal conditions set forth in the 1662 settlement act. A 1672 removal order removing mobile individuals to St. James Clerkenwell stated that

James Lewen and Mary his wife with six of their children and Elizabeth Massey widow with four of her children are lately come from the parish of St. James Clerkenwell within the county aforesaid into the parish of St. Sepulcher in the aforesaid county where they are not as yet settled for the space of time of forty days but are likely to become a great charge to the said parish and allsoe the aforesaid James Lewen and Elizabeth Massey pay under ten pounds per annum rent

In determining that the Lewen and Massey households were legally settled in St. James, Clerkenwell as opposed to St. Sepulchre and that they should be removed to the previous parish, this order referred to several of the specific legal conditions for an individual to hold a valid settlement outlined in the 1662 Act. The order referred specifically to the fact that the two households had resided in the parish of St. Sepulchre for less than forty days, the amount of time specified in the 1662 act for an individual or household to gain legal settlement in a parish. The order also noted that the two households paid under ten pounds in yearly rent and they were likely to become chargeable to the parish. The inclusion of these two details related specifically to the conditions set forth in the 1662 act that, 'it shall and may be lawfull ... within forty Days after any such Person ... coming to settle as aforesaid, in any Tenement under the yearly Value of ten Pounds ... where any Person or Persons are likely to be chargeable to the Parish ... to remove ... such Person or Persons'.¹⁵⁶ This 1672 removal order justified the removal of the Lewen and Massey households with specific reference to the terms for establishing a legal settlement and for legally removing mobile individuals set forth in the 1662 Settlement Act. The 1662 Act thus resulted in

¹⁵⁶ *Statutes of the Realm*, Vol. 5, pp. 402-4.

legal settlement and the terms for removal becoming more clearly defined and resulted in removal orders using these definitions in identifying the parish of legal settlement of mobile individuals, which was previously only vaguely defined.

The removal order of Elizabeth Cook demonstrates that following the 1691 settlement act, written identification became a legal requirement for establishing residence as a household in a new parish. Elizabeth Cook's removal order noted that Henry Cook, had been 'intruded ... the said parish of St. Leonard Shoreditch unknown without giving such notice writing as by an Act of Parliament in that case is made provided' (see Figure 1.6).¹⁵⁷ Although Cook's legal settlement should have been established in St. Leonard's Shoreditch by virtue of his having lived in the parish for over forty days without having been removed, when his daughter required relief four years later, the parish officials argued, referring specifically to the 1691 act, that not having presented a document of identification, Cook had thus not established legal residence in their parish. In practice, settlement certificates extended merely beyond a means of facilitating mobility and preventing possible removal within the first forty days of moving to a new parish as a household and became a *de facto* requirement of legitimately residing in a new parish. In agreeing with the parish officials of St. Leonard's Shoreditch that Elizabeth Cook should be removed, the Justices of the Peace composing the removal order affirmed the essentially mandatory nature of settlement certificates.

In producing removal orders, authorities were highly reliant on the testimonies of the identified themselves in determining their parishes of legal settlement. For instance, in the 1689 John Sharpe order removing John James from St. Giles in Middlesex to Holy Trinity the Less, the document noted that, 'Upon the examination of the said John James upon Oath that the Last place of his aboad and legall settlement was in the parish of Trinity in the City of London aforesaid where he lived for the space of Eight years'.¹⁵⁸ In determining the legal settlement of John James, Middlesex officials thus relied largely upon the testimony, given under oath, of James himself. This

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

process of self-description and identification was in many ways similar to those utilised in other legal processes, such as in courts.¹⁵⁹ However, whereas courts were typically interested in determining the credibility of witnesses through their self-descriptions of their worths and social statuses, generally measured in property, removal orders were more singularly focused on determining a single aspect of an individual's identity through their self-description: their parish of legal settlement.

Where the testimonies of the identified were unavailable or insufficient to determine legal settlement, authorities instead relied upon the knowledge of other community members, including women, to decide legal settlement. Returning to the removal order of Elizabeth Cook, given her father's death and her young age, Justices of the Peace and the City mayor turned to the testimonies of those who knew the family.¹⁶⁰ London officials examined

Elizabeth the wife of John York of the parish of St. James Drury place in the said Citty of London upon oath that the said Henry Cook lived only the span of four yeares in the said parish of St. Leonard Shoreditch and not longer and before his coming there he together with Sarah his wife deceased lived as settled inhabitants and legal residents in Jack Alley in Great Trinity Lane in Trinity parish aforesaid for the space of eight years.¹⁶¹

The knowledge of Elizabeth York regarding the Cook household was key to determining the legal settlement of Elizabeth Cook as Holy Trinity the Less and her testimony had a shaping influence on the production of the removal order. London officials also examined her husband, John York, who attested both in agreement with his wife regarding the Cooks' residence and that he was, 'present in St. Michael Queenhith Church London at the baptising of the said Elizabeth Cook'.¹⁶² The relevance of Elizabeth and John York's testimonies was thus validated through their personal community ties to the Cooks, represented through John York's presence at the baptism of Elizabeth Cook. The identification of the legal settlements of removed individuals was thus not

¹⁵⁹ Shepard, pp. 10-15.

¹⁶⁰ LMA P69/TR13/B012/MS505096.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

unidirectionally imposed by authorities, but rather these authorities relied on the knowledge of community members in determining the identities and legal settlements of individuals within the communities which these authorities governed.

The household relations of apprenticeship and household service were central to constructions of legal settlement and thereby to many removal orders. In the removal order of ‘Mary Trinity, spinster’, which is undated but was created between 1702 and 1714, removing her from St. Bridget to Holy Trinity the Less, Mary Trinity’s legal settlement in Holy Trinity the Less was determined,

upon oath of the said Mary Trinity that she was by Indenture bound apprentice to one Elizabeth Sherman of the parish of St. Bridgett alias Brides aforesaid and there lived with her until the Death of the said Elizabeth Shermann and never obtained any legall settlement since’.¹⁶³

Although produced due to an instance of an untimely dissolution of an apprenticeship due to the master’s death, this removal order is nevertheless revealing of the role of apprenticeship in legal settlement. As indicated in this removal order, individuals, including young women, who moved between parishes to take up apprenticeships did not require settlement certificates maintaining the responsibility for their relief to their home parishes, but rather established legal settlement in the parish in which they served their apprenticeship. This rule also applied to household service, as indicated in the 1697 removal order of Sara Rogers, which determined her legal settlement, ‘by the oath of the said Sarah Rogers that their last legall settlement was in Trinity parish London where the said Sarah Rogers lived an hired servant for a year’.¹⁶⁴ Given the large proportion of movement into and around London constituted by young people, this rule was a significant exception to the requirement for mobile individuals to have settlement certificates.¹⁶⁵ It also enabled young people migrating to London to legally establish settlement in a London parish, as opposed to maintaining

¹⁶³ *Ibid.* While this removal order is undated, it refers to ‘Her Majesty’, indicating that it was produced during the reign of Queen Anne from 1702 to 1714.

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ Harding, ‘Families and households in early modern England’, pp. 597-99.

settlement in their home parish. This exception for apprentices and servants reflects that their maintenance was legally the responsibility of the head of the household in which they worked, and that they therefore would not become chargeable to the parish.

The role of apprenticeship in determining legal settlement led to the use of apprenticeship indenture documents in the production of removal orders. In an order removing, 'Mary Jones wife of Daniell Jones and Christopher Jones her sonne' from St. James Garlickhythe to Holy Trinity the Less, the authorities endeavoured to determine the legal settlement of Mary Jones' husband Daniel, which was legally the settlement of his wife and children, despite his separation from his family.¹⁶⁶ Unable to rely on Daniel Jones' testimony, officials instead determined his settlement by, 'his Indenture of Apprenticeship dated 22 November 1689 that he was Apprentice for seaven yeares and that Samuells Broghton Inhabitant in Trinity parish was his Master so that the last legall settlement of the said Jones was in Trinity parish'.¹⁶⁷ Jones' indenture thus continued to function as a document of identification even after the end of his apprenticeship, enabling authorities to identify his family with a parish of legal settlement.

As with many other methods of identification in seventeenth-century England, mobile people were identified as household groups as opposed to as individuals. Removal orders identifying people within households included those of, 'one John James with William his sone and Eliner his daughter', 'Matthew Wood a poor persons with his wife and two children', and 'Sarah Rogers and two children'.¹⁶⁸ As in other documents of identification, patriarchally-subordinated individuals' identities were in some instances subsumed entirely within those of the head of household and in all instances were ordered after and textually subordinated to the head of household. In removal orders, the identification of mobile people within households reflected that relief was distributed at the level of the household. As indicated by the relation of apprenticeship

¹⁶⁶ LMA P69/TR13/B012/MS505096.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

and service to legal settlement, officials were not concerned with individuals other than heads of household becoming chargeable, but rather with either entire households or singular individuals outside of households who were liable to become chargeable.

Despite the emphasis on the identification of persons within households, due to the characteristics of those who were perceived as liable to become chargeable by authorities, removal orders often concerned fractured or non-normative households. For instance, a 1694 removal order from St. Nicholas Cole to Holy Trinity the Less identified, ‘Johanna Hawkins wife of John Hawkins ... lately come into the said Parish’.¹⁶⁹ Although identified as a married woman, the removal order indicates that she was mobile independently of her husband, suggesting that the two had likely separated. A 1697 order removed from St. Mary Aldermary to Holy Trinity the Less one, ‘John Sharpe young child about the Age of two and one halfe was lately left in your said parish and is likely to become chargeable’.¹⁷⁰ Sharpe had been abandoned by his parents and, without a head of household to maintain him, was viewed by the parish as liable to become chargeable. The relatively frequent appearance of individuals in non-normative households or without a family in removal orders reflects that such individuals were heavily surveilled by parish officials who feared them becoming chargeable, leading to their removal.

Although removal orders frequently concerned fractured or non-normative households, they nevertheless maintained the ideological structure of the family in identifying mobile persons. In the previously discussed removal order of Mary and Christopher Jones, they are identified as ‘Mary Jones wife of Daniell Jones and Christopher Jones her sonne’, despite Daniel’s absence.¹⁷¹ Even in a case in which a male head of household was absent, his wife and child were still identified through their familial relation to him. Additionally, the legal settlement of Mary and Christopher Jones was determined by Daniel Jones’ settlement, thus maintaining the parish that they were

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

identified with as that of the nominal male head of household, even though he was not present.

Removal orders which identified families without a male head of household, such as that of 'Sarah Rogers and two children' from 1697 still maintained the textual subsumation and subordination of dependent individuals to the head of household, albeit with a female as opposed to male head of household through which they were identified.

In some instances, local disputes about legal settlement and responsibility for poor relief could extend beyond the local and even the national to the transnational, such as in the case of a dispute between the German Lutheran Church in London and the parish of Holy Trinity the Less regarding responsibility for the relief of an abandoned infant. The abandoned child was described as,

a Male Infant Child aged about thirteene moneths left in the porch within their church situate within the parish aforesaid on Christmas day last And by a note left therewith alledged to be the child of one Christian Wilson born in High Dutch in Lubeck although denied by the said Trustees to be ever knowne to any of them.¹⁷²

In this dispute, the Justices of the Peace ultimately sided with Holy Trinity the Less, assigning the German Church responsibility for the relief of the child, due to both the note identifying the child's father as German and that the German Lutherans, 'pay not in respect thereof any rate or allowance to the maintayning of the poore of the said parish And that they have from time to time maintayned their own poor'.¹⁷³ This assertion by the Justice of the Peace was substantively inaccurate. Strangers were responsible for paying to maintain the poor both in the parishes in which they resided and in the migrant communities to which they belonged.¹⁷⁴ In deciding this case, London authorities in effect treated the German Lutheran Church as similar in function to parishes as local authorities responsible for the distribution of relief. Additionally, in identifying the community responsible for the infant's relief as that of his alleged father, the Justices of the Peace directly applied the

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ Andrew Pettegree, *Foreign Protestant Communities in Sixteenth-Century London* (Oxford: Clarendon Press, 1986), pp. 182-83.

principles used in determining persons' parishes of legal settlement. This case was thus similar in many respects to those involving abandoned children with English-born parents. However, the transnational movements and identities involved in said case also gave the London authorities' decision a wider significance. By assigning responsibility for the infant's relief to the German church, and thereby implicitly accepting the claim of the infant's German paternity, the authorities did not merely assign which institution would be responsible for the child's maintenance, but also identified the child as German—and therefore a stranger—an identity with a number of important implications for the child's legal and social status in England.

Removal orders, while not typical documents of identification, were nevertheless highly related to both mobility and identity. In effect, by examining mobile persons' movements and residences, authorities produced a legally binding identification of a person or persons with a particular parish. This identification had significant implications both for individuals' mobilities and for parish Poor Law officials responsible for relief and removal.

Conclusion

While the Poor Laws and parish relief remained central to the identification of individuals mobile within England across the seventeenth century, both the Poor Laws and related methods of identification developed significantly over the course of the seventeenth century. Legislatively, the acts of 1662, 1691 and 1696 entailed both a greater focus upon legal settlement as an aspect of identity and the increasing prescription of the use of documents of identification to establish the legal settlements of mobile individuals. Simultaneously, the movement from indemnity bonds to settlement certificates—beginning from 1662 but in earnest from the 1690s—represented the greater availability of written identification to a wider range of mobile individuals and its increasingly mandatory nature. The widespread adoption of the clarified and strengthened form of settlement certificates centred around a well-defined conception of legal settlement before the end

of the seventeenth century represented a significantly different regime of parochial identification than the indemnity bonds predominant at the start of the century.

The identification of mobile individuals under the Poor Laws was consistently concerned with gender and the household. Indemnity bonds, removal orders and settlement certificates were all shaped by gender and the household. However, gender and the household shaped each of these genres of document in different ways. Additionally, parish officials' concerns with gender and the household were subject to a level of change over the course of the century. Women were predominantly excluded from indemnity bonds at the start of the seventeenth century, except when subsumed within a household's identification or when formed on their behalf, due to their focus on men migrating to establish households. By contrast, women were able to bear settlement certificates in their own rights. Settlement certificates and removal orders thus tended to be more explicitly textually focused on women's relations to households and families, relations which were typically only mentioned implicitly in indemnity bonds. As documents concerned with cases where settlement was contested or regarded as needing the intervention of authorities to correct, removal orders maintained a strong focus on questions of household structure, particularly in cases of non-normative households. The greater accessibility of settlement certificates at the end of the seventeenth century compared to earlier indemnity bonds thus resulted in a greater concern with explicitly identifying mobile women within patriarchal households.

The changes to documents of identification over the course of the seventeenth century bring into focus questions of the relation between identification and state formation. The continually localised nature of processes identifying individuals mobile within England militates against Weberian narratives of identification, such as those put forward by John Torpey, of the development of documents of identification as inherently tied to the increasing centralisation of state power.¹⁷⁵ However, neither does the history of national identification in the seventeenth century neatly

¹⁷⁵ Torpey, pp. 1-15.

conform to histories of seventeenth-century governance, such as those of Ian Archer and Steve Hindle, which emphasise the central importance of local institutions to early modern English governance.¹⁷⁶ Instead, the governance of mobility under the Poor Laws was achieved through the networked interactions of different sets of local officials, facilitated both by documents and by the authority of city or county level officials. Identification documents thus point towards the importance of understanding the role of networks and communication in early modern English governance and authority.

Changes to methods of identification and the related distribution of authority were processes fundamentally shaped by gender and the household. Seventeenth-century English authorities did not regard either mobility or identification as gender-neutral categories, but rather as ones laden with gendered values and meanings. Indemnity bonds reveal a position at the start of the century in which English authorities regarded inter-parochial mobilities and the associated methods of identification, particularly those associated with labour, as male and only involving women moving under the authority of a male head of household. However, settlement certificates demonstrate that by the end of the century English authorities understood the need to contend with and seek to govern independent female mobilities within England. The use of settlement certificates by parishes prior to 1691 to identify mobile widows demonstrates that the development of this understanding was not a top-down process driven by Parliament or the Crown but rather was shaped by the contingent local relationships between mobile women and local parish authorities. The importance of these women's mobilities to the development and adoption of settlement certificates reveals that the movements of widows between parishes were significant to the development of identification in the seventeenth century, and thereby to changes in the distribution of authority and methods of local governance.

¹⁷⁶ Archer, pp. 58-63; Hindle, *On the Parish*, pp. 311-24.

Chapter Two: The Identification of Transnational Migrants in London

Introduction

Over the course of the seventeenth century, tens of thousands of migrants from continental Europe, predominantly the Low Countries and France, arrived in London. The presence of these communities in London is well-documented in a variety of sources, including the records of London stranger churches, official documents relating to their presence produced by London and national authorities, and in literary depictions. Transnational migrant communities in early modern London have also received significant attention from scholars looking at these communities in a number of different ways, including their economic contribution, their relationships with English communities and authorities, networks between them and members of their diasporic group in other locations, religious and social histories of the stranger churches, and their depictions in English literary productions.¹ Examining transnational migration and transnational migrant communities in seventeenth-century London through the documents and processes which were used to identify them provides a new perspective on these communities. Given that both documents of identification and the processes which produced them were highly gendered, an analysis of these documents reveals how the governance of migrant communities and migrants' experiences were shaped by gender. Analysing identification documents centres the role of interactions between migrants and authorities in shaping experiences of migration. Focusing on these interactions provides a means of understanding both how authorities governed a highly mobile population and how migrants were able to integrate themselves into communities.

1 Ole Peter Grell, *Calvinist Exiles in Tudor and Stuart England* (Aldershot: Scolar Press, 1996), pp. 5-13; Lien Luu, *Immigrants and the Industries of London, 1500-1700* (London: Ashgate, 2005), pp. 3-6; Silke Muylaert, *Shaping the Stranger Churches: Migrants in England and the Troubles in the Netherlands, 1547-1585* (Leiden: Brill, 2021), pp. 4-9; Andrew Pettegree, *Foreign Protestant Communities in Sixteenth-Century London* (Oxford: Clarendon Press, 1986), pp. 182-90; Marjorie Rubright, *Doppelganger Dilemmas: Anglo-Dutch Relations in Early Modern English Literature and Culture* (Philadelphia: University of Pennsylvania Press, 2014), pp. 6-12; Jacob Selwood, *Diversity and Difference in Early Modern London* (Farnham: Ashgate, 2010), pp. 11-15.

To understand how processes that identified transnational migrants in London functioned, this chapter analyses the authorities involved in the production and use of identification documents. Several different interlinking sets of institutions held authority over transnational migrants in seventeenth-century London. Most relevant here were the stranger churches and English authorities which governed London. In examining stranger churches, this chapter particularly focuses on the Dutch Church at Austin Friars in the City of London and its relationship with English authorities. Stranger churches and English authorities both held authority over and governed transnational migrants in seventeenth-century London, but in markedly different manners. However, their authorities also overlapped and acted synergistically in some regards. The distinctions between these authorities and their relations with the migrant communities which they governed are important to understanding how transnational migrants navigated interactions with these authorities, including in processes of identification.

This chapter primarily examines two sets of documents which were used to identify transnational migrants in seventeenth-century London: the attestations of the Dutch Church at Austin Friars and the returns of aliens produced by English authorities. These documents were highly distinct forms of identification undertaken by two different sets of officials. Examining returns of aliens and attestations together reveals that transnational migrants were subject to a multiplicity of regimes of identification from multiple authorities for divergent purposes and with which the identified interacted in highly distinct manners.

Attestations were certificates produced by the consistories of Reformed congregations for mobile individuals departing from their congregations which certified their identities, membership in their former congregation and their suitability for joining a Reformed congregation in their destination.² The records of the Dutch Church at Austin Friars include thousands of attestations from across the seventeenth century which originated not only from the Low Countries but also

2 LMA CLC/180/MS07386, 'Attestation Papers of the Dutch Church, Austin Friars', 1570-1872.

from a variety of other regions including, France, Germany, the Americas, and from other congregations within England.³ Attestations were transnational documents of communication and the primary documentary mechanism of identification for identifying newly-arrived migrants used by the Dutch Church at Austin Friars and by transnational migrants seeking to join its congregation. After being presented to the consistory of the Dutch Church at Austin Friars, these attestations were then stored among the records of the church. This chapter analyses three of the seven volumes of attestation papers received by the Dutch Church at Austin Friars during the seventeenth century: those received from 1627 to 1641, from 1642 to 1660 and from 1683 to 1692.⁴ Each of these volumes contains hundreds of papers and this selection enables an analysis of how attestation papers developed over the course of the seventeenth century.

This chapter also examines returns of aliens produced by English authorities during the early Stuart period. Returns of aliens were surveys of the stranger population of London ordered by the Privy Council and undertaken by local officials which identified and gathered information regarding transnational migrants residing in London. After collecting information from individuals identified as strangers, local officials then sent these returns to city or county-level officials who returned them to the Privy Council, who ultimately stored them among the records of the State Paper Office. In contrast to attestations, which were used primarily in the identification of newly-arrived migrants, returns of aliens sought to identify all transnational migrants in London regardless of how long they had been in London. Returns of aliens were a mechanism of surveillance produced at the behest of the Crown during the Tudor and early Stuart periods, the latest of which was ordered in 1639. This chapter examines returns of aliens produced in 1618, 1635 and 1639. In this twenty-year

³ *Ibid.*

⁴ LMA CLC/180/MS07386/001, 'Attestation Papers', 1570-1626; LMA CLC/180/MS07386/002, 'Attestation Papers', 1627-41; LMA CLC/180/MS07386/003, 'Attestation Papers', 1642-60; LMA CLC/180/MS07386/004, 'Attestation Papers', 1661-1674; LMA CLC/180/MS07386/005, 'Attestation Papers', 1675-82; LMA CLC/180/MS07386/006, 'Attestation Papers', 1683-92; LMA CLC/180/MS07386/007, 1693-1750.

period during which these three returns were produced, returns of aliens developed significantly as processes of information-gathering targeting transnational migrant communities in London.

This chapter analyses transnational migrant communities in London across the seventeenth century: the earliest documents examined are dated from 1618 and the latest from 1692. In doing so, this chapter diverges somewhat from typical periodisations of studies of migration in early modern London. Historians have tended to either focus on the period of highest migration from the Low Countries, from roughly the 1560s to the 1590s, or otherwise begin much later with large-scale Protestant migration from France around 1680.⁵ The majority of the seventeenth century, particularly for the Dutch-speaking community who never experienced a recovery in numbers, has often been characterised as a period of relatively limited migration into London and numeric decline of transnational migrant communities.⁶ While this chapter does not dispute the issue of numeric decline, documents of identification demonstrate that people were moving to London from continental Europe in not insignificant numbers across the seventeenth century, and that both migrant and English authorities endeavoured to surveil and govern this migration. By moving focus away from exclusively those moments of peak migration to London, such as the aftermaths of the fall of Antwerp in 1585 and the Revocation of the Edict of Nantes in 1685, this chapter allows for an examination of how authorities sought to use identification to govern migration and migrant populations during periods of less numerically intense transnational movement when such governance functioned as a part of the regular operation of their power.

While concerned with transnational migrants and migrant communities, returns of aliens and attestations were also deeply intertwined with the context of seventeenth-century London and its structures of authority. Historians of governance in early modern London, such as Ian Archer and

5 Bernard Cottret, *The Huguenots in England: Immigration and Settlement* (Cambridge: Cambridge University Press, 1991), pp. 185-90; Susanne Lachenicht, 'Huguenot Immigrants and the Formation of National Identities, 1548-1787', *The Historical Journal*, 50.2 (2007), 303-31 (pp. 313-16); Muylaert pp. 16-19; Pettegree, pp. 1-5; Laura Hunt Yungblut, *Strangers Settled Here Amongst Us: Policies, Perceptions and the Presence of Aliens in Elizabethan England* (London: Routledge, 1996), pp. 4-6.

6 Cottret, pp. 13-17; Grell, pp. 34-46.

Steve Hindle, have noted the importance of both cooperation between local and national officials and the multiplicity of institutions at the local and city level to the maintenance of order in London.⁷ As a local institution which represented, provided aid to and held disciplinary power over a community, the Dutch Church at Austin Friars was similar in many respects to other London institutions, such as parishes and guilds.⁸ While exceptional in their concern with transnational migrants, documents identifying these migrants and the authorities which produced them are in many ways representative of the institutional structuring and exercise of authority in early modern London more broadly. At the same time, attestations were produced and existed in a geographical context far wider than London or England alone. Attestations were documents produced by a transnational network of Reformed congregations which nevertheless were deeply important to the maintenance of order by the Dutch Church at Austin Friars within London.⁹ Steve Hindle has characterised the exercise of governmental authority in early modern England as one defined by interactions between ‘centre and localities’ and vertical interaction between levels of authority.¹⁰ However, the production and use of attestations instead highlights the role of horizontal networked interactions across transnational boundaries in the exercise of authority. Examining returns of aliens and attestations thus extends understandings of authority in seventeenth-century London both by centring identification as a mechanism of surveillance and governance utilised by a diversity of institutions in London and by demonstrating the role of transnational networks in the governance of early modern London.

7 Ian Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge: Cambridge University Press, 1991), pp. 58-64; Paul Griffiths, *Lost Londons: Change, Crime and Control in the Capital City, 1550-1650* (Cambridge: Cambridge University Press, 2008), pp. 28-31; Steve Hindle, *The State and Social Change in Early Modern England, 1550-1640* (Palgrave: Basingstoke, 2000), pp. 9-16.

8 Archer, pp. 58-64; Pettegree, pp. 182-85.

9 Philip Benedict, *Christ's Churches Purely Reformed: A Social History of Calvinism* (New Haven: Yale University Press, 2002), pp. 120-25; Vivienne Larminie, ‘Introduction’, in *Huguenot Networks, 1560-1780: The Interactions and Impact of a Protestant Minority in Europe*, ed. by Vivienne Larminie (London: Routledge, 2018), pp. 1-8 (pp. 1-5); Heinz Schilling, ‘Reform and Supervision of Family Life in Germany and the Netherlands’, in *Sin and the Calvinists: Moral Controls and the Consistory in the Reformed Tradition*, ed. by Raymond A. Mentzer (Kirksville, Missouri: Sixteenth Century Journal Publishers, 1994), pp. 15-62 (pp. 46-47); Jeffrey R. Watt, *The Consistory and Social Discipline in Calvin's Geneva* (Rochester: University of Rochester Press, 2020), pp. 8-9.

10 Hindle, *The State and Social Change in Early Modern England*, pp. 12-21.

The Dutch Church at Austin Friars' use of attestations furthers understandings of the function of Reformed consistories as disciplinary authorities. As Philip Benedict has noted, early modern Calvinism was often characterised by attempts at a more thoroughgoing moral reformation of its adherents than was the case for many other denominations, and consistories typically utilised their authority towards this end by seeking to correct behaviour that they deemed immoral.¹¹ However, there was significant regional variance in how consistories functioned in this regard. These divergences were often related to the relationship of the Reformed church to secular authority. For instance, in Nîmes, the Reformed consistory was able to pursue a stricter social control of its congregation during the late sixteenth century when the city was controlled by Protestant authorities than during the mid-seventeenth century when the Reformed church was a minority church in a city and nation under Catholic control.¹² In comparing the control of marriage by Reformed consistories in Emden and Groningen, Heinz Schilling has found that in Groningen, where civil authorities more rigorously governed marriage contracts, Reformed consistories were far less concerned with the control of marriage than in Emden where civil authorities largely regarded marriage as an ecclesiastical matter.¹³ In the English context, Raingard Esser has argued that a stricter social control of Dutch-speaking migrants existed in Norwich where a specific governance framework was agreed between the stranger church and city authorities compared to London where no such agreement existed.¹⁴ Given that the identification of prospective congregants by the Dutch Church at Austin Friars occurred alongside efforts by English authorities to identify migrants in London, the identification of migrants is revealed as a key sphere in which multiple co-existing civil and ecclesiastical frameworks of authority shaped the social control of Reformed communities.

11 Benedict, pp. 460-64.

12 Benedict, pp. 470-73; Lipscomb, pp. 40-49

13 Schilling, pp. 22-25.

14 Raingard Esser, 'Norwich's "Disorderly Maids": Immigrant Women and the institutions in early modern England', in *Genderpatronen in vroegmoderne samenlevingen*, ed. by Anita Boele and Raingard Esser (Leuven: University of Leuven Press, 2021), pp. 15-39 (pp. 18-22).

The functioning of institutional authorities in early modern London was fundamentally shaped by information and communication. Paul Slack has argued that developments in seventeenth-century England were of a central importance to the history of information-gathering, arguing that it was there that the utility for the state of gathering and systematising large amounts of social and economic data was first fully appreciated.¹⁵ Paul Griffiths has analysed the development and considerable expansion of the state practice of ‘surveying’ populations in sixteenth and seventeenth-century England, and has highlighted the centrality of parishes and local officials to these practices of information-gathering.¹⁶ As well as the gathering of information, identification highlights the importance of the networked transfer of information. Both the vertical interactions of the English authorities and the horizontal ones of Reformed consistories relied upon the transfer of identifying information from the official or officials who initially gathered it onto other officials within these networks. In his study of early modern English archives, Nicholas Popper has noted the importance of networks of communication to both the development of repositories of documents and to the exercise of power within early modern England.¹⁷ By analysing the archives of attestation papers held by the Dutch Church, this chapter reveals the importance of transnational networks to both archives and the exercise of authority in early modern England. In his research on the role of information and communication in early modern governance, Filippo De Vivo has also noted the role that distance and the ability for authorities to transmit information across large territories played in shaping and hindering efforts by early modern authorities to govern geographically wide territories.¹⁸ By examining the problems posed to authorities in their efforts to identify transnationally mobile individuals, this chapter reveals the need to consider not just the challenges

15 Paul Slack, ‘Government and Information in Seventeenth-Century England’, *Past & Present*, 184 (2004), pp. 33-68 (pp. 33-39).

16 Paul Griffiths, ‘Surveying the People’, in *A Social History of England, 1500-1700*, ed. by Keith Wrightson (Cambridge: Cambridge University Press, 2017), pp. 39-59 (pp. 39-43).

17 Nicholas Popper, *The Specter of the Archive: Political Practice and the Information State in Early Modern Britain* (Chicago: University of Chicago Press, 2024), pp. 8-10.

18 Filippo De Vivo, ‘The composite world of early modern information’, *European Review of History*, 30.4 (2023), 645-57 (pp. 647-49).

raised by long-distance movement for transferring information but also those created by the long-distance movement of the subjects on which authorities sought to gather information.

Examining the interactions between authorities and migrants in the production and use of documents of identification reveals how migrants, particularly migrant women, navigated institutions as part of their experiences of migration. This question has become a recent focus in histories of migration and gender. Manuela Martini and Sumita Mukherjee have emphasised the need for research into how institutional frameworks governing migration related to and shaped the everyday lives and experiences of migrants, as well as highlighting how these frameworks and their interactions with migrants were gendered.¹⁹ In the context of early modern England, both Raingard Esser and Jesse Spohnholz have emphasised the importance of the institutional frameworks of stranger churches and English authorities in leading to gendered divergences in the experiences of transnational migrants, due to the disadvantages women faced in navigating these institutions.²⁰ Esser has also highlighted the greater level of scrutiny that migrant women faced by both English authorities and stranger churches due to both their status as migrants and their gender.²¹ This chapter highlights identification as a key site of gendered interaction between migrants and institutional authorities which both affected the everyday lives of migrants and in which authorities sought to surveil and gather information regarding migrants' everyday lives.

This chapter is divided into four sections. It first examines attestations as documents used by the consistory of the Dutch Church at Austin Friars in collaboration with other consistories in transnational networks of Reformed congregations which enabled the ecclesiastical administration of the congregation through the transmission of bureaucratic information. It then examines attestations as documents used by the consistory to maintain community order, while also

19 Manuela Martini and Sumita Mukherjee, 'Migration, Institutions and Intimate Lives: Towards a New Agenda', *Gender & History*, 31.3 (2019), 531-44 (pp. 532-36).

20 Esser, pp. 38-39; Jesse Spohnholz, 'Instability and Insecurity: Dutch Women Refugees in Germany and England, 1550-1600', in *Exile and Religious Identity, 1500-1800*, ed. by Gary Waite and Jesse Spohnholz (London: Pickering & Chatto, 2014), pp. 111-25 (pp. 122-25).

21 Esser, pp. 21-22.

highlighting the agencies of identified migrants in the production and use of these documents, as well as in maintaining community order. It then proceeds to examine the returns of aliens from the perspective of the Privy Council and city or county-level officials who were involved in ordering and compiling these documents. In doing so, it emphasises the function of information-gathering and political communication both in identification and to these institutions more broadly. Finally, it examines the returns of aliens from the perspectives of local officials and the identified, analysing the encounters which produced the knowledge contained in these documents.

Attestations and the Ecclesiastical Administration of the Consistory of the Dutch Church at Austin Friars

Attestations were key to the administration of the Dutch Church at Austin Friars by its consistory. The consistory was responsible for inspecting the attestations of migrants to London who sought to join their congregation and thus held authority over a crucial process through which Dutch-speaking migrants in London were identified. The Dutch Church's consistory was an all-male body composed of elders and deacons, typically drawn from among the wealthier merchants of the Dutch-speaking community, alongside the congregation's minister.²² The consistory was responsible for much of the day-to-day administration of the church.²³ The attestations inspected by the Dutch Church in London's consistory were initially produced by members of the consistories of other Reformed congregations and, in turn, the consistory of Austin Friars produced attestations for members of their congregation who departed from London. Over the course of the seventeenth century, consistories shifted from producing attestations exclusively in manuscript to predominantly as printed forms. This shift reflected changing bureaucratic norms surrounding the production of attestations and the relevance of transnational networks of communication to the development of these norms. The production and use of attestations thus demonstrates the importance of the horizontal, networked interactions in the identification of migrants in seventeenth-century London.

²² Grell, p. 35; Pettegree, pp. 182-85; Spohnholz, pp. 115-17.

²³ *Ibid.*

The use of attestations by the consistory of the Dutch Church at Austin Friars reveals how documents of identification, and the transmission of bureaucratic information which their production and use facilitated, were a key mechanism enabling the administration and governance of a highly mobile community.

Initially founded in London in 1550, the Dutch Church at Austin Friars was an institution of central importance to the community of Dutch-speaking migrants in London throughout the seventeenth century.²⁴ Although formally under the ecclesiastical supervision of the Church of England, from its re-foundation in 1560 following its disbandment under Mary, the Dutch Church held a broad autonomy both in its form of worship and internal governance.²⁵ The Dutch Church at Austin Friars organised itself and worshipped in accordance with the Reformed beliefs of the Dutch-speaking migrants who composed its membership.²⁶ Despite attempts by Archbishop Laud to remove this autonomy and force the Dutch Church to conform to Anglicanism in the 1620s and 1630s, the church's autonomy and Reformed worship and governance were largely maintained throughout the seventeenth century.²⁷ The church ministered to its migrant community both spiritually and materially, as well as acting as a disciplinary institution which regulated the moral behaviour of its congregants.²⁸

The Dutch Church at Austin Friars served as the main point of contact between the Dutch-speaking stranger community and English authorities, frequently acting to represent the community's interests and aid in negotiations between this community and English authorities.²⁹ Although not all Dutch-speaking migrants were members of its congregation, membership levels were high enough to allow its centrality. In the first decade of the seventeenth century, around eighty percent of Dutch-speaking migrants in London were members of the Dutch Church at Austin

²⁴ Grell, pp. 1-2.

²⁵ Littleton, pp. 233-35.

²⁶ Grell, pp. 1-5; Muylaert, pp. 5-9.

²⁷ *Ibid*, pp. 45-50.

²⁸ Pettegree, pp. 182-84.

²⁹ Grell, pp. 5-6.

Friars, though this number began to steadily decline from the 1640s onwards.³⁰ Its concerns were also not exclusively limited to members of their congregation as they frequently ministered to and represented the interests of strangers who were not formally members of their congregation.³¹ While the Dutch Church at Austin Friars cannot be said to map precisely onto the community which it represented, it was nevertheless the central community institution of Dutch-speaking migrants in London.

The governance of the Dutch Church at Austin Friars by a consistory was in accordance with wider norms of governance and authority in Reformed churches. The consistory as a governing body was thus hardly unique to the Dutch Church at Austin Friars; even within London the French Church at Threadneedle Street and the Italian Church at Mercers' Hall were also governed by consistories.³² More widely, the Dutch Church at Austin Friars conformed to a model of ecclesiastical authority shared by Reformed churches across Europe in which consistories served as the chief governing bodies of individual Reformed congregations.³³ Although supra-congregational authority was held by regional and national classis and synods composed of delegates from individual consistories, no individual consistory or congregation held direct authority over another congregation in the Reformed tradition.³⁴ The consistory of the Dutch Church at Austin Friars was both an institution holding authority over the local Dutch-speaking community in London and an institution which served as a node in wider horizontally-organised transnational networks of Reformed consistories and congregations.

Over the course of the seventeenth century, attestation papers shifted from being written entirely in manuscript to being produced predominantly in print. There are no examples of print

30 *Ibid*, pp. 121-22.

31 Pettegree, p. 182.

32 Littleton, pp. 233-35.

33 Benedict, pp. 431-42; Lipscomb, pp. 62-65; Schilling, pp. 15-17; Watt, pp. 1-4.

34 Benedict, pp. 431-42; O. Boersma and Auke Jelsma (eds.), *Unity in multiformity: The minutes of the Coetus of London, 1575 and the consistory minutes of the Italian Church of London, 1570-1591* (London: Huguenot Society of London, 1997), pp. 11-20; Adrian Charles Chamier (ed.), *Les actes des colloques des églises françaises et des synodes des églises étrangères réfugiées en Angleterre 1581-1654* (London: Huguenot Society of London, 1890), pp. 68-75; Watt, pp. 1-4.

attestations produced prior to the 1640s in the Dutch Church's records.³⁵ The first example of a printed attestation received by the Dutch Church at Austin Friars was an attestation in Dutch from a church in Amsterdam filled in on 29 January 1642.³⁶ In the 1640s and 1650s, attestations in Dutch from churches in the Dutch Republic, particularly in large cities such as Amsterdam and Rotterdam, began to be produced in print in increasing numbers.³⁷ This shift to printed forms by Reformed churches in the Dutch Republic occurred alongside a wider movement towards the use of printed forms by authorities in the Dutch Republic from the early seventeenth century onwards, and which intensified beginning in the 1630s.³⁸ Some Dutch Churches outside of the Low Countries also began to produce attestations in print. For instance, the 1655 attestation of Peter Cornelius who received an attestation from the Dutch Church in Hamburg before departing for London was printed.³⁹ However, during this period, significant numbers of Dutch language attestations continued to be written in manuscript. It is not until the 1680s that I have found examples of attestations printed in languages other than Dutch. The French Church at Threadneedle Street in London began to produce attestations in print by 1682 at the latest.⁴⁰ Similarly, there are a number of examples of English churches, both in England and the Low Countries, producing attestations in print in the 1680s.⁴¹ There are examples of print attestations produced in German from Frankfurt beginning in 1685.⁴² By the 1680s, a large majority of the Dutch-language attestations, and thus of the attestations received by the Dutch Church at Austin Friars generally, were produced in print.⁴³

Printed attestations were invariably produced as gender-neutral forms. In the 1686 attestation of Anna Ransom from the English Church of Amsterdam, while the majority of the text

35 *Ibid.*

36 LMA CLC/180/MS07386/003.

37 *Ibid.*

38 Andrew Pettegree and Arthur der Weduwen, 'Forms, Handbills and Affixed Posters: Surveying the Ephemeral Print Production of the Seventeenth-Century Dutch Republic', *Quaerendo*, 50 (2020), 15-40 (pp. 32-36).

39 LMA CLC/180/MS07386/003.

40 LMA CLC/180/MS07386/006.

41 *Ibid.*

42 *Ibid.*

43 *Ibid.*

was printed, the printer had left blank spaces both for gendered pronouns and gendered terms such as ‘brother’ or ‘sister’(see Figure 2.1).⁴⁴ This practice was not unique to the English Church of Amsterdam and was frequently used in attestations printed in English, Dutch and French.⁴⁵ This kind of gender-neutral form was also not unusual more broadly. Apprentice indentures began to be printed in London as gender-neutral forms in increasing numbers from the latter half of the seventeenth century onwards, which was roughly the same time period in which female apprenticeships became increasingly common.⁴⁶ By printing gender-neutral attestations, ecclesiastical authorities both recognised levels of female migration as significant enough to warrant gender-neutral as opposed to male-specific forms and recognised that women’s mobilities were something which it was often necessary for them to grant approval to and facilitate. By producing gender-neutral printed attestations, Reformed consistories endeavoured to use transnational documentary networks to facilitate and regulate female mobilities.

44 LMA CLC/180/MS07386/006.

45 LMA CLC/180/MS07386/003; LMA CLC/180/MS07386/006.

46 Laura Gowing, ‘Girls on Forms: Apprenticing Young Women in Seventeenth-Century London’, *Journal of British Studies*, 55.3 (2016), 447-73 (p. 461).

We the Ministers of the word of God, and the Elders of the Reformed
 English Church in the city of Amsterdam testify by these that *Anna*
Ransom ————— is Member of the
 true Reformed Christian Church, found in the faith and of a good and un-
 blamable life (so far at least as is Knowne to us) The Brethren and
 Overseers of the Church of Iesus Christ in *London* —————
 To which this our Testimony shall be presented: are desired to acknow-
 ledge *her* our *friend* ————— for such and to ad-
 mit *her* to the Holy Communion, and to receive *her* to their
 Christian care and oversight. Actum in our Consistoriall meeting this
17 of Feb: 1646.

In the Name of all the rest and by order.
Richard Goodenough
Secretary

Figure 2.1: Anna Ransom attestation, 1686

The rise in the use of printed attestations reveals the role of transnational networks in the spread of printed forms. In their work on printed forms in early modern England, both Laura Gowing and Naomi Tadmor have argued that the spread of printed forms developed from the previous growth of formulaic bureaucratic manuscript documents, while also representing a movement towards further bureaucratic standardisation.⁴⁷ A similar process is observable in the development of attestations from formulaic manuscript documents to standardised printed forms. However, both Gowing and Tadmor focused on the spread of such standardised forms within England: Laura Gowing examining the use of printed apprenticeship forms by masters in London and Naomi Tadmor analysing the adoption of preprinted settlement certificates by English parish officials, beginning in London and southeastern England.⁴⁸ The adoption of pre-printed forms by Reformed consistories producing attestations in the seventeenth century demonstrates that processes of bureaucratic standardisation were not limited to institutions operating within national boundaries, but rather also developed in transnational bureaucratic networks which transcended national and linguistic boundaries. While pre-printed forms were not adopted by every Reformed congregation at precisely the same time, printed attestations becoming predominant across a diverse but interconnected set of locales within roughly four decades suggests that the consistories who were responsible for producing and using these documents adopted the use of pre-printed forms at least partially in response to a developing bureaucratic preference for printed forms which diffused through transnational Reformed networks.

Despite this transition in medium, the typical texts of attestations remained remarkably consistent over the course of the century. For instance, the 1627 manuscript attestation of Marie de l'Eau written by the consistory at the London French Church to the Dutch Church at Austin Friars stated that 'elle ... est comporté chrétiennement et honnêtement, fréquentant les exercices de piété

47 Gowing, 'Girls on Forms', pp. 447-56; Naomi Tadmor, 'The Settlement of the Poor and the Rise of the Form in England, c. 1662-1780', *Past & Present*, 236 (2017), 43-97 (pp. 48-59).

48 *Ibid.*

et Religion et communiquant a la Sainte Cene du Seigneur, sans aucun scandale qui soit venu a nostre cognoissance' (she ... behaves christianly and honestly, attending exercises of piety and Religion and participating in Communion, without any scandal which has come to our knowledge).⁴⁹ Almost identically, the 1683 printed attestation of Jan Leman and Jeanne de Lobel from the French Church in Amsterdam stated that 'Ils ont participe a la St. Cene, et aux autres exercices de piété publics et solennels, et sont vécus honnêtement et sans scandale, qui soit venu a nostre cognoissance' (They participate in Communion and other public and solemn exercises of piety, and have lived honestly and without scandal which has come to our knowledge).⁵⁰ Despite having been produced six decades apart and by consistories in two different countries, these two attestations contained almost identical phrasing, conveying the same information regarding the consistory's knowledge of the identified person's religious behaviour and congregational participation. This standardisation even extended beyond the European context. A 1653 manuscript attestation written by Samuel Bachiler, a Reformed minister in Dutch Brazil, noted that, 'Henry Kidding and Mary his wife are people of honest life and conversation. They having for these eighteene yeares past or thereabouts lived under my ministrie in Brazilia free from scandall and havinge ordinarily communicated with us as members'.⁵¹ The same information conveyed in European attestations were also present in this attestation as was the use of phrases such as 'honest life and conversation' and 'free from scandal'. The standardisation evident in these texts, both in manuscript and in print, demonstrates the existence of well-established norms of textual communication within transnational networks of Reformed congregations, which attestations were both shaped by and helped to maintain.

Attestation papers were typically primarily concerned with the religious behaviour and congregational affiliation of the identified individual. Alongside details of the mobile individual's

49 LMA CLC/180/MS07386/002.

50 LMA CLC/180/MS07386/006.

51 LMA CLC/180/MS07386/003.

identity and place of residence, the bulk of the texts of attestation papers were generally composed of a description of the identified's religious faith and conduct. A typical example of attestation from 1689 read that,

Mrs Antonetta Wildman hath been for some years, a member of the English Church here at Rotterdam, where she hath lived. Who being sound in the faith, so far as men may judge ... is therefore (now that she leaves this place & goes for England) recommended to the care & inspection of whatsoever Church she may there joyne her selfe unto, for the participation of the publick ordinances of Christ.⁵²

While providing information regarding Wildman's identity, place of residence and destination, this text is primarily concerned with certifying her faith, congregational membership and attesting to her suitability to participating in Communion in a church in her destination. For the purposes of ecclesiastical identification and administration, the most relevant factors of identity were religious faith, confessional identity and congregational membership.

Attestations were a continual and vital part of the documentary infrastructure of the ecclesiastical administration of the Dutch Church at Austin Friars. Attestations were held in the archives of the Dutch Church at Austin Friars alongside other documents of day-to-day clerical administration of the church, such as church registers of membership, baptismal records, certificates of marriage, and the minutes of consistory meetings.⁵³ Dutch Reformed congregations, like other ecclesiastical authorities across Europe, including Anglican parish churches, maintained bureaucratic records including information regarding their members, such as their baptisms, marriages and deaths.⁵⁴ Ecclesiastical authorities sought to maintain documentary records of their memberships as part of their day-to-day administrative functioning. Attestations were, in effect, an extension of this recording of their membership. Attestations typically began with phrases such as 'Lidmaat ... der Gereformeerde Kercke ... is' (is a member of the Reformed Church), 'These are to

⁵² *Ibid.*

⁵³ J.H. Hessels, *Archives of the London-Dutch Church. Register of the Attestations or Certificates of Membership, Confessions of Guilt, Certificates of Marriages, Betrothals, Publications of Banns &c.* (London: D. Nutt, 1892), pp. iii-vii.

⁵⁴ Burke, pp. 146-48; Pettegree, pp. 182-85; Schilling, pp. 27-29.

certify that ... hath been a member of the Church' or 'est membre de l'Église' (is a member of the Church).⁵⁵ In certifying the membership of transnationally mobile individuals, attestations in effect allowed the transferral of bureaucratic records of one congregation to another. The transmission of this information enabled the consistory of the Dutch Church at Austin Friars to recognise an attestation bearer's previous membership in a Reformed congregation and thereby accept them into their own congregation. Given the inherently highly mobile nature of the congregation of Dutch Church at Austin Friars, this transfer of bureaucratic knowledge was essential to the administration of the church.

Attestations fundamentally functioned as a method of transnational communication between congregations. When attestations were produced as pre-printed forms, as well as having spaces for identifying details about the attested individual, such as their name, these forms also included a space for the congregation to which the attestation was being addressed to be written in. In a printed Dutch attestation produced in 1683 by the Reformed church in Dordrecht for a congregant named Reynier Smith, the consistory members preparing the attestation wrote in 'tot London in Englant' (in London in England), thereby specifying that the attestation was addressed to the Dutch Reformed congregation in London (see Figure 2.2).⁵⁶ This manuscript addition was followed by the printed phrase 'den welcken deze onze Attestatie zal werden vertoont' (to whom this our attestation shall be presented), which indicates how these documents functioned in practice.⁵⁷ The mobile individuals identified in these attestations carried these documents with them between congregations and then presented them to congregational authorities at their destination. Attestations were thus documents of transnational communication between congregations which concerned the identities of transnationally mobile individuals, and which required the movements of such individuals to function as documents of transnational communication.

⁵⁵ LMA CLC/180/MS07386/006.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

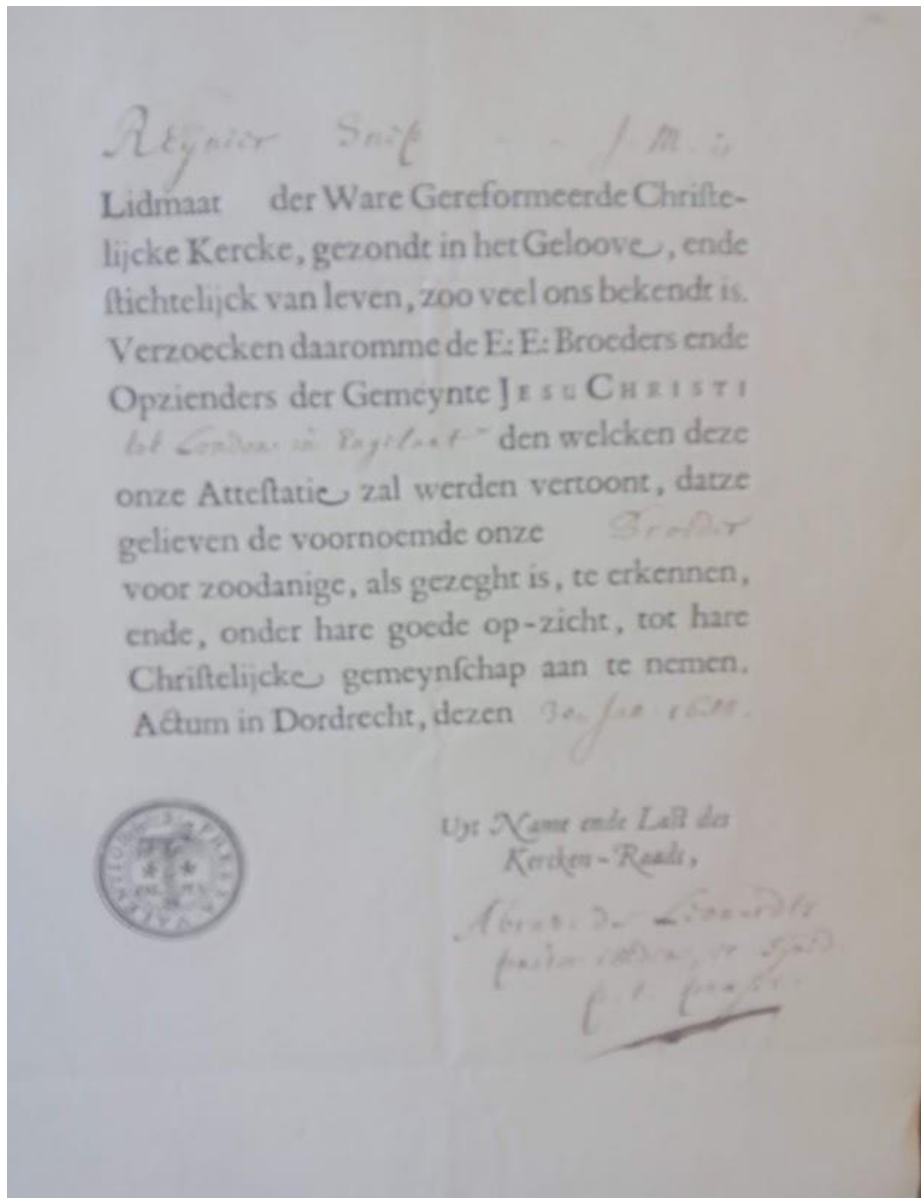


Figure 2.2: Reynier Smith attestation, 1683

The information contained in attestations was verified through the use of signatures and stamps. The bottom of the attestation of Reynier Smith featured the printed text ‘Uyt Name ende Last der Kercken-Raad’ (In the name of the consistory), followed by the signature of ‘Abrams Leonardts pastoor’, the church official who had completed the document.⁵⁸ The attestation also featured the stamp of the Dordrecht Reformed Church (see Figure 2.2). These stamps were a typical feature of printed attestations. While manuscript attestations lacked these stamps, they invariably included the signatures of the church officials who had produced the document.⁵⁹ A typical example of a French-language attestation produced in 1683 by the Walloon congregation in Leiden included the phrase, ‘Les conducteurs de l’ Église dudit lieu et au nom de tous’ (The leaders of the Walloon church of said place and in the name of all) preceding the officials’ signatures. The use of such phrases alongside signatures and stamps established attestations as official documents produced through the authority of the consistory. The use of stamps on printed attestations acted as a documentary mechanism identifying the document with the corporate identity of the congregation and verifying this corporate entity as having produced the document.⁶⁰ Similarly, signatures served as a means of both investing these documents with the authority of the consistory members who produced them and verifying the identities of those officials.⁶¹ Attestations thus featured signatures and stamps as a means of investing these documents with the authority of consistories and the congregations they represented and verifying that the attestation had been produced by their authority.

The use of attestations by the consistory of the Dutch Church at Austin Friars reveals the importance of identification documents to the documentary infrastructure required for the ecclesiastical administration of a highly mobile congregation. While the Dutch Church at Austin

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ Alexandra Bamji, ‘Health Passes, Print and Public Health in Early Modern Europe’, *Social History of Medicine*, 32.3 (2017), 441-464 (pp. 446-52); Groebner, pp. 41-44; Christopher Joby, ‘Law and Order in Exile Communities in Early Modern Norfolk’, *History*, 110 (2025), 227-43 (pp. 240-41).

⁶¹ *Ibid.*, pp. 183-85.

Friars was embedded in the context of London, the mobile nature of its congregation meant that the maintenance of its administrative records depended upon information gathered by other consistories within transnational networks of Reformed congregations. This administrative interdependency of Reformed congregations highlights that the production and use of bureaucratic documents and related administrative processes was not developed only by national governments but also by transnational networks such as those maintained by Reformed congregations.

Attestations: Community Order and Migrants' Agency

Due to their role in determining if migrants were able to join the congregation of the Dutch Church at Austin Friars, attestations were a key mechanism for negotiating belonging and maintaining order in the Dutch-speaking migrant community. For the consistory of the Dutch Church, attestations were a means of maintaining its conception of moral discipline and order within the context of a highly mobile community and the institutional environment of seventeenth-century London. However, the production and use of attestations did not only reflect the interests or agencies of members of consistories. Rather, mobile individuals identified in attestations and the godly communities in which they participated were both central to the production and use of these documents. Mobile individuals who were granted attestations exercised significant levels of agency in relation to their production and use. Dutch-speaking migrants to London deliberately sought out these documents before migrating and once in London made use of them to facilitate their integration into the Dutch-speaking community. Attestations are thus highly revealing both of how the consistory of the Dutch Church at Austin Friars exercised its authority and how interactions with institutional authorities, such as consistories, shaped mobile peoples' experiences of migration. Both the motivations of migrants in seeking out attestations and the interactions which produced them were gendered due to their relation to matters such as marriage and community reputation. Migrants, particularly women, were often reliant on the acceptance of consistorial authorities to

facilitate their movements, but, at the same time, the consistory of the Dutch Church was reliant on migrants and the migrant community more widely in exercising their authority.

Attestation papers reveal that consistories were concerned with establishing and certifying the community reputations of mobile individuals. Attestations almost always included at least a brief phrase referencing the reputations of the identified. For instance, a 1643 attestation noted that, ‘John Jasper... lived with Marie his wife in a laudable hospitious manner well esteemed among all good Christians’.⁶² Similarly, attestations written in French, in both print and manuscript forms, standardly included a phrase affirming that the individual had lived in the parish, ‘sans scandale qui nous soit connu’ (without scandal known to us).⁶³ This phrase was included alongside the declaration that the individual had lived ‘honnêtement & chrétiennement’ (honestly and Christianly) during their time in the parish.⁶⁴ The concern with determining the honours of individuals through community assessments of their reputations evident in attestations reflected wider norms surrounding reputation in early modern Europe; individuals’ interactions and relationships with their neighbours and other communities within which they operated were a primary factor in determining reputation.⁶⁵ However, the consistory of the Dutch Church at Austin Friar’s interest in establishing the prior community reputations of migrants to London was also shaped by the Reformed theology of the Dutch Church. In Reformed theology, it was believed that the presence of morally corrupt individuals in congregations would lead to the corruption of the congregation as a whole.⁶⁶ This belief was a key justification for the strict moral discipline of Reformed churches and their frequent exclusion of individuals they regarded as guilty of immorality from their

62 LMA CLC/180/MS07386/002.

63 LMA CLC/180/MS07386/002; LMA CLC/180/MS07386/003; LMA CLC/180/MS07386/006.

64 *Ibid.*

65 B.S. Capp, *When gossips meet: women, family and neighbourhood in early modern England* (Oxford: Oxford University Press, 2003), pp. 268-72; Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford: Oxford University Press, 1996), pp. 21-24; Cathryn Spence, ‘Women, Gender and Credit in Early Modern Western European Towns’, in *The Routledge History Handbook of Gender and the Urban Experience*, ed. by Deborah Simonton (London: Routledge, 2017), pp. 21-32 (pp. 21-25).

66 Benedict, p. 477-79; Watt, pp. 4-5.

congregations.⁶⁷ The use of attestations by the Dutch Church at Austin Friars was thus motivated in part by its Reformed theology and discipline.

High levels of mobility in the London Dutch-speaking community complicated the practice of Reformed moral discipline. The Dutch Church's consistory was frequently concerned that transnationally mobile individuals utilised movement as an opportunity to conceal previous scandals or immoral behaviour.⁶⁸ The production and use of attestations by networks of Reformed consistories represented an attempt to utilise identification and communication networks to mitigate the potential loss of community knowledge regarding individuals caused by long-distance movement. In their analyses of the ecclesiastical discipline of London stranger churches, Andrew Pettegree and Charles Littleton have both noted that consistories were deeply concerned with preventing their congregants from scandalising their host English communities by pursuing moral offences which risked causing public scandal particularly rigorously.⁶⁹ This concern was the result of the institutional context of London as the Dutch-speaking community was already regarded as a problematic presence by certain London authorities, most notably the livery companies, and the consistory was therefore worried about further offending their host community.⁷⁰ Although attestations have received less attention from scholars than ecclesiastical disciplinary cases, the use of documents to identify newly-arrived migrants was similarly an important means by which the consistory of the Dutch Church sought to navigate this context. Assessing the reputations of would-be congregants was a key mechanism for the consistory of the Dutch Church at Austin Friars in seeking to maintain community order in the context of its governance over a highly mobile community in London.

67 *Ibid.*

68 John Gallagher, 'Travel Testimonies: migrant women's mobilities in London consistory records, c. 1560-1600', in *Crossings: Migrant Knowledges, Migration Forms*, ed. by Natalya Din-Kariuki, Subha Mukherji and Rowan Williams (forthcoming, 2025), pp. 11-12; Spohnholz, pp. 115-20.

69 Littleton, pp. 245-48; Pettegree, p. 189-91.

70 *Ibid.*

Consistories' interests in assessing the reputations and moralities of mobile individuals meant that bearing an attestation furnished migrants with a certification of their honour. This function of attestations was particularly relevant for migrant women. Honour was particularly fragile for women, and women who migrated to London were particularly at risk of gossip or slander accusing them of sexual incontinence before having moved to London.⁷¹ Fears of bigamy and newcomers having existing spouses on the Continent may have meant that interest in the sexual histories of migrant women, upon which honour rested for women, were particularly strong in Protestant migrant communities.⁷² Phrases in attestations which certified that mobile individuals had lived within certain boundaries of community expectations of propriety, including implicitly in terms of sexuality, thus provided mobile women with a proof that they were honourable women when they arrived in their new communities.⁷³ The interests of consistories and mobile women overlapped in that consistories' desire to assess migrants' reputations and moralities as a condition of congregational membership also provided migrant women with an instrument to prove their honour in their new communities.

Attestations were produced by consistories at the request of the individual identified within them. The texts of attestations themselves occasionally reflected that the individual identified within them had asked the consistory to produce the document. The 1644 attestation of Catharine Cross from the English Church at Middelburg noted that, 'the minister and Church Counsell, being desired, have willingly given this our Attestation'.⁷⁴ Attestations were thus in part a product of the requests and initiatives of the identified as opposed to wholly imposed upon individuals by ecclesiastical authorities. Mobile Protestant women had a degree of agency in whether or not they requested an attestation before migrating to London. Attestations were not a legal requirement of English authorities imposed upon migrants but rather were a condition of being granted formal

71 Gowing, *Domestic Dangers*, pp. 20-22; Spohnholz, pp. 122-24; Pettegree, pp. 185-86.

72 Spohnholz, pp. 122-24; Pettegree, pp. 185-86.

73 *Ibid.*

74 LMA CLC/180/MS07386/003.

membership and receiving Communion in the Dutch Church. While the Dutch Church was undoubtedly the central community organisation of London's Dutch-speaking community, significant numbers of Dutch-speaking migrants never formally joined the congregation.⁷⁵ It was feasible for transnationally mobile individuals, including women, to migrate to London without an attestation, although it is difficult to determine the extent of this migration. The nature of the production of attestations as a process voluntarily initiated by transnationally mobile individuals themselves was reflective of the nature of the relationship between individual migrants and the Dutch Church at Austin Friars which was characterised by voluntary association of the migrant to the church and voluntary submission to its authority.

While attestations served the consistory's interest in maintaining community order, for attestations to function, given their voluntary nature, both attestations and the membership in the Dutch Church which they facilitated had to be perceived as in the interests of Dutch-speaking migrants to London. For Dutch-speaking migrants, the primary benefit of having an attestation was that it enabled them to more easily integrate into communities in their destinations and gain a level of community belonging. Although not all Dutch-speaking migrants joined the Austin Friars congregation, membership conveyed social and material benefits.⁷⁶ Taking Communion as a member of the church of one's respective community was a clear signifier of community belonging.⁷⁷ For migrants who desired to gain a measure of belonging in the communities to which they migrated, ecclesiastical documents of identification were a key means of doing so. Attestations, such as the previously discussed 1686 attestation of Anna Ransom, often included phrases such as, 'to which this our Testimony shal be presented, are desired to acknowledge her our sister for such and to admit her to the Holy Communion, and to receive her to their Christian care and oversight'.⁷⁸ Attestations were used by migrants as documents which they presented to gain acceptance and

⁷⁵ Grell, pp. 5-6.

⁷⁶ Pettegree, pp. 185-86.

⁷⁷ Lipscomb, p. 65; Watt, pp. 4-9.

⁷⁸ LMA CLC/180/MS07386/006.

belonging in the Dutch-speaking community through membership in the Dutch Church. While the consistory of the Dutch Church set the terms on which this community belonging was negotiated, the use of attestations also reflects the agency and initiative of migrant women seeking to gain this acceptance.

In highly mobile communities like London's Dutch-speaking community, admittance to the Communion conferred a certain level of community approbation and belonging upon newly-arrived migrants. The 1644 attestation of Catharine Cross written by the minister of the English Church at Middelburg to the Dutch Church at Austin Friars stated that,

upon her entreatie and sufficient approbation of her soundnesse in Christian Religion both for faith and manners was admitted to the Holy Communion ... though not as a member, by reason of the uncertainty of her stayer, yet as a Passenger of approved godlynesse.⁷⁹

As Cross's attestation indicates, mobile individuals did not necessarily stay in a single congregation long enough to be fully admitted members, especially in highly mobile communities like migrant communities both in England and the Low Countries, and often attended services only as 'passengers' or *passantes*. However, as this attestation demonstrates, there were varying degrees of belonging in mobile Reformed communities between simply visiting a church and being a full member, often dependent upon the length of an individual's stay. While Cross's stay was evidently not of a sufficient length to enable her to join the English Church at Middelburg as a full member, it was long enough that she was able to gain the approval of the church's minister regarding her faith and moral behaviour who granted her the level of community belonging conferred by participation in Communion. For migrant women such as Cross who migrated between multiple communities, admittance to the Communion and the ability to be granted an attestation helped to facilitate her ability to integrate into Reformed communities despite her multiple movements.

79 LMA CLC/180/MS07386/003.

Ecclesiastical authorities were particularly concerned with maintaining gendered order in their communities and as such the faiths and moralities of mobile individuals were often assessed on highly gendered terms. In the 1650 manuscript attestation of Susan Newton, written by Robert Gelt, minister of Mary Aldermary in London, Gelt wrote that, ‘having taken notice of hir for diverse years, I have observed it she hath adorned hir faith with such a conversation as becometh women professing Godlynes’.⁸⁰ Here Gelt notes that both Newton’s religious faith and moral behaviour conformed to the gendered norms of behaviour ‘as becometh women’. Newton’s religious faith and morality, two of the key factors in the negotiation of belonging in Reformed stranger churches, were discussed on specifically gendered terms.

The negotiation of women’s belonging in stranger churches reveals that consistories were concerned with attempting to protect their communities from perceived gendered disorder. In Susan Newton’s attestation she is identified as ‘Susan Newton the daughter of Mrs Newton widow’.⁸¹ This description of the marital status of the identified’s parent was untypical for attestations. In early modern communities, widows and households headed by widows were regarded with suspicion as potential sources of gendered disorder given their lack of a male head of household.⁸² These concerns were particularly keen in London’s Protestant stranger communities due to fears that widows were potentially a source of sexually scandalous behaviour, and thus a problem for consistories’ efforts to prevent public scandal and sexual immorality.⁸³ While this attestation facilitated the movement of Newton between congregations within London, as opposed to facilitating long-distance movement as was typical for most attestations received by the Dutch Church, concerns surrounding potential gendered disorder were nevertheless evident. For the audience of this attestation, the consistory of the Dutch Church at Austin Friars, Newton was a potential source of gendered and sexual disorder that could disrupt the stability of their

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² Gowing, *Domestic Dangers*, pp. 22-24.

⁸³ Cottret, pp. 255-57.

congregation and community. The author of this attestation thus wrote that he had ‘taken notice of hir for diverse years’ as a means of assuaging fears that Newton was a disorderly woman by assuring the consistory that she had been sufficiently scrutinised and surveiled by a patriarchal power such as himself as a minister, and that her faith and behaviour had met his standards for the norms of female conduct.

In some instances, concern with women’s moral behaviour as a factor in negotiating community belonging and maintaining gendered order supplanted discussion of religious faith entirely in attestations. The text of the 25 November 1643 attestation of Margaret Clauson noted that ‘Margaret Clauson of the parish of Botolph Aldgate hath for many yeares lived in the said parish as a woman of godly and vertuous conversation among the neighbours’.⁸⁴ This attestation thus certified both that Clauson was morally virtuous and that she had lived as an orderly member of her neighbourhood community. However, the text made no mention of religious habits or if she received Communion, which was highly unusual given the ecclesiastical concerns of attestations.⁸⁵ It was only later that Richard Gibson, the pastor who composed the attestation, added in a further sentence below his initial signature which noted that, ‘shee hath also bene a comunicant in the sacrament of the Lord’s Supper with us’ (see Figure 2.3).⁸⁶ In composing the attestation of a female parishioner, faith and the taking of Communion as aspects of community belonging were initially forgotten about due to the exclusive focus instead on assuring the consistory of the Dutch Church that Clauson was a moral woman who lived peaceably in her community and not a potential source of gendered disorder.

⁸⁴ LMA CLC/180/MS07386/003.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

To all to whom these presents
shall come, Greeting

These are to Certify to all whom it may
concerne that the beare herrof Margaret
Clauſon of the pariſh of Butcher Algate
hath for many yeares liued in the ſaid
pariſh as a woman of a godly and vertuous
conuerſation among her neighbours, and
ſo we hope ſhe will continue untill her death.

In testimony whereof I have herewith ſet
my hand the 25th day of November
1643

ſhe hath alſo bene Richard Gibson Pastor
a Communicant in the ſacrament of the Lord
ſupper with us by the
ſpace of 7 yeares
Richard Gibson

Butcher Algate

(690)

Figure 2.3: Margaret Clauſon attestation, 1643

Migrant women seeking out and utilising attestations highlights that, in exercising agency, early modern women frequently endeavoured to operate within existing gendered structures and institutions. Recent research on women's lives in early modern England has often emphasised that women's daily lives frequently involved a wider range of activities than has previously been supposed.⁸⁷ Similarly, work on gender and migration has demonstrated that early modern women engaged in movement across long distances.⁸⁸ However, as demonstrated by migrant women's use of attestations, early modern women's exercise of agency always operated within a field of action in which patriarchal institutions endeavoured to determine the range of acceptable female behaviour. While early modern women did engage in a very broad range of activities, including long-distance migration, agency should not be located only in their abilities to engage in these activities but also in their efforts to receive permission or support for these actions from patriarchal authorities.

For Dutch-speaking migrants to London, attestations provided a proof of marital status. To be married in the Dutch Church in London one had to be a member of the congregation, and Dutch-speaking migrants who wished to be able to be married in the Dutch Church thus needed to present an attestation to the consistory.⁸⁹ In part, the inclusion of marital status reflected the interests of the Reformed consistories of mobile communities who displayed continual concerns about the possibility that long-distance mobility enabled newcomers to their communities to commit bigamy by concealing previous marriages and remarrying while their spouses were still alive.⁹⁰ However, this transfer of information regarding marital status also provided a benefit to those unmarried

87 Amy Froide, *Never Married: Singlewomen in early modern England* (Oxford: Oxford University Press, 2005), pp. 70-78; Charmian Mansell, 'Beyond the Home: Space and Agency in the Experiences of Female Service in Early Modern England', *Gender & History*, 33.1 (2021), 24-49; Jane Whittle and Mark Hailwood, 'The gender division of labour in early modern England', *Economic History Review*, 73.1 (2020), 3-32 (pp. 22-26).

88 Liesbeth Corens, *Confessional Mobility and English Catholics in Counter-Reformation Europe* (Oxford: Oxford University Press, 2019; Esser, pp. 16-19; Vanessa Harding, 'Families and households in early modern London, c. 1550-1640', in *The Oxford Handbook of the Age of Shakespeare*, ed. by M.R. Smuts (Oxford: Oxford University Press, 2016), pp. 596-615 (pp. 598-600); Rosemary Sweet, Gerrit Verhoeven and Sarah Goldsmith, 'Introduction' in *Beyond the Grand Tour: Northern Metropolises and Early Modern Travel Behaviour*, ed. by Rosemary Sweet, Gerrit Verhoeven (London: Routledge, 2017), pp. 1-24 (pp. 8-12).

89 Spohnholz, p. 115.

90 Gallagher, pp. 11-12; Spohnholz, pp. 115-17.

mobile individuals listed as bachelors and spinsters by furnishing them with evidence of their unmarried status in an environment in which concerns surrounding bigamy were widespread. Similarly, the identification of married couples together, such as the 1646 attestation from the Walloon Church of Middleburg of ‘Andre Mina et sa femme Annette Colombir’ provided this couple with a document they could provide to the consistory of Austin Friars which demonstrated the validity of their marriage according to another Reformed consistory.⁹¹ It is unclear where Mina and Colombir were initially married and, given that they had previously belonged to another migrant congregation, the Walloon Church in Middelburg, it is possible that the couple were two movements, or even more, removed from the site of their marriage. The inclusion of marital status in attestations thus served as another motivation for individuals to seek out these documents by providing them with proof of their marital status in a context in which original records providing this evidence were often difficult to access due to distance or other disruptions common in migrant communities.

In some instances, attestations served to determine or facilitate access to relief for poor migrants. Although being a formal member of the congregation was not a requirement for receiving relief from the Dutch Church as a Dutch-speaking migrant in London, the consistory’s perception of the moral behaviour of the applicant was often a factor in whether they were determined to be eligible for relief.⁹² Given that attestations provided a certification of bearers’ moral behaviour, for many newly-arrived migrants in need of relief, attestations were likely key to their ability to receive aid from the Dutch Church. In helping to determine eligibility for relief, attestations assisted in the consistory’s efforts to maintain stability in the Dutch-speaking migrant community in London. For Protestant transnational migrant communities, including the Dutch-speaking community in London,

91 LMA CLC/180/MS07386/003.

92 Pettegree, pp. 182-84; Laura Hunt Yungblut, “‘Maintayninge the indigente and needie’: The institutionalisation of social responsibility in the case of the resident alien communities in Elizabethan Norwich and Colchester”, in *From Strangers to Citizens: The Integration of Immigrant Communities in Britain, Ireland and Colonial America, 1550-1750*, ed. by Randolph Vigne and Charles Littleton (Brighton: Sussex Academic Press, 2001), pp. 99-105 (pp. 100-02).

the ability to provide relief was a frequent concern as consistories were often unable to provide sufficient relief to newly-arrived migrants in need.⁹³ For the consistory of the Dutch Church, the ability to provide relief was also highly relevant to order and the community's position in London. Maintaining the at times fragile relationship between the Dutch Church and English authorities depended upon the consistory's ability to provide relief to Dutch-speaking migrants in London, who were excluded from English parish relief.⁹⁴ The function of attestations in determining eligibility for relief thus made these documents of benefit both to migrants requiring relief and the consistory who needed to maintain an orderly system for providing relief in order to maintain the position of the Dutch Church in London.

Ecclesiastical documents of identification reveal that consistories were reliant on community knowledge produced by women in the assessments of identified individuals' moralities and reputations which were central to these texts. The 1643 attestation of Margaret Clauson referred to her as 'a woman of godly and vertuous conversation among the neighbours'.⁹⁵ Similarly, the 1649 attestation of Susan Newton noted that she had been observing as having 'such a conversation as becometh women professing Godlynes'.⁹⁶ Earlier, these attestations were cited as examples of the moral surveillance placed upon migrant women by ecclesiastical authorities. However, this very surveillance also paradoxically gave power to the socialisation of migrant women with their neighbours as a source of information. Attestations such as Newton's reveal the extent to which women were involved in producing this reputational knowledge about themselves; women were frequently actively involved in the community networks which produced their reputations. Lena Cowen Orlin has argued that in early modern London, mutual community surveillance was expected to such an extent that attempts to resist it were often viewed as a violation of community

93 Chrystel Bernat, 'Rethinking the Refuge: A Systemic Approach to Huguenot Communities in the Dutch Republic', *Church History and Religious Culture*, 100 (2020), 439-55 (pp. 441-43); Pettegree, pp. 182-85; Spohnholz, pp. 113-15.

94 Grell, pp. 46-48.

95 LMA CLC/180/MS07386/003.

96 *Ibid.*

prerogative.⁹⁷ Within such a set of norms, it is not surprising that migrant women were complicit in their own surveillance and attempted to make use of this surveillance to their own ends by securing a positive proof of their community reputation in the form of an attestation.

The importance of women's knowledge and speech in regulating migration and community belonging demonstrated in attestations reveals that Reformed consistories were reliant upon female community members in the governance of their communities in a wider range of interactions than has previously been supposed. In her work on women in consistorial disciplinary records from Calvinist Nîmes, Suzannah Lipscomb has argued for the importance of women's agencies in their interactions with the consistories, demonstrating that consistorial discipline provided women with an avenue through which they could pursue their own aims and seek justice.⁹⁸ At the same time, Lipscomb notes that these disciplinary cases were fundamentally shaped by the Reformed consistory's pursuit of patriarchal moral discipline.⁹⁹ Due to her focus on disciplinary cases, Lipscomb has argued that women most typically interacted with Reformed consistories in relation to consistories' efforts to regulate sexual behaviour in the communities over which they held authority.¹⁰⁰ However, while attestations were also concerned with sexual morality and gendered order, the role of women in providing information to the consistories for use in attestations was not limited to sexual matters but rather extended to include the regulation of migration and community belonging more broadly. While, due to the nature of disciplinary cases, the women analysed in Lipscomb's research were often in conflict with the consistory or a fellow community member, women's interactions with consistories and within Reformed communities were not necessarily combative. Rather, in the production of attestations, the interests of the women involved in production, the consistory and the godly community more widely all broadly aligned due to a

97 Lena Cowen Orlin, *Locating Privacy in Tudor London* (Oxford: Oxford University Press, 2007), p. 10.

98 Lipscomb, pp. 4-8.

99 *Ibid*, pp. 62-70.

100 *Ibid*.

shared interest in mutual community surveillance and the facilitation or regulation of migration and community belonging.

The language of attestations often reflected a sense of uncertainty and doubt that reveals that consistories were aware of the limitations of their powers in identifying individuals. English-language attestations often included a phrasing noting that the identified had lived without any ‘scandale so farre as is come to our knowledge’.¹⁰¹ Dutch-language attestations frequently included a phrase describing the identified as ‘gesont in het Geloove ende stichtelijck van Leven, immers soo veel ons bekent is’ (healthy in faith and pious in life, so much as is known to us).¹⁰² These phrases, while attesting to the identified individual’s moral behaviour while a member of the congregation, also acknowledged that this assessment was derived only from their community’s knowledge hinted at an implicit limit to this knowledge. The 1641 attestation of Elizabeth Sion noted that she ‘in her outward carriage hath without all exception lived an honest, sober, peacefull and religious life’.¹⁰³ Although the attestation described Sion’s character in glowing terms, it also made sure to note that this description was only judged from her ‘outward carriage’. Given the keen interest of Reformed congregations in utilising attestations to assess and verify religious faith, the officials creating these documents inevitably became interested in attempting to access individuals’ interior selves. While early modern authorities often attempted and struggled to gain information regarding individuals’ interior selves due to confessionalisation, the difficulties of doing so were particularly apparent in communities such as the Dutch-speaking community in London where a large proportion of members arrived as religious refugees who had experience with hiding their religious persuasions.¹⁰⁴ While attestations reflected attempts on the parts of church officials to assess mobile

101 LMA CLC/180/MS07386/002; LMA CLC/180/MS07386/003; LMA CLC/180/MS07386/006.

102 *Ibid.*

103 LMA CLC/180/MS07386/003.

104 Miriam Eliav-Feldon, ‘Introduction’ in *Dissimulation and Deceit in Early Modern Europe*, ed. by Miriam Eliav-Feldon and Tamar Herzog (London: Palgrave Macmillan, 2015), pp. 1-7 (pp. 1-5); Orlin, pp. 9-11; Perez Zagorin, *Ways of Lying: Dissimulation, Persecution and Conformity in Early Modern Europe* (Cambridge, Massachusetts: Harvard University Press, 1990), pp. 8-14.

individuals' interior faith, they also recognised the inherent limitations of their ability to gain access to this sphere of the self.

Concerns surrounding limits to community knowledge of an individual were likely further exacerbated by mobility. Sion's attestation also noted that the consistory's knowledge of her character, to which they testified in the attestation, was limited to 'for long as we have known her'.¹⁰⁵ Individuals' movements meant that ecclesiastical authorities and the communities they represented had often not known members of their communities their entire lives, and often for relatively short periods, and there was thus a sense of uncertainty or doubt regarding whether individuals had been involved in any scandals or misdeeds prior to joining their communities. Mobility further challenged church authorities' ability to have knowledge of individuals' private selves and behaviours.

Although the texts of attestations reflected consistories' interests in using these documents as a means of maintaining moral discipline and community order, the production and use of these documents reveals that the maintenance of this order was reliant upon the godly community and the mobile people identified in these documents themselves. The attestations of the Dutch Church at Austin Friars demonstrate that migrants, including migrant women, held a large degree of agency both in the production and use of these documents and in their interactions with the consistory of the Dutch Church more broadly. The transfer of bureaucratic information and community knowledge enabled by migrants voluntarily bearing attestations was crucial to the consistory of the Dutch Church's efforts to maintain Reformed moral discipline and community order in a highly mobile community. However, the benefits provided by attestations in facilitating movement, enabling community acceptance, and proving marital status provided powerful motivations for mobile individuals to seek out attestations, and likely constrained the ability of many to choose to move to London without one, particularly for migrant women. The interactions between migrant

¹⁰⁵ LMA CLC/180/MS07386/003.

women and the consistory of the Dutch Church at Austin Friars were not merely characterised by a submission to and reliance on the authority of the consistory on the part of women, but rather the consistory was directly reliant upon information provided to them by women in producing attestations. The production and use of attestations does not reveal a relationship of simple domination of authorities over identified individuals but rather one in which attestations proliferated due to them providing benefits to both consistorial authorities and mobile individuals.

The Privy Council, City and County-level officials and Identification

The role of the Privy Council alongside city and county-level officials in the production and use of returns of aliens reveals the nature of these documents of identification as an important mechanism of political communication within the hierarchical structures of English authority in seventeenth-century London. It was the Privy Council who both initially ordered the production of returns of aliens and who were the ultimate audience for the completed returns.¹⁰⁶ Returns of aliens were ordered by the Privy Council at various junctures in response to political circumstances. The 1618 return was coincided with heightened confessional tensions in continental Europe, whereas the 1635 and 1639 returns were ordered in response to an economic downturn in England. The interests of the Privy Council in responding to these circumstances crucially shaped how individuals were identified in each return. The Privy Council's orders were transmitted to the local officials who completed the returns—either parish constables or City aldermen—through the City of London's Lord Mayor and suburban Justices of the Peace, who in turn compiled and then returned the completed returns to the Privy Council. City and county-level officials operated as a nexus through which political information was transmitted, enabling the identification of transnational migrants in seventeenth-century London. Returns of aliens were both shaped by processes of political communication between the Privy Council and city and county-level officials, and in themselves

¹⁰⁶ Irene Scouloudi, *Returns of Strangers in the Metropolis 1593, 1627, 1635. 1639: A Study of an Active Minority* (London: Huguenot Society of London, 1985), pp. 95-100; Yungblut, *Strangers Settled Here Among Us*, pp.14-19.

served as documents which communicated political information key to English authorities' efforts to govern transnational migrants.

A multiplicity of English authorities were relevant to the governance and identification of transnational migrants in seventeenth-century London. Returns of aliens were compiled in both the City of London itself and the surrounding suburbs in Middlesex and Surrey. The production of these documents thus involved multiple distinct sets of authorities who often operated in distinct manners. Importantly, while the corporations played a key role in governing the City of London, no equivalent authority existed in the suburbs.¹⁰⁷ While in the City, parish officials were overseen by the legislative council, wardmotes and the Lord Mayor, in the suburbs, this county-level overseeing of parishes was the responsibility of Justices of the Peace.¹⁰⁸ These distinctions are relevant given both the broadly antagonistic relationship between the corporations and the stranger communities and that the organisation of authority was generally more centralised in the City of London and more diffuse in the suburbs.¹⁰⁹ Both of these factors became relevant to the identification of transnational migrants by English authorities. Living in the metropolis of London entailed navigating interactions with sets of officials organised into multiple levels of authority, such as parish officials and city or county officials, and with discrete sets of parallel authorities in the City of London and surrounding counties.

The divergent structures of authority in the City of London and the surrounding suburbs were reflected in the compilation of returns of aliens from these areas. Returns from the City of London were compiled as a single document by the Lord Mayor's office. The 1618 return from the City of London was a sprawling 176-page document which began with a paragraph introducing it as

A true certificat of the names of the Strangers residing and dwelling within the City of London and the liberties thereof ... According to a view taken in the time of the

¹⁰⁷ Archer, pp. 100-11.

¹⁰⁸ Vanessa Harding, 'Controlling a Complex Metropolis, 1650-1750: politics, parishes and powers', *The London Journal*, 26.1 (2001), 29-37 (pp. 29-34).

¹⁰⁹ *Ibid*; Archer, pp. 131-34.

mayorality of the right honorable Sr George Bolles Knight and Lord Maior of the City of London by the directions of ... his Majesties Most Honorable Privye Councell.¹¹⁰

This introduction was then followed by a list of strangers by ward ordered alphabetically. In contrast, returns from the suburban counties were not compiled in a singular document. The 1635 return of aliens from Surrey was sent from the Justices of the Peace to the Privy Council with an introductory note stating ‘we have made diligent inquiry by the Constables ... which the Constables of any parish aforesaid have made certificat unto us in writing; which certificates for your Lordships better satisfaction we thought fitt to annex hereunto’.¹¹¹ This note was then followed by loose-sheet returns from each individual parish, which the Justices of the Peace forwarded to the Privy Council. This difference in formatting reflected the differing structures of authority in the City of London compared to the suburbs. The Lord Mayorality’s decision to compile the returns was likely made more feasible by them receiving returns from aldermen who were responsible for overseeing wards, each composed of several parishes, as opposed to in Middlesex and Surrey where Justices of the Peace received returns from constables of individual parishes. These divergences in presentation were important in that, as texts of political communication, the decision of the City mayoral authorities to compile their returns into a single document in contrast to the returns forwarded on by suburban Justices of the Peace both represented and reinforced the more centralised governmental structures of City of London authorities.

National authorities, including Parliament and the monarchical Privy Council, were also relevant to the governance of London. In analysing national authorities, this chapter almost exclusively focuses on the Privy Council as opposed to Parliament due to the centrality of the Privy Council to the governance of transnational migrant communities in London. Both the Dutch Church at Austin Friars and the French Church at Threadneedle Street had been founded by royal charter and, as a result, the stranger churches regarded themselves as in direct relation to the Crown.¹¹² Due

110 TNA SP 14/102 f.1, ‘Certificate of the names of strangers dwelling in London and its liberties’, September 1618.

111 TNA SP 16/304 f. 132, ‘Returns of strangers born now dwelling in Southwark and other parishes’, 19 Dec. 1635.

112 Muylaert, pp. 74-75.

to this relation, the consistories of the stranger churches addressed petitions regarding issues affecting them or their communities to the Privy Council, including those involving other English authorities with whom their relationships were frequently more antagonistic, such as the London companies.¹¹³ Due to the perceived benefit Dutch-speaking migrants brought to the national economy due to their skills in textiles and related industries, members of the Privy Council were often relatively sympathetic to the community compared to London institutions who viewed them as a problematic source of economic competition and discontent.¹¹⁴ Likely in part because of this existing relationship, the Privy Council was responsible for ordering the production of returns of aliens.¹¹⁵ Many returns of aliens, such as those completed in 1593, 1627, 1635 and 1639 were at least partly motivated in response to complaints by London companies to the Privy Council of the allegedly growing numbers of strangers in the metropolis.¹¹⁶ The Privy Council thus assumed a level of responsibility for overseeing communities of transnational migrants in London organised predominantly around the stranger churches and in doing so frequently acted to mediate between the stranger churches and other London institutions, most notably the livery companies.

Given the involvement of multiple sets of officials at various levels of authority in their production, returns of aliens functioned as documents of communication transferring information between levels of authority. Following the transmission of the Privy Council's orders to produce a return to local officials, these local officials then sent the returns to the city or county-level officials who had transmitted the Privy Council's orders to them. A return from Redriff, Surrey in 1635 was addressed 'To the right worshipful Sr Thomas Grymes Kt and others his Majesties Justices of the Peace in the County of Surrey'.¹¹⁷ The text of the 1635 return from St. Saviour, Southwark began by stating 'According to your warrant and dyrection we the Constables of Saint Savyors in Southwarke

¹¹³ Archer, pp. 131-34; Luu, pp. 5-8.

¹¹⁴ *Ibid.*

¹¹⁵ Scouloudi, pp. 57-58.

¹¹⁶ *Ibid.*

¹¹⁷ TNA SP 16/302 f. 73, 'Return of the Constables of Redriff, Surrey', 1635.

have made search and enquiry and doe likewise certyfie of the names and occupations of all the strangers borne, inhabiting and lodging within our sayd parish'.¹¹⁸ This return was in effect a document communicating between the constables of St. Saviour and the Justices of the Peace for Surrey which conveyed to the Justices of the Peace the information—the identities of strangers residing in the parish—which the Justices of the Peace had requested through a previous document conveying their orders to the constables. Justices of the Peace then transmitted this information to the Privy Council, who had initially ordered the return. While returns of aliens ultimately transmitted the identifying information they contained from local officials to the Privy Council, city and county-level officials were key to the transmission of identifying information from local officials to national authorities.

The Privy Council's ordering of returns of aliens has important implications for understanding the development of information-gathering practices in seventeenth-century England. Paul Slack has argued that it was in seventeenth-century England where the utility to authorities of gathering and systematising large amounts of social and economic data was first fully appreciated.¹¹⁹ Paul Griffiths has analysed the development and considerable expansion of the state practice of 'surveying' populations in sixteenth and seventeenth-century England, and has highlighted the centrality of parishes and local officials to these practices of information-gathering.¹²⁰ However, both Slack and Griffiths have argued for the importance of Restoration-era efforts ordered by the Privy Council to census the population of England for the purposes of tax collection and assessing the number of Anglican communicants in England, such as the 1662 Hearth Tax and the 1673 Compton census, in the development of information-gathering as a method of governance.¹²¹ These efforts were aimed at collecting information on the English population as a whole to resolve economic and political questions, such as the tax base available to national

118 TNA SP 16/302 f.77, 'Return of the Constables of St. Saviour, Southwark', 20 November 1635.

119 *Ibid.*

120 Griffiths, 'Surveying the People', pp. 39-43.

121 *Ibid*; Slack, 'Government and information in seventeenth-century England', pp. 46-50.

authorities or the strength of the Anglican church.¹²² Similarly, the returns of aliens were aimed at surveying the totality of a population in order to contend with economic and political questions. However, these efforts developed significantly earlier, during the Tudor period, and were aimed at a localised migrant population that was regarded as potentially dangerous, both politically and economically, and in need of particular surveillance. The concentration of stranger communities in London and the political controversy surrounding their presence thus led them to be subject to processes of surveillance and information-gathering more intensively and far earlier than the English population as a whole. Efforts by seventeenth-century English authorities to surveil and collect information about the English population as a whole were thus prefigured by those aimed at surveiling a smaller, more densely concentrated population of transnational migrants that was perceived as potentially dangerous.

Analysing the interactions between national and London authorities in identifying transnational migrants allows for a fuller understanding of the functioning of institutional authority in seventeenth-century England. Traditional political histories of the Privy Council, such as those written by G.E. Aylmer and G.R. Elton, have tended to take a top-down approach and focused on questions surrounding the centralisation of state power in Tudor and Stuart England.¹²³ At the same time, histories of institutional authority in London, such as Ian Archer's and Steve Rappaport's, have tended to emphasise the fundamentally local nature of authority and governance in early modern London.¹²⁴ The identification of transnational migrants through returns of aliens, as a process involving actors at the local, city or county, and national levels, requires connecting these historiographies. To do so requires contextualising the Privy Council as an institution that was

¹²² *Ibid.*

¹²³ Aylmer, *The King's Servants*, pp. 7-8; Christopher Coleman, 'Introduction', in *Revolution Reassessed: Revisions in the History of Tudor Government and Administration*, ed. by Christopher Coleman and David Starkey (Oxford: Clarendon Press, 1986), pp. 1-12 (pp. 1-6); G.R. Elton, 'Tudor Government: The Points of Contact II. The Council', *Transactions of the Royal Historical Society*, 25 (1975), 195-211 (pp. 197-202).

¹²⁴ Archer, pp. 58-61; Hindle, *The State and Social Change in Early Modern England*, pp. 18-22; Steve Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth-Century London* (Cambridge: Cambridge University Press, 1989), pp. 1-5.

fundamentally shaped by practices of information-gathering and political communication. The bulk of the work undertaken by the Privy Council was composed of either dealing with incoming communications, such as letters and petitions, or issuing outgoing ones, such as warrants, writs and charters.¹²⁵ The identification of transnational migrants in London ordered by the Privy Council was thus a part of its wider function as a central node in English networks of governmental information-gathering and political communication. Given that the Privy Council also frequently dealt with petitions and letters from and regarding the stranger communities in London, the identification of transnational migrants was part of wider practices of political communication in governing migrant communities in London. An analysis of the identification of transnational migrants in seventeenth-century London connects the top-down histories of national authorities and bottom-up histories of local London institutions by revealing information and communication as the sinews connecting different levels of authority.

The ordering of each return of aliens by the Privy Council was in response to a particular political context. The 1618 return of aliens coincided with the outbreak of the Thirty Years' War and was thus produced during a period when political and confessional tensions in Europe were particularly high. The returns of 1635 and 1639 were both ordered by Charles I's Privy Council against the background of an economic downturn and the related repeated complaints of City of London companies alleging that an increase in the number of strangers in the City and surrounding suburbs was leading to the impoverishment of their members.¹²⁶ These backgrounds shaped the production of these returns both in prompting their production and in shaping what identifying details were thought relevant to be recorded in their texts. While the orders sent from the Privy Council to city or county-level officials directing the production of returns were not preserved in the State Paper Office, some of the content of these directions can be surmised from the emphasis on the recording of different factors of identity in various returns. Returns of aliens were not motivated

¹²⁵ Aylmer, *The King's Servants*, p. 13.

¹²⁶ Scouloudi, pp. 95-96.

simply by a desire to identify and gather information regarding transnational migrants for its own sake nor by a teleological expansion of the information-gathering practices of English authorities but rather by the use of these techniques as a mechanism of governance by these authorities in response to particular political and social circumstances.

The return of 1618 displayed a particular interest in the identified migrants' places of birth, and relatedly, under what government's sovereignty they were born. A typical entry from the 1618 return from St. Thomas, Southwark stated, 'Andrews Washman Borne in Hie Jarmin [High Germany] under the prince of Bronesberg By profession an Inbrotherer a Maister'.¹²⁷ Another example from St. Saviour, Southwark read, 'Peter Corge... borne at Liell in Flaunders under the Archduke a dier by trade of 14 years continuance'.¹²⁸ Alongside the names and occupations of these individuals, the 1618 return also provided both the place of birth of these migrants and the corresponding sovereign of that place. In a particularly revealing example from the 1618 return from Newington, Bermondsey, while the main text of the entry read 'Catherine Niv borne in the Country of Dutchland nowe the wife of Richard Bibbind householder', beneath this text was added 'She came an infant into England and knowes not under whose government she was born'.¹²⁹ This entry demonstrates that in the encounter between the parish constables gathering this information through inquiry and the identified individuals the constables specifically asked the identified about under what government they had been born. In early modern English understandings of political allegiance, subjects owed a 'natural allegiance' to the sovereign within whose territory they were born.¹³⁰ This concept led to difficulties for strangers in England as although they were understood to owe a 'temporary allegiance' to the English Crown, their 'natural allegiance' was nevertheless considered to be a factor of continuing relevance.¹³¹ Aliens from countries allied to England and

127 TNA SP14/99 f.46, 'Return from the parish of St. Thomas, Southwark', 1618.

128 TNA SP 14/99 f.44, 'Return from the parish of St. Saviour, Southwark', 1618.

129 TNA SP 14/99 f.43, 'Return, by the Constables of Newington, Bermondsey', 1618.

130 Kathleen Commons, 'Duplex and Reciprocal Obligation: Calvin's Case (1608) and the development of early modern English citizenship', *Historical Research*, 20 (2024), 1-13 (4-10); Scouloudi, pp. 1-3.

131 *Ibid.*

aliens from enemy nations were accorded different rights.¹³² Determining the ‘natural allegiance’ of strangers living in London was thus relevant to determining both the perceived political allegiances of the identified strangers and their political statuses within England. Given the developing political-military crisis in continental Europe in 1618, the authorities involved in producing the 1618 return of aliens was keenly interested in assessing the political allegiances of transnational migrants by determining under what government they had been born.

In some instances, the specific interests of a particular return determined whether a patriarchally-subordinated individuals’ identity was recorded in a return. As was typical for seventeenth-century documents of identification, the identities of patriarchally-subordinated individuals were generally subordinated textually to the identity of a head of household, but the extent to which their identities were recorded in any detail varied greatly. For instance, while one entry from the 1618 return from St. Thomas, Southwark stated ‘Nicholas Bellow and his wyfe both Borne at Welington in France’, another stated ‘Audrian Wedler and Ellin Medler his wyfe. He was Borne in Arges in Flanders he a silckweaver. Ellin Medler his wyfe borne in Giccringbancke in Braben’.¹³³ While the parish constables who created the return for St. Thomas, Southwark identified both women within the household alongside their husbands, Medler’s identity was recorded with a greater level of detail due to her having a different place of birth to that of her husband. The focus of the 1618 return on determining the places of birth and natural allegiances of identified individuals thus shaped the identification of patriarchally-subordinated individuals in the return, alongside normative standards of identification in which these individuals’ identities were typically subsumed.

In comparison, the 1635 and 1639 returns displayed a greater focus on collecting occupational information regarding the identified strangers. Many of the entries in the 1635 return

¹³² *Ibid.*

¹³³ TNA SP14/99 f.46.

were quite detailed and contained significant amounts of information about occupational status and work relations. A particularly detailed entry from Cripplegate Within in 1635 stated

Christopher Mercere of the Age of fyfty yeares or thereabout by trade a jeweler he hath lived in this parish [blank] yeares he was borne in the Kingdom of Bohemia his wife was an English woman he hath living eight children he hath one apprentice his name is Peeter Ruben about the age of sixe and twenty yeares he was borne in Holland and hath bin with him eight yeares and upwards. He keepeth two men servants more and a mayd servant beinge all English borne.¹³⁴

While this entry is quite comprehensive—providing information including individuals' ages, lengths of residence in England and place of birth—a focus is evident on the occupation exercised by those in the household and labour relations within the household, particularly focusing on whether those working within the household as apprentices and servants were strangers or English. Produced in response to the complaints of City of London companies, the 1635 return reflected the companies' frequent concerns and complaints that strangers employed illegally large numbers of stranger apprentices and servants by collecting information regarding the occupational status and household labour relations of stranger households.¹³⁵

The 1639 return included far less information about the individuals identified but invariably included information regarding their occupational status. In typical examples, from St. Saviour, Southwark, migrants were identified as 'Peter Mull, Basketmaker and his wife both Dutch' and 'Martine Van Vovenne Basketmaker, Dutch'. Similarly, a household in the return from Westminster in 1639 who were identified as 'Dutch in the parish of Weston' were simply listed as 'Peter Caree. A waterman, his wife and one childe'.¹³⁶ In the 1639 returns, only individuals' subjecthood and their occupations were typically listed. The focus on occupation and their nationality of individuals working in stranger households in the returns of 1635 and 1639 reflected that these returns were produced due to complaints from London guilds about strangers working in London.

¹³⁴ TNA SP 16/298 f. 50, 'Return of strangers for Cripplegate Within', 1635.

¹³⁵ Archer, pp. 131-34; Luu, pp. 156-60; Scouloudi, pp. 95-100.

¹³⁶ TNA SP 16/414 f.240, 'Returns of the Justices of the Peace for Westminster', 1639.

Returns of aliens regularly recorded if the individuals identified within them were members of a stranger church and of what church they were a member. For instance, the 1618 return from St. Thomas, Southwark included entries such as ‘Mary de Smith Borne in Antwerp ... of the Dutch Congregation’ and ‘Nicolas Deprey and June Deprey Cossin both borne in St. Toman under the Kinge of Spain ... hee of the Duche Church and shee of the French’.¹³⁷ This information was evidently of significant enough interest to the local officials compiling this return that when Nicholas Deprey and June Deprey Cossin attended different congregations, despite being married, the parish constables were attentive to this fact when identifying the couple. The gathering of information regarding stranger congregation membership by parish officials is interesting given that, as local institutions providing relief and disciplining their congregants, stranger churches functioned in a manner similar to parishes in many respects and indeed kept their own registers recording the identities of their members. Paul Griffiths has emphasised the importance of a collaborative relationship between parishes and national authorities in gathering information about individuals in localities.¹³⁸ However, stranger churches, while granted the ability to function as somewhat autonomous local institutions, were also, as is evident from the collection of information about their memberships by parish officials, simultaneously subject to surveillance by other local institutions. This practice points towards the importance of not only gathering information about individuals and populations but also gathering information about other authorities, particularly those potentially regarded as suspect, in the development of information-gathering as a practice of governance in seventeenth-century London.

The 1639 return of aliens featured a strong movement towards the aggregation of data by the officials involved in their production. Unlike in previous sets of returns, 1639 returns included tallies of the total numbers of strangers in each locality. The return from St. Saviour, Southwark

¹³⁷ TNA SP14/99 f.46.

¹³⁸ Griffiths, ‘Surveying the People’, p. 41.

included text at the bottom of the return stating ‘the somme is 25’.¹³⁹ Similarly, the return from the Liberty of the Clink stated that ‘the whole number is 30 persons’.¹⁴⁰ While a few returns from 1635 did include sums of the total number of strangers living in a locality, such as the return from Cripplegate Within which stated that there were twenty-three strangers then living there, this feature became far more generalised in the 1639 return.¹⁴¹ Crucially, these totals for individual localities were then aggregated in totals by authorities at the city and county level. In writing to the Privy Council enclosing the 1639 returns, the Justices of the Peace for Surrey informed the Privy Council that ‘the number of which Strangers with wives and children amounteth unto 336 persons or there aboute as appeareth by the said Constables returns’.¹⁴² In the return for Westminster, the aggregation of data was even more extensive. In the 1639 return, the Justices of the Peace for Westminster compiled the returns into a single document, which they then divided by both parish and by the subjecthood of strangers in said parish. Entries were sorted into sections such as ‘St. Margaretts Weston. French’, followed by ‘Dutch in the aforesaid parish’, and included sums at the end of each section as ‘of French 74’ and ‘Dutch 53’, respectively.¹⁴³ This ordering was repeated across each parish. At the end of the document, these totals were then aggregated as

The totall of all the French in the said cittie and liberties: 641
 The totall of all the Dutch in the said Libtties: 176
 The number of Italians there: 15
 Of Spainards there: 6
 Totall is: 838 (see Figure 2.4).¹⁴⁴

Neither documentation of the Privy Council’s orders directing this return nor evidence of how the Privy Council utilised these returns following their production has been preserved. However, given the consistency with which officials included sums in the 1639 return, it is evident that the Privy Council specifically requested that officials record these sums and that the Privy Council regarded

¹³⁹ TNA SP 16/414 f. 225, ‘Justices of Peace for Surrey to the Council’, 15 March 1638/9.

¹⁴⁰ TNA SP 16/414 f. 226.

¹⁴¹ TNA SP 16/298 f. 50.

¹⁴² TNA SP 16/414 f. 225.

¹⁴³ TNA SP 16/414 f.240.

¹⁴⁴ *Ibid.*

these sums to be of utility for their planned usage of these documents. The 1639 return of aliens, unlike previous returns, featured the representation of the number of strangers living in each parish as numeric data and the aggregation of this data into city or county-wide summative data for ready use by the Privy Council.

The tallies and aggregated sums counting the numbers of strangers in the 1639 returns included not just heads of household, but counted the total number of individual strangers, including patriarchally-subordinated individuals within households. The section in the 1639 return from Westminster for ‘St. Margaretts Weston. French’ included just twenty-nine entries, ordered by household, but noted a sum total of seventy-four French individuals living in the parish.¹⁴⁵ A typical entry for a household from this section stated, ‘John Dynion – A packett maker, a wife & 4 children’.¹⁴⁶ As was typical for seventeenth-century English identification documents, the greatest level of identifying information was provided for the head of household, and the identities of patriarchally-subordinated individuals were recorded with significantly less detail. However, it is notable that Dynion’s wife and four children are still identified so that they could be listed within the total sum of French people living in the parish. The identities of Dynion’s children are reduced and combined to a number, more readily enabling them to be aggregated into a sum. While maintaining the normal structuring of identification by household, the Justices of the Peace who compiled the Westminster 1639 return was also interested in identifying patriarchally-subordinated individuals insofar as it was relevant to the return’s project of producing a total count of strangers residing in Westminster.

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

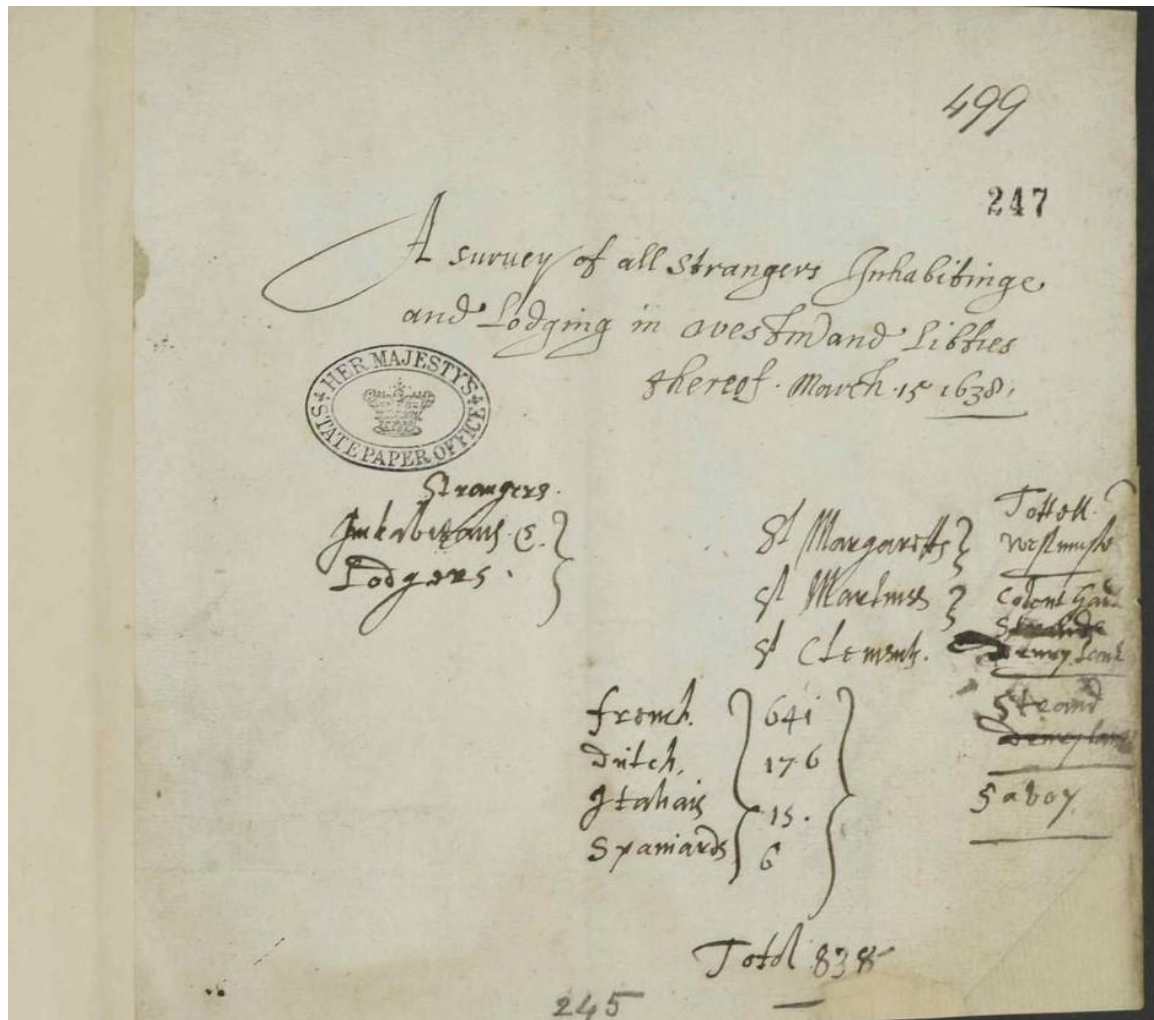


Figure 2.4: Total sums from Westminster Return of Aliens, 1639

The aggregation of data represented an important development in the utility of returns of aliens to the Privy Council. In her assessment of the 1639 return, Irene Scouloudi characterised it as an uncoordinated effort exemplary of the failures of Charles I's government on the eve of the Civil Wars due to the generally sparse level of details included in the entries in the returns.¹⁴⁷ However, the 1639 return in fact represented a development on previous returns in terms of organising the information into a form that could be efficiently processed and utilised by the Privy Council. Although it is unclear how these aggregated data were used by the Privy Council after their receipt of these documents, given the ordering of the 1639 return in response to complaints from the livery companies, the Privy Council may have intended to use these sums to communicate their findings with the companies. While English authorities increasingly attempted to use aggregated totals as part of their information-gathering practices, as Paul Slack has noted, these efforts were often plagued by inaccuracy and limited information, such as in the Privy Council's attempts to calculate the total population of England from parish records in the first decade of the seventeenth century.¹⁴⁸ In contrast, given the limited focus on a minority population within London and its surrounding suburbs, the use of aggregated data was far more workable in the 1639 returns of aliens. Justices of the Peace were able to collate the sums sent to them by parish officials into totals which they could then report to the Privy Council. The abilities of seventeenth-century English authorities to surveil transnational migrant communities in London through information-gathering practices were thus more advanced than their abilities to surveil and gather information regarding the English population as a whole.

The role of local and city or county-level officials in aggregating data in the 1639 return of aliens reveals the importance of these actors to the systematisation of information in the seventeenth century. Nicholas Popper has highlighted the importance of the organisation of information by actors in early modern English archives, such as the State Paper Office and Tower of London

¹⁴⁷ Scouloudi, pp. 96-97.

¹⁴⁸ Slack, 'Government and Information in Seventeenth-Century England', pp. 41-42.

records, to the creation of collections of political information which could be readily consulted and utilised by political actors.¹⁴⁹ Similarly, Paul Slack has argued that English authorities' development of more efficient means of ordering information was of an equal or greater importance as the collection of larger volumes by authorities in the development of information-gathering practices in the seventeenth century.¹⁵⁰ While the inclusion of totals in the 1639 returns was likely in response to the direction of the Privy Council, this aggregation required the cooperation of local and city or county-level officials. The role of local and particularly city or county-level officials in the aggregation of data in the 1639 return demonstrates that the development of more efficient means of ordering information for consultation was not solely led by actors operating in governmental archives nor did it occur only once information had been collected and stored. Instead, the ordering of information for consultation involved a variety of actors operating at different levels of authority and occurred as part of wider processes of political communication, enabling the efficient transfer of information between different sets of officials.

The roles of the Privy Council and city and county-level authorities in the production and use of returns of aliens are highly revealing of how the identification of transnational migrants operated as a mechanism of political communication. The Privy Council ordered the production of returns of aliens in response to specific political circumstances and saw identification as a mechanism both for expressing its authority and as a practical mechanism of governance. The specific political goals of the Privy Council in ordering each return were thus strongly expressed in each return. However, the role of city and county-level authorities as intermediaries between local and national officials should not be discounted. Lord Mayors and Justices of the Peace both held authority through their role in enabling communication between the Privy Council and local officials and expressed their authority in relevant documents of communication, even in seemingly subtle manners such as decisions regarding how documents were presented. As a key intermediary

149 Popper, pp. 26-35.

150 Slack, 'Government and Information in Seventeenth-Century England', pp. 38-39.

node in vertical political communication, city and county-level officials were key to the functioning of English governance and held significant authority. The identification of transnational migrants demonstrates that political concerns surrounding migrant populations which were of concern to national authorities were key to the development of practices of surveillance and information-gathering by English authorities as whole.

Local Officials, the Identified and the Encounter of Identification

The information compiled in returns of aliens was the product of encounters between local officials and transnational migrants in which officials orally gathered information from the identified and then recorded it in manuscript. Although returns of aliens were completed by ward aldermen in the City of London and parish constables in the suburbs, both these kinds of officeholder were local officials in that they were responsible for governing a local administrative division and reported to higher authorities at the city or county-level.¹⁵¹ Local officials held significant discretion over what information they gathered and recorded, and how individuals were identified in returns of aliens. This discretion led to variations between different parishes in how identities were recorded in returns. While operating on orders transmitted to them by officials at higher levels of authority, local officials were nevertheless central to the processes of identification recorded in returns. At the same time, local officials were reliant upon the information provided to them by the identified themselves. While constrained by the circumstances and power relations surrounding the encounter, transnational migrants held a degree of agency in their own identification. While both the encounter of identification and the information recorded by local officials were highly gendered, there was significant variation in how gender expressed itself between both individual encounters and in how officials chose to record information. The variability of information recorded in returns of aliens reflects that identification was a process of

151 Archer, pp. 83-84; Harding, 'Controlling a Complex Metropolis', pp. 33-34.

highly localised and individual encounters of knowledge production participated in by local officials and the identified themselves.

Due to the gathering of information about strangers being undertaken by local officials, the details recorded and the manner which they were recorded varied between different localities, even within the same set of returns. For instance, the returns from the Liberty of the Clink and the parish of St. Olave in 1635 identified the strangers living in these parishes in highly divergent ways, despite the two localities being near to each other within Southwark, and both sets of local officials falling under the authority of the Justices of the Peace for Surrey. The return from St. Olave was organised as a list of entries each providing identifying details about a household which included a stranger or strangers.¹⁵² Typical entries from return included: ‘Allard Lincell and his wife of Tourne a Waloon. The continuance of his abode is 40 yeares. A Taffetye weaver by trade’; ‘Nicholas Dambrayne of Lielle in Flanders. The continance of his abode is 11 yeares. Three children borne here. A mohaire weaver by trade’ and ‘William Kirkallhowse of Lomflardemarke in High Germany the continuance of his abode is 15 yeares. A silckweaver by trade’.¹⁵³ While entries from this return are similar to those from many others in the identifying details provided, the level of specificity regarding their occupations is unusual. Entries from St. Olave in 1635 noted not just that the identified were weavers but specified with what material they worked. This level of specificity is explained by the high concentration of stranger weavers living in this parish. Thirty-three of the forty-nine households listed were recorded as working as weavers. The nature of the transnational migrant community in St. Olave where the majority were employed in the weaving trade thus shaped how local officials identified this community by leading parish constables to record the nature of their work with greater than typical specificity.

In contrast, the parish constables for the Liberty of the Clink chose to record a fundamentally distinct set of identifying details in a distinct format. Although there

152 TNA SP 16/302 f. 80, ‘Return by the Constables of St. Olave, Southwark’, 20 November 1635.

153 *Ibid.*

was one stranger household listed as, ‘Peter Mull et vxor. Basketmaker’, otherwise the transnational migrants residing in the Clink were simply recorded as a list of fourteen names, accompanied by text stating that ‘these 14 persons are dwelling in an Almshouse in the said liberty’ (see Figure 2.5).¹⁵⁴ The overwhelming majority of strangers living in the Liberty of the Clink were residents of the almshouse of the Dutch Church located in the liberty, which shaped how the constables which produced the return for the liberty recorded the identities of these strangers. The recording of the individuals living in the almshouse as a simple list of names is contrasted with the elision of Peter Mull’s wife’s identity with her husband’s and their identification as a household. The recording of the identities of those strangers as listed names was thus a result of these individuals living not within a normative household engaged in an occupation but instead living in a Dutch Church almshouse. This lack of recorded detail about these individuals was likely partly a result of the 1635 return’s specific interest in economic activity. However, as is evident from the divergence in how constables for the Liberty of the Clink recorded identities when compared to the return from St. Olave, the transnational migrant community in the Clink being predominantly concentrated within a Dutch Church almshouse was decisive in how the liberty’s constables recorded individuals’ identities in this return. Local variation in the nature of transnational migrant communities at the level of the parish or liberty was thus a key factor in shaping these documents as texts which were produced by officials operating at the local level.

154 TNA 16/302 f. 78, ‘Return by the Constables and Headborough for the Liberty of the Clink’, 20 November 1635.

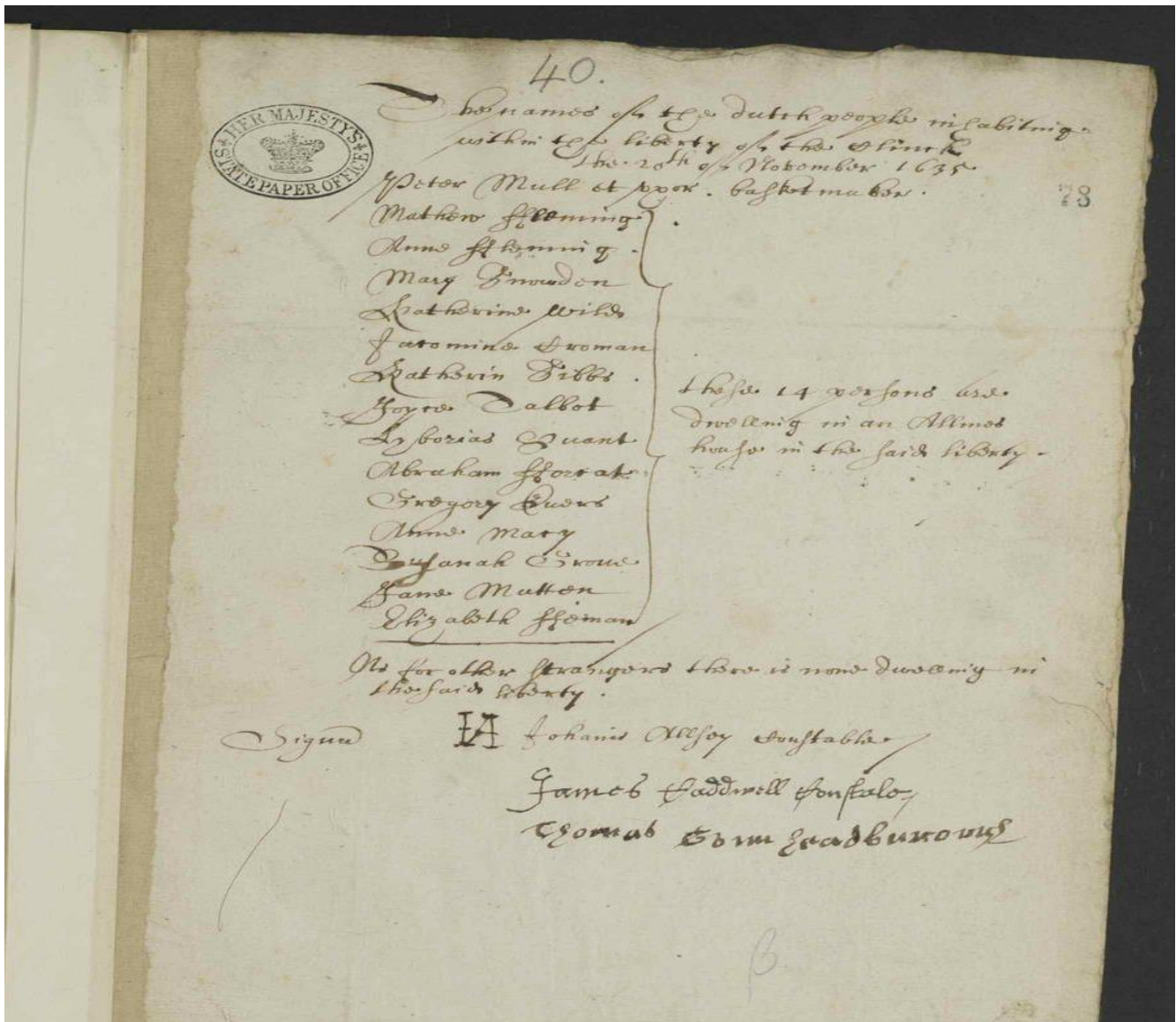


Figure 2.5: Return of Aliens from the Liberty of the Clink, 1635

The knowledge of local officials was key to the production of returns of aliens. A 1635 return from the Liberty of Lambeth Dean stated that, ‘John Reading Constable of Lambeth Deane his Returne of a Warrant lately directed to him saith that he knoweth not of any newcomer or any other strange person or persons within his liberty certified in the last warrant’.¹⁵⁵ Reading’s reply to the order from the Surrey Justices of the Peace stating that there were no strangers residing in the liberty centred himself as the constable of the liberty and his own knowledge of the liberty. His reply did not make evident any manner of search or inquiry into the status of the people residing in the liberty but rather rested upon his own pre-existing knowledge of the community as a local official. The process of producing returns of aliens by local officials in individual localities thus resulted in these documents relying heavily on the knowledge of these officials of their communities, even to the point of the knowledge of individual local officials being the sole source of the information gathered. This local knowledge ultimately provided the Privy Council with its knowledge of strangers residing in the locality. Although ordered by the Privy Council for its own use, returns of aliens were nevertheless shaped by a prevailing localism due to the nature of local migrant communities and the knowledge of local officials.

Returns of aliens reflected the limitations and uncertainties of the local production of knowledge by parish officials. The return from Redriff, Surrey in 1635 informed the Justices of Peace for Surrey that

There is one stranger John Riverson by name being a [~~Dutchman~~ Dane borne who is apprentice to John Lake a Taylor of our parish of Redrith who hath dwelt with him two yeares or there aboute, and there are not any others that are Strangers borne or that dwell, lodge, abide or apprentice any manuell trade in our said parish and Liberty that wee can find or be informed of.¹⁵⁶

This return reflects the limitations of the information-gathering practices of returns of aliens in several ways. The crossing-out by the constables of the word ‘Dutchman’ and its replacement with ‘Dane’ introduces an uncertainty as to the identification of Riverson’s nationality and demonstrates

¹⁵⁵ TNA SP 16/302 f.74, ‘Return of Constable of Lambeth Dean’, 20 Nov. 1635.

¹⁵⁶ TNA SP 16/302 f. 73.

that the mediation of information regarding individuals through local officials could easily lead to mistakes and misidentifications. Additionally, the constables' statement that no strangers lived in their parish besides Riverson was stipulated with the phrase that this assertion was only so far as they 'can find or be informed of'. This stipulation highlights the methods of information-gathering which these officials utilised—searching for them in households in the parish and relying on information provided to them by members of the community—while also noting that these methods were not necessarily perfect. The information recorded in returns of aliens was reliant upon knowledge and methods of knowledge production held and participated in by local officials and local community members, and thus reflected the potential limitations of these actors' knowledges of their local communities.

The potential limitations of the processes of knowledge production recorded in returns of aliens were also evident on a wider scale. The numbers of strangers recorded as residing in particular areas often varied significantly between returns. In the 1635 return 248 strangers were recorded as living in Surrey, whereas in 1639 officials recorded 350 strangers living in Surrey.¹⁵⁷ While some of this divergence can possibly be accounted for by population movement, such a large difference was likely at least in part a product of variation in the processes of information-gathering between these two returns. Part of this numerical difference was probably due to the greater emphasis in the 1639 return on counting the total number of individuals in a household, as opposed to in the 1635 return where the decision to record the identities of all resident strangers or only heads of household was subject to significantly more local variation due to the decisions of parish officials.¹⁵⁸ Another factor leading to potential inaccuracies in returns was the concentration of transnational communities in particular areas. For instance, in the 1618 return from the City of London, 255 strangers were recorded as residing in the single ward of Bishopsgate; in the 1639

¹⁵⁷ Scouloudi, pp. 124-25.

¹⁵⁸ TNA SP 16/414 f.240; TNA SP 16/298 f. 50.

return from Westminster, 655 strangers were recorded in the parish of St. Martin-in-the-Fields.¹⁵⁹

When attempting to survey such large populations of strangers in such small areas, it seems likely that local officials were unable to locate and gather information from every household in which strangers were resident. Additionally, the possibility that some strangers outright evaded these officials should not be discounted.

While the identities of strangers were generally recorded within household units in the returns of aliens, gendered divergences in which and how individuals' identities were recorded appeared between different localities even within the same return. In the 1618 return from the City of London, for the ward of Aldersgate, twenty-six of the twenty-seven entries recorded identified only a male, recording that individual's trade, such as 'Stephen Sampson goldsmith' and 'Nicolas Peltre ... by trade a Jeweller'.¹⁶⁰ The sole instance in which a man was identified alongside a woman in this ward was 'Christopher Lackinger ... lodging in widow Raymond's house, by trade a goldsmith'.¹⁶¹ The officials for Aldersgate chose to generally record only the identities of male heads of household, and in one instance, a male lodging with a widow. The identities of almost all women, children, and servants were not recorded for the ward. In the same 1618 City of London return, officials from Bishopsgate ward recorded the identities of both female heads of household, such as 'Jane Sebrum widow', and those of married women.¹⁶² As was typical for seventeenth-century identification documents, married women's identities were recorded in the same entry as their husband. A typical entry from this section of the return identified 'John Delbone silckweaver borne in Flanders and Juliet his wife borne in Liege'.¹⁶³ However, while widows and married women were identified by Bishopsgate officials, they did not record the identities of either children or servants. There is no evident explanation for why officials made these decisions in whose

¹⁵⁹ TNA, SP 14/102 f.1; TNA SP 16/414 f.240.

¹⁶⁰ TNA, SP 14/102 f.1

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

identities to record. These key divergences in gendered identification between wards within a single return demonstrate that, while in some manner aligning with wider patriarchal norms, the ways in which gender shaped identification were not widely consistent nor solely dictated top-down by central authorities but rather were frequently determined at the local level by officials engaged in the work of identification.

The individuals identified in returns of aliens did have a degree of agency in the encounters which produced these documents. While not typical of returns of aliens, some returns did feature the signatures of the individuals they identified, such as the returns of the parishes of St. Saviour and St. Thomas in Southwark from 1618. For instance, the entry in the return from St. Thomas of 'Nicholas Bellow and his wyfe' featured the signature of Nicholas Bellow below the text written by the parish official (see Figure 2.6). These signatures reveal a degree of agency on the part of the identified migrants in the encounters which the production of returns of aliens entailed, demonstrating that they verified and authorised the identifying information they had verbally provided to the official by signing their name to their document. Even within the returns which did include the signatures of some identified individuals, not all entries featured a signature, suggesting that literacy in English was required to verify the information contained in one's entry in this manner. However, the act of verifying and signing an entry is reflective of the agency of the identified in the encounter more broadly. Returns of aliens were produced by officials recording information they gathered by verbally interviewing identified individuals. Local officials were thus reliant on the identified to provide them with the information contained in returns of aliens, giving these individuals a level of agency in what information they provided to the officials.

Nicholas Bellow and his wyfe both Born att Shelington in France
 by trad a silkwoor and a maister both: pentioners to the French Congregation
 The mark of N Nicholas Bellow

Figure 2.6: Return of Aliens entry of Nicholas Bellow and his wife with Nicholas Bellow's mark, 1618

While the ability for individuals to have agency in providing the information contained in the returns of aliens was gendered, there were some instances in which women exercised agency in this regard. As in the case of Nicholas Bellow and his wife, typically only the head of household signed entries which included multiple individuals, reflecting their ability to act as the representative for the household. That entries were generally only signed by the male head of household also suggests that the information which the signature verified was primarily gathered by interviewing the head of household, as opposed to every individual within it. Heads of household thus held far more agency in their identifications in returns of aliens than did other individuals in the household. A number of female householders did sign their own entries, such as ‘Mary Harriss by traid a silkweaver borne in Hie Jarminie’ who lived in St. Thomas in 1618.¹⁶⁴ As a woman living independently and exercising a trade, Harris had a greater than typical degree of agency in her identification in the returns of aliens, which was reflected in her signing the return. Interestingly, there are two instances in the return from St. Saviour in 1618 in which married women identified alongside their husbands signed the return instead of their husbands. The return entries of ‘Japnis Cowant borne in Dukin in High Duchland ... and Marie his wife borne ... in High Germany’ and of ‘John William Moliere a Frenchman ... also Maudlin his wife a Frenchwoman’ were signed by Marie and Maudlin, respectively, and were not signed by their husbands.¹⁶⁵ This break from the typical protocol of identification suggests that these women signed their entries in their husbands’ stead due to them, unlike their husbands, possessing the required literacy, and perhaps spoken fluency in English, to verify these documents by signing them. While the gendered nature of household identification generally limited the agency of women in the encounters which produced returns of aliens, in certain situations they could nevertheless be key in their production, even when living with husbands as married women.

¹⁶⁴ *Ibid.*

¹⁶⁵ TNA SP 14/99 f.44.

The recording of migrants' identities as household units in returns of aliens has significant implications for approaches to understanding of migrant women's agencies in interactions with institutional authorities. In her examination of Dutch migrant women's interactions with authorities in Norwich, Raingard Esser has noted that administrative records tended to focus on migrants as household units as opposed to as individuals.¹⁶⁶ Esser largely regards this method of administrative recording as an obstacle for historians to overcome, arguing that it has led historians to ignore women's experiences of migration.¹⁶⁷ Instead, Esser develops a gendered analysis of women's experiences of interacting with institutions which focuses on how these interactions differed from men's interactions with these institutions.¹⁶⁸ However, as in returns of aliens, the governance of migrant communities as household units cannot be ignored by historians but rather must be acknowledged as a central gendered process of governance through which authorities endeavoured to govern these communities. The nature of migrant women's agencies in interactions with authorities cannot be understood solely by comparing these interactions with those of men. Rather, a careful examination of records such as returns of aliens which deal with migrants as household units with an eye for both the omission and inclusion of women in such records enables an understanding of how women were varyingly excluded and included from interactions constitutive of processes of governance.

The agency of individuals identified in the returns of aliens in their production should not be overstated. Given that returns of aliens were a form of information-gathering ordered and undertaken by English authorities and directed at the transnational migrant population, identified individuals generally did not have significant agency over this process or the use of these documents. While the identified held a level of agency in the encounters which produced these documents, after this point they were entirely excluded from the production and use of these

¹⁶⁶ Esser, pp. 16-19.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

documents. Returns of aliens were a form of political communication between English authorities, and the individuals identified in returns of aliens were thus excluded from the networks of communication involved in the transmission of these documents and which permitted access to them.

As variations within returns of aliens demonstrate, even within a single method of identification, identification in seventeenth-century England was not a fully standardised practice. Rather, localised and individual encounters of identification shaped the information which local officials gathered and recorded in returns. While bureaucratic norms in recording identities and orders from higher levels of authority were key in shaping how local officials gathered and recorded information, these factors were not wholly determinative of local practices. Rather, local variations in the migrant communities identified and the individual circumstances of the identified were also able to shape practices of identification and how identity was recorded in manuscript. This ability for practices of identification to be shaped ‘bottom-up’ by the encounter of identification itself enabled local officials and, to a lesser extent, the identified themselves to exercise a greater degree of agency in shaping returns of aliens than would be expected from a form of identification structured by the hierarchical nature of English authorities.

Conclusion

While returns of aliens and attestations were both documents used to identify transnationally mobile women in London, they represented highly divergent processes of identification. In terms of the structures of authority and power surrounding the creation of returns of aliens and attestations, returns of aliens were produced through an essentially top-down procedure whereas attestations were produced by a more horizontal transnational network. Equally, women identified in returns of aliens and attestations did not interact with these processes of identification in the same ways. While some women did exercise agency in providing information to local officials compiling returns of aliens, this agency was generally limited, and given that access to returns of aliens was

effectively limited to English officials, the identified women played no part in the use of returns of aliens. In comparison, transnationally mobile women deliberately sought out the production of attestations to facilitate their integration into communities and were directly involved in the use of these documents. While Andrea Geselle has characterised the development of identity documents as a means by which states came to dominate their subjects, highlighting the ways in which the identified were able to use identity documents to their own ends complicates this understanding of the relationship between identification and the identified as one of simple domination.¹⁶⁹ Histories of early modern identification, such as John Torpey's teleological account of early modern identification as a movement towards the 'state monopolisation of the legitimate means of movement' have often treated identification as a singular set of closely related practices undertaken solely by state officials.¹⁷⁰ The identification of transnational migrants in seventeenth-century London indicates that early modern identification should instead be thought of as a diverse set of often discrete processes engaged in by a variety of actors to a multiplicity of ends. This variety militates against the possibility of coming to simple or teleological conclusions about early modern identification as a whole and demonstrates the necessity of always analysing individual forms of identification in the context of the structures of power and authority relevant to the production and use of that specific form.

Examining the identification of migrants has important implications for how we understand the function of London stranger churches as institutions of social control and their relationship with London authorities. While a number of scholars have highlighted the importance of efforts of stranger churches to sustain social order in London's migrant communities to the maintenance of support from the stranger churches from English authorities, such discussions have generally

169 Andrea Geselle, 'Domenica Saba Takes to the Road: Origins and Development of a Modern Passport System in Lombardy-Veneto', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 199-217 (pp. 202-6).

170 John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000), pp. 4-10.

focused on consistories' use of ecclesiastical discipline and their provision of relief.¹⁷¹ By moving from the issues of perceived immorality and poverty that resulted from movement to instead examine how mobile people were identified, attestations demonstrate how consistories aimed to control and regulate migration itself and the movement of people into the community over which they held authority. The control of migration through the identification of newly-arrived migrants was thus a means by which the Dutch Church at Austin Friars endeavoured to maintain order in the Dutch-speaking community in London and to thereby maintain its position within the institutional frameworks of London within which it operated.

Due to the involvement of a multiplicity of authorities in the governance of migrant communities, seventeenth-century London presents an ideal opportunity for developing upon Manuela Martini's and Sumita Mukherjee's suggestion that scholars of migration should pay further attention to migrants' interactions with institutions in understanding how experiences of migration were gendered.¹⁷² In the case of identification, diversity of experience must be emphasised due to variance in both how interactions with different authorities were gendered and in how specific circumstances led to individual encounters of identification between migrants and authorities being gendered in variable manners. However, given that both the Dutch Church at Austin Friars and English authorities utilised identification as a mechanism for governing migrant communities, identification should be considered a key vector both for interaction between migrants and institutions and for the governance of migrant people. A turn towards the study of institutional interaction in migration history thus demands that scholars examine further how these institutions identified migrants as part of their wider efforts to govern these communities.

Women's collaboration with institutional authorities in the production and use of documents which recorded their identities challenges conceptions of conceptions of female agency and its relation to mobility. In locating female agency, historians of gender in early modern Europe have

171 Grell, pp. 45-47; Littleton, pp. 245-47; Pettegree, pp. 182-85; Spohnholz, pp. 113-15.

172 Martini and Mukherjee, pp. 531-37.

often centred instances in which women resisted or operated outside of dominant gender norms as evidence of women's exercise of agency.¹⁷³ In studies of women's mobilities, female agency has been most commonly associated with early modern women's ability to move outside of the home, both across short distances as part of their daily lives and over longer distances as migrants or travellers.¹⁷⁴ However, as post-structuralist feminist scholars such as Saba Mahmood have argued, female agency is not only located in moments of resistance to patriarchy, but also in instances of acquiescence to or active support for patriarchy and patriarchal institutions.¹⁷⁵ Migrant women agreeing to respond to the questions asked of them by English officials compiling returns or migrant women actively seeking out attestations, as well as collaborating in the production or the information recorded in them, all exercised agency. While female mobility has often been associated with agency, agency was also located in mobile women's complicity in processes which served to render these movements acceptable to patriarchal authorities.

173 Merry Wiesner-Hanks, 'Introduction', in *Challenging Women's Agency and Activism in Early Modernity*, ed. by Merry Wiesner-Hanks (Amsterdam: Amsterdam University Press, 2016), pp. 9-24 (pp. 9-12); Natalie Zemon Davis, *Women on the Margins: Three Seventeenth-Century Lives* (Cambridge, Massachusetts: Harvard University Press, 1995), pp. 208-12

174 Gábor Gelléri, 'Ars apodemica gendered: female advice on travel', in *Travel and Conflict in the Early Modern World*, ed. by Gábor Gelléri and Rachel Willie (London: Routledge, 2021), pp. 205-25 (pp. 205-8); Laura Gowing, 'The freedom of the streets: women and social space, 1560-1640', in *Londinopolis: essays in the cultural and social history of early Modern London*, ed. by Paul Griffiths and Mark Jenner (Manchester: Manchester University Press, 2005), pp. 130-53 (pp. 132-33); Mansell, pp. 32-36; Sweet, Verhoeven and Goldsmith, pp. 8-12.

175 Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005), pp. 8-12.

Chapter Three: North Sea Ports in Southeastern England

Introduction

On 15 July 1641, the English diarist and traveller John Evelyn, ‘having procured a pass at the Custom-house ... went from London to Gravesend ... with a purpose to take the first opportunity of a passage for Holland’.¹ The pass to which Evelyn referred was a licence to pass beyond the seas, which Evelyn, like thousands of others across the seventeenth century, needed to legally leave England for destinations outside of Britain. As is indicated by Evelyn’s brief mention of these documents in his travel narrative, by the 1640s licences to pass beyond the seas had become a regular and expected part of many mobile people’s experiences of departing from England.

This chapter examines documents which were produced and used by English authorities to establish the identities and govern the movements of individuals who departed across the North Sea from ports in southeastern England. The early seventeenth century witnessed a vast increase in the number of documents produced by English authorities which identified and surveiled transnationally mobile individuals departing from England across the North Sea through ports. As was common across a number of early modern polities, English authorities were predominantly concerned with controlling the departure, as opposed to the entrance, of people through their frontiers.² Royal proclamations in 1606 and 1607 mandated the use of licences to pass beyond the seas by individuals departing from England.³ These proclamations also required that port officials

1 John Evelyn, *The Diary of John Evelyn*, Vol I, ed. by William Bray (Chapel Hill: Project Gutenberg, 2012), p. 15.

2 Vincent Denis, ‘The Control of Mobility in France, 1680-1780’, in *Borders and Mobility Control in and between Empires and Nation-States*, ed. by Jovan Pešalj, Annemarie Steidl, Leo Lucassen and Josef Ehmer (Leiden: Brill, 2022), pp. 171-83 (pp. 172-74); Jovan Pešalj, Annemarie Steidl, Leo Lucassen and Josef Ehmer, ‘Introduction’, in *Borders and Mobility Control in and between Empires and Nation-States*, ed. by Jovan Pešalj, Annemarie Steidl, Leo Lucassen and Josef Ehmer (Leiden: Brill, 2022), pp. 1-11 (pp. 6-7).

3 *Stuart Royal Proclamations, Vol. I: Royal Proclamations of King James I, 1603-1625*, ed. by James F. Larkin (Oxford: Clarendon Press, 1973), pp. 147-48; *Ibid*, pp. 158-60.

produce these documents and draw up corresponding registers.⁴ However, the development of seventeenth-century licences to pass beyond the seas represented not the development of a wholly new method of identification, but rather the transfer of the authority to identify transnationally mobile individuals from the Privy Council to port officials. Older forms of identification documents, such as elite passports, also continued to be used alongside licences to pass beyond the seas. Examining these documents highlights the importance of port officials to developments in English authorities' efforts to control and monitor movements crossing the North Sea. At the same time, transnationally mobile people exercised the agency in navigating these systems of identification. Interactions between port officials and mobile people shaped both processes of identification and patterns of mobility. The production and use of identification documents by officials at seventeenth-century English ports constituted a bordering practice which governed movement across England's maritime frontiers.

This chapter focuses on North Sea ports in southeastern England. A large part its analysis is derived from registers of licences to pass beyond the seas produced in London in 1621 and Great Yarmouth in 1637.⁵ London and Great Yarmouth were the two most important ports in southeastern England throughout the seventeenth century, and two of the most important in England as a whole.⁶ While licences to pass beyond the seas were also used to identify individuals departing from England to its colonies in the Americas, a large majority of entries in the registers for London and Great Yarmouth listed individuals departing from England to Europe. While these two ports, located in southeastern England, cannot be said to be representative of the entirety of English transnational

4 *Ibid.*

5 TNA E157/21, 'Register of licences to pass beyond the seas', 1637; TNA E 157/27, 'Register of licenses to pass beyond the seas', 1621.

6 Jeremy Boulton, 'London 1540-1700', in *The Cambridge Urban History of Britain, Vol. 2, 1540-1840*, ed. by Peter Clark (Cambridge: Cambridge University Press, 2000), pp. 315-46 (pp. 320-26); David Harris Sacks and Michael Lynch, 'Ports, 1540-1700', in *The Cambridge Urban History of Britain, Vol. 2, 1540-1840*, ed. by Peter Clark (Cambridge: Cambridge University Press, 2000), pp. 377-424 (pp. 387-82); Fiona Williamson, *Social Relations and Urban Space: Norwich, 1600-1700* (Woodbridge: The Boydell Press, 2014), pp. 97-98.

mobilities, in both cases movement was heavily directed towards northwestern Europe, particularly the Low Countries.

The centrality of movement from England to northwestern Europe in registers of licences to pass beyond the seas highlights the nature of London and Great Yarmouth as North Sea ports and the function of identification documents used at these ports in monitoring movement across the North Sea. A number of historians have recognised the North Sea as an important region in early modernity.⁷ However, these studies have tended to focus on economic history and trade exchange.⁸ In contrast, histories of Anglo-Dutch connection have often focused more on social and cultural exchange.⁹ However, this chapter refers to North Sea mobilities both due to the patterns of mobility under examination extending beyond movement solely between England and the Low Countries and in recognition of the fundamentally maritime nature of the forms of movement which were surveilled by officials at English ports.

This chapter primarily examines the first half of the seventeenth century. While elite passports were produced across the seventeenth century, the production of registers of licences to pass beyond the seas was largely limited to the first four decades of the century, as was the promulgation of legislation related to their production and use. The introduction of licences to pass beyond the seas by proclamations issued in 1606 and 1607, as well as changes in the use of passports following the Union of Crowns in 1603, resulted in significant developments in

7 Leos Müller and Toshiaki Tamaki, 'Introduction', in *The Rise of the Atlantic Economy and the North Sea/Baltic Trade, 1500-1800: Proceedings of the XVth World Economic History Congress*, ed. by Leos Müller, Philipp Robinson Rössner and Toshiaki Tamaki (Stuttgart: Franz Steiner Verlag, 2011), pp. 7-18 (pp. 7-9); Steve Murdoch, *Network North: Scottish Kin, Commercial and Covert Associations in Northern Europe, 1603-1746* (Leiden: Brill, 2006), pp. 127-29; Michael North, 'The Hanseatic League in the Early Modern Period', in *A Companion to the Hanseatic League*, ed. by Donald J. Harreld (Leiden: Brill, 2015), pp. 101-24 (pp. 101-5); Jelle van Lottum, 'Some thoughts about migration of maritime workers in the eighteenth-century North Sea region', *International Journal of Maritime History*, 27.4 (2015), 647-61 (pp. 647-51); David Ormrod, 'The North Sea as a core region in the early modern world: the shift from Amsterdam from London' (IEHA Lecture, Helsinki, 2006), pp. 1-3.

8 *Ibid.*

9 Sjoerd Levelt, Esther van Raamsdonk, and Michael D. Rose, 'Introduction: Most Ancient Allies and Familiar Neighbours', in *Anglo-Dutch Connections in the Early Modern World*, ed. by Sjoerd Levelt, Esther van Raamsdonk, and Michael D. Rose (London: Routledge, 2023), pp. 1-20 (pp. 9-15); Marjorie Rubright, *Doppelgänger Dilemmas: Anglo-Dutch Relations in Early Modern English Literature and Culture* (Philadelphia: University of Pennsylvania Press, 2014), pp. 2-6; Esther van Raamsdonk and Alan Moss, 'Across the narrow sea: A Transnational Approach to Anglo-Dutch Travelogues', *The Seventeenth Century*, 35.1 (2020), 105-24 (pp. 105-7).

identification and bordering practices at English ports. The first decade of the seventeenth century witnessed English authorities' shift their focus from the monitoring and control of movement across the Anglo-Scottish frontier to the surveillance of movement departing across England's maritime frontiers. The early Stuart period was thus crucial to the development of identification and bordering practices at early modern English ports and, as registers of licences to pass beyond the seas and passports demonstrate, the production and use of documents became central to these practices.

An examination of the production and use of identification documents at seventeenth-century English ports contributes to developing understandings of borders and border controls in early modernity.¹⁰ In the past ten years, a number of scholars have highlighted the importance of the early modern period to the development of borders and border controls, such as in Luca Scholz's work on the Holy Roman Empire, Jovan Pešalj's and Josef Ehmer's work on the Habsburg-Ottoman border in the eighteenth century, and Renaud Morieux's work on the eighteenth-century Anglo-French maritime frontier.¹¹ Often this work has involved debates surrounding the emergence of borders as linear boundaries controlled by sovereign governmental authorities from the less clearly defined zonal frontiers of the medieval period.¹² As a result, scholars have often related the construction of borders to changes in how territorial boundaries were conceived of by elite

10 Bram De Ridder and Violet Soen, 'Transregional History: New Perspectives on Early Modern Borders and Borderlands in the Low Countries and the Habsburg Worlds', in *Transregional Territories: Crossing Borders in the Early Modern Low Countries and Beyond*, ed. by Bram De Ridder, Violent Soen, Werner Thomas and Sophie Verreyken (Turnhout: Brepols, 2020), pp. 13-19 (pp. 13-16); Charles S. Maier, *Once Within Borders: Territories of Power, Wealth and Belonging since 1500* (Cambridge, Massachusetts: Harvard University Press, 2016), pp. 74-78; Pešalj, Steidl, Lucassen and Ehmer, pp. 3-8; Peter Sahlins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989), pp. 4-9.

11 Renaud Morieux, *The Channel: England, France and the Construction of a Maritime Border in the Eighteenth Century* (Cambridge: Cambridge University Press, 2016), pp. 296-302; Jovan Pešalj and Josef Ehmer, "'Hard Border' Facilitates Migrations: The Habsburg-Ottoman Border Control Regime in the Eighteenth Century', in *Borders and Mobility Control in and between Empires and Nation-States*, ed. by Jovan Pešalj, Annemarie Steidl, Leo Lucassen and Josef Ehmer (Leiden: Brill, 2022), pp. 66-114 (pp. 66-71); Luca Scholz, *Borders and Freedom of Movement in the Holy Roman Empire* (Oxford: Oxford University Press, 2020), pp. 14-19

12 Morieux, pp. 19-22; Daniel Power, 'Frontiers: Terms, Concepts and the Historians of Medieval and Early Modern Europe', in *Frontiers in Question: Eurasian Borderlands, 700-1700*, ed. by Daniel Power and Naomi Standen (Basingstoke: Palgrave Macmillan, 1999), pp. 1-12 (pp. 1-5); Sahlins, pp. 4-9; Scholz, pp. 3-5.

intellectual and governmental actors.¹³ Focusing on the production and use of identification documents at ports allows for an understanding of the establishment of borders and bordering less tied to changing spatial conceptions of zonal or linear boundaries, and which instead emphasises the centrality of the development of everyday practices enacted by local officials aimed at the surveillance and control of people who moved across these boundaries.

Ports were spaces of central importance to English authorities' efforts to govern and surveil transnational movement and transnationally mobile people. Early modern port cities have been depicted by historians as spaces characterised by the interplay of complex and contradictory social processes. Scholars have at once argued that ports were crucial to early modern governments' efforts to consolidate and further their political and economic power through the use of seafaring, while also portraying ports as sites of a hybridising maritime culture defined by its resistance to authority.¹⁴ This chapter furthers understandings of this interplay by centring authorities' efforts to surveil movement and mobile people at ports using documents as a set of practices in which the contradictions between officials' attempts to establish control over maritime activities and resistance to these authorities played out. The production and use of identification document at ports in seventeenth-century England highlights the importance of the control of transnational movement to maritime governance and authority.

In recognition of the fact that territorial borders in early modernity were not yet firmly defined, I do not generally use the term 'borders'. Instead, I refer to 'bordering practices' in developing an analysis of authorities' practices aimed at the control of movement into and out of the territory which they governed—practices constitutive of what scholars of contemporary migration

13 Power, pp. 1-2; Morieux, pp. 84-90; Scholz, pp. 205-08.

14 Cátia Antunes and Louis Sicking, 'Ports on the Border of the State, 1200-1800', *International Journal of Maritime History*, 19.2 (2007), 273-86 (pp. 282-86); Gérard Le Bouëdec, 'Conclusion (English)', in *The Sea in History: The Early Modern World*, ed. by Christian Bouchet and Gérard Le Bouëdec (Woodbridge: The Boydell Press, 2017), pp. 942-77 (pp. 942-46); Peter Linebaugh and Marcus Rediker, *The Many-headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), pp. 141-43; Marcus Rediker, *Between the Devil and the Deep Blue Sea: Merchants, Seamen, Pirates and the Anglo-American Maritime World, 1700-1750* (Cambridge: Cambridge University Press, 1987), pp. 7-9; Jessica Choppin Roney, 'Introduction: Distinguishing Port Cities, 1500-1800', *Early American Studies*, 15.4 (2017), 649-59 (pp. 652-56).

refer to as a ‘border regime’—while at the same time recognising that such practices were not as firmly linked to a clearly defined territorial ‘border’ as they would become in the nineteenth and early twentieth centuries.¹⁵ Scholars examining migration control in contemporary societies have used the term ‘bordering practices’ to analyse how state practices aimed at the control of migration and migrant people extend beyond the spatial limits of territorial borders to include operations of power which occur more widely within the territories which these authorities govern.¹⁶ Although I do not wish to suggest that bordering practices in the seventeenth century can be directly compared to twenty-first-century bordering practices, authorities’ efforts to control transnational movement in seventeenth-century England did not occur solely at territorial frontiers. The heuristic of bordering practices is thus useful here in that it enables a recognition that officials at seventeenth-century English North Sea ports were crucially concerned with the monitoring and control of movement which crossed England’s maritime frontiers while at the same time not becoming weighed down by debates about whether these ports can be said to constitute a ‘border’.

This chapter is divided into four sections. The first section examines the proclamations and orders from the Privy Council and Council of State which mandated and directed the use and production of licences to pass beyond the seas. It emphasises the implications for bordering practices of the transfer of authority over the production and use of licences to pass beyond the seas from the Privy Council to port officials. The second section maps the destinations recorded in the registers of licences to pass beyond the seas for London in 1621 and Great Yarmouth in 1637. In its analysis it highlights both the uses and limitations of these sources for understanding early seventeenth-century patterns of mobility, as well as how identification and bordering practices

15 Peter Bencsik, *Border Regimes in Twentieth-Century Europe* (London: Routledge, 2023), pp. 6-12; Camilla Hawthorne and Jennifer Lynn Kelley, ‘Borderland Regimes and Resistance in Global Perspective’, *Critical Ethnic Studies*, 6.2, 1-15 (1-5).

16 Josue David Cisneros, ‘#AbolishICE, #AbolishFrontex, abolish borders: Toward an abolitionist border study and struggle’, in *Border Abolition Now*, ed. by Sara Riva, Simon Campbell, Brian Whitener and Kathryn Medien (London: Pluto Press, 2024), pp. 54-86 (pp. 56-60); Corey Johnson and Reece Jones, ‘Where is the Border?’, in *Placing the Border in Everyday Life*, ed. by Reece Jones and Corey Johnson (London: Routledge, 2014), pp. 1-14 (pp. 4-9); Harsha Walia, *Border and Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism* (Chicago: Haymarket Books, 2021), pp. 78-83.

shaped movement. The third section examines the texts of registers of licences to pass beyond the seas themselves. It analyses these documents both as gendered texts and as documents involved in information-gathering processes, considering the implications of these facets of registers of licences to pass beyond the seas for the development of bordering practices. The final section analyses the production and use of passports granted to elite transnationally mobile individuals by the Privy Council and Interregnum Council of State in the seventeenth century.

Proclamations and Orders

Repeated royal proclamations and orders to port officials in the seventeenth century affirmed the legal requirement for passengers departing from England to hold identification documents such as licences to pass beyond the seas or passports, and threatened harsh punishment for individuals who departed without them or who facilitated such illegal departures. Proclamations mandating and directing the use of documents identifying individuals departing from England were issued in 1606, 1607, 1630 and 1635; further orders to port officials directing their use were issued in 1618 and 1653.¹⁷ While the documents which these proclamations mandated the use of had earlier precedents, the chronology of these proclamations and orders both affirms that the production and use of licences to pass beyond the seas was primarily an early Stuart and Interregnum practice and highlights the importance of this period to the development of practices of identification at North Sea ports in England. These proclamations from the Privy Council and Interregnum Council of State were centrally concerned with ports and the officials who oversaw them. The proclamations of 1606 and 1607 transferred authority over the production of identification documents for individuals

17 *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes* (London: W. Stansby, 1630), Early English Books Online<<https://www.proquest.com/eebo/docview/2240932626/33150941/216BD5C651744C1DPQ/1?accountid=14664>> [Accessed 4 May 2022]; TNA SP 14/96 f.115a, 'Commission by Lord Zouch appointing Commissioners of Passage to give passports and keep a register', 19 March 1618; TNA SP 25/71 f. 204 'Instructions to be put in execution by the above Commissioners', 1653; *Stuart Royal Proclamations*, Vol. I, pp. 147-48; *Ibid* pp. 158-60; *Stuart Royal Proclamations, Vol. II: Royal Proclamations of King Charles I, 1625-1646*, ed. by James F. Larkin (Oxford: Clarendon Press, 1983), pp. 462-63.

departing from English ports from the Privy Council to port officials. From the perspective of English authorities, this transfer of authority represented a key development in the surveillance of transnational mobilities and bordering practices at English ports. The developments reflected in these proclamations and orders were intertwined with other developments in seventeenth-century governance surrounding ports and transnational mobilities, particularly in relation to customs duties, efforts to combat smuggling, and concerns surrounding political and gendered order. Their promulgation reflects the awareness of English authorities of both the usefulness and limitations of identification in relation to these practices and concerns. These proclamations and orders represent an important development in the legal and governmental construction of bordering practices at England's North Sea ports, albeit an uneven and non-linear development.

The mandatory production and use of licences to pass beyond the seas was first introduced by a 1606 royal proclamation which specifically required their use for women and individuals under twenty-one years old. The 1606 royal proclamation regarding licences to pass beyond the seas declared that, 'no woman nor any childe under the age of one and twenty yeeres ... should bee permitted to passe over the Seas, except the same should be by licence'¹⁸ The exclusive focus on women and children in the 1606 proclamation reveals that the monitoring and control of the mobilities of those groups who were subordinated in the patriarchal order was viewed as of particular importance. Although it is not explicitly mentioned in the text of the proclamation itself, when the matter of introducing a law requiring that women and children departing from England hold a licence was first discussed in the Commons in 1606, members of parliament argued for the importance of introducing such legislation due to fears of growing numbers of young people travelling to Spain to attend the Catholic English College at Valladolid.¹⁹ Although the order was motivated, at least partially, by fears surrounding the transnational mobilities of young English Catholics, the 1606 proclamation included adult women alongside individuals under twenty-one in

¹⁸ *Stuart Royal Proclamations*, Vol. I, pp. 147-48.

¹⁹ *Ibid.*

the groups which it targeted. This elision reflects that the Privy Council, in drafting the 1606 proclamation, regarded the transnational mobilities of individuals who fell outside of the patriarchal construction of adult manhood as in particular need of surveillance. The mandatory use of identification at English ports as a bordering practice was thus gendered from its inception, aimed at establishing a mechanism of patriarchal surveillance over transnational movement at English ports through the use of identification documents.

The royal proclamations surrounding licences to pass beyond the seas reveal that seventeenth-century English authorities recognised that the transnational mobilities of women and children were sometimes necessary and were willing to facilitate them in some circumstances. The proclamation of 1606 admitted that, ‘women and persons under the age of twenty and one yeeres, have from time to time just and necessary causes to goe and passe over the Seas’.²⁰ The proclamation of 1606 thus recognised that, despite its suspicious attitudes towards the mobilities of women and children, there was a large number of women and children who wished to depart from the realm and had acceptable reasons for doing so.²¹ Beyond merely recognising their necessity, granting licences to pass beyond the seas facilitated the transnational mobilities of women and children. The proclamation stated that those women and children, ‘as shall have just cause to passe out of our Realme, upon due examination had of them, to passe without perill to themselves’.²² This statement reflects the development of licences to pass beyond the seas out of late medieval *sauf-conduits* which primarily served to grant their bearer protection in the name of the authority which granted the document.²³ Despite acting as a mechanism of surveillance, licences to pass beyond the seas were also intended to act as a form of protection for the women and children to whom they were granted. As well as being seen as needing to be surveilled, the movements of women and

20 Ibid.

21 Ibid.

22 Ibid.

23 Valentin Groebner, *Who are You?: Identification and Surveillance in Early Modern Europe* (New York: Zone Books, 2007), pp. 154-57.

children were also regarded as needing more protection. Gendered conceptions of women and children requiring both surveillance and protection from patriarchal authorities were thus key to the development of mechanisms of identification and bordering practices at seventeenth-century English ports.

A year later, in 1607, the Privy Council issued a proclamation which expanded the mandated use of licences to pass beyond the seas to require that adult men also first acquire a licence before departing from English ports. The 1607 proclamation stated that

his Maiesty doeth ... straitly prohibite and forbid all maner of persons ... that they... shall not any time hereafter without speciall licence of his Maiesty ... passe or departe out of this Realme of England, or any of the dominions of the same into the Kingdomes, Countreys, territories or dominions of any forreine King, Prince, State, or Potentate²⁴

Although initially targeted at women and people under twenty-one, the use of identification documents as a means of governing transnational departures from England was quickly expanded to include adult men as well. In 1606 to 1607, the mandatory use of identification documents for individuals departing from England thus became established as a bordering practice. In 1630 and 1635, the English Crown issued proclamations which restated the need for individuals to acquire licences before departing from England and for port officials to inspect them.²⁵ While this repetition may in part reflect that the Crown found it difficult to ensure that the licensing system was always upheld in practice, it also demonstrates that after 1607 the use of identification at ports had become established as a logic of governance in early Stuart efforts to control movement across its maritime frontiers.

²⁴ *Stuart Royal Proclamations*, Vol I, pp. 158-60.

²⁵ *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes; Stuart Royal Proclamations*, Vol. II, pp. 462-63.

The proclamations of 1606, 1607 and 1630 all formally authorised the transfer of the authority to grant licences from the Privy Council to port officials.²⁶ Since the thirteenth century at the latest, it had been established in English law that the monarch held authority over his subjects' abilities to depart from the realm and that subjects wishing to depart from the realm should first obtain a document authorising this departure from the monarch.²⁷ The proclamation of 1630, referring to the proclamations of 1606 and 1607, stated that

whereof some had good and necessarie occasions to passe beyond the Seas, who neverthelesse could not lawfully passe out of the same without such Lycence ... In which cases for every such of his said Subiects, to obtaine Lycence from our said Father, or foure of his Councell ... was very inconvenient ... did by severall Commissions under his great Seale of England, give power and authoritie to the Chiefe officers within the Ports of this Kingdome.²⁸

The transfer of authority to grant licences to pass beyond the seas from the Privy Council to port officials was thus justified on the basis that the volume of people departing from England made it infeasible for it to be controlled by the Privy Council alone. The empowerment of port officials to produce licences to pass beyond the seas from 1606 onwards was thus related to the heightened transnational mobility of the late sixteenth and seventeenth centuries.²⁹ Rather than representing a new method of surveillance of transnationally mobile individuals, the codification of the use of licences to pass beyond the seas from 1606 onwards represented the shift of this surveilling power from being solely located with the authority of the monarch to being spread and localised to ports as spaces located at the edge of the realm and adjacent to the sea.

A 1618 order from Lord Zouch, then royally appointed Commissioner of the Cinque Ports, to officials at these ports reveals the extent to which the governance and identification of

26 *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes*; *Stuart Royal Proclamations* Vol. I, pp. 147-48; *Ibid*, pp. 158-60.

27 Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (Cambridge: Cambridge University Press, 2010), pp. 70-72.

28 *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes*.

29 Sacks and Lynch, pp. 385-86; Nicholas Terpstra, *Religious Refugees in the Early Modern World: An Alternative History of the Reformation* (Cambridge: Cambridge University Press, 2015), pp. 3-6.

individuals departing from England was considered a matter of the governance of ports. The Cinque Ports were a group of five ports in southeastern England—Hastings, Dover, Sandwich, New Romney and Rye—which were particularly important for cross-channel passage and since the twelfth century had enjoyed special constitutional privileges.³⁰ The governance of these ports was in part entrusted to a commissioner appointed by the Crown. Referencing this commission in a 1618 order to subordinate officials, Lord Zouch wrote ‘He hath authorized mee and my Deputie to be by mee appointed, to give Lycense to such men, women and children to passe over the Seas within the Liberty and jurisdiction of the cinq portes, as upon examination’.³¹ Zouch’s role as commissioner overseeing the Cinque Ports thus included overseeing the identification of individuals departing from these ports. Zouch gave an explanation for these processes of identification as ‘for the better government of the passages, which are conceived to be the ordinary and usuall Gates, to let out, and lett in Dangerous persons to his Majesties State, and to this Kingdome’.³² This order presented the identification of transnationally mobile individuals and the governance of ports as directly interrelated, and necessary for the safety of the realm. This identification was further spatially located in this order, which continued

Whereby all passengers as well Strangers as subjects of this Realme ... are specially to be exhibited to embarque from or to land within any of the portes ... of my office, but all the portes of Dover, Rye, and Sandwich only, where comissions are established both to give Passports and to keepe a Register.³³

This order demonstrates that while individuals could be identified at any port, within the Cinque Ports only three ports were able to produce the requisite documents of identification, due to the presence of the necessary port officials at these three ports. These port officials, and the ports in which they had authority, were thus crucial to processes of identifying individuals departing from England across the North Sea.

30 K.M.E. Murray, *The Constitutional History of the Cinque Ports* (Manchester: Manchester University Press, 1935), pp. 1-5.

31 TNA SP 14/96 f.115a.

32 *Ibid.*

33 *Ibid.*

To understand the identification of individuals at ports by officials it is necessary to situate these practices within the wider context of the governance of ports and maritime movement by authorities. While English port officials were responsible for the production and inspection of identification documents, the majority of their work in the seventeenth century centred around the inspection of ships and their cargoes.³⁴ These officials enforced the customs duties on various imported goods imposed by the King and Parliament and searched ships' cargoes in an effort to prevent smuggling and fraud.³⁵ The first half of the seventeenth century witnessed English customs expand significantly, both in terms of the number of goods subject to customs and in the growth of the bureaucratic and legal apparatus surrounding these taxes.³⁶ From 1603 to 1660, both the early Stuart monarchs and Interregnum authorities issued a vast number of proclamations and ordinances subjecting goods to custom duties and directing the work of the port officials responsible for enforcing these taxes.³⁷ The various proclamations and orders regarding the identification of individuals at ports were thus part of a wider set of orders from the early Stuart Privy Council and Interregnum authorities to port officials in relation to their governance of ports through their enforcement of customs duties. Early-seventeenth-century proclamations and orders led to the expansion of the responsibilities of officials in ports in the early seventeenth century for the governance of the maritime movement of both goods and people.

The integration of responsibility for the identification of transnationally mobile individuals and the movement of goods under the authority of port officials has significant implications for understanding the development of bordering practices in early modernity. While the inspection of ships by officials at English ports and the use of travel documents such as passports both date to the late medieval period, the shift of authority over the production of identification documents from the

34 William J. Ashworth, *Customs and Excise: Trade, Production, and Consumption in England, 1640-1845* (Oxford: Oxford University Press, 2003), pp. 149-60; Henry Atton and Henry Hurst Holland, *The King's Customs* (London: John Murray, 1908), pp. 87-89.

35 *Ibid.*

36 Ashworth, pp. 1-5; Atton and Holland, pp. 72-74

37 *Ibid.*

Crown to port officials represented a significant shift in these practices which concentrated responsibility for governing the transnational movement of both people and goods with officials who directly oversaw England's maritime frontiers.³⁸ Renaud Morieux, in his study of the English Channel, has argued that the long eighteenth century was the period in which the Channel became an established border, due to factors such as developing conceptualisations of the Channel as a maritime frontier and the growth of the customs system in the last quarter of the seventeenth century.³⁹ However, when considering bordering practices from the perspective of the structures of authority and methods of identification governing transnational movement, it is instead the early seventeenth century which emerges as a key moment. Early Stuart proclamations established ports as key sites for bordering practices which governed the transnational movement of people and goods, including through identification, and granted officials responsible for these spaces control of this governance.

Royal proclamations and orders specifically directed port officials to maintain registers of licences to pass beyond the seas. The 1630 proclamation issued by Charles I 'to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes' not only ordered that these officials examine individuals seeking to depart from England and provide approved individuals with licences to pass beyond the seas, but also that they 'shall make and keepe a perfect entrie in a Register Booke, to bee kept of purpose of the names and surnames of all such as shall be Lycenced by the Commissioners, in that behalfe appointed to passe the Seas'.⁴⁰ The production of registers of licences to pass beyond the seas was thus specifically directed by royal proclamation, as the Crown sought to use port officials to maintain a lasting bureaucratic records of transnationally mobile individuals.

38 Ashworth, p. 151; Groebner, pp. 8-9.

39 Morieux, pp. 248-51; *Ibid*, pp. 325-27.

40 *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes.*

The 1630 proclamation directed port officials as to the identifying details registers of licences to pass beyond the seas should include. The proclamation stated that port clerks should record

their places of birth and abroad, their state, degree, vocation, trade, mysterie or occupation, and the true cause or causes of their going over, together with the place or places whither they intend or are to goe, and the time they are like or intend to returne.⁴¹

This list of details demonstrates that English authorities thought it necessary to maintain records of the identities and movements of transnationally mobile individuals. The details about which officials were directed to ask the examined also reveals that the Privy Council implicitly imagined transnationally mobile individuals as male. While this proclamation directs officials to ask individuals about their occupations, in practice the occupations of mobile women were only recorded rarely; women were instead generally asked about their marital status. The extent to which such details were recorded in registers by port clerks was highly variable. While the register of licences to pass beyond the sea for London in 1621 contained all of these identifying details, the register for London in 1635 contained only individuals' names and ages.⁴² This variability likely in part accounted for the repetition of proclamations ordering port officials as to correct bureaucratic procedures in regard to licences to pass beyond the seas.

These proclamations also reveal some of the limitations inherent to the registers of licences to pass beyond the seas. All four proclamations granted exceptions to 'Souldiers, Merchants, Mariners, and their Factors and Apprentices' who were not required to obtain a licence to depart from the realm.⁴³ The repetition of this exception across all four proclamations indicates a wide acceptance that these groups did not require a licence to depart from England. As there are no registered instances of individuals from these groups applying for a licence to pass beyond the

⁴¹ *Ibid.*

⁴² TNA E157/20, 'Register of passengers leaving the port of London', 1634-1635; TNA E157/27.

⁴³ *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes; Stuart Royal Proclamations* Vol. I, pp. 147-8; *Ibid*, pp. 158-60; *Stuart Royal Proclamations*, Vol. II, pp. 462-63.

seas—with the exception of private individuals who departed to the Low Countries to serve the United Provinces as soldiers—these legal exceptions were evidently recognised in practice by both these mobile groups and port officials.⁴⁴ Merchants and mariners were instead identified to port officials through the ship reports submitted by ships' masters detailing their vessel's crew and cargo.⁴⁵ Given that registers of licences to pass beyond the seas did not record most mercantile, military or maritime labour mobilities, these registers did not capture a large proportion of transnational mobilities and any impression of transnational mobilities garnered from the registers is thus skewed. Interestingly, given that those included in these legal exemptions were all implicitly male, it is likely that the mobilities recorded in registers of licences to pass beyond the seas were more heavily female than the full extent of transnational mobilities out of England in the seventeenth century.

It is almost certain that significant numbers of individuals who were required to obtain a licence to pass over the seas simply did not do so. That four proclamations mandating the use of licences to pass over the seas were promulgated in under thirty years reveals both that the Privy Council thought it a matter of some priority to control transnational mobilities and that it was unsatisfied with the efficacy and level of implementation of the licensing system. The 1630 proclamation includes a complaint that, despite previous proclamations, some individuals had continued to depart from England without receiving a licence.⁴⁶ Evidently, the proclamation of 1630 was at least in part an attempt to increase the use of licences to pass beyond the seas by reminding port officials of their duty to conduct examinations and check passengers' passes. The mobilities of those individuals who did not, for whatever reason, obtain a licence to pass beyond the sea are not recorded in these registers and it is thus unclear to what extent evasion of the requirement for individuals to hold a licence to pass beyond the seas was widespread.

⁴⁴ TNA E157/21; TNA E157/27.

⁴⁵ Ashworth, pp. 139-40.

⁴⁶ *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes.*

Lord Zouch's 1618 order to his subordinate officials at the Cinque Ports reveals that authorities were aware of the inherent limitations of the licensing system for individuals departing across the North Sea, while at the same time trying to combat these weaknesses. Zouch noted that 'it is most likely that such as are eyther offenders or persons ill affected to the State, will both attempt passage and landinge rather at the creekes and other extraordinary and unwarranted places then at any of the three ports assigned by his Majesty'.⁴⁷ Zouch displayed an awareness that identifying, licensing and surveiling individuals departing England from ports staffed with officials was insufficient to control transnational and maritime mobilities as a whole, and that these controls could be evaded by motivated individuals. As an attempt to remedy this weakness, Zouch ordered that port officials should

appoint comissions to oversee and take care ... of all creeks and landinge places whatsoever within my jurisdiction, whoo shall observe all passengers that eyther make offer to imbarque themselves or to land, contrary to his Majesties Instructions and Commandment, in any other then at the Ports of Dover, Rye and Sandwich.⁴⁸

Zouch was aware of the difficulties of controlling all of the points of potential maritime departure from England, but nevertheless attempted to combat this issue by deploying additional officials to surveil creeks and other possible landing places, thereby admitting the inherent limitations of existing mechanisms of identification as a means of controlling transnational movements.

Zouch's order was evidently motivated in part by a desire to prevent smuggling. Due to the high customs duties placed on a variety of goods, smuggling was a widespread practice in the seventeenth century, engaged in by many sailors and members of coastal communities.⁴⁹ As referenced in Zouch's discussion of ships landing at creeks and 'unwarranted places', individuals engaged in smuggling evaded the inspection of ships' cargoes by port officials by instead unloading smuggled goods in creeks and coastal areas away from official ports.⁵⁰ Zouch's order reflects

⁴⁷ TNA SP 14/96 f.115a.

⁴⁸ *Ibid.*

⁴⁹ Ashworth, pp. 165-67; Atton and Holland, pp. 116-17; Morieux, pp. 248-51.

⁵⁰ *Ibid.*

official concern that these practices of evading customs were also being used to evade the identification of individuals at ports. Simultaneously, this order's direction that individuals engaged in practices associated with smuggling should be ordered by port officials to embark or disembark at specifically those ports authorised to produce and inspect licences to pass beyond the seas demonstrates that English authorities regarded the identification of transnationally mobile individuals at ports as a useful mechanism for combatting smuggling. English authorities thus viewed smuggling and the evasion of identification as related problems, and regarded the surveillance of the movements of people and goods as interlinked bordering practices that could be used to combat this issue.

The repeated enactment of proclamations and orders mandating and directing the identification of individuals departing England in the seventeenth century was frequently tied to political instability and related fears of transnational movement. It is notable that proclamations mandating the use of licences to pass beyond the seas were issued in the decade leading to the 1639 outbreak of the British Civil Wars in 1630 and 1635. These proclamations justified themselves explicitly on the grounds of preventing political instability. The 1630 proclamation stated that identifying individuals departing from England was necessary due to 'divers of his Subjects being persons unknowne, and evill affected to the State of this Kingdome, did oftentimes convey themselves out of this Realme, into the Ports beyond the Seas, and combine themselves with foraigne Enemies, thereby to make trouble'.⁵¹ Additionally, an April 1639 letter from Thomas Marshall, the searcher of Rye, to Francis Windebank, the Secretary of State, refers to an order from the Privy Council to port officials instituting 'a prohibition to the officers not to make any warrant or passport for the passage of any Scots of either sex into France' from April 1639.⁵² There is not an extant copy of this order in the State Papers Online archive. However, this prohibition was no doubt

51 *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes.*

52 TNA SP 16/1417 f. 266, 'Thomas Marshall, searcher of Rye, to Sec. Windebank'. 17 April 1639.

put in place in response to the outbreak of Anglo-Scottish military conflict from March 1639. Attempting to control movement out of England using identification documents was thus one mechanism through which English authorities attempted to maintain political order during the heightened instability of the 1630s.

This strategy was also used by Interregnum authorities during the 1650s. In a 1653 order from the Council of State to officials at the port of Dover, as well as reiterating the standard mandate that officials, ‘take the best Order you can that all persons coming to Dover or Passengers inwards or outwards ... be brought before you to be examined’, the Council of State also ordered officials ‘to be very careful that none of this commonwealth, being not well affected to the State, pass out or into this nation under colour of being a stranger’.⁵³ This order reflected that authorities in 1653 felt both a need to reiterate the well-established principles that port officials should identify transnationally mobile individuals due to the perceived dangers to the political and confessional order these movements posed, and that authorities were particularly concerned about individuals dissimulating their identities and moving into and out of England under the guise of being strangers. These perceptions of dangerous transnational movements and threatening dissimulated identities reflect authorities’ fears surrounding Catholic and royalist transnational mobilities. While not insignificant numbers of Royalists did leave England in the late 1640s and 1650s fearing political persecution, these movements occurred alongside far larger numbers of other individuals who departed from England for various lengths of time and for a diversity of reasons.⁵⁴ Given the continuation of pre-existing patterns of mobility during the Interregnum, the Council of State’s efforts to combat the potential threat posed by royalist transnational mobilities did not represent a marked departure from previous methods used to control mobilities, but rather reiterated the use of identification at ports to this end. The development of legislation surrounding the identification of

⁵³ TNA SP 25/71 f. 204.

⁵⁴ Timothy Raylor, ‘Exiles, Expatriates and Travellers: Towards a Cultural and Intellectual History of the English Abroad, 1640-1660’, in *Literatures of Exile in the English Revolution and its Aftermath, 1640-1690*, ed. by Philip Major (Farnham: Ashgate, 2010), pp.15-44 (pp. 22-26).

individuals departing across the North Sea was thus not linear but rather one of repetition and modification at specific political junctures in response to perceived political instability presumed to be related to transnational movements.

The development of practices of identification and bordering at English ports in the seventeenth century was neither a uniform nor a linear process. Instead, Proclamations were issued and reissued at particular junctures motivated by specific economic, political and gendered concerns. This repetition of proclamations demonstrates an awareness by the Privy Council and Council of State of both the utility and potential limitations of identification as a mechanism for surveiling and controlling transnational movement. However, while not developing strictly linearly, the repeated issuing of proclamations and orders regarding identification practices at ports demonstrates the importance of the earlier seventeenth century to the development of early modern English bordering practices. Following the transfer of authority over the identification of transnationally mobile individuals to officials operating at maritime frontiers, the production and inspection of identification documents at ports became established as a logic of governance and bordering practice.

Destinations Recorded in Registers of Licences to Pass Beyond the Seas

Destinations of individuals departing from London, May-July 1621

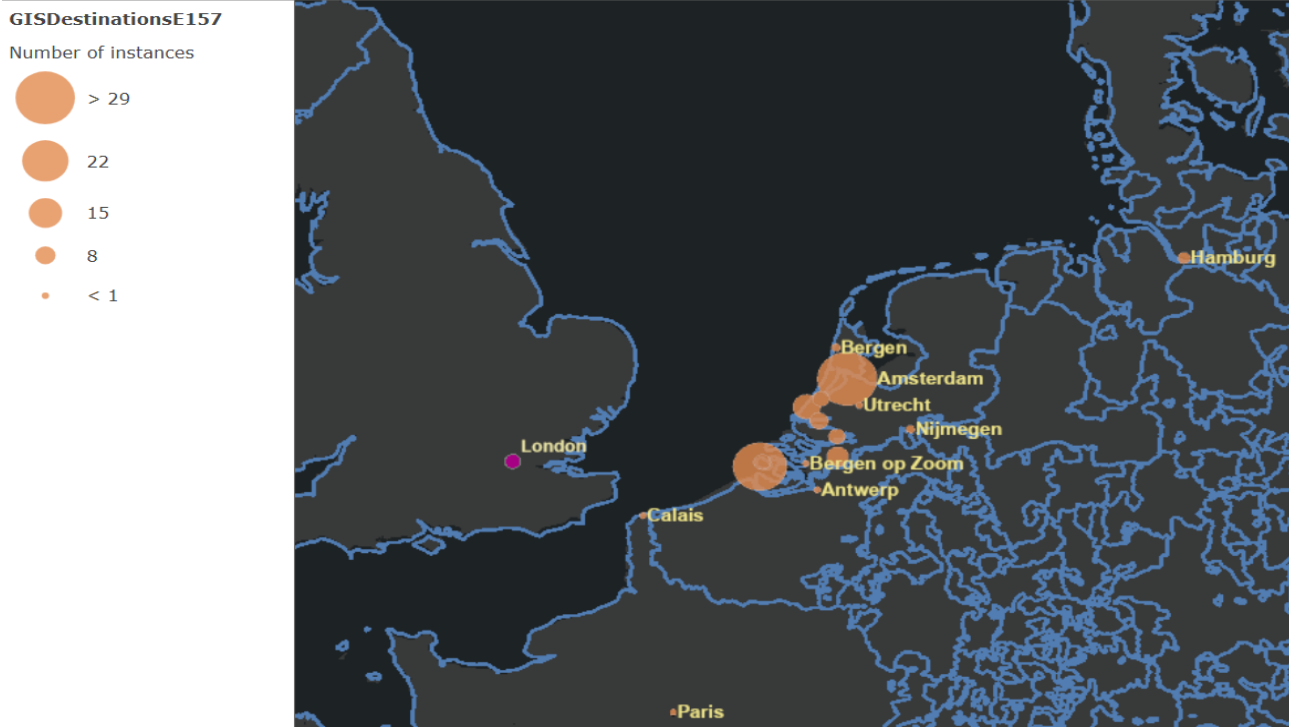


Figure 3.1: Map of destinations of individuals departing from London, May-July 1621

Destinations of individuals departing from London, May-July 1621



Figure 3.2: Map of destinations of individuals departing from London, May-July 1621 (The Low Countries)

Figure 3.3: Table of destinations of individuals departing from London, May-July 1621

Destination	Number of departing individuals recorded
Amsterdam	33
Vlissingen	26
The Hague	12
Breda	9
Rotterdam	7
Dordrecht	6
Leiden	6
Middelburg	6
Hamburg	4
Bergen	2
Nijmegen	2
Paris	2
Bergen op Zoom	1
Calais	1
Utrecht	1

Destinations of individuals departing from Great Yarmouth, March to September 1637

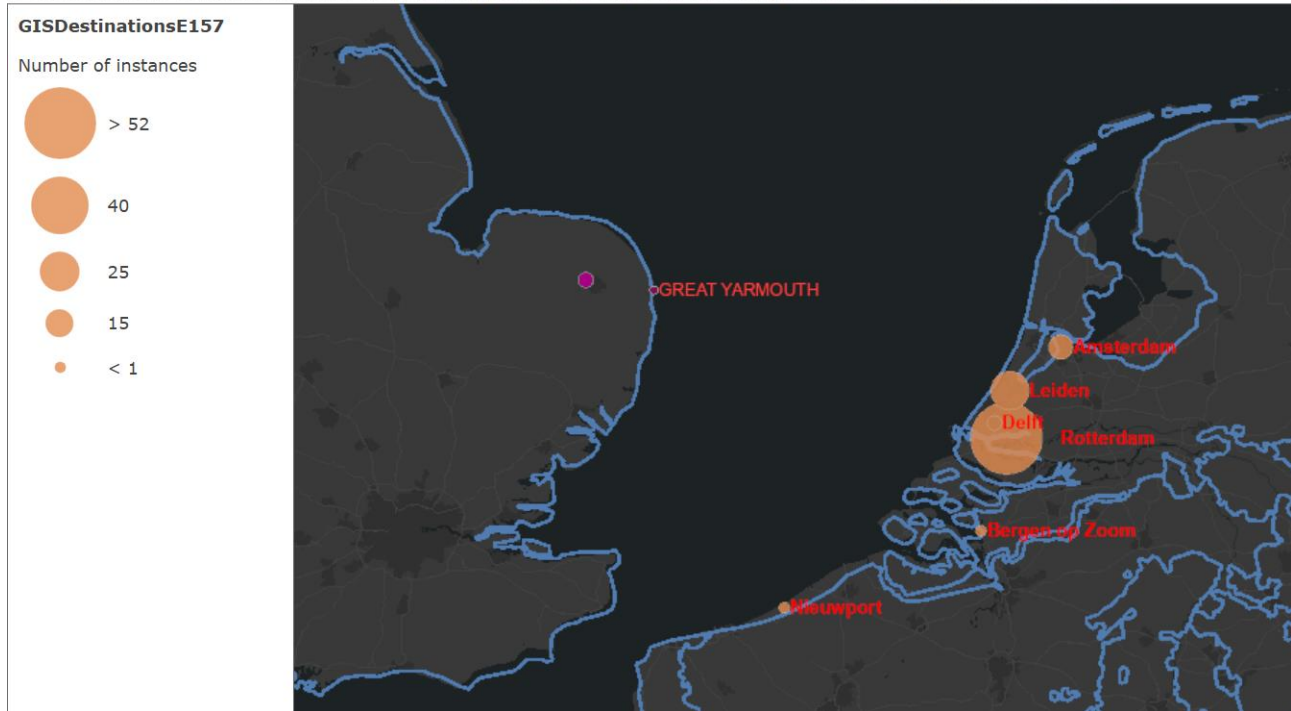


Figure 3.4: Map of destinations of individuals departing from Great Yarmouth, March to September 1637

Figure 3.5: Table of destinations of individuals departing Great Yarmouth, March to September 1637

Destination	Number of departing individuals recorded
Rotterdam	52
Leiden	24
Amsterdam	12
Bergen op Zoom	1
Nieuwpoort	1
Delft	4

As bureaucratic documents which recorded the destinations of thousands of individuals departing from English ports in the seventeenth century, registers of licences to pass beyond the seas enable a detailed analysis of the geography of the everyday movements of individuals crossing the North Sea from England. In analysing these geographic mobilities, this section begins with a mapping of the destinations listed in the registers of licences to pass beyond the seas from two ports in southeastern England in the first half of the seventeenth century: London in 1621 and Great Yarmouth in 1637 (see Figures 3.1-3.5). While the recorded mobilities from two ports in southeastern England within the span of two decades cannot be said to be wholly representative of transnational mobilities in seventeenth-century England as a whole, given the heavy concentration of extant registers of licences to pass beyond the seas in the 1620s and 1630s and from southeastern ports, particularly London and Great Yarmouth, these two registers are relatively representative of the mobilities surveilled and recorded using these documents of identification. An analysis of the destinations recorded in these registers of licences to pass beyond the seas reveals the centrality of North Sea ports in the Low Countries to the mobilities surveilled using licences to pass beyond the seas. While these patterns call into question to what degree registers of licences to pass beyond the seas captured the full extent of individuals' transnational movements, they simultaneously highlight that port officials responsible for maintaining registers of licences to pass beyond the seas were fundamentally concerned with surveilling maritime mobilities. While registers of licences to pass beyond the seas provide a useful source of data for quantitative and spatial analysis of the movements of individuals departing from English ports, these documents must be further contextualised and qualified by the reasons for their production and use for this analysis to be properly situated.

From 1606 and 1607 onwards, licences to pass beyond the seas became the predominant document of identification authorising the departure of individuals from England across the North Sea in the first half of the seventeenth century. While the State Papers Online database holds only

365 examples of passports or minuted references to passports for the entirety of the seventeenth century, in a single six-month period between March and September 1637 at the single port of Great Yarmouth, the register of licences to pass beyond the seas records the identities of 421 individuals who were granted licences.⁵⁵ Given their overwhelming predominance compared to the more privileged passport as a form of identification for individuals departing across the North Sea, registers of licences to pass beyond the seas are useful for developing an analysis of non-elite, everyday patterns of transnational movement.

The data used to create these maps was derived from the examinations of the 118 individuals who departed London for Europe between May and July 1621 and the ninety-eight individuals who departed Great Yarmouth for Europe between March and September 1637, for whom specific destinations were recorded. Examinations in which no specific destination or a broad geographical region, such as 'Holland' or 'The Low Countries', was given were not included in the map due to the need for specific locations for the purposes of geospatial analysis. As a result, many of the entries from London in 1621 and Great Yarmouth in 1637 were excluded. In the registers for London between May and July 1621, 118 of the 145 individuals whose identities were recorded had a specific destination listed. Only ninety-eight of the 303 individuals recorded as departing from Great Yarmouth between March and September 1637 had a specific destination listed in their entry. However, despite the omission of many of the entries from these registers from the data used to create these maps, given that the non-specific destinations recorded in both registers were invariably either 'Holland' or 'The Low Countries', the mapping of entries with specific destinations is nevertheless representative of the registers as a whole.

The maps which form the basis of this section's analysis focus specifically on the movement of individuals from England to Europe recorded in these registers. Although the 1637 Great Yarmouth register contained a significant number of entries for individuals departing to English

⁵⁵ TNA, E157/27; *State Papers Online*.

America, particularly New England, even in this register, 303 of the 424 entries listed individuals departing to Europe.⁵⁶ The 1621 London register only included individuals departing to northwestern Europe.⁵⁷ This discrepancy between these two sets of registers likely reflected both the heightened levels of migration to New England in the 1630s and the difference in the months covered by these two registers. While most ships departing to the Americas did so in early spring, due to the length of the voyage, the shorter trip across the North Sea was most readily undertaken by sailors throughout the spring and summer.⁵⁸ Despite the disparity between the months included in these two sets of registers, both identified individuals departing from England during the annual period during which movement across the North Sea was at its height.

Both these data sets demonstrate the importance of the North Sea to individuals departing from English ports to continental Europe, and particularly the centrality of movement to the Low Countries. In both maps, the Low Countries predominated in the recorded destinations of individuals departing from both London and Great Yarmouth. Of the 118 individuals who departed from London between May and July 1621, only six were listed as having destinations outside of the Low Countries. Of the 98 who departed from Great Yarmouth for Europe between March and September 1637, none were listed as having destinations outside of the Low Countries. Within the Low Countries, the United Provinces, particularly Holland and Zeeland, held by far the highest concentrations of listed destinations. For individuals departing from Great Yarmouth in 1637, only one individual—Elizabeth Fowlsom who departed to Nieuwpoort in Flanders—was recorded as having a destination outside of the United Provinces.⁵⁹ The Low Countries, particularly the United Provinces, were central to patterns of transnational mobility for individuals departing from ports in southeastern England in the first half of the seventeenth century.

⁵⁶ TNA E157/21.

⁵⁷ TNA E157/27.

⁵⁸ Olivier Chaline and Richard Harding, 'Du vent et de l'eau: les contraintes environnementales au temps de la voile', *Histoire, Économie et Société*, 39.1 (2020), 9-21 (pp. 15-17); Cressy, pp. 144-57.

⁵⁹ TNA/E157/21.

The movements of Dutch-speaking migrants in England to the Low Countries were a key factor in the centrality of the Low Countries in the departures recorded from London and Great Yarmouth. London and Norfolk hosted two of the largest Dutch-speaking communities in seventeenth-century England, and many of the individuals departing from ports in these areas were undoubtedly members of these communities.⁶⁰ When George Damiroy obtained a licence to pass beyond the sea in London in June 1621, his place of residence was listed as ‘Vlyshing’ (Vlissingen) and his reason for departure was that he was, ‘dwelling in Vlyshing to pass over thither’.⁶¹ This register entry indicates that George Damiroy was a Dutchman who, after having spent an indeterminate amount of time in London, was returning home to Zeeland. Similarly, Judeth Chest, a fifty-year-old widow living in Norwich, was recorded as departing from Great Yarmouth to Amsterdam in 1637 ‘to a sister which she hath ther and ther to remaine’.⁶² Individuals who told customs officials that they were departing from England to reside in the Low Countries accounted for thirty-five percent of all individuals departing from London in 1621 and thirty percent of all departures from Great Yarmouth in 1637. Many of these individuals were Dutch-speaking migrants who, after living in England for a period on a more-or-less impermanent basis, then decided to return to the Low Countries.

The temporary movements of Dutch-speaking migrants from England to the Low Countries were also frequently recorded in registers of licences to pass beyond the seas. In 1637, William Thompson informed officials at the port of Great Yarmouth that he was travelling to Holland ‘to see his friendes and to returne in a mounth’.⁶³ In 1621, Thomas Fromade gave his stated reason for departing from London to Amsterdam as being ‘to visit his mothir’.⁶⁴ Visiting kin accounted for

60 Ole Peter Grell, *Calvinist Exiles in Tudor and Stuart England* (Aldershot: Scolar Press, 1996), pp. 4-6; Fiona Williamson, *Social Relations and Urban Space: Norwich, 1600-1700* (Woodbridge: The Boydell Press, 2014), pp. 97-99.

61 TNA, E 157/27.

62 TNA, E157/21.

63 *Ibid.*

64 TNA, E 157/27.

thirteen and thirty-three percent of the stated reasons for departure for London and Great Yarmouth, respectively. The everyday transnational movements of Dutch-speaking migrants returning to the Low Countries on both permanent and temporary bases were thus highly significant in shaping the overall patterns of movement across the North Sea from ports in southeastern England.

The importance of the movements of Dutch-speaking migrants to the patterns of mobility recorded in registers of licences to pass beyond the seas has significant implications for how the surveillance of movement by English authorities at ports is understood. Scholars of late twentieth- and twenty-first-century migration, such as Amelie F. Constant and Klaus Zimmermann, have referred to patterns of movement in which migrants, after spending a period of time in a host country, return to their country of birth as ‘repeat’ or ‘circular’ migration.⁶⁵ In 1995, Nina Glick Schiller developed the conceptual category of the transmigrant to refer to migrants who, while migrating to a new country, maintain crucial familial, institutional, social or economic interconnections with their country of birth.⁶⁶ While the categories of repeat migration and transmigrants were developed by scholars of contemporary migration, the movements of Dutch-speaking migrants demonstrate that repeat migration and transmigration emerged as phenomena far earlier, being observable in Dutch-speaking migrant communities in seventeenth-century England. Dutch-speaking migrants returning to the Low Countries on a permanent basis were engaging in a form of circular migration and those returning temporarily for reasons such as visiting kin evidently maintained the form of transnational interconnections typical of the category of the transmigrant. The quantitative importance of these movements to patterns of mobility out of ports in southeastern England in the early seventeenth century demonstrates that the repeat migration and transmigration of Dutch-speaking migrants were a key factor both in Anglo-Dutch exchange and in North Sea mobilities as a whole in this period. Given the function of registers of licences to pass beyond the

65 Amelie F. Constant and Klaus Zimmermann, ‘The Dynamics of Repeat Migration: A Markov Chain Analysis’, *International Migration Review*, 46 (2012), 361-87 (pp. 362-65).

66 Nina Glick Schiller, Linda Basch and Cristina Szanton Blanc, ‘From Immigrant to Transmigrant: Theorizing Transnational Migration’, *Anthropological Quarterly*, 68.1 (1995), 48-63 (pp. 48-50).

seas as a mechanism for surveilling transnational movement and a form of bordering practice, the identification of individuals departing from ports functioned, in practice, as a mechanism of surveillance which had an outsized impact on transnational migrants in England.

English individuals also contributed significantly to patterns of movement to the Low Countries from ports in southeastern England. In May 1637, John Wade departed from Great Yarmouth to Holland ‘to see the contrey and to retorne as sone as conveniently he may’.⁶⁷ This register entry indicates that John Wade was an Englishman who travelled to Holland. Individuals who gave port officials reasons for their movement to the Low Countries such as going to ‘see the country’ accounted for six percent of departures from Great Yarmouth in 1637. While histories of seventeenth-century English cultural travellers have traditionally focused on the Grand Tour and southern Europe, cultural travel to the Low Countries and northwestern Europe was also a significant phenomenon.⁶⁸ That significant numbers of English people went to the Low Countries for a variety of reasons, including travel, reflects the importance of cultural, economic and political exchanges between these two countries in the seventeenth century.⁶⁹ While Dutch-speaking migrants had a significantly outsized presence in the registers of licences to pass beyond the seas, the movements of English individuals were also recorded and surveilled in these bureaucratic texts.

For London in 1621, the most common destinations by far were Amsterdam in Holland with 29 individuals stating it as their destination and Vlissingen in Zeeland with 26 individuals stating it as their destination. Both cities were important North Sea ports and central to Anglo-Dutch trade and exchange.⁷⁰ Similarly, the destinations for Great Yarmouth in 1637 were overwhelmingly centred on Rotterdam—52 individuals reported their destination as Rotterdam, accounting for over

67 TNA E 157/21.

68 Rosemary Sweet, Gerrit Verhoeven and Sarah Goldsmith, ‘Introduction’ in *Beyond the Grand Tour: Northern Metropolises and Early Modern Travel Behaviour*, ed. by Rosemary Sweet, Gerrit Verhoeven and Sarah Goldsmith (London: Routledge, 2017), pp. 1-24 (pp. 1-3); van Raamsdonk and Moss, pp. 106-09.

69 Levelt, van Raamsdonk, and Rose, pp. 6-9.

70 Ulrich Ufer, ‘Imagining Social Change in Early-Modern Amsterdam: Global Processes, Local Perceptions’, in *Imagining Global Amsterdam: History, Culture, and Geography in a World City*, ed. by Marco de Waard (Amsterdam: Amsterdam University Press, 2012), pp. 27-44 (pp. 28-30); van Raamsdonk and Moss, pp. 105-07.

half of all stated destinations—another important Dutch North Sea port. More minor ports in the Low Countries, such as Bergen op Zoom, which appeared once in the listed destinations of both London and Great Yarmouth, were also represented. While some individuals departing from London in 1621, such as the two individuals who stated their destination as Nijmegen and the one who stated Utrecht, reported destinations further inland from the North Sea, these cities were nevertheless connected to the North Sea by rivers and canals. Two of the few destinations reported by individuals departing from London in 1621 outside of the Low Countries, Hamburg and Calais, were also important North Sea ports.⁷¹ Both ports were crucial to England's North Sea trade and, as a result, had significant populations of English merchants.⁷² The inclusion of both Hamburg and Calais in the reported destinations in registers of licences to pass beyond the seas alongside Dutch ports suggests the importance of connections beyond the frame of 'Anglo-Dutch' and considering the role of maritime connections between North Sea ports more broadly.

The centrality of North Sea ports to destinations recorded in registers of licences to pass beyond the seas reveals how licences to pass beyond the seas functioned in practice as fundamentally maritime documents of identification. It was common practice for customs officials at North Sea ports to inspect the relevant documents pertaining to ships docking in their ports, including identification documents.⁷³ While licences to pass beyond the seas were a requirement to initially depart from England, they also facilitated entry through ports in continental Europe.⁷⁴ Licences to pass beyond the seas fundamentally functioned as documents facilitating movement across the North Sea by enabling legal departure from England and entrance to countries in continental Europe. The destinations recorded registers of licences to pass beyond the seas were, in

71 Erik Lindberg, 'The Rise of Hamburg as a Global Marketplace in the Seventeenth Century: A Comparative Institutional Perspective', *The Rise of the Atlantic Economy and the North Sea/Baltic Trade, 1500-1800: Proceedings of the XVth World Economic History Congress*, ed. by Leos Müller, Philipp Robinson Rössner and Toshiaki Tamaki (Stuttgart: Franz Steiner Verlag, 2011), pp. 19-34 (pp. 19-25); Morieux, pp. 283-85; North, p. 101.

72 *Ibid.*

73 Antoni Mączak, *Travel in Early Modern Europe* (Cambridge: Polity Press, 1995), pp. 112-14; Morieux, pp. 270-74.

74 *Ibid.*

part, a reflection of the importance of the North Sea to seventeenth-century English transnational mobilities. However, the centrality of North Sea ports in the registers was also a product of the function of these documents as facilitating specifically maritime mobilities and of authorities' bordering practices which surveilled movement at North Sea ports.

The function of registers of licences to pass beyond the seas as primarily recording movement between ports makes these documents highly revealing of patterns of maritime traffic. The overwhelming frequency of Rotterdam as a reported destination for Great Yarmouth in 1637 and Amsterdam and Vlissingen for London in 1621 was undoubtedly a reflection of the predominant maritime routes utilised by sailors traversing the North Sea. In the early seventeenth century, boats chartered specifically for passengers were not generally utilised when traversing the North Sea, and passengers instead gained passage on boats crossing for commercial purposes.⁷⁵ The destinations reported by passengers identified in registers of licences to pass beyond the seas were thus reflective of wider commercial shipping routes. These routes were partly shaped by geography. The preference for docking at Rotterdam by sailors departing from Great Yarmouth as opposed to at Vlissingen for those departing from London was partly a product of Great Yarmouth and Rotterdam laying to the north of London and Vlissingen. Geography also explains only one licence being granted for passage to Calais across both registers, despite the French port's importance, due to most maritime traffic between England and Calais departing across the Channel from Dover.⁷⁶ However, these routes were also shaped by economic and political factors and were subject to change. Prior to the outbreak of the Eighty Years' War in 1568, sailing to Nieuwpoort was the preferred maritime route for ships departing from Great Yarmouth.⁷⁷ However, by the 1630s, this situation had changed due to Nieuwpoort remaining under the control of Spanish forces, leading to Rotterdam replacing it as the preferred port of call. The frequency with which Amsterdam appeared

⁷⁵ Morieux, pp. 283-85.

⁷⁶ *Ibid.*

⁷⁷ Williamson, pp. 97-99.

as a stated destination and its importance as a port of call was also shaped as much by the importance of Amsterdam as an economic hub as by geography alone. The frequency of Amsterdam's appearance in the registers of licences to pass beyond the seas was also likely partly explicable by passengers travelling to Amsterdam's preference to gain passage on ships docking at Amsterdam, as well as by the importance of maritime routes between England and Amsterdam.

The port-based nature of registers of licences to pass beyond the seas calls into question the extent to which these registers are representative of the full extent of the movements of the individuals identified within them or only of their first port of call following their departure from England. Many of the individuals who reported their destinations as ports may have then travelled further onwards. However, many individuals also evidently reported destinations that were not their first port of call. For instance, William Johnes, departing from London in 1621, told port officials that he was going to Paris 'to remaine there a time'.⁷⁸ For Johnes to reach Paris he would have had to have first disembarked at a port, likely Calais, before travelling to Paris. Individuals who gave destinations in the Low Countries such as Utrecht and Nijmegen would also have disembarked elsewhere first before proceeding onwards via a river or canal boat.⁷⁹ Additionally, many of the individuals who reported port cities, such as Amsterdam or Rotterdam, as their destinations did evidently intend for those cities to be their primary destinations. The 1621 register entry for Joan Batting stated that she was the 'daughter of John Batting resident in Amsterdam is desirous to pass over thither'.⁸⁰ While their focus on ports and maritime movements means that registers of licences to pass beyond the seas do not capture the full extent of all of the identified individuals' mobilities, there was evidently significant variability in if an individual's first port of call or ultimate destination was recorded, and in many instances port of call and primary destination overlapped.

78 TNA E157/27.

79 Mączak, pp. 19-20.

80 TNA, E157/27.

While licences to pass beyond the seas were primarily utilised at ports, identification checks and bordering practices in the seventeenth century were not limited to ports or to frontiers between countries. While licences to pass beyond the seas were predominantly used to facilitate movement across England's maritime frontier, the repeated, if less frequent, appearance of destinations beyond an initial port of call suggests that these documents had additional functions. That some mobile individuals did request licences from English port officials which listed such destinations suggests that these documents had a utility beyond providing entry to a country through its port. Although work on early modern bordering has tended to focus on the control of movement between different polities, bordering practices within territories, wherein officials would deny entry at city gates or use toll houses to restrict travellers' movements, were often equally significant to those practised at external boundaries.⁸¹ While the primary function of licences to pass beyond the seas as enabling transnational maritime movement initially seems to fit with conceptions of early modern bordering which centre transnational boundaries, given the existence of internal bordering practices and inspections of documents by officials within territories, a document such as a licence to pass beyond the sea would have had use beyond facilitating entry at a port. The use of licences to pass beyond the seas both at and beyond external frontiers suggests that there was not a clear delineation of external and internal bordering practices in the seventeenth century.

The existence of additional bordering practices when moving to destinations in the Spanish Netherlands prevents registers of licences to pass beyond the seas from capturing the full extent of many individuals' movements. In 1641 John Evelyn, having already received a licence to pass beyond the seas before departing from England to the Dutch Republic, had to then receive another pass from the Spanish authorities before passing south into the Spanish Netherlands.⁸² Due to the ongoing military conflict between Spain and the United Provinces, Spanish authorities did not

81 Daniel Jütte, 'Entering a city: on a lost early modern practice', *Urban History*, 41.2 (2014), 204-27 (pp. 224-26); Maier, pp. 50-58; Morieux, pp. 310-12; Sahlins, pp. 1-9; Scholz, pp. 4-9.

82 Evelyn, p. 28.

recognise identification documents issued by the Dutch Republic, and individuals seeking to cross the border into the Spanish Netherlands had to pay for documents issued by Spanish officials at fortifications before proceeding across the border.⁸³ Due to these additional requirements placed on mobile individuals at the Spanish Habsburg border, the mobilities of individuals who travelled into the Spanish Netherlands through the United Provinces are not fully captured.

Hostile relations between England and Spain led to the imposition of additional bordering practices and surveillance upon individuals seeking to move directly from England to the Spanish Netherlands. When Robert Lawe applied for a licence to pass to Antwerp in the Spanish Netherlands from London in July 1621, he was required to have his neighbour Roger Foster attest to the examiners that Lawe was indeed likely to return within three months, as he had stated in his examination.⁸⁴ The heightened requirements placed upon the examined and the general suspicion shown towards those departing for the Spanish Netherlands no doubt discouraged many from applying for passes to these destinations. However, large numbers of individuals in the seventeenth century, particularly English Catholics, did depart from England to the Spanish Netherlands.⁸⁵ Many Dutch-speaking migrants in England were from territories in the Spanish Netherlands and maintained connections there.⁸⁶ It is thus implausible that the two instances across both London in 1621 and Great Yarmouth in 1637 of individuals reporting their destinations to English officials as cities in the Spanish Netherlands captured the extent of movement to the Spanish Netherlands. Instead, most travellers, English Catholics and returning Dutch-speaking migrants who departed from England to the Spanish Netherlands likely disembarked in the Dutch Republic and then received further identification documents at the Spanish Habsburg border. These movements, while

83 Bran De Ridder, 'Border Management during the Eighty Years' War: Passports for Persons Crossing the New Habsburg-Dutch Border, 1568-1648', in *Transregional Territories: Crossing Borders in the Early Modern Low Countries and Beyond*, ed. by Bram De Ridder, Violet Soen, Werner Thomas and Sophie Verreyken (Turnhout: Brepols, 2020), pp. 182-208 (pp. 195-97).

84 TNA E157/27.

85 Liesbeth Corens, *Confessional Mobility and English Catholics in Counter-Reformation Europe* (Oxford: Oxford University Press, 2019), pp. 5-7.

86 Grell, pp. 6-9; Rubright pp. 11-17.

frustratingly invisible in English archival sources, highlight how patterns of mobility were shaped by bordering practices and mobile individuals' needs to manoeuvre through these systems to reach their destinations.

Registers of licences to pass beyond the seas do not provide unmediated access to the mobilities of individuals departing from ports in southeastern England in the beginning of the seventeenth century, nor should the maps with which this section began be taken as unmediated representations of patterns of movement. Instead, as visual representations of information contained within documents produced through bureaucratic bordering procedures at English ports, these maps allow for, an admittedly limited, representation of English North Sea maritime mobilities at two specific junctures in the seventeenth century and for an understanding of the interrelation between bureaucratic procedures at ports and patterns of movement. While highlighting the importance of movement between southeastern England and the Low Countries to maritime mobilities, the inclusion of ports outside of the Low Countries also suggests the potential limitations of 'Anglo-Dutch' framings of contact and exchange, and the need for a wider frame of analysis. Similarly, the overwhelming frequency of North Sea ports as recorded destinations reveals that English authorities were crucially concerned with governing maritime movements between England and ports in other polities. This concern demonstrates both the importance of external and maritime borders to practices to identification in the seventeenth century. However, the inclusion of destinations beyond initial ports of call prevents an analysis which assumes that authorities engaged in practices of identification were solely concerned with external or maritime borders. As is suggested by the notable near absence of reported destinations in the Spanish Netherlands, both patterns of mobility and the documents of identification used to facilitate them were both deeply shaped by bordering practices in the seventeenth-century North Sea region.

Registers of Licences to Pass Beyond the Seas: Identification and Gender

Licences to pass beyond the seas were, by their very nature, mobile and ephemeral texts, and resultingly these documents are generally only available to us through registers of these licences. The production of these registers highlights the role of port officials in collecting information of interest to authorities as a function of identification. The monitoring of movement and gathering of information regarding transnationally mobile individuals were of equal importance to the control or facilitation of movement through the production of identification documents in bordering practices at seventeenth-century English ports. The identifying details of mobile individuals collected in these registers demonstrates that these officials were strongly concerned with gender and the family in processes of identification, and that a particular emphasis was placed on the surveillance of transnationally mobile women and children. These registers are particularly useful for understanding how the mobilities of women and children were surveilled as women and children constituted a significant portion of individuals whose identities were recorded. Of the 145 individuals listed as departing from London in 1621, sixty-one were female, and forty-one were under 21 years of age.⁸⁷ Registers of licences to pass beyond the seas functioned to surveil individuals, particularly women, who were transnationally mobile across the North Sea by retaining a record of their identities in a format useful and available to English authorities. Bordering practices at seventeenth-century English ports extended beyond the control of movement to also function as a wider form of gendered surveillance of mobile individuals.

There is only one extant example of document referred to as a licence to pass beyond the sea, as opposed to a register thereof, in the National Archives. The National Archives holds a copy of a licence to pass beyond the sea from 1594 provided by Elizabeth I's Privy Council to 'Richard Cecill and Edward Cecil esquires two of the younger sonnes of Sir Thomas Cecill knight to passe out of this our Realme of England into the parts beyond the Seas'.⁸⁸ As is indicated by the production of this document by the Privy Council, this licence was produced prior to the transfer of

⁸⁷ TNA E157/27.

⁸⁸ TNA E157/26, 'Licence for Richard and Edward Cecil to go beyond the seas', 1594.

authority for granting licences to pass beyond the seas to port officials in 1606. This 1594 licence was similar in form and function to contemporaneous passports. The licence was addressed ‘To all Admiralls, viceadmiralls, Captens at Sea, Justices of Peace, Sheriffs, Baillifs, Constables, Customes Comptrollers and Searchers, and to all other our Officers, Ministers, Subjects and to every of them’ and stated that ‘we will and comande you to suffer them quietlie to passe by you out of this our realm’ (see Figure 3.6).⁸⁹ Similarly to passports, licences to pass beyond the seas in the last decade of the sixteenth century functioned as documents issued by the Privy Council ordering officials and subjects to allow the departure of individuals from England. Given the granting of this licence to two sons of a knight, this licence was granted to elite individuals. Additionally, the reasoning for their departure was somewhat tied to the interests of the Crown. The licence stated that, ‘for their increase in knowledge and learninge and the attaining of foreine language things requisite for the enabling of them hereafter to do us the better service’.⁹⁰ While these young men were travelling for the purposes of learning foreign languages, this knowledge acquisition was tied to their ability to serve the Crown later in their lives. Given its issuance by the Privy Council to elite individuals and the relation of its reasoning to the interests of the Crown, licences to pass beyond the seas prior to 1606 were not clearly distinguished from passports.

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

In the period from 1606 onwards, licences to pass beyond the seas produced are only available to us through the registers maintained by port officials which recorded the identities and movements of individuals granted these licences. These registers often contained a significant amount of information. For instance, the register of licences to pass beyond the seas issued in London in 1621 contained relatively detailed descriptions of the identities of individuals departing across the North Sea and their movements. An entry dated 25 May stated, ‘Marie Kavening aged xxvi years, wife of Edward Kavening resident in Amsterdam is to passe over thither’ (see Figure 3.7).⁹¹ This entry thus provided the name, age, marital status, spouse, and destination of Marie Kavening. The reason for her movement is also implicit in the statement that Kavening’s husband was resident in Amsterdam. Similarly, an 11 July 1621 register entry identified, ‘Joseph Balwyn aged xxx years servant to Mr John Phillipps resident in Noble Street’ and stated that he was to depart from England to ‘Amsterdam about his Masters affaires’.⁹² The register recorded a significant amount of information, including Balwyn’s place of residence to a high degree of specificity, his occupation and household position, and his reason for departure. While registers of licences to pass beyond the seas do not contain the full texts of licences to pass beyond the seas, port officials nevertheless often recorded significant amounts of information in register entries.

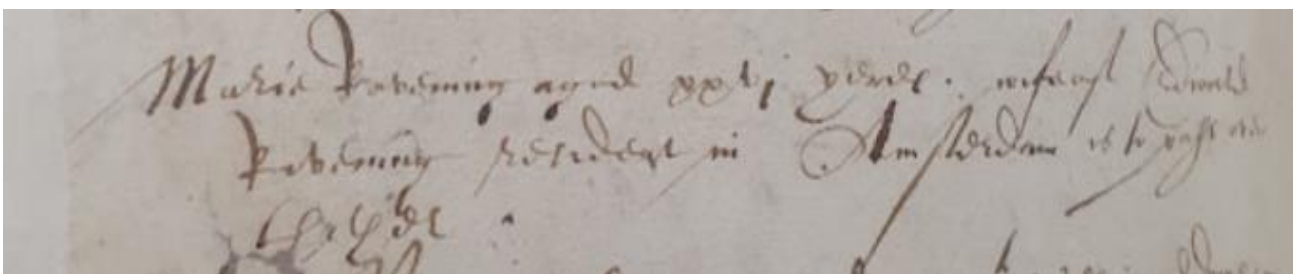


Figure 3.7: Marie Kavening register entry, 1621

⁹¹ TNA, E157/27.

⁹² *Ibid.*

The recording of significant amounts of information about the identities of individuals departing across the North Sea and their movements in registers of licences to pass beyond the seas points towards the importance of transnational migration, port officials and ports in the development of the information-gathering practices in the seventeenth century. The collection of significant amounts of identifying details in registers of licences to pass beyond the seas demonstrates that this process of identification emphasised not just the gathering of information to allow the production of ephemeral identification documents, but also the systematic retention of this information such that it could be retrieved by authorities. Scholars examining early modern information and political communication have frequently emphasised the importance of collection, storage and systemisation to the early modern development of information-gathering and authorities' use of information in governance.⁹³ Both Peter Burke and Filippo De Vivo have considered the role of mobility in information-gathering practices, highlighting the importance of movement within both imperial spaces and internal territories to the collection and use of information by authorities.⁹⁴ However, the relation between the monitoring and control of individuals moving between territories across frontiers and the development of information-gathering practices has remained unremarked upon. The collection and storage of information related to transnational movement in documents such as registers of licences to pass beyond the seas demonstrates that transnational movement frequently occasioned the gathering of information by officials operating at frontiers.

The maintenance of registers of licences to pass beyond the seas by officials at seventeenth-century English ports demonstrates that ports were key sites for the development of practices of information storage. Officials at ports collected and stored significant amounts of information,

93 Peter Burke, *A Social History of Knowledge: From Gutenberg to Diderot* (Cambridge: Polity Press, 2000), pp. 141-44; Filippo De Vivo, *Information and Communication in Venice: Rethinking Early Modern Politics* (Oxford: Oxford University Press, 2007), pp. 49-54; Nicholas Popper, *The Specter of the Archive: Political Practice and the Information State in Early Modern Britain* (Chicago: University of Chicago Press, 2024), pp. 4-8; Paul Slack, 'Government and Information in Seventeenth-Century England', *Past & Present*, 184 (2004), 33-68 (pp. 38-41).

94 Burke, pp. 150-57; De Vivo, 'The composite world of early modern information', pp. 645-50.

relating to the movements of both people and goods.⁹⁵ In recent years there has been a growing interest from scholars such as Nicholas Popper and Jennifer Bishop in the histories of early modern English archives and information storage.⁹⁶ However, there is a need to expand understandings of practices of information storage to include a wider range of actors and sites. Popper's work focused on early modern England's primary political archives in London—the Tower of London Record Office and the State Paper Office—and their use by primarily elite political actors.⁹⁷ Bishop's analysis has focused on the record-keeping practices of the wealthy Goldsmiths Company in the City of London.⁹⁸ However, as registers of licences to pass beyond the seas demonstrate, repositories of information were produced outside of the centres of wealth and authority in the City of London. Although it is unclear how these registers were used after their production, the maintenance of register books at early modern English ports indicates that port officials stored records relating to transnational movements for future reference in order to facilitate their continual, everyday practices of producing, inspecting and storing documents as a means of controlling movements across early modern England's maritime frontiers. English authorities' documentary bordering practices required that port officials store significant volumes of information relating to the movement of people and goods and thus led to ports becoming key sites for the storage of information, particularly regarding movement.

As was common in many seventeenth-century English identification documents, individuals' identities were recorded within households in registers of licences to pass beyond the seas. The identities of those further down in the household hierarchy were recorded in less detail and with less individuation. On 14 April 1637 a port official in Great Yarmouth wrote a register entry, 'William

⁹⁵ Ashworth, pp. 139-40.

⁹⁶ Jennifer Bishop, 'The Clerk's Tale: Civic Writing in Sixteenth-Century London', *Past & Present*, 230 Supplement (2016), 112-30 (pp. 112-16); Popper, 3-6; Danielle Shaw, 'Thinker, Gaoler, Soldier, and Spy: Sir John Peton (1544-1630) and Early Modern Intelligence-Brokering in the Tower of London', *History*, 108 (2023), 262-81 (pp. 263-64).

⁹⁷ Pepper, pp. 17-18.

⁹⁸ Bishop, pp. 112-16.

Starsse of Hindringham in Norfolk aged 35 years and Martha his wife aged 45 years with 3 children William, Marey and Martha'.⁹⁹ In this examination, decreasing power in the household hierarchy was reflected by a decreasing level of detail given to their identities. In recording the identity of William Starsse, the port official included both his given name and surname, his age and his occupation. While the given name and age of William's wife Martha were recorded, her surname was not. The exclusion of a wife's surname when she was examined with her husband reflected the English convention that a woman takes the name of her husband upon marriage, which was itself closely connected to the English legal fiction of coverture and the subsuming of women's identities under their husband's.¹⁰⁰ In France and the Netherlands, married women retained their surnames given at birth, and thus in many instances when English officials recorded only the husband's surname they were in fact erasing a part of migrant women's names and identities.¹⁰¹ The identities of William Starsse's and Martha's children were recorded in even less detail. Only their given names were recorded and no other details about them, even their ages, were registered. The almost total lack of identifying details given about the children's identities reflects their subordinated position within the household hierarchy. The registers of licences to pass beyond the seas evidence that the identities of patriarchally-subordinated individuals were subsumed within that of the head of household within processes of identification and information-gathering.

Many of the women and children who were granted licences to pass beyond the seas were recorded in the registers of licences to pass beyond the seas independently from men. The majority of women who applied for a licence to pass beyond the seas in London in 1621 did so independently of men. Of the sixty-one female applicants, the identities of thirty-seven were

99 TNA E 157/21.

100 Erickson, 'Coverture and Capitalism', pp. 3-4.

101 Carolyn Lougee Chappel, 'What's in a name?: self-identification of Huguenot réfugiés in 18th-century England' in *From Strangers to Citizens: The Integration of Immigrant Communities in Britain, Ireland and Colonial America, 1550-1750*, ed. by Randolph Vigne and Charles Littleton (Brighton: Sussex Academic Press, 2001), pp. 539-48 (pp. 539-41).

recorded in entries which did not include other members of a household or travelling party.¹⁰² A sizeable portion of individuals under twenty-one were also unaccompanied. Seventeen of the forty-one applicants under twenty-one in the 1621 London register who applied for a licence to pass beyond the seas did so independently.¹⁰³ While the officials compiling registers of licences to pass beyond the seas endeavoured to identify individuals within households, this effort did not always correspond to patterns of transnational movement out of English ports.

Although many women and children travelled outside of households, their identities were not constructed outside of patriarchal social relations. When Elizabeth Carr applied for a licence to pass from London to the Hague on 25 May 1621, she was identified as the ‘wife of Andrew Carr, resident in the Hague’.¹⁰⁴ Similarly, when the sixteen-year-old Rowland Garthing applied for a licence to depart for Breda that same day, the register stated that he was the ‘son of John Garthing, resident in Holborne’.¹⁰⁵ Given that Carr’s identity was defined by her relation to her husband and Garthing’s by his relation to his father it is evident that the identities of gendered subordinates were defined largely by their patriarchal head of their family, even when they travelled independently of the family unit. The inclusion in the register of the place of the head of their families’ residence further emphasises the household dimension of identification. In the examination of Elizabeth Carr, the mention of her husband Andrew’s place of residence serves an additional purpose. By stating that she was travelling to her husband’s place of residence Elizabeth Carr gave a justification for her transnational mobility as an unaccompanied woman which made it more acceptable in the eyes of the official responsible for approving her request for a licence. While Rowland Garthing’s examination noted his departure from a household, and its patriarchal authority, with his departure from England, it was not uncommon or unacceptable for adolescent males to depart from home for

¹⁰² TNA E157/27.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

a variety of reasons, including work, apprenticeships and education.¹⁰⁶ By stating that his father resided in Holborn, Rowland's examination affirmed that Rowland remained affiliated to and identified with a family in England, despite his departure from England. Port officials worked to textually identify women and children within household structures, even when their movements did not correspond to this ideal.

The way in which port officials recorded the reason for an individual's departure in registers of licences to pass beyond the seas was heavily shaped by the gender of the identified individual. This gendering is particularly evident in officials' decisions on whether or not to record a particular individual's reason for departure or not. While twenty-five of the 144 registered individuals, or approximately seventeen percent, departing from London in 1621 did not have their reason for departure recorded by port officials, the frequency with which no reason was recorded diverged significantly between identified women and men.¹⁰⁷ No reason for their departure was recorded for eighteen of the eighty-three men, or twenty-two percent, who departed from London in 1621.¹⁰⁸ In comparison, only seven of the sixty-one, or eleven percent, of the women who departed from London did not have a reason for their departure recorded.¹⁰⁹ Additionally, twenty-four of the 144, or seventeen percent, of the individuals departing from London in 1621 had only a vague reason for their departure recorded in the register, such as 'about certain affaires' or 'about their affaires'.¹¹⁰ Again, the use of this vague phrasing was highly gendered: it was used for twenty of the eighty-three, or twenty-four percent, of the recorded men, but only four of the sixty-one, or seven percent, of the women.¹¹¹ Given the clear gendered disparity in the recording the reasons for departure of individuals moving across the North Sea, it is evident that port officials regarded the transnational

106 Edward Chaney, *The evolution of the Grand Tour: Anglo-Italian cultural relations since the Renaissance* (London: Frank Cass, 1998), pp. 61-64; Ilana Krausman Ben-Amos, *Adolescence and Youth in Early Modern England* (New Haven: Yale University Press, 1994), pp. 62-64.

107 TNA E157/27.

108 *Ibid.*

109 *Ibid.*

110 *Ibid.*

111 *Ibid.*

movements of women as requiring a heightened level of scrutiny and surveillance, meriting the questioning of the specific motivations of their departure in an examination and the recording of this information in the register.

It was far more common for women to provide residence as the reason for their departure to port officials when compared to men. Fifty-two percent of women departing from London in 1621, compared to twenty-three percent of men stated residence as their reason for departure.¹¹² While this disparity likely reflected in part a tendency for women to engage more exclusively in long-term transnational movements as opposed to shorter-term, circular movement, it also reflected a tendency on the part of port officials towards the increased surveillance of mobile women. Although some entries merely noted that the departing individuals were crossing the North Sea ‘to reside’ in their destination, many also detailed the nature of their relation to the household in which they would be residing. For instance, the 1621 register entry of Joan Scarlett noted that she was passing to Amsterdam to reside as, ‘wife of Peter Scarlett resident in Amsterdam’.¹¹³ Similarly, a 14 July 1621 register entry stated that ‘Blanch Hoyle of age xvi years, daughter of James Hoyle, resident in Galley Key’ was to pass to ‘the Hague to remaine there with her unkle’.¹¹⁴ Port officials questioned and scrutinised mobile women’s place within household structures both in England and at their destinations, and recorded this information in registers. The recording of women as departing from England for the purposes of residing in their destinations thus reflected the heightened surveillance of transnationally mobile women’s position within household structures in processes of identification.

A gendered examination of identity which centres the role of processes of identification in the constitution of identities allows for an analysis of identity which emphasises identity as contextually specific and called into being by processes of governance. Alexandra Shepard has

¹¹² *Ibid.*

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

argued that while processes of identification, such as those used by courts, drew upon existing social categories, they also informed and shaped the constitution of identities, rather than merely recording them.¹¹⁵ Extending this analysis to identification and bordering practices at ports, the role of port officials in constructing identities is highlighted. These officials made particular clerical choices, such as in assigning women from France or the Low Countries their husbands' last names or tying mobile women and children moving without their families to a particular household, which did not so much precisely record existent identities as they did construct individuals' identities in relation to the ideological structures of gender and the family. As small-scale historical acts recorded fleetingly in the archives, processes of identification highlight the ephemerality and contextual specificity of identities. Registers of licences to pass over the seas do not record identities which were necessarily fixed, stable or lasting. This instability was heightened by the transnationality and mobility inherent to these texts. Gendered identities, such as married women's last names, were not always expressed identically in different territories and long-distance movement challenged notions of stable households upon which English identification frequently relied. Port officials endeavoured to construct stable identities for identified individuals as they engaged in transnational movement, and thus at the very moment in which the stability of these identities was most likely to be challenged. Transnational movement was significant both to the development of authorities' efforts to establish the individuals' identities and to the destabilisation of these efforts.

The recording of details regarding individuals' identities and movements in registers of licences to pass beyond the seas demonstrates that the gathering and storage of information were gendered practices. Both the structuring of how identity was recorded in registers of licences to pass beyond the seas and the recording of reasons for individuals' departures were shaped as practices of surveillance by patriarchy. As a result, the information gathered and stored by port officials

¹¹⁵ Shepard, pp. 23-25.

regarding transnational movement was gendered. The gendered nature of these practices highlights the need for historians of early modern information-gathering to pay closer attention to how structures of patriarchy shaped the information gathered and stored by officials. The interrelated development of both archiving and bordering practices in early modern England thus reflected and reinforced existing structures of patriarchy and gender.

Registers of licences to pass beyond the seas were at once a record of the production of an ephemeral identification document and in themselves a document collecting and storing information for official use. This dual function is revealing of the nature of bordering practices at early modern ports. These practices were both a mechanism to control the transnational movement of people and goods and a means of gathering information regarding these movements. This mixture of control and monitoring demonstrates that ports and port officials in seventeenth-century England were spaces and actors centrally concerned with surveillance. Surveillance at ports was heavily gendered both in the greater level of scrutiny applied by port officials to the movements of women and children and in port officials' construction of identities. The identification of individuals in registers of licences to pass beyond the seas did not develop as a uniform process but as one which was informed by and maintained existing social hierarchies of gender and the family. While the role of gender has received little attention in histories of early modern borders and frontiers, in registers of licences to pass beyond the seas gender emerges as a useful category for understanding the development of seventeenth-century English bordering practices.

Passports

Across the seventeenth century, hundreds of documents of identification known as 'passports' were issued to individuals departing from England across the North Sea. Seventeenth-century English passports were a highly privileged form of identification typically granted by the monarch's Privy Council or Interregnum Council of State to high-status, predominantly aristocratic, individuals. While passports were less commonly granted than licences to pass beyond the seas,

copies of passports and documents referencing passports are more widely preserved due to their inclusion in archival holdings of English state papers.¹¹⁶ Although given their privileged nature, passports cannot be considered representative of how most transnationally mobile individuals were identified, they do provide key insights into how the mobilities of elite individuals departing from English ports were privileged and facilitated by authorities. Due to their direct connection to the authority of the Privy Council and Council of State, changes to the use and production of passports in the seventeenth century reveal how developments in the structures of English authority in the seventeenth century were tied to changes in processes and documents of identification. As documents granted to elite individuals, passports were heavily shaped by status, and the status reflected and conferred by bearing these documents served to privilege their bearers' interactions with identification processes and bordering practices at English ports. Although many seventeenth-century passports were granted to elite men crossing the North Sea, elite women were also frequent recipients of passports, and gender and status intersected to shape these documents. The production and use of passports reveals that identification and bordering practices were not uniform nor universal in seventeenth-century England, but rather were shaped by interlinking structures of authority and relevant societal hierarchies, such as those of status and gender.

Passports appear in the National Archive's holdings of seventeenth-century English State Papers both in Privy Council or Council of State minutes registering the dispensation of a passport to an individual and in full copies of passports produced by or presented to the Privy Council or Council of State. In both cases, these documents were invariably manuscript and generally written in English, though there are a few instances of passports granted by the Privy Council written in French.¹¹⁷ Minuted references to dispensed passports are typically quite brief. For instance, a minuted reference to a passport granted by Charles II's Privy Council stated only, 'Passe for Mr.

116 TNA SP/15-33, 'State Papers', 1600-1700.

117 TNA SP 16/44 f. 127, 'Minute of request of the Sieur de Boisloreé for a passport', 1626; TNA SP 16/315 f.172, 'Instructions for the preceding passport, with particulars of the luggage', 8 March 1635/36.

Passports differed from other forms of identification in that they were issued directly from the highest level of English authority, either that of the royal Privy Council or the Interregnum Council of State. Madame Peronne's passport was an order directly from the Privy Council, verified and authorised by the signatures of seven members of the council. The document was then addressed, 'To all Mayors, Sheriffs, Justices of the Peace, Customers, Comptrollers, Searchers, Constables, Officers of the Ports, and to all other his Majesties Officers and loveing subjects'.¹²⁰ This form of address was standard across all seventeenth-century English passports. In contrast to other forms of identification for individuals crossing the North Sea in the seventeenth century such as licences to pass beyond the seas which were produced by port officials wielding authority delegated to them, passports functioned as documents conveying orders from the authority of the Privy Council or Council of State to those same officials. Passports were thus emanations of the highest level of authority and reveal that, despite the delegation of much of the work and authority to produce identification documents for individuals departing from England across the North Sea to port officials in the first decade of the seventeenth century, elite mobilities continued to be facilitated by the Privy Council or Council of State throughout the seventeenth century.

The typical use of passports witnessed a dramatic shift in the first years of the seventeenth century. Prior to 1603 and the union of the Scottish and English crowns through the ascension of James VI and I, passports were primarily, though not exclusively, used in the authorisation of the movements of elites between Scotland and England. A 1600 passport was issued

By me Sr John Carel knight capten her Majesties towne of Berwicke upon Tweede ... deputie Governor of the same for ... the bearer hereof Allexander Livingston, James Mondeith, Robert Ingle and Barnett Lynby gentilmen of Scotland, with John [illegible], William Clerke, James Culle and Thomas Edward fottmen ... that they might travaill to London about their lawfull affairs.¹²¹

In some instances, these passports issued at the Anglo-Scottish border moved beyond facilitating movement between Scotland and England, and also enabled movement across the North Sea, such

¹²⁰ *Ibid.*

¹²¹ TNA SP 59/38 f.237, 'Passport for Alexander Livingston &c.', 1600.

as passport issued on 29 August 1600 at Berwick for ‘William Lawder one of the archers of the King of France ... to travell to London on there way toward France’.¹²² From 1603 onwards, identification documents were no longer required to facilitate movements between Scotland and England. This development led to a dramatic change in the volume of passports produced. In the State Papers Online database, there are 143 documents containing the word ‘passport’ from the period 1599 to 1603, compared to only four from the period 1604 to 1608.¹²³ Anglo-Scottish passports differed fundamentally from passports for individuals departing directly from England across the North Sea in that, although both facilitated elite mobilities, Anglo-Scottish passports were produced by officials at border towns, like Berwick, whereas passports for individuals departing out of England across the North Sea were produced directly by the Privy Council. Although North Sea passports were produced prior to 1603, the union of the crowns shifted these documents from constituting a small number of passports compared to their Anglo-Scottish counterparts to constituting the entirety of passports produced. The 1603 union of the crowns of Scotland and England thus resulted in a shift from ‘passport’ typically referring to documents produced by officials at the Anglo-Scottish border to ones produced directly by the Privy Council. By removing the necessity of officials at the Anglo-Scottish borders producing elite documents of identification, the union of crowns led to a greater consolidation of the governance and facilitation of elite mobilities in the hands of the Privy Council as opposed to officials at borders to whom this authority had been delegated.

The reorientation of the predominant use of passports from documents produced for individuals crossing between Scotland and England to individuals departing from England across the North Sea represented a significant development in English bordering practices. Prior to 1603, English authorities at the Anglo-Scottish frontier engaged in the control of movement between Scotland and England through the use of identification documents which officials at this frontier

122 TNA SP 59/39 f.104, ‘Passport for William Lawder gentleman’, 1600.

123 *State Papers Online*.

were responsible for producing and inspected. However, as reflected in the lack of Anglo-Scottish passports produced after 1603, the union of crowns dramatically changed this situation, resulting in a de-bordering between the two territories. Significantly, the decline of bordering practices at the Anglo-Scottish frontier from 1603 was quickly followed by the heightening of bordering practices at English ports with the proclamations of 1606 and 1607 relating to licences to pass beyond the seas. While from 1603, officials at the Anglo-Scottish frontier no longer engaged in the production of passports, from 1606 English port officials were vested with authority over the production of identification documents. While the succession of James VI/I in 1603 resulted in a decline of identification and bordering practices at the Anglo-Scottish land frontier, less than four years later his Privy Council introduced identification measures significant to the development of bordering practices at the English maritime frontier.

Due to passports being emanations of royal authority, their production was impacted by the political transformations that England underwent in the middle of the seventeenth century. The collapse of monarchical authority during the years of the Civil Wars and Interregnum was reflected in the production of passports. Whereas the State Papers Online database contains thirty-one passports or minuted references to passports for the period 1620 to 1639, for the period of 1640 to 1659 there are only sixteen such documents.¹²⁴ While this discrepancy is undoubtedly in part due to the relative paucity of surviving administrative documents for the 1640s and 1650s as a whole, this paucity was in itself also a product of the fracturing of authority in these decades. Both the House of Commons during the Civil War and the Council of State during the Commonwealth did issue passports. In December 1642 the House of Commons granted a passport ‘to permitt and suffer Sr Symond D’eWes ... to passe the ports ... without molestation’ and in 1651 the Council of State issued a passport to Commissioner Schaeph to go to the Hague on diplomatic business.¹²⁵ However,

¹²⁴ *State Papers Online*.

¹²⁵ British Library, Harley 286 f.320, ‘Original Passport for Simond d’Ewes’, 1642; TNA SP 25/22 f.15, ‘Council of State, Day’s Proceedings’, 3 September 1651.

the decline in volume compared to previous decades suggest that passports fell out of favour as a method of identification during the Civil Wars and Interregnum.

In contrast, the restoration of the monarchy in 1660 led to a marked rise in the number of passports produced. In the period from 1660 to 1669, eighty-five passports or minuted references to passports were produced; from 1670 to 1679 eighty such documents were produced.¹²⁶ Across the entirety of Charles II's reign from 1660 to 1685, 171 passports and minuted references to passports were produced. Under Charles II, far more passports were thus provided to elite individuals crossing the North Sea than during the Civil War and Interregnum. This enthusiasm for granting passports was not taken up by his successors. There is only one minuted reference to a passport during the reign of James II from 1685 to 1688 in the State Papers Online, and in the decade following the Glorious Revolution from 1690 to 1699, thirty-eight passports or minuted references were produced.¹²⁷ The pattern of changing volumes of passport production over the seventeenth century does not support teleological narratives either of the rise of identification documents or of the decline of privileged forms of identification such as passports for more universal forms, but rather suggests that passports were produced in varying volumes at different points due to non-linear changes in the composition of authority in England at specific junctures.

As privileged documents of identification, passports were frequently provided to officials departing across the North Sea on official business. Passports had first emerged in the late medieval period as diplomatic documents granting the bearer, typically ambassadors and other diplomats, diplomatic protection.¹²⁸ Passports continued to be used to facilitate these kinds of mobilities in the seventeenth century. Individuals who regularly left England on diplomatic business were some of the most frequent recipients of passports. In 1597, a passport was issued for 'Thomas Edmondes esquire Secretarie to her Majesties for the French tongue ... sent from her England to her good

¹²⁶ *State Papers Online*.

¹²⁷ *Ibid*.

¹²⁸ Groebner, pp. 8-9.

Brother the French Kinge for some speciall affaires'.¹²⁹ In 1600, Edmonds, then ambassador to Brussels, was granted another passport to depart from England.¹³⁰ The issuing of passports was a standard practice in English diplomatic affairs and diplomats were regularly issued passports when they were required to leave England on official business.

By the seventeenth century, passports issued to diplomats had undergone important changes when compared to their late medieval forebears. Late medieval passports fundamentally functioned as letters of safe conduct and introduction addressed to foreign officials and authorities, providing ambassadors with safe conduct through territories outside their own and introductions to the courts at which they had diplomatic business.¹³¹ In contrast, the passports issued by Queen Elizabeth's Privy Council to Thomas Edmonds at the turn of the seventeenth century were addressed not to foreign officials but to officials within England who were involved in processes of identification and surveillance. Thomas Edmonds' 1597 passport was addressed 'to all Maiors, Sheriffs, Justices of Peace, Bailiffs, Constables, Headboroughs, Postmasters, Customers, Comptrollers, Searchers, and all other her Majesties' Officers and loveing subjects'.¹³² Furthermore, his passport also gave orders the officials to whom it was addressed that

These shall be to will and commande you and every of you in her Majesties name to have speciall care to see him provided of free good and able posthorses for himself, his servant and sundries from place to place to the seaside where he is to imbarque, And ... to see him furnished of convenient shipping for his more speedy and safe transportation.¹³³

Similarly, the 1600 minuted reference to Edmonds' passport noted that he was to be 'provided for and furnished ... unto the porte where hee is to take shippinge ... with all to help him with the taking up of som convenient barge'.¹³⁴ Edmonds' passports were thus concerned with facilitating and privileging his movement across the North Sea in that they ordered officials and others to

¹²⁹ TNA SP 46/21 f.262, 'Passport for Thomas Edmonds', 1597.

¹³⁰ TNA SP 12/274 f.132. 'Council passport for Tho Edmonds', 9 March 1600.

¹³¹ Groebner, pp. 154-55.

¹³² TNA SP 46/21 f.262.

¹³³ *Ibid.*

¹³⁴ TNA SP 12/274 f.132.

provide him aid both in his journey from London to the port and in embarking at the port to travel on a ship across the North Sea. This change when compared with late medieval passports demonstrates both the extent to which in seventeenth century English authorities' governance of transnational movement was focused on departing individuals and the function of seventeenth-century passports as orders from the Privy Council to officials.

While passports issued to individuals moving across the North Sea on official business were typically issued to elite men, some women were also given passports on such a basis. As previously discussed, in 1636, a passport was issued to 'Madame Peronne ... to returne into France' (see Figure 3.8).¹³⁵ Madame Peronne had travelled across the North Sea to midwife the birth of a child of Charles I's and Queen Henrietta Maria's—a matter of the utmost importance to the English monarchy—and was granted a passport to facilitate and privilege her return. The seventeenth-century English court was not a uniformly masculine space, and powerful elite women like Queen Henrietta Maria were integral to both the cultural and political aspects of the court.¹³⁶ As a French-born Queen of England, Henrietta Maria both had experience of transnational movement across the North Sea herself and maintained transnational patronage networks.¹³⁷ These networks facilitated the transnational movements of women such as Madame Peronne. The mixed-gender and transnationally connected nature of the English court thus led to the production of passports for elite women who traversed the North Sea on official business.

Passports provided their bearers with privileges at ports when departing from England across the North Sea. Many seventeenth-century passports exempted their bearers from the usual procedures of the searching of baggage and the payment of customs duties that customs officials and searchers usually required of transnationally mobile individuals at ports.¹³⁸ Passports thus

¹³⁵ TNA SP 16/315 f.170.

¹³⁶ Malcolm Smuts, 'Religion, European Politics and Henrietta Maria's Circle, 1625-1641', in *Henrietta Maria: Piety, Politics and Patronage*, ed. by Erin Griffey (London: Routledge, 2008), pp. 13-38 (pp. 13-17).

¹³⁷ *Ibid.*

¹³⁸ TNA SP 12/274 f. 132; TNA SP 29/36 f.130, 'Passport for the wife of Lord Colepeper to go to Holland', May 1661.

functioned as documents produced by the Privy Council ordering port officials to privilege certain mobile individuals by not subjecting them to the usual procedures required for departure due to their elite status and connections to the Crown. An addendum to Madame Peronne's 1636 passport written in French stated that

*Il faut employer dans le passeport de Madame Peronne deux ballots couverts de canevas, trois coffres et deux valises, avec ordre aux officiers de la douane de Douvre de ne point ouvrir ny debaler les dittes hardes, ny rien demander pour les dittes choses comme il estoit ordonné pas les passeports que sa majesté a donné les années précédentes a la ditte Dame Peronne.*¹³⁹ (In the passport of Madame Peronne two bundles covered in canvas, three chests and two suitcases must be included, with order to the customs officers of Dover not to open the said clothes nor demand anything for said things like it was ordered by the passports that his Majesty gave in previous years to the said Dame Peronne)

The particular emphasis in this addendum to her passport on Madame Peronne's luggage and its immunity from search at the port of Dover demonstrates the importance which this privilege was given. This privilege granted her and her party the status of being above the suspicion implicit in a search of goods. Rather than a mechanism for surveillance, Madame Peronne's passport granted a privileged exemption from surveillance by port officials. The reference to the passport having been given by 'his Majesty' in previous years suggests that this immunity was a privilege to which Madame Peronne was accustomed to due to her elite status and intimate ties to the Queen. Interestingly, this document was written in French, despite giving orders to officials at Dover, suggesting both a level of French literacy among port officials and perhaps that this document was as much intended to assure the French Madame Peronne of her privileges as to order officials not to search her belongings.

The exact privileges in departing from England at ports granted to bearers of passports through these documents varied significantly and was highly dependent upon circumstance. On 7

139 TNA SP 16/315 f.172.

April 1639, Scottish gentlewoman, Dame Christian Hume received a passport from the Privy Council stating that

Whereas Dame Cristian Hume... hath made humble suite unto us for our Lycense and Passport to goe over into France... which wee are moved hearby to grantte unto her. These shall be therfore to will and require you and everie of you whom it shall appertaine to permitt and suffer the said Lady... to be imbarqued att any his Majesties Ports.¹⁴⁰

However, while this passport provided permission for and facilitated the departure of Hume from English ports to France, it did not provide the same level of privilege in regard to procedures at ports as many other passports. While the passport allowed Hume and her party ‘to take with them their trunke of Apparell and other necessary provisions without trouble or molestation’, the passport also noted that ‘the Searchers are to take care that no prohibited goods be transported with them’.¹⁴¹ By April 1639, Scotland and England were embroiled in the Bishops’ War, making the departure of Scots from England to France increasingly suspect. While Dame Christian Hume’s status and connection to the English court were evidently enough to enable her to receive a passport permitting her to depart from England, in the tense British political environment of April 1639, this status was not significant enough to place her and her party above the requirement for a search of their luggage.

On 17 April 1639, Thomas Marshall, searcher for the port of Rye, wrote directly to Francis Windebank, Secretary of State and member of the Privy Council, regarding Dame Christian Hume’s passport.¹⁴² According to Marshall, two days earlier officials at Rye had received a warrant stating that ‘there is a prohibition to the officers not to make any warrant or passport for the passage of any Scots of either sex into France’.¹⁴³ This prohibition was undoubtedly due to the ongoing rebellion of Scotland against England in the Bishops’ War having led English authorities to prohibit Scots from

¹⁴⁰ TNA SP 16/1417 f. 268, ‘Passport for Dame Christian Hume, wife of Sir Thomas Hume’, 7 April 1639.

¹⁴¹ *Ibid.*

¹⁴² TNA SP 16/1417 f. 266, ‘Thomas Marshall, searcher of Rye, to Sec. Windebank’. 17 April 1639.

¹⁴³ *Ibid.*

departing to France altogether. However, the enforcement of this prohibition was complicated by the arrival of Dame Christian Hume and her party at the port of Rye with her 7 April passport authorising their departure to France. Marshall thus wrote to Windebank asking for clarification.

I have sent you a copy of the Council's warrant for Lady Hume's passage to France with six servants ... yet, notwithstanding the Council's warrant, the Commissioners do not think fit to let them pass, because of the last restraint of Scotchmen. I thought it expedient to send this express to advise you what is done, and to receive your commands what shall be fit to be done.¹⁴⁴

Evidently, despite the general prohibition on Scots departing from England, given that passports also functioned as direct orders from the Privy Council, it was unclear whether this prohibition was overruled by the authority of the passport. Windebank's response to Marshall has not been preserved in the State Papers, making it unclear whether Hume's passport did indeed exempt her and her party from the general prohibition on Scots departing to France. However, this uncertainty demonstrates the function of passports as documents privileging and facilitating individuals' departures from ports, derived from the authority of the Privy Council, which thus even potentially held the power to overrule general prohibitions on departures.

The frequent emphasis in passports that their bearers should not be subjected to search or molestation reflects the complications posed by status in interactions between elite individuals and port officials. Elite individuals departing from English ports frequently complained to the Privy Council about being stopped or questioned by port officials which, due to the lower status of these officials, high-ranking individuals regarded as an insult to their honour.¹⁴⁵ Passports, by exempting their bearers from some of the indignities of port officials' surveillance and by signalling the status of their bearer to officials, represented an attempt to prevent these status-based conflicts. These conflicts and the attempts to mitigate them through the granting of elite passports reflects why the development of identification and bordering practices at English ports was inherently not a uniform

¹⁴⁴ *Ibid.*

¹⁴⁵ Morieux, pp. 278-79.

process. Transnationally mobile individuals were not regarded as uniform subjects who could be subjected to uniform procedures. Rather, in the deeply hierarchical society of early modern England, all interactions, including those involving officials, were inherently shaped by hierarchies of status. The existence of these hierarchies therefore demanded that English authorities did not develop uniform identification and bordering practices but instead developed ones which accounted for and maintained entrenched hierarchical divisions and categorisations of individuals.

As was standard for identification documents in seventeenth-century England, the identities of women, children and servants were subordinated or subsumed under that of the male head of household. In 1680, the Privy Council granted a passport for 'Sir Richard Mason and his Lady with Dorothy and Anne Mason his two daughters, women servants, Peter Berry, John James and William Jones their men servants' to 'pass into France'.¹⁴⁶ The identities of Richard Mason's wife, his daughters and servants were subordinated to his, and the female servants, at the bottom of hierarchies of both gender and the household, were granted the least individuality and were not even accorded individual names. When elite married women were mobile across the North Sea independently of their husbands, their identities also remained tied to their husbands'. The 1661 passport of Lady Colpeper granted to her to travel to Holland identified her and her party as 'Lady Colpeper (wife of the Lord Colpeper) with her Servants'.¹⁴⁷ The identification of Lady Colpeper and her party in their passport thus reflected household hierarchies as the servants' identities were subordinated to hers and, even while moving independently of him, her identity remained constructed in relation to her husband's.

Due to the elite nature of passports, status, household hierarchies and gender often intersected in shaping the processes of identification recorded in passports. For instance, in the aforementioned 1639 passport of Dame Christian Hume, she and her party were identified as 'Dame

146 TNA SP 44/51 f.326, 'Pass to go to France to Sir Richard Mason with his lady', 18 March 1680.

147 TNA SP 29/36 f.130.

Christian Hume wife of Sr Thomas Hume ... George Hume her sonn and six servants'.¹⁴⁸ This textual representation of the identities of Christian Hume and her party corresponded to expected household hierarchies. Christian Hume's identity was tied to that of her husband, and the identities of her child and servant were subordinated to her identity. However, an additional piece of text beneath the signatures on this passport stated that 'George Pringle Scots Attendant onto the said Ladye hath taken the Oath of Allegiance before Mr Dupocy Mayor of Rye and Acknowledges him sealfe to be a Prottestant' (see Figure 3.9).¹⁴⁹ While Christian Hume, as the person of greatest status, both within household hierarchies and more generally, was the principal identified individual in the text of the passport, her gender made the processes of identification involved in the production of this passport complicated. Women, not even elite women, were generally not legally able to swear political oaths, such as the oath of allegiance which was required for the formation of a passport.¹⁵⁰ Hume's attendant, despite his subordination to her as a servant, was required to take an active role in the formation of the passport which Hume was unable to due to her gender, despite her elite status and position within the household and travelling party. Despite his more active role in the formation of the passport, Pringle's identity remained subordinated to Hume's identity as her servant. This example demonstrates that, while status was the most evident aspect of identity relevant to the ability for individuals to access passports due to their elite and privileging nature, the ability to access and form passports was also always dependent on gender.

148 TNA SP 16/1417 f. 268.

149 *Ibid.*

150 Miles Ogborn, 'The power of speech: orality, oaths and evidence in the British Atlantic world, 1650-1800', *Transactions of the Institute of British Geographers*, 36 (2010), 109-25 (pp. 112-13).

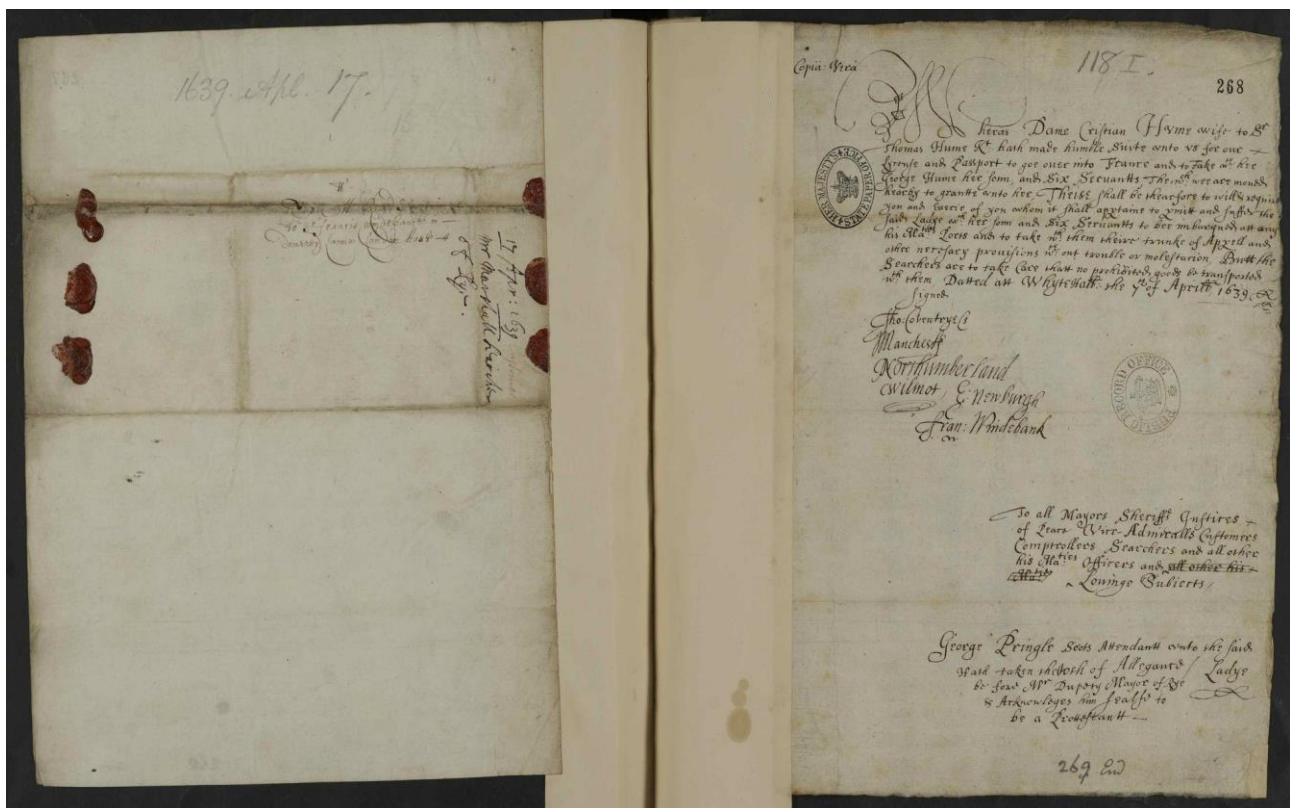


Figure 3.9: Dame Christian Hume passport, 1639

There is also some evidence that English authorities utilised passports in ways that extended beyond solely privileging elite mobilities. A May 1637 entry in the Privy Council's minutes stated that, 'A Passport for Levine Brinkmary a High Germane being lately discharged from the prison of the Gatehouse to passe the Seas dated the 10th', had been issued, followed by a list of the six Privy Council members who had signed the passport.¹⁵¹ No other details of this intriguing and atypical case are provided. However, despite the lack of detail, this case suggests that the Privy Council had wielded its authority to produce passports as a mechanism to ensure that Brinkmary was conveyed out of England via a port. This use of passports provides a parallel between other forms of identification used to ensure the movement of individuals regarded as criminals, such as vagrant removal orders, but on a transnational scale. This minuted reference suggests that the Privy Council made use of its ability to direct officials at ports and elsewhere using passports as a means both to facilitate the movements of elite individuals and to ensure the deportation of certain strangers who it regarded as criminal.

The nature of passports as documents of identification providing privileges to elite individuals in processes of identification and transnational movement complicates narratives of the development of identification documents in early modern Europe. Valentin Groebner has argued that beginning in the late fifteenth century, and increasingly across the sixteenth and seventeenth centuries, identification documents ceased to be documents conferring privileges, such as passports granted to royal envoys, and instead increasingly became a matter of obligation which mobile individuals, particularly those crossing frontiers, were required to carry.¹⁵² The identification of individuals departing from England across the North Sea in the seventeenth century generally conforms to this argument in that individuals were required to bear identification to depart from England by the first decade of the seventeenth century. However, the role of passports in bordering practices complicates this narrative by preventing a neat bifurcation between 'privilege' and

151 TNA SP 16/377 f. 172, 'Minute of a Passport for Levine Brinkmary, a High German', 1637.

152 Groebner, pp. 171-82.

‘obligation’ and thus the idea of a simple development of identification from a privilege to an obligation. Seventeenth-century English passports were an obligation for their bearers in that some manner of identification document was required to legally depart from England across the North Sea, yet nevertheless retained some of the characteristics of late medieval passports as privileging documents by obliging port officials to grant their bearers certain benefits or privileges to facilitate their mobilities. The simultaneous use of passports alongside their less privileged counterparts, licences to pass beyond the seas, suggests that while identification had become a general requirement for transnationally mobile individuals by the seventeenth century, the medieval function of identification documents as documents privileging and facilitating elite movements had not disappeared, and was continued throughout the seventeenth century by the granting of passports to elite mobile individuals.

Conclusion

In the seventeenth century, ports operated as spaces in which the identities and movements of individuals departing from England across the North Sea were examined, recorded and surveilled by port officials as part of the processes through which identification documents were produced and registered. However, surveillance was not a uniform process. Elite individuals were able to secure passports which exempted them from being subject to the indignities of search and surveillance and ports, whereas non-elite women seeking to receive a licence to pass beyond the seas were subject to heightened levels of scrutiny and surveillance by port officials. The development of documents and processes which identified transnationally mobile individuals in the seventeenth century was thus not a uniform imposition by authorities upon all mobile persons equally but rather was shaped by gender and status. Historians of identification focusing on the late eighteenth and early nineteenth centuries, such as John Torpey, Jane Caplan and Gérard Noiriel, have argued that the development of universalist notions of the citizen-subject were key to the development of widespread practices of

official identification.¹⁵³ However, the co-existence of passports with licences to pass beyond the sea demonstrates that seventeenth-century bordering practices should not be considered as related to the emergence of concepts of universalist citizen-subjects but rather as processes which upheld the hierarchical relations of the society in which they operated.

Neither was the development of the identification of transnationally mobile individuals in the seventeenth century a neatly linear process. The proclamations and orders issued regarding documents of identification in 1606, 1607, 1618, 1630, 1635 and 1653 did not all represent a clear development upon previous legislation, but rather were often repetitions of previous proclamations and orders issued at periods of fears of political instability which English authorities perceived as in some way related to transnational movement. Similarly, the granting of passports to elite individuals by authorities did not undergo either a clear, linear increase or decline over the seventeenth century, but instead were deployed in varying volumes at different points in the century due to the specific political consideration of political actors. After witnessing a decline in their production during the years of the Civil Wars and Interregnum, Charles II and his Privy Council increased the production of passports. The identification of individuals departing across the North did not develop neatly as part of a teleological process of long-term historical development, but rather was shaped by specific political events in the seventeenth century.

Seventeenth-century English ports were key sites for the development of information-gathering, surveillance and bordering practices. Processes involved in the control of movement across England's maritime frontiers did not occur only at ports, as demonstrated by the role of the Privy Council at Whitehall in the production of passports. Additionally, the control of movement

¹⁵³ Jane Caplan, "'This or That Particular Person': Protocols of Identification in Nineteenth-Century Europe', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 49-66 (pp. 49-52); Jane Caplan and John Torpey, 'Introduction', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 1-12 (pp. 7-8); Gérard Noiriel, 'The Identification of the Citizen: The Birth of Republican Civil Status in France', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 28-48 (pp. 45-47); John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000), pp. 1-7.

did not occur uniquely at ports but rather needs to be contextualised in relation to the broader tension in the seventeenth century between heightened mobility and authorities' attempts to surveil these mobilities. However, from the first decade of the seventeenth century, following the Union of Crowns in 1603 and the introduction of licences to pass beyond the seas in 1606 and 1607, ports and port officials became central to English bordering practices. As a function of these bordering practices, officials at English ports produced, inspected and stored significant amounts of information regarding transnational movement. While it is unclear whether England's maritime boundaries can be said to constitute a 'border' in the seventeenth century, ports, as spaces situated on and which controlled access to England's maritime frontiers, became central to English bordering practices and related methods of governance.

The introduction and use of licences to pass beyond the seas indicates that the development of bordering practices in the early seventeenth century was related to confessional concerns and international political and religious conflicts. The initial mandating of the use of licences to pass beyond the seas in 1606 for women and children was in part motivated by concerns about young people travelling to Spain to receive instruction in Catholic theology. In practice, additional requirements were placed upon individuals who stated that they were departing to Catholic territories when acquiring identification documents at English ports. While this chapter has focused on the control of movement across England's national frontiers, it is evident that efforts to control and prevent movement across supra-national confessional boundaries—boundaries which did not always neatly correspond to national frontiers—were key in shaping efforts to control movement across territorial frontiers. There is a need for further research into how early modern borders and bordering practices were shaped by confessional boundaries and conflicts.

This chapter has argued for the importance of centring identification as a bordering practice in the seventeenth century. While a number of scholars of early modern borders and frontiers have touched upon identification in their work, these processes have generally not been a central

concern.¹⁵⁴ However, as demonstrated by the repeated enactment of proclamations directing the identification of transnationally mobile individuals at ports and the widespread production and use of licences to pass beyond the seas in the earlier seventeenth century, English authorities regarded identification as a key mechanism for controlling and monitoring movement across its territorial frontiers. At the same time, while Valentin Groebner has richly examined the development of identification documents and practices in early modern Europe, he does not explicitly link the development of these processes to the growth of bordering practices at territorial frontiers.¹⁵⁵ Where historians of identification have explicitly linked identification documents to bordering practices, it has generally been by scholars interested in the later eighteenth and nineteenth centuries in relation to the rise of the 'nation-state'.¹⁵⁶ The study of the identification of transnationally mobile individuals in the seventeenth century thus crucially reveals the development of a key bordering practice prior to the development of either clearly defined territorial borders or a firmly established nation-state system.

154 De Ridder, 'Border Management during the Eighty Years War', pp. 194-97; Morieux, pp. 296-302.

155 Groebner, pp. 1-10.

156 Geselle, pp. 202-04; Torpey, pp. 7-9.

Chapter Four: Transatlantic Mobilities and Identification

Introduction

English colonisation of the Americas in the seventeenth century led to the development of novel patterns of mobility involving the transatlantic movement of people between England and its colonies in the Americas. From the establishment of England's first American colony in Virginia in 1607 until the end of the seventeenth century, between 200,000 and 400,000 people departed from England to English America.¹ As with other forms of mobility, English authorities used documents to identify individuals departing from England to the Americas, and to thereby monitor and control their movements. The predominant documents used by English authorities to identify individuals departing to England's colonies in the Americas were licences to pass beyond the seas and indenture documents. The development of methods of identification specifically targeting transatlantic mobilities was slow and uneven. The first legislation specifically regarding the identification of individuals departing from England to its colonies in the Americas was not promulgated until the 1630s, and English authorities did not become involved in the production of indenture documents until 1682.² However, the gradual development of methods of identification for individuals departing from England across the Atlantic in the seventeenth century led to key changes in the functioning of processes of identification and England's governance of its colonies. Documents identifying individuals departing to England's colonies in the Americas displayed novel methods of expressing both the household relations and the legal personhood of the identified. Both the greater

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- 1 Bernard Bailyn, *The Peopling of British North America: An Introduction* (London: I.B. Tauris, 1986), pp. 36-40; Ned Landsman, 'Migration and Settlement', in *A Companion to Colonial America*, ed. by Daniel Vickers (Malden, Massachusetts: Blackwell, 2003), pp. 76-98 (pp. 78-80); Christopher Tomlins, 'Indentured Servitude in Perspective: European Migration into North America and the Composition of the Early American Labour Force, 1600-1775', in *The Economy of Early America: Historical Perspectives and New Directions*, ed. by Cathy Mason (Philadelphia: University of Pennsylvania Press, 2006), pp. 146-74 (pp. 150-51).
 - 2 *Stuart Royal Proclamations, Vol II: Royal Proclamations of King Charles I, 1625-1646*, ed. by James F. Larkin (Oxford: Clarendon Press, 1983), p. 555; TNA CO324/4 'Order to Prevent Abuses in Transporting Servants', 13 December, 1682, reprinted in John Wareing, *Indentured Migration and the Servant Trade from London to America, 1618-1718* (Oxford: Oxford University Press, 2017), pp. 261-62.

distances involved in transatlantic movements and the novel social structures which developed in England's colonies in the Americas had significant impacts upon identification documents and the processes of governance in which they were utilised.

This chapter examines two distinct patterns of movement from seventeenth-century England to its colonies in the Americas: the initial colonisation of New England and the movement of indentured servants to England's Chesapeake and Caribbean colonies. Between 1620 and 1640, approximately twenty thousand people departed from England to the colony of New England.³ After 1640 the numbers of people moving from England to New England declined sharply.⁴ Many of these settlers were Protestants who departed from England seeking a more purely Protestant form of worship and ecclesiastical governance than that practised in the Church of England.⁵ However, economic motivations were also important for many colonists.⁶ New England settlers predominantly migrated as pre-formed household units, including male heads of household as well as women, children and servants.⁷ Contrastingly, indentured servants predominated in English migration to England's Chesapeake and Caribbean colonies.⁸ Indentured servitude was a form of migrant labour in which individuals in England were bound as unfree labourers to masters in the Americas for a specified period, generally four years.⁹ In return, indentured servants received free passage to the Americas and an agreed-upon amount of money or land at the end of their

3 David Cressy, *Coming Over: Migration and Communication Between England and New England in the Seventeenth Century* (Cambridge: Cambridge University Press, 1987), pp. 49-51; Agnes Delahaye, 'Commerce and Settlement: Rethinking Early New England History', *Revue de la Société d'études anglo-américaines des XVIIe et XVIIIe siècles*, 77 (2020), 1-28 (pp. 1-6); Virginia DeJohn Anderson, *New England's generation: the great migration and the formation of society and culture in the seventeenth century* (Cambridge: Cambridge University Press, 1991), pp. 3-9; David D. Hall, *The Puritans: A Transatlantic History* (Princeton: Princeton University Press, 2019), pp. 220-29.

4 Cressy, pp. 49-51.

5 Delahaye, pp. 1-6; DeJohn Anderson, pp. 3-9.

6 *Ibid.*

7 Cressy, pp. 66-68; DeJohn Anderson, pp. 1-3; Landsman, pp. 86-87.

8 Hillary Beckles, *White Servitude and Black Slavery in Barbados, 1687-1715* (Knoxville, TN: University of Tennessee Press, 1989), pp. 1-5; Lois Green Carr and Lorena S. Walsh, 'The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland', *The William and Mary Quarterly*, 34.4 (1977), 542-571 (pp. 542-46); Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (Cambridge: Cambridge University Press, 2010), pp. 77-81; John Wareing, *Indentured Migration and the Servant Trade from London to America, 1618-1718* (Oxford: Oxford University Press, 2017), pp. 1-6.

9 Beckles, pp. 1-5; Wareing, pp. 1-6.

term of service.¹⁰ Although it is difficult to determine the precise numbers of individuals who departed from England as indentured servants, they constituted roughly half to two thirds of the total of people who migrated from England to the Americas in the seventeenth century.¹¹ Unlike colonists in New England, indentured servants were generally young and invariably unmarried.¹² While, in the early seventeenth century, the relationship between indentured servitude and race was not firmly established, by the end of the century, indentured servitude was strongly racialised and tied to whiteness.¹³ Although New England settlers and indentured servants do not account for the totality of individuals who departed from England to the Americas in the seventeenth century, they are the two most readily recognisable groups and the two which were dealt with most explicitly by English authorities using identification documents.

Both New England settlers and indentured servants were identified in registers of licences to pass beyond the seas. The granting of licences to pass beyond the seas and the registration of these documents by port officials developed from the earlier use of these licences for the monitoring and control of individuals departing from England to continental Europe, which began in 1606. The earliest extant example of a register of licences which included individuals departing to the Americas was produced in 1633.¹⁴ Extant registers of licences to pass beyond the seas which identified transatlantically mobile individuals are heavily concentrated in the 1630s. These registers largely documented groups departing from England to settle in New England, with some reference to indentured servants departing to other locations, especially the Chesapeake and Caribbean colonies. This chapter examines two sets of registers of licences to pass beyond the seas: the registers from London in 1634 to 1635, which includes individuals departing to New England, as well as individuals departing to the Chesapeake and Caribbean colonies, and the registers from

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Carr and Walsh, pp. 542-46; Tomlins, *Freedom Bound*, pp. 77-81.

¹³ Beckles, pp. 3-10; Wareing, pp. 89-93.

¹⁴ TNA E157/18, 'Register of passengers leaving Plymouth, Devon for St. Christopher', 1633.

Great Yarmouth in 1637, which includes a large number of individuals departing to New England alongside those departing to Europe.¹⁵ Legislation placing additional requirements on the identification of individuals departing to New England was passed in 1637. An examination of registers from 1634 to 1635 and from 1637 thus enables an analysis of to what extent this piece of legislation affected processes of identification in practice. While the sample analysed here is not fully representative of all transatlantic departures from England, it encompasses London and East Anglia, the regions from where the greatest number of New England colonists departed, as well as the diversity of forms of transatlantic mobility which were monitored by English authorities during the period of the peak production of licences to pass beyond the seas.

Indenture documents were a form of document exclusively deployed in the identification of indentured servants departing to England's colonies in the Americas. Indenture documents were formulaic legal contracts which bound an indentured servant to a master in the colonies or to an agent who would sell them to a master upon their arrival.¹⁶ These contracts set out the terms of the indentured's service, including details such as the length of their indenture. These documents also included significant identifying information about the bound servants, including their name, age, place of origin, and marital status or occupation.¹⁷ Given that a valid indenture document was required for an indenture to be legitimately formed, these documents were frequently inspected by port officials in England and courts in English America to identify servants and determine if their indenture was legitimate.¹⁸ While indenture documents were in use from the first decade of the seventeenth century, the only extant collection of indenture documents from London was produced from 1682 to 1685.¹⁹ This collection is commonly referred to by historians as 'the London record'.

15 TNA E157/20, 'Register of passengers leaving the port of London', 1634-1635; TNA E157/21, 'Register of licences to pass beyond the seas', 1637.

16 Beckles, pp. 1-6; Sonia Tycko, 'Bound and Filed: A Seventeenth-Century Service Indenture from a Scattered Archive', *Early American Studies*, 19.1 (2021), 166-90 (pp. 166-7); Wareing, pp. 1-4.

17 Tycko, pp. 166-67.

18 Terri L. Snyder, "'To Seeke for Justice': Gender, Servitude, and Household Governance in the Early Modern Chesapeake" in *Early Modern Virginia: Reconsidering the Old Dominion*, ed. by Douglas Bradburn and John C. Coombs (Charlottesville: University of Virginia Press, 2011), pp. 128-57 (pp. 130-31); Wareing, pp. 198-202.

19 Tycko, pp. 172-76; Waring, pp. 208-20.

The existence of this collection was due to the promulgation on an order in 1682 which instituted a system in which indenture documents were formed in the presence of Justices of the Peace or magistrates, whose clerks then produced a duplicate copy of the indenture document for archival storage in London.²⁰ While the limited chronology of this collection does mean that it cannot be taken to be representative of all indenture documents produced across the seventeenth century, the origins of the London record in an order which implemented a greater level of official involvement in the production of indenture documents is demonstrative of how English authorities sought to use identification documents in their governance of transatlantic mobilities.

Examining the documents used to identify individuals who departed from England to its colonies in the Americas has significant implications for understandings of both transatlantic mobilities and English colonial governance. Since the 1980s, with the publication of Bernard Bailyn's seminal *The Peopling of British North America*, it has become widely accepted in the historiography that patterns of movement from England to its colonies developed as an extension of pre-existing patterns of mobility within England.²¹ Ned Landsman has expanded this concept to include intra-European transnational movement as part of the patterns of mobility from which transatlantic movement extended.²² This chapter argues that, just as existing patterns of mobility were extended across the Atlantic, so too were the forms of identification document used to identify individuals engaged in those forms of the mobility extended and adapted to identify transatlantically mobile individuals. The production and use of identification documents reveals that the extension of patterns of movement was not a passive process but one which English authorities actively sought to intervene in and govern by monitoring and controlling the movements of individuals departing from England to its colonies.

20 *Ibid.*

21 Bailyn, pp. 20-25; Farley Grubb, 'Does Bound Labour Have to Be Coerced Labour?: The Case of Colonial Immigrant Servitude Versus Craft Apprenticeship and Life-Cycle Servitude-in-Husbandry', *Itinerario*, 21.1 (1997), 28-51 (pp. 30-31); Landsman, pp. 76-78; Wareing, pp. 42-50.

22 Landsman, pp. 77-81.

A robust historiography has developed surrounding the use of documents in early modern imperial governance. Historians working on a variety of early modern empires—including Sylvia Sellers-Garcia on the Spanish Empire, Ian Steele on the English Atlantic Empire, Kenneth Banks on the French Atlantic Empire and C.A. Bayly on colonial India—have emphasised the importance of textual documents to the functioning of early modern empires due to their enabling of the transfer of information and orders necessary for governing across long distances.²³ While these works have emphasised the mobility of documents and discussed the movements of people which enabled this mobility, there has been little discussion of how documents themselves facilitated or controlled the movements of people as a mechanism of imperial governance. The use of identification documents was crucial to both transatlantic mobilities and imperial governance in that the use of documents to monitor and control the departure of individuals from England served as a means of governing England's colonies in the Americas from a distance by controlling movement across the Atlantic.

This chapter is divided into four sections. The first section discusses the legislation introduced in the seventeenth century regarding the identification of transatlantically mobile individuals. It emphasises both the lack of a unitary framework for the identification of individuals departing across the Atlantic and the wide-ranging implications of this legislation for colonial governance. The second section discusses the development of identification documents used to identify individuals departing across the Atlantic from pre-existing forms of identification, analysing the adaptations in identification processes which resulted from this extension. Together, these two sections provide an analysis of the development of transatlantic identification documents

23 Kenneth J. Banks, *Chasing Empire across the Sea: Communications and the State in the French Atlantic* (Montreal: McGill-Queen's University Press, 2003), pp. 4-8; C.A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge: Cambridge University Press, 1996); Filippo De Vivo, 'The composite world of early modern information', *European Review of History*, 30.4 (2023), 645-57 (pp. 647-51); Asheesh Kapur Siddique *The Archive of Empire: Knowledge, Conquest and the Making of the Early Modern British World* (New Haven: Yale University Press, 2024), pp. 6-10; Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012), pp. 9-15; Sylvia Sellers-Garcia, *Distance and Documents at the Spanish Empire's Periphery* (Stanford, California: Stanford University Press, 2014), pp. 9-16; Ian K. Steele, *The English Atlantic, 1675-1740: An Exploration of Communication and Community* (Oxford: Oxford University Press, 1986), pp. 1-10.

across the seventeenth century. The next two sections analyse specific features which developed in transatlantic identification documents. The third section considers how differing patterns of mobility to the Americas in which people migrated as household units or as individuals shaped the methods used to identify them. The final section on legal personhood in colonial indenture documents considers how prospective servants were identified as persons holding legal agency, or not, in indenture documents and the relation of this process of identification to developing concepts surrounding age and race in the seventeenth century.

Legislation

In the seventeenth century, the Crown and Parliament promulgated a number of legislative acts regarding the identification of individuals departing from England to its colonies in the Americas. At the beginning of the seventeenth century, the identification of individuals departing across the Atlantic was not dealt with explicitly in legislation. It was instead dealt with by officials as part of wider patterns of transnational mobilities. Individuals departing to English America were identified using the same methods as those departing to Europe. However, beginning from 1637, legislation regarding the identification of individuals moving to English America began to be promulgated. Proclamations imposing conditions on the identification of individuals moving to New England were enacted in 1637 and 1638.²⁴ Legislation regarding the identification of indentured servants departing to the Americas was promulgated in 1647 and 1682.²⁵ Although specifically concerning transatlantic movement, the legislative acts of 1637, 1638 and 1647 all built upon and operated within the legislative framework for identifying transnationally mobile individuals introduced by proclamations in 1606 and 1607. While this chapter groups together these four pieces of legislation due to all of them concerning movement from England to the Americas, as is evident in these acts and proclamations, the authorities who introduced them did not regard

²⁴ *Stuart Royal Proclamations*, Vol II, p. 555; *Ibid*, pp. 610-11.

²⁵ *Acts and Ordinances of the Interregnum*, Vol. I: 1642-1649, ed. by C.H. Firth and R.S. Rait (London: Wyman and Sons, 1911), pp. 912-13; TNA CO324/4.

movement to the colonies in the Americas as a unitary phenomenon. Rather, authorities imposed different requirements for the identification of different categories of individuals departing across the Atlantic in response to specific concerns posed by these patterns of mobility. Despite the lack of a singular legislative framework for identifying individuals departing to the American colonies, these pieces of legislation all represented an effort by English authorities to use identification documents to control the movements of individuals from England to its American colonies and to thereby impose and maintain English authority in the colonies using these documentary forms.

For much of the earlier seventeenth century, the legal framework surrounding the identification of transatlantically mobile individuals was determined by proclamations mandating the use of licences to pass beyond the seas and the creation of corresponding registers. Proclamations from the Privy Council requiring that individuals departing ‘beyond the seas’ first receive a licence to pass beyond the seas from officials at English ports were issued in 1606, 1607, 1630 and 1635.²⁶ Although none of these proclamations specifically referred to transatlantic movement to England’s colonies in the Americas, port officials nevertheless provided licences to pass beyond the seas to a number of individuals departing to the Americas and listed their identities in their registers. Port officials in Devon produced two sets of registers of licences to pass beyond the seas in 1633 and 1634 which identified individuals departing to St. Kitts and Barbados.²⁷ In 1633, London port officials similarly included individuals departing to New England in their registers for 1634 to 1635.²⁸ Prior to 1637, there was no legislative distinction between the methods of identification prescribed for individuals departing from England for continental Europe and for England’s American colonies, nor did port officials distinguish between them in providing both with licences to pass beyond the seas.

26 For an in-depth discussion of these proclamations and their implications for intra-European mobilities, see chapter 3.

27 TNA E157/18; TNA E157/19 ‘Register of passengers leaving Dartmouth, Devon, for St. Christopher and Barbados’, 1634.

28 TNA E157/20.

The proclamations mandating the use of licences to pass beyond the seas produced between 1606 and 1635 were not primarily intended to regulate the movement of individuals to England's colonies in the Americas but rather were predominantly focused on intra-European mobilities. David Cressy has argued that the 1607 proclamation mandating the use of licences to pass the seas was enacted due to the beginning of England's colonisation of Virginia that same year, and that the repetition of this order in 1630 was in response to the settlement of New England.²⁹ However, Cressy fundamentally misreads the intentions behind and circumstances surrounding the introduction of these proclamations. Neither of the proclamations of 1607 and 1630 refer to movement to England's colonies in the Americas. Instead, both refer far more generally to individuals who 'depart out of the realm' and 'pass over the seas'.³⁰ While Cressy is correct that the promulgation of the first proclamation aligns with the first settlement established in Jamestown, the 1607 order was preceded a year prior by a proclamation mandating the use of licences to pass beyond the seas for women and children. While the proclamation was enacted by the Privy Council in May 1606, the matter of requiring licences for women and children departing England was first discussed in the Commons in January, four months before the Crown's granting of the Jamestown charter to prospective colonists.³¹ Additionally, when the proclamation was proposed by a member of the Commons in January 1606, it was due to his fears of the uncontrolled movement of individuals to Catholic territories in Europe, unrelated to England's colonisation of America.³² Cressy proposes that the imposition of identification requirements on individuals departing from England was a product of the beginning of England's colonisation of the Americas.³³ However, he underestimates the extent and importance of intra-European mobilities in this same period. The

²⁹ Cressy, pp. 130-32.

³⁰ *Charles, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. to all and singular mayors, recorders, customers, comptrollers of and within all and singular the port townes; Stuart Royal Proclamations*, Vol. I, pp. 158-60.

³¹ *Stuart Royal Proclamations*, Vol. I, pp. 147-48.

³² *Ibid.*

³³ Cressy, pp. 130-32.

earliest legislation which officials referred to in identifying of individuals departing to the Americas was not intended specifically for this purpose, but rather was adapted by officials to this end from proclamations ordered by the Privy Council primarily to regulate intra-European transnational mobilities.

The first English legislation to specifically impose conditions on the identification of transatlantically mobile individuals was enacted in 1637. On 30 April 1637, in response to the significant numbers of dissenting English Protestants departing to New England, the Privy Council implemented 'A Proclamation against the disorderly Transporting of His Majesties Subjects to the Plantations within the parts of America'.³⁴ Unlike previous legislation, this proclamation solely regarded movement to England's American colonies. It stated that 'great numbers of His Subjects have bin, and are every yeare transported into those parts of America ... amongst which numbers there are also many idle and refractory humors ... His Majestie ... is minded to restraine for the time to come such promiscuous and disorderly departing out of the Realme'.³⁵ This proclamation imposed additional requirements on the processes of identification for individuals departing to New England, requiring that, in order to receive a licence to pass beyond the seas, they present port officials with

an Attestation or Certificate from two Justices of the Peace ... that he hath taken the Oaths of Supremacie and Allegiance, and like Testimony from the Minister of the Parish of his conversation and conformity to the Orders and discipline of the Church of England.³⁶

The proclamation also included a requirement that port officials, 'do returne to His Majesties said Commissioners for Plantations every halfe yeare a particular and perfect List of the names and qualities of all such persons ... imbarqued ... for any of the said Plantations'.³⁷ The 1637 proclamation restated the need for the production and use of licences to pass beyond the seas and

³⁴ *Stuart Royal Proclamations*, Vol. II, p. 555.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

corresponding registers to control movement out of England, but also adapted this requirement by ordering the registers to be returned to the Commissioners for Plantation and mandating that individuals departing to New England first present additional documents in order to receive a licence.

The 1637 proclamation represented an effort by English authorities to use processes of identification to ensure confessional conformity in its American colonies. Enacted in response to the movement of dissenting English Protestants to New England, the proclamation mandated the use of both oaths and testimonial documents in identifying transatlantically mobile individuals in an attempt to ensure their conformity. While previous legislation regarding licences to pass beyond the seas had required that individuals departing from England take only the oath of allegiance, the 1637 proclamation mandated that individuals departing to America take both the oath of allegiance and the oath of supremacy.³⁸ Although, in practice, many individuals who received licences to pass beyond the seas prior to 1637 took both the oaths of allegiance and supremacy, the emphasis in the 1637 proclamation on ensuring that individuals departing to New England took both oaths is nevertheless telling.³⁹ While the oath of allegiance was designed as primarily designed as an affirmation of its speaker's recognition of the authority of the Crown and could be sworn even by many who worshipped outside the Church of England, the oath of supremacy required recognition of the authority of the Church of England and their conformity to its articles of faith.⁴⁰ While many dissenting Protestants felt able to take the oath of allegiance, their ability to take the oath of supremacy was less clear.⁴¹

38 *Stuart Royal Proclamations*, Vol. II, p. 555.

39 James Camden Hotten (ed.), *The Original Lists of Persons of Quality; Emigrants; Religious Exiles; Political Rebels; Serving Men Sold For a Term of Years: Apprentices; Children Stolen; Maidens Pressed; And Others Who Went From Great Britain to the American Plantations, 1600-1700* (New York: J.W. Bouton, 1874), pp. 43-50.

40 D.M. Jones, *Conscience and Allegiance in Seventeenth-Century England: The Political Significance of Oaths and Engagements* (Rochester, New York: University of Rochester Press, 1999), pp. 43-54.

41 *Ibid.*

The use of the oath of supremacy was supplemented by the requirement that individuals departing to America present port officials with a written testimonial from their parish minister attesting to their conformity to the Church of England.⁴² The efficacy of this measure was limited both by the number of Church of England ministers who were sympathetic to the New England Protestants and willing to write them such testimonials, regardless of their degree of conformity and by the ability of many prospective colonists to forge these documents.⁴³ Nevertheless, the Privy Council attempted to supplement the identification processes surrounding the issuance of licences to pass beyond the seas with additional oral and documentary requirements to ensure the confessional conformity of individuals departing to New England. The addition of these requirements reflects the ability of English authorities to adapt the framework of identification introduced in 1606 to 1607 for individuals departing from England to new concerns posed by specific patterns of movement to its American colonies.

The 1637 legislation emphasised the imposition of English authority over its American colonies. The proclamation stated that many of the colonists in New England's 'onely or principall end is to live as much as they can without the reach of authority'.⁴⁴ This statement reflected English authorities' concern that many of the dissenting English Protestants who moved to New England did so to evade the authority of the Church of England and its mechanisms of enforcing confessional uniformity.⁴⁵ By referring to its American colonies as 'without the reach of authority', the Privy Council demonstrated an understanding of the challenges posed by governing a colony geographically separated from the centres of English authority by the Atlantic Ocean. By introducing additional requirements for identifying individuals departing to New England, English officials attempted to use identification documents and the processes which produced them as a means of ensuring their authority over their geographically distant colonies in the Americas.

⁴² *Stuart Royal Proclamations*, Vol. II, p. 555.

⁴³ Cressy, pp. 137-38.

⁴⁴ *Ibid.*

⁴⁵ Cressy, pp. 131-35; DeJohn Anderson, pp. 3-9; Hall, pp. 220-25.

The use of identification documents outlined in the 1637 legislation has key implications for how we understand the use of documents by authorities to govern colonial territories in early modernity. Writing on the Spanish Empire, Sylvia Sellers-Garcia has argued for the centrality of bureaucratic communications between officials in Spain and their colonial counterparts to the overcoming of the complications posed by attempting to govern across long distances.⁴⁶ However, as the requirement imposed by the 1637 legislative act for port officials to make registers of licences to pass beyond the seas available to Commissioners for the Plantations demonstrates, documents did not necessarily have to move between England and its colonies for them to be relevant to colonial governance. Rather, by producing knowledge about colonists before they departed from England, identification documents enabled English authorities to gather information about the inhabitants of their American colonies without the documents containing the information moving across the Atlantic. English authorities did not only use documents mobile across the Atlantic to govern those already living in its colonies but also used identification documents as a means of controlling the movement of settlers to those colonies. Identification documents highlight that the relation between mobility and the governance of early modern European empires extended beyond the mobility of the documents themselves and included the use of documents to surveil and control movement as a means of maintaining English authority over its colonies.

In 1638, the Privy Council issued another proclamation imposing still stricter requirements on the identification of individuals departing from England to New England. This legislation ‘A Proclamation to restrain the transporting of Passengers and Provisions to New England without Licence’ ordered that

all Merchants, Masters and Owners of Ships whatsoever, That from henceforth they or any of them do not presume to set forth any Ship or Ships with Passengers or Provisions for New England, until they shall have first obtained speciall Licence from His Majestie, or such of the Lords, and others of His Privy Councell.⁴⁷

⁴⁶ Sellers-Garcia, pp. 10-20.

⁴⁷ *Stuart Royal Proclamations*, Vol. II, pp. 610-11.

The issuing of this proclamation led to a widespread outcry among merchants, fearing delays to shipping, and its enforcement was quickly dropped.⁴⁸ However, this piece of legislation is nevertheless of interest to understanding how the Privy Council endeavoured to utilise identification to control movement to the Americas. The introduction of this proclamation so soon after the 1637 proclamation indicates that the measures introduced in 1637 were ineffective in preventing the movement of dissenting Protestants to New England. The 1638 proclamation removed authority for the identification of and issuing of licences to pass beyond the seas for individuals departing to New England from port officials and assigned it to members of the Privy Council. This shift likely reflected concerns about the efficacy of port officials at preventing dissenting Protestants from departing from England. By placing authority for issuing licences to pass beyond the seas for individuals departing to New England in the hands of the Privy Council, the 1638 proclamation represented a partial reversal of the transfer in 1606 and 1607 of authority for issuing licences to pass beyond the seas from the Privy Council to port officials. Prior to 1606, the authority for issuing documents allowing individuals to depart out of England had rested entirely with the Privy Council. The reversal of this transfer in 1638 demonstrates the adaptability of English authorities' processes of identification in the early seventeenth century. In reaction to concerns surrounding the migration of dissenting Protestants to New England and the perceived failings of port officials to control it, the Privy Council returned to directly issuing licences to pass beyond the seas specifically for individuals moving to New England. Despite, or perhaps because of, the distance between New England and England, the Privy Council attempted to impose its authority more directly on New England by controlling movement from England to the colony.

In 1647, Parliament issued the first legislative act dealing specifically with the identification of individuals departing to the Americas as indentured servants. The act 'An Ordinance of

48 Cressy, pp. 139-40.

Parliament for Encouragement of Adventurers to the Several Plantations of Virginia, Bermuda, Barbados, and other places of America' stated that

it shall be lawful for any person or persons, Subjects of this Kingdome, to entertain, and transport from hence into the said several Plantations such persons being fit to serve, or advance the Trade there, as shall be willing to serve ... provided that the names of all such persons so to be transported to serve in the said Plantations, be first registered in the Custom-house.⁴⁹

This act was designed to prevent 'spiriting', a practice in which individuals were brought to England's colonies in the Americas forcibly or otherwise without their consent to labour as indentured servants, as well as to protect those involved in the servant trade from false allegations of 'spiriting'.⁵⁰

Although the 1647 act specifically required the registration of the identities of indentured servants departing to the Americas, this ordinance operated within the pre-existing legislative framework for identifying individuals departing from England. John Wareing has argued that this legislation was never widely implemented, except in Bristol, where he claims that it inspired the implementation of a system seven years later in 1654 for registering indentured servants' indentures similar to the one implemented in London in 1682.⁵¹ However, Wareing's claim does not stand up to scrutiny. There is no solid evidence linking the 1647 legislation to ordinance passed by the Bristol council seven years later. Rather, Bristol's implementation of the registration of indentures was in response to local cases of spiriting.⁵² Additionally, the Bristol registers were not merely a register of the names of indentured servants, as was proposed in the 1647 ordinance, but a register of the details of the indenture documents themselves. Given that some customs officials at English ports had been including the names of indentured servants in their registers of licences to pass beyond the seas since 1633 at the latest, the 1647 ordinance did not presage future processes of identification

49 *Acts and Ordinances of the Interregnum*, Vol. I, pp. 912-13.

50 Wareing, pp. 196-99.

51 *Ibid.*

52 David Harris Sacks, *The Widening Gate: Bristol and the Atlantic Economy, 1450-1700* (Berkeley, California: University of California Press, 1993), pp. 252-55.

involving the register of indenture documents, but rather was a clarification and codification of the need for port officials to include indentured servants in their registers, as many had already been doing in practice.

The 1647 ordinance also mandated that indentured servants were to be identified once they had arrived in the Americas. The ordinance stated that the transport of indentured servants to the Americas was legal ‘provided also, that certificate within one year be returned from the Governor, or other chief Officer of such Plantation, where such person shall be put on shore of the arrival of the said persons there, that no fraud be used to carry any such persons to any other place’.⁵³ In effect, the act required that officials in England’s colonies in the Americas should create a register of indentured servants. However, there are no existing records of any such registers, and it is highly likely that such a system of registration was never, or never widely, implemented.⁵⁴ Parliament’s attempt to require that colonial officials maintain registers of arriving indentured servants is highly revealing of the relation between documents and English imperial authority. Parliament attempted to mandate the production of documents by colonial officials to monitor the movements of indentured servants after their departure from England, thereby ensuring that their final destinations aligned with that recorded in their indenture documents and the registers of licences to pass beyond the seas. This measure would have mitigated the problems posed by the long-distance and transoceanic nature of indentured servants’ movements for the monitoring of these movements by English officials, enabling authorities to continue to have access to knowledge about these movements if they required. However, evidently, the distance between England and the Americas led colonial officials to either be unaware of this ordinance or to simply ignore it. While English authorities attempted through legislation to mandate the production of documents by colonial officials to overcome the challenges posed by governing the colonies in the Americas over long

⁵³ *Acts and Ordinances of the Interregnum*, Vol. I, pp. 912-13.

⁵⁴ Wareing, p. 51.

distances, distance nevertheless also challenged the ability of authorities in England to ensure that colonial officials in fact produced these documents.

In 1682, the Crown passed legislation requiring the registration of the indenture documents of indentured servants departing to the Americas. Unlike the 1647 ordinance, the 1682 ‘Order to Prevent Abuses in Transporting Servants’ required not merely the inclusion of indentured servants in registers of licences to pass beyond the seas, but mandated that copies of their indenture documents be filed with clerks of the peace.⁵⁵ Given that there are extant registers of licences to pass beyond the seas identifying indentured servants departing to the Americas from as late as 1677, this order represented the imposition of an additional mechanism for the identification of indentured servants beyond that of the still contemporary method of registration at ports.⁵⁶ This order was thus the first national legislation to develop conditions for the identification of transatlantically mobile individuals outside of the framework for identifying individuals departing from England created by the 1606 and 1607 proclamations mandating the use of licences to pass beyond the seas. However, the creation of a system for the registration of indenture documents was in many ways similar to the system developed by the Bristol council in 1654, which was still operating in 1682. This order was thus, in part, a generalisation of a practice of identification previously developed by local authorities in Bristol. Similarly to previous legislation related to the identification of indentured servants, the 1682 order was also designed to prevent both the practice of ‘spiriting’ and false allegations of ‘spiriting’.⁵⁷ While not all merchants and mariners involved in the servant trade chose to comply with the terms of this order and register their servants’ indenture documents, many did decide to do so, in part due to the political and legal climate in the early 1680s in which the Stuart monarchy levelled a number of legal cases at Whig merchants due to their position on the Exclusion Crisis.⁵⁸ This order led to the widespread registration of indenture documents in London and Middlesex

⁵⁵ TNA CO324/4.

⁵⁶ TNA E157/31.

⁵⁷ Tycko, pp. 175-76; Wareing, pp. 49-51.

⁵⁸ *Ibid.*

between 1682 and 1685. Both specific concerns related to the movement of indentured servants to the Americas and particular political circumstances led to the development of an additional national legislative framework for their identification prior to their departure from England.

The 1682 order included specific instructions for how indentures should be formed. The order stated that indenture documents should be ‘executed by the Servant in the presence of the Magistrate or Magistrates hereafter appointed; one part thereof signed by such Servant, and also underwritten or endorsed with the name and handwriting of such Magistrate’.⁵⁹ This legislation emphasised two mechanisms for ensuring that indentures were legitimately formed: their formation in the presence of a magistrate and the signing of the indenture document by both the servant and the magistrate. In urging the use of these two mechanisms to prevent both spiriting and false allegations of spiriting, the Privy Council was concerned with outlining processes which enabled the creation of an indisputably legitimate identification document. To this end, the 1682 order emphasised both the presence of an official at the encounter which produced this document and the verification of this presence through their signature on the document. Through this legislation, the Privy Council sought to include officials in the creation of indenture documents and direct their involvement to ensure the legitimacy of the processes of identification involved in the creation of these documents.

Beyond the encounter of identification, the 1682 order also included specific instructions for the storage and registration of indenture documents. The order stated that a copy of the indenture document ‘is to remain with the Clerk of the Peace, to be returned to the next Sessions, there to be filed upon a distinct File, and numbered and kept with the Records’.⁶⁰ Additionally, it ordered that

The Clerk of the Peace is to keep a fair book wherein the name of the person so bound, and the Magistrates name before whom the same was done, and the time and the place of doing thereof, and the number of the File shall be entered; and for the more easy

⁵⁹ TNA CO324/4.

⁶⁰ *Ibid.*

finding the same, the Entries are to be made Alphabetically according to the first Letter of the Surname.⁶¹

The Privy Council, in promulgating this order, was thus concerned not only with ensuring the legitimacy of the production of indenture documents but also that copies of these texts were properly stored, registered and filed by the officials involved in their production. In effect, this order outlined a system for the proper archiving of indenture documents, facilitating their consultation at a later date if required. This system was designed to overcome issues posed by both temporal and geographical distance in England's governance of its colonies in the Americas. Due to the nature of the servant trade, allegations of spiriting often arose once an indentured servant had arrived in the Americas, several months and thousands of miles from when and where his or her indenture document had been initially formed.⁶² By formulating a system for the archiving of previously ephemeral indenture documents, the authors of the 1682 order ensured that authorities in London would have ready access to copies of indenture documents, enabling them to easily determine whether or not the indenture had been properly formed.

The inclusion of directions for the proper archiving of indenture documents by officials reflects the importance of archival practices to early modern English governance, including the governance of England's colonies in the Americas. Nicholas Popper has argued for the importance of archives and archiving to the development of governing practices in early modern England, emphasising the reliance of English officials and political actors on the availability of paperwork and official texts in archives which they could consult in exercising their authority.⁶³ As demonstrated by the archiving of indenture documents, the information contained in the texts which English officials were able to consult concerned matters extending beyond England itself and included its colonies in the Americas. Sylvia Sellers-Garcia has emphasised the interrelation of

⁶¹ *Ibid.*

⁶² Tycko, pp. 175-76; Wareing, pp. 197-98.

⁶³ Nicholas Popper, *The Specter of the Archive: Political Practice and the Information State in Early Modern Britain* (Chicago: University of Chicago Press, 2024), pp. 26-39.

document movement and document storage, noting that the keeping of multiple copies of documents in different archives in both Spain and its colonial territories was key to the functioning of the empire.⁶⁴ The production of multiple copies of indenture documents, including at least one to be brought to the Americas along with servant indentured and one to remain in England, was not merely a means of accounting for the movement of documents but also for the movement of people. By holding a copy of a servant's indenture document in England, officials mitigated the effects of the movement of indentured servants away from the centres of English bureaucratic authority by maintaining verifiable textual knowledge concerning these individuals, thereby enabling them to continue to adjudicate potential legal cases involving these individuals. The archiving of indenture documents was thus a practice which, despite involving knowledge produced within England, came to hold information about its colonies in the Americas due to the movement of the servants identified in them and thus served to enable the effective governance of these colonies by English officials.

Across the seventeenth century, English authorities promulgated several legislative acts designed to control movement to its colonies in the Americas through processes of identification and to thereby impose its authority over these colonies. In part, this set of legislation was a codification of already existing practices, notably the inclusion of individuals departing to the Americas in the issuing and registration of licences to pass beyond the seas, which had already been occurring prior to 1637. While adding additional conditions to these practices, the acts of 1637, 1638 and 1647 largely operated within the framework surrounding licences to pass beyond the seas established in 1606 to 1607. The inclusion of individuals departing to England's colonies in the Americas within this framework demonstrates that in the seventeenth century there was not yet a clear distinction between transnational movement and movement within the English empire in terms of legislation designed at controlling movement out of England. Movement from England to

64 Sellers-Garcia, pp. 141-52.

English America was also not treated as a unitary object by English authorities, but rather different pieces of legislation targeted concerns associated with varying patterns of movement to these colonies. In endeavouring to address these concerns, the authors of these legislative acts invariably attempted to utilise identification as a documentary mechanism whereby knowledge produced and stored in England about individuals departing to the Americas served as a mechanism for the continuing imposition of authority over and the governance of both the individuals identified and the territories to which they departed.

Extension and Adaptation of Forms of Identification

While the large-scale movement of people between England and the Americas was a novel phenomenon in the seventeenth century, the mechanisms used to identify individuals engaging in these types of mobilities were not wholly novel but rather built upon existing and familiar forms. The adaptation by authorities of existing genres of identification document for use in identifying individuals departing from England to its colonies in the Americas reflected the development of these patterns of transatlantic movement from existing English patterns of national and intra-European mobility. The adaptation of specific genres of identification documents to this end was a product of the patterns of mobility from which particular kinds of transatlantic mobility developed. The use of licences to pass beyond the seas in identifying individuals departing to New England in the earlier seventeenth century reflected the relation of the migration of English Protestants to New England from 1620 onwards to already existing patterns of confessional mobility within Europe. The migration of indentured servants to English America developed out of the migration of apprentices from the provinces to London. Similarly, the indenture documents used to identify transatlantically mobile indentured servants developed upon the indenture documents used to identify apprentices in London. While a number of scholars have noted that the movement of people from England to its colonies in the Americas developed out of existing patterns of mobilities both within England and within Europe, there has been little consideration of how the extension of these

patterns of movement across the Atlantic was managed by authorities.⁶⁵ For English authorities, monitoring and surveiling the movement of individuals to the Americas frequently served as a means of maintaining English control of its colonies in the Americas. While English authorities did change existing forms of identification document in surveiling individuals departing to the Americas, these adaptations were often largely the result of pragmatic necessity. Just as the movement of individuals to England's colonies in the Americas developed from existing patterns of national and intra-European movement, English authorities managed transatlantic movement through the extension of existing methods of identification.

The migration of dissenting English Protestants to New England was an extension of existing patterns of confessional mobility within Europe. Many English Protestants who migrated to New England in the 1620s and 1630s had previously spent time living abroad in the Dutch Republic.⁶⁶ Many of the colonists who formed the initial group of settlers who colonised New England in 1620 came from a congregation of English Separatists who had departed from England to Leiden in 1609, motivated in part by a desire to practice their religion outside the Church of England.⁶⁷ This group formed a part of a larger number of English Separatists who had settled in the Dutch Republic beginning from the 1580s due to the greater level of religious freedom afforded to them in the Republic.⁶⁸ The numbers of these English Separatists in the Dutch Republic were never vast, numbering at most a few thousand in the first decades of the seventeenth century, and were always considerably outnumbered by English people residing in the Republic permanently or temporarily for other reasons, such as economic or educational opportunities.⁶⁹ However the movements of these Separatists acted as an important precursor for Protestant groups migrating to

65 Bailyn, pp. 12-15; Hall, pp. 22-34; Landsman, pp. 77-81; Wareing, pp. 39-43.

66 Joe Coker, "'Cast Out from among the Saints': Church Discipline among Anabaptists and English Separatists in Holland, 1590-1620", *Reformation*, 11.1 (2006), 1-27 (pp. 5-8); Hall, pp. 203-04; Keith L. Sprunger, *Dutch Puritanism: A History of English and Scottish Churches of the Netherlands in the Sixteenth and Seventeenth Centuries* (Leiden: Brill, 1982), pp. 134-37

67 Hall, pp. 203-4; Sprunger, *Dutch Puritanism*, pp. 134-37.

68 *Ibid.*

69 Coker, pp. 3-5; Sprunger, *Dutch Puritanism*, pp. 123-26.

New England to practice their religion more openly with less risk of persecution.⁷⁰ Although these Separatists often conceptualised themselves as living ‘in exile’ in the Dutch Republic, in practice, there was significant levels of movement back and forth between England and the Dutch Republic among English Separatists.⁷¹ As a result, Separatists living in the Dutch Republic maintained close contacts with and exercised influence over both Separatists remaining in England and sympathetic Protestants within the Church of England, including in planning the colonisation of New England.⁷² English Separatists living in Holland formed only a small number of the tens of thousands of people who settled New England in the 1620s and 1630s.⁷³ Additionally, the settlement of New England included a fairly wide confessional milieu, including those who sought a more purely Protestant church but desired to remain within the Church of England, as well as those motivated primarily by economic as opposed to religious opportunities.⁷⁴ However, insofar as the initial colonisation of New England included a significant proportion of confessionally motivated settlers, the confessional mobility of English Separatists to the Dutch Republic from the 1580s onwards provided an important precursor.

The confessionally-motivated departure from England of groups of Protestants to both the Dutch Republic and New England needs to be contextualised within wider patterns of confessional mobility in early modern England, including those of Catholics. Similarly to English Separatists, both fears of persecution and religious opportunities led many English Catholics to depart from England in the sixteenth and seventeenth centuries, many of them going to the Catholic Spanish Netherlands.⁷⁵ Much like English Separatists in the Dutch Republic, while these English Catholics have often been conceptualised as ‘exiles’, many of them were frequently mobile between England

⁷⁰ *Ibid.*

⁷¹ Sprunger, *Dutch Puritanism*, pp. 69-71; Sprunger, ‘Other Pilgrims in Leiden: Hugh Goodyear and the English Reformed Church’, *Church History*, 41.1 (1972), 46-60 (pp. 56-58).

⁷² *Ibid.*

⁷³ Bailyn, pp. 48-49; Cressy, pp. 39-50; Delahaye, pp. 2-13; Sprunger, *Dutch Puritanism*, pp. 136-37.

⁷⁴ Cressy, pp. 39-50; Delahaye, pp. 2-13.

⁷⁵ Liesbeth Corens, *Confessional Mobility and English Catholics in Counter-Reformation Europe* (Oxford: Oxford University Press, 2019), pp. 2-7.

and Catholic Europe, and often travelled to Catholic areas of Europe on more temporary bases, such as to visit or receive education at Catholic religious institutions.⁷⁶ While separated by confession, the movement of English Protestants to both the Dutch Republic and New England, and the movement of Catholics to Catholic areas of Europe share a number of key similarities and can be classified together as forms of confessional mobility.

The use of licences to pass beyond the seas by English authorities to monitor and control the movement of English Protestants to New England developed out of the previous use of these licences to monitor and control confessional movement to Europe. When plans to introduce requirements for women and children to hold licences to pass beyond the seas were first discussed in the Commons in January 1606, members noted the importance of promulgating such an order due to their fears that growing numbers of English young people were travelling to Spain to attend the Catholic English College at Valladolid.⁷⁷ Port officials producing licences to pass beyond the seas imposed additional requirements and processes of identification on individuals who wished to receive a licence to depart to Catholic territories such as the Spanish Netherlands, although many individuals likely circumvented these requirements in various ways.⁷⁸ The use of licences to pass beyond the seas was thus motivated by English authorities' desire to control or prevent Catholic confessional movements from England to Catholic areas of Europe. Although there is no evidence that suggests that English authorities were motivated in mandating the use of licences to pass beyond the seas specifically by English Separatists, Separatists moving to the Dutch Republic from 1606 to 1607 onwards would similarly have been required to hold a licence in order to depart from England. However, it is evident that in the first decade of the seventeenth century, English authorities were primarily concerned with using licences to pass beyond the seas to control the

⁷⁶ *Ibid.*

⁷⁷ *Stuart Royal Proclamations*, Vol I, pp. 147-48.

⁷⁸ TNA E157/27; For a wider discussion of licences to pass beyond the seas and movement to the Low Countries, see chapter 3.

movement of English Catholics to Catholic areas of Europe, as opposed to controlling the movement of Separatists to the Dutch Republic.

In the 1630s, English authorities' intentions surrounding the use of licences to pass beyond the seas shifted towards controlling the movements of English Protestants to New England. The move towards monitoring and controlling the movement of English Protestants departing to New England in legislation introduced by the Crown in 1637 and 1638 was the result of two interrelated developments in the years leading up to the promulgation of these orders.⁷⁹ Firstly, significantly greater numbers of Protestants had departed to New England, with around twenty thousand individuals leaving England for New England prior to 1640, in comparison to the far smaller number of individuals who had previously moved to the Dutch Republic.⁸⁰ Secondly, beginning in the last years of James VI/I's reign from roughly 1618, and continuing following the accession of Charles I in 1625, English authorities had become increasingly concerned with the threat posed by dissenting Protestants to conformity to the Church of England in comparison to the more predominant concern with the threat of English Catholicism during the early years of James VI/I's reign.⁸¹ The Crown's efforts to use licences to pass beyond the seas to control Protestant movement to New England from 1637 were thus a shift both in geographical focus, moving from a concern with movement to Europe towards movement to the Americas, and a shift in confessional focus, moving from a concern with Catholic confessional mobility towards dissenting Protestant confessional mobility.

Despite the imposition of additional requirements for identifying individuals departing to New England from 1637, the identities of these individuals were recorded in registers of licences to pass beyond the seas effectively identically to those of individuals engaged in other forms of movement. A typical entry from the 1637 Great Yarmouth registers dated 12 May identified

⁷⁹ *Stuart Royal Proclamations*, Vol. II, p. 555; *Ibid*, pp. 610-11.

⁸⁰ Coker, p. 6-8; Cressy, pp. 47-50; Hall, pp. 229-25.

⁸¹ Hall, pp. 204-11; Jones, pp. 42-45.

‘Samuel Grenfield of Norwich. Weaver aged 27 years and Barbrey his wife aged 35 yeares with two children Marey and Barbrey, and John Seed his servant, aged 19 yeares are all desirous to passe into New England to inhabitt’ (see Figure 4.1). This format of identifying individuals as households and registering details such as their names, ages, occupations, places of residence, destination and reason for departure was shared both with examinations of individuals departing for Europe registered in Great Yarmouth in 1637 and with examinations included in registers produced prior to 1637. This continuity in the registers may have been in part due to the additional processes imposed by the 1637 order, namely that individuals departing to New England present port officials with testimonials from their parish ministers and Justices of the Peace, were not recorded in the registers of licences to pass beyond the seas. In part, this continuity may also have resulted from a failure of port officials to impose these additional requirements on individual requirements, as indicated by the passage of harsher legislation in 1638. Regardless, the lack of marked differentiation between the examinations of individuals departing to New England in 1637 and those of individuals departing to Europe demonstrates a bureaucratic continuity in the surveillance of these forms of mobility, despite the imposition of additional requirements for identifying individuals departing to New England.

and hath not from
 y^e same
 may: the 12 1637. Joseph is desirous to pass to
 The examination of Samuel Grenfield of Newbury aged 27 y^e and Barth
 his wife aged 34 y^e with two children Mary and Barth and John: Died: his
 Samuel aged 10 y^e is at all desirous to pass to New England to inhabit
 Thomas: Died: of Newbury aged 25 y^e

Figure 4.1: Examination of the Grenfield family, 1637

In some instances, the formatting of the examinations of individuals departing to the Americas in registers of licences to pass beyond the seas differed from those of individuals departing to Europe, even prior to 1637. While in many cases, such as in the 1637 Great Yarmouth register, individuals departing to New England were registered as individual households, in some registers, their identities were recorded only as the names and ages of individuals departing on a particular ship. For instance, a 16 March entry in a register of individuals departing from London in 1634 grouped together twenty-six individuals ‘to be transported to New England imbarqued in the Chrystian’ and listed their identities as ‘Francis Stiles – 35, Thomas Bancroft – 37, Thomas Stiles – 20, Thomas Barber – 21 ...’ (see Figure 4.2).⁸² This register also applied this format in identifying individuals departing to other colonies in the Americas, including Barbados and Virginia, grouping them together by the ship they were departing aboard, and otherwise listing only their names and ages. This bureaucratic choice by the port officials responsible for compiling these registers was not due to any legislative distinction regarding how individuals departing to the Americas should be identified compared to those departing for Europe but rather was a pragmatic choice resulting from the differing maritime organisations of these two forms of movement. While individuals moving within Europe generally crossed the North Sea as individuals or small groups by gaining passage on commercial or packet boats, colonists moving across the Atlantic, including both indentured servants and large groups of colonists settling in New England, frequently did so on boats carrying far larger numbers of people together.⁸³ Where the identification of people moving to the Americas in registers of licences to pass beyond the seas did require adaptation by port officials, it was not due to the imposition of additional requirements by the Crown, but rather due to the practical differences between these forms of movement of which officials working at ports would have been acutely aware.

⁸² TNA E157/20.

⁸³ Cressy, pp. 144-51; Antoni Mączak, *Travel in Early Modern Europe* (Cambridge: Polity Press, 1995), pp. 122-28; Wareing, pp. 72-74.



Figure 4.2: Register of Individuals departing to New England aboard the Chrystian, 1634

The migration of young labourers to England's colonies in the Americas as indentured servants developed from long-standing patterns of mobility in which young people seeking economic opportunities migrated to London from the provinces. Since the late medieval period, London had been a magnet for young people seeking work.⁸⁴ The scale of this internal migration increased dramatically in the seventeenth century.⁸⁵ Although never representing a majority of such mobilities, one of the primary forms of migration to London was that of young men and boys—and some young women and girls—moving to London to serve as apprentices.⁸⁶ A number of scholars have argued that the movement of indentured servants to England's American colonies developed out of the migration of young people to London seeking economic opportunities.⁸⁷ Of the 310 indentured servants who departed for the Americas from London between 1682 and 1685 whose indenture documents listed their places of origin, 180 gave a place of origin outside of London or Middlesex.⁸⁸ Similarly to patterns of mobility to London as a whole, indentured servants departing from London were drawn from across England, but in particularly high numbers from southeastern England and the Midlands (see Figure 4.3 and Figure 4.4).⁸⁹ Many mobile individuals who ultimately went to the Americas as indentured servants initially migrated to London seeking economic opportunities, sometimes completing part or all of an apprenticeship, but, unable to find satisfactory work, then decided to migrate to the Americas.⁹⁰ The movement of individuals to the Americas as indentured servants thus represented an outgrowth of the movement of people to London seeking economic opportunities.

84 Spufford, pp. 41-44.

85 *Ibid.*

86 Tim Leunig, Chris Minns, and Patrick Wallis, 'Networks in the Premodern Economy: The Market for London Apprenticeships, 1600-1749', *Journal of Economic History*, 71.2 (2011), 413- 443 (pp. 415-17); Laura Gowing, 'Girls on Forms: Apprenticing Young Women in Seventeenth-Century London', *Journal of British Studies*, 55.3 (2016), 447-473 (pp. 450-52); Wareing, pp. 241-43.

87 Bailyn, pp. 20-28; Landsman, pp. 76-60; Wareing, pp. 39-41.

88 LMA MR/E-1, 'Plantation Work Agreements, 1682-1685.

89 Wareing, pp. 89-91.

90 Bailyn, pp. 12-13.

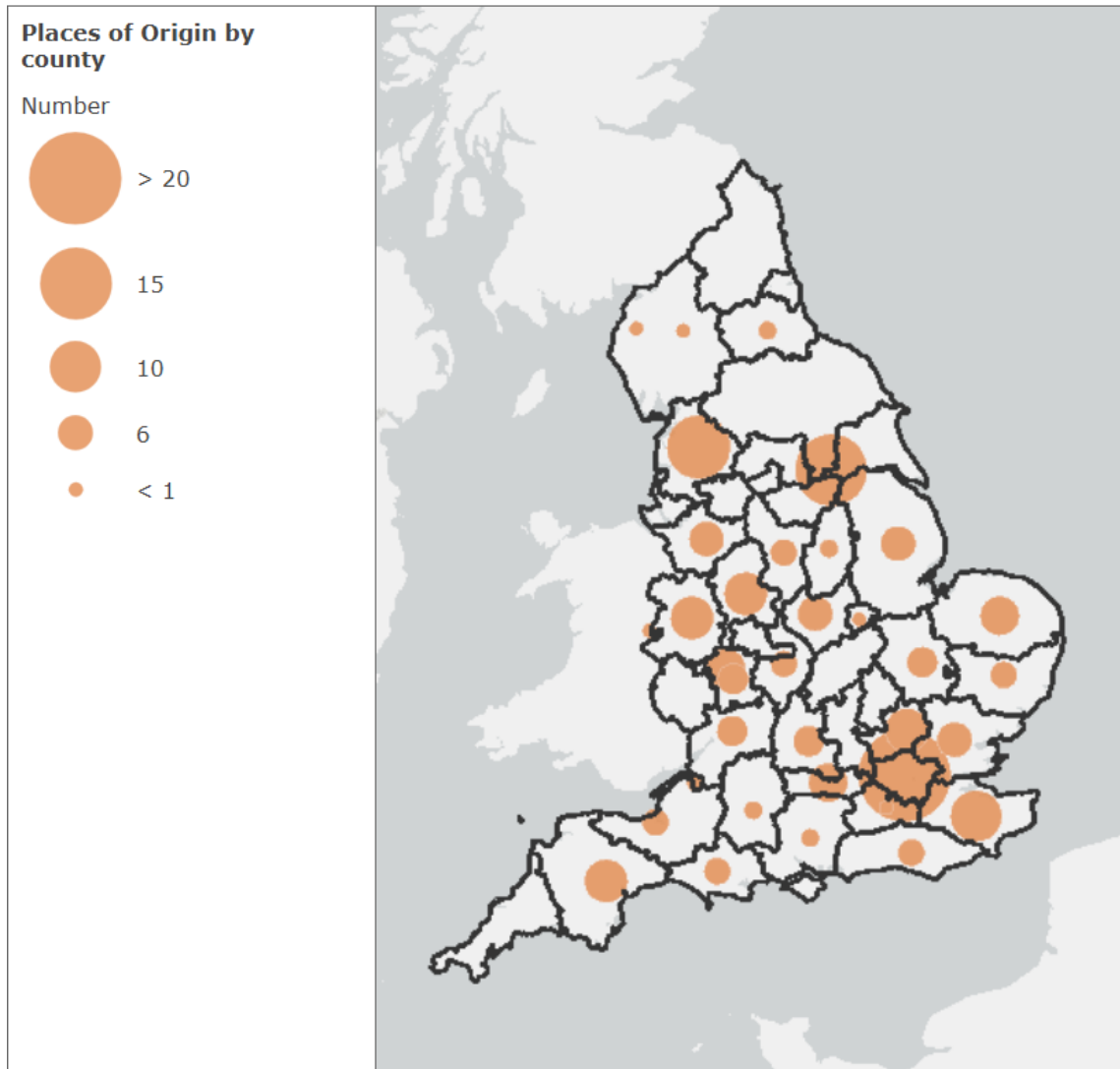


Figure 4.3: Map of Places of Origins of Indentured Servants Departing from London, 1682-85

Figure 4.4: Table of Places of Origin of Indentured Servants Departing from London, 1682-1685

Location	Number
London/Middlesex	130
Yorkshire	15
Lancashire	13
Kent	10
Staffordshire	8
Shropshire	8
Hertfordshire	8
Devon	8
Northamptonshire	7
Norfolk	7
Berkshire	7
Lincolnshire	6
Leicestershire	6
Essex	6
Essex	6
Cheshire	6
Worcestershire	5
Oxfordshire	5
Gloucestershire	5
Cambridgeshire	5
Warwickshire	4
Sussex	4
Suffolk	4
Somerset	4
Dorset	4

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Derbyshire	4
Wiltshire	2
Nottinghamshire	2
Hampshire	2
Durham	2
Bristol	2
Westmorland	1
Surrey	1
Rutland	1
Montgomeryshire	1
Cumberland	1

The form of identification applied to indentured servants who departed from England to the Americas developed upon the identification processes applied to apprentices who migrated from the provinces to London. Since the late medieval period, apprentices in London had been bound to their masters through indenture documents which detailed the conditions and terms of their service.⁹¹ These documents, which were available in London as pre-printed forms from the late sixteenth century, included text setting out the standard terms of service, but also included blank spaces for identifying information about both servant and master, such as name and place of origin, to be inserted in manuscript.⁹² Given that, in the seventeenth century, the majority of apprentices were from outside of London or Middlesex, apprenticeship indentures were both labour contracts and a means of regulating and identifying migrant labourers.⁹³ Indenture documents for indentured servants in the Americas were modelled on apprenticeship contracts. Given that many indentured servants had previously completed part or all of an apprenticeship in London, many would have had a direct familiarity with this type of identification before deciding to migrate to the American colonies. Almost identically to apprenticeship indenture documents, indenture documents for indentured servants were typically pre-printed forms outlining the standard terms of service which included blank spaces for identifying information about the servant and master or agent, such as name, age and place of origin, as well as listing the destination in which the indentured would serve.⁹⁴ Documents used to form the indentures of servants departing to England's colonies in the Americas thus closely modelled the identification documents used to regulate and identify indentured servants on those used for apprentices.

The modelling of documents identifying indentured servants on those used for apprentices reflected the development of indentured servitude from English practices such as apprenticeship.

91 Patrick Wallis, 'Labor, Law, and Training in Early Modern London: Apprenticeship and the City's Institutions', *Journal of British Studies*, 51.4 (2012), 791-819 (pp. 800-03); Gowing, 'Girls on Forms', p. 447.

92 Gowing, 'Girls on Forms', p. 447.

93 Wallis, pp. 791-93.

94 LMA, MR/E-1.

Christopher Tomlins and John Wareing have argued that indentured servitude developed primarily out of English agricultural service, in which young people would bind themselves to a master to work on a farm for a term of a year.⁹⁵ This comparison has rested upon the fact that both plantation indentured servitude and farm service were both predominantly agricultural in term of the labour performed and that neither, unlike apprenticeships, granted the bound individual formal training.⁹⁶ Farley Grubb has dissented from this view and argued that indentured servitude developed primarily from craft apprenticeship, noting that both involved long-term contracts of multiple years that would generally be completed only once by a servant in their teens or early twenties and enabled them to set up a household after.⁹⁷ While indentured servitude involved features of both agricultural service and apprenticeship, when examining the documents used to formalise these service relations, there is a much more evident similarity between apprenticeship and indentured servitude. Whereas both indentured service and apprenticeships were formalised through indentured documents, agricultural service contracts were formed solely as verbal contracts.⁹⁸ The development of indenture documents from apprenticeship contracts reflected the fundamentally urban nature of the recruitment of indentured servants. While indentured servants were contracted to perform agricultural labour, they were recruited in major port cities, predominantly London and Bristol, and their indentures were formed in an environment in which the documentary formation of service contracts, such as for apprenticeships, was already a familiar and common feature of life. Migration patterns in which indentured servants first moved to major cities such as London before migrating to the Americas as indentured servants thus led to indenture documents developing from apprenticeship contracts already familiar in such urban environments.

⁹⁵ Tomlins, *Freedom Bound*, pp. 80-81; Wareing, pp. 154-55.

⁹⁶ *Ibid.*

⁹⁷ Grubb, pp. 28-31.

⁹⁸ Ilana Krausman Ben-Amos, *Adolescence and Youth in Early Modern England* (New Haven: Yale University Press, 1994), pp. 70-75; Wareing, p. 40.

English officials becoming involved in the production of colonial indentures from 1682 reflects the importance of London to this form of transatlantic migration. In 1682, the Crown promulgated an order developing a system in which indentures were to be formed in the presence of a Justice of the Peace or Mayor.⁹⁹ However, when considered in parallel to apprenticeship indentures, this 1682 law was not the first instance of London officials intervening in the formation of such documents. By custom since the late medieval period, masters in the City of London had to register their indentures with the City's Chamberlains within a year of the contract's formation.¹⁰⁰ This custom, known as 'enrolment' was only widely practised in London.¹⁰¹ Given the similarity of apprenticeship contracts and colonial indenture documents, this intervention of City of London officials in the formation of apprenticeship indentures was an important precursor to the 1682 law. Both similarly acted to legitimate the formation of a labour contract through its inspection by an official. If indentured servitude is contextualised as the outgrowth of a pattern of mobility in which young people moved from the provinces to London, many as apprentices, then the intervention of English officials in the formation of colonial indentures from 1682 onwards also emerges as an outgrowth of the institutional involvement of London officials in the formation of such labour contracts. Outside of London, the 1682 order also represented a codification of the practice of registering servants' indenture documents which had already been operating in Bristol since 1654.¹⁰² Considering London and Bristol together, the 1682 order was a national codification and extension of multiple practices already engaged in by local authorities in the two most important centres of the indentured servant trade: the registration of indenture documents in Bristol and the enrolment of apprenticeship contracts in London.

The creation of processes of identification aimed at controlling movement to English America in London and Bristol prior to their national codification demonstrates the importance of

⁹⁹ Tycko, pp. 173-76.

¹⁰⁰ Wallis, pp. 800-03.

¹⁰¹ *Ibid.*

¹⁰² Sacks, pp. 252-55.

local initiatives to the development of the governance of movement. Historians of identification, such as John Torpey and Jane Caplan, have typically assumed that the development of widespread methods of identification were implemented due to the directives of national governments.¹⁰³ While historians discussing both state formation in early modern England, such as Steve Hindle and Michael Braddick, and early modern bordering practices, such as Renaud Morieux and Peter Sahllins have afforded local authorities a greater level of autonomy in their analyses, these histories have still generally assumed that local officials broadly operated within frameworks developed by national authorities.¹⁰⁴ The development of frameworks used for identifying individuals departing across the maritime frontiers of England to English America in Bristol prior to its national codification, and the development of a national framework from a method of identification already in use to govern mobility in London instead highlights that national authorities often adopted methods of governance previously developed by local officials. That London and Bristol were both port cities reveals the centrality of autonomous efforts of authorities operating at England's maritime frontiers to the development of bordering practices at the local level which often presaged the introduction of national bordering policies.

Differing gendered patterns of migration were reflected in the printed texts of colonial indenture documents compared to apprenticeship contracts. While colonial indentured servitude was a predominantly male form of mobility and labour, a significant proportion of indentured servants were female. Between a quarter and a third of all indentured servants in the seventeenth century were female.¹⁰⁵ In comparison, the number of female apprentices in London guilds was

103 Jane Caplan, "'This or That Particular Person': Protocols of Identification in Nineteenth-Century Europe', in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. by Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), pp. 49-66 (pp. 49-52); John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000), pp. 4-8.

104 Michael J. Braddick, *State Formation in early modern England, c. 1550-1700* (Cambridge: Cambridge University Press, 2000) pp. 427-33; Steve Hindle, *The State and Social Change in Early Modern England, 1550-1640* (Palgrave: Basingstoke, 2000) pp. 3-11; Renaud Morieux, *The Channel: England, France and the Construction of a Maritime Border in the Eighteenth Century* (Cambridge: Cambridge University Press, 2016), pp. pp. 296-302; Peter Sahllins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989), pp. 62-66.

105 Carr and Walsh, pp. 546-47; Snyder, pp. 128-30; Wareing, pp. 150-55.

roughly one to two percent.¹⁰⁶ As a result, the printed texts of apprenticeship contracts and colonial indenture documents were gendered differently. Although gender-neutral printed apprenticeship indentures began to appear in London in increasing numbers in the 1670s, specifically male apprenticeship indentures remained common.¹⁰⁷ In contrast, colonial indenture documents almost universally included blank spaces to add in gendered pronouns and terms for the indentured servant where appropriate.¹⁰⁸ However, male gendered pronouns and terms for the master or agent signing the indenture were printed in, reflecting that indentured servants, unlike their masters, were constructed as gender-neutral subjects.¹⁰⁹ Interestingly, in some examples, such as the 1684 indenture of John Gatchell, while most gendered terms such as ‘until h-- first arrival’ are rendered as blank spaces to be completed in manuscript, one gendered term, ‘to pay for his passage’ was, seemingly accidentally, printed in as masculine (see Figure 4.5).¹¹⁰ This oversight reflects the gendered nature of colonial indentured servitude as a form of mobility that, while including a significant female presence, was still implicitly gendered as predominantly male. The development of colonial indentured servitude as a more evenly gendered form of labour and mobility than London apprenticeship out of which it developed was mirrored in the documents of identification applied to indentured servants compared to London apprentices.

The differing scales of mobility and resultant proximity to English authority were also reflected in colonial indentures compared to London apprenticeship indentures. From 1682 onwards, English officials were involved in the legitimisation of both apprenticeship contracts and colonial indenture documents. However apprenticeship contracts were only required to be inspected by London officials after their formation within one year of their production, whereas officials were required to be present at the binding of a colonial indenture for its formation to be legitimate.¹¹¹

¹⁰⁶ Gowing, ‘Girls on Forms’, p. 447.

¹⁰⁷ *Ibid*, pp. 460-67.

¹⁰⁸ LMA/MR/E-1.

¹⁰⁹ *Ibid*.

¹¹⁰ *Ibid*.

¹¹¹ LMA/MR/E-1; Tycko, p. 175; Wallis, p. 800.

This divergence in oversight reflects that the migration of apprentices to London brought them to the centre of the English authority, the migration of indentured servants to England's colonies took them to the peripheries of English control. That the cited motivation for Parliament to require officials to intervene in the formation of colonial indentures was the fear of the practice of 'spiriting' in which people were brought to the colonies as indentured servants against their will reflects a concern on the part of English officials that colonial officials would be unable or unwilling to prevent such practices upon the servants' arrival in the Americas.¹¹² The movement of indentured servants out of London to England's colonies in the Americas thus led to the imposition of the requirement that their indenture documents were certified by officials at the point of their formation, prior to the movement of the indentured out of London and across the Atlantic.

¹¹² Tycko, p. 168.

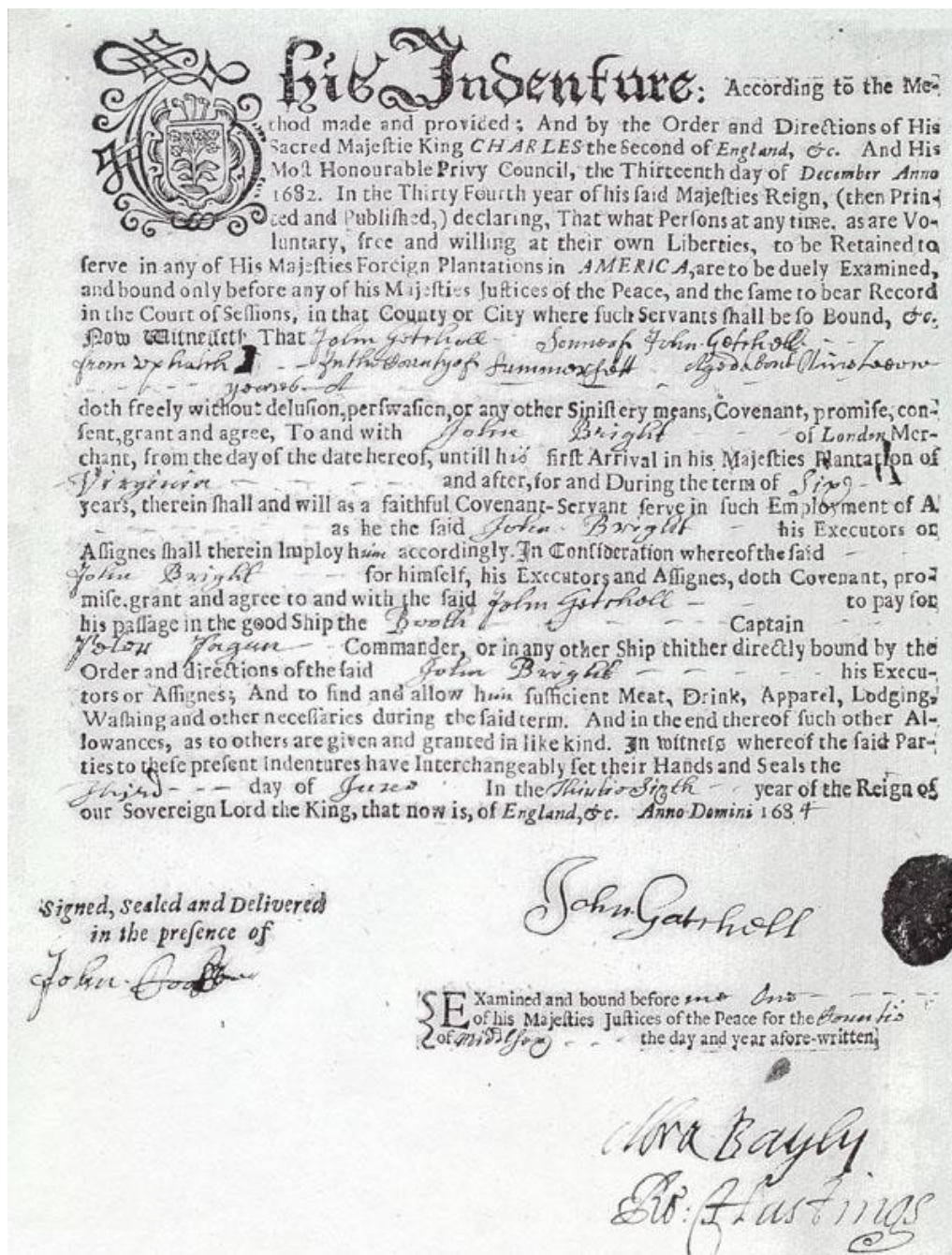


Figure 4.5: Indenture Document of John Gatchell, 1684

The imposition of stricter requirements for the formation and inspection of colonial indenture documents compared to apprenticeship contracts reflects the development of strategies by English officials for governing and dealing with potential legal disputes across long distances. For London apprenticeship contracts, if a dispute between the apprentice and master occurred and resulted in legal action, the dispute would be heard in the same city as where the contract had been formed.¹¹³ In such disputes, it was often relatively easy for London courts to call upon individuals who had witnessed or been involved in the formation of the apprenticeship contract.¹¹⁴ In contrast, when legal disputes arose surrounding indentured servitude after the servants departure from England, such as in instances where servants alleged that they had been ‘spirited’, these cases had to be adjudicated by courts in the American colonies, thousands of miles from where the servant’s indenture had been formed.¹¹⁵ The certification of indenture documents by London officials at the point of their formation before indentured servants’ departure from England provided a document that would travel along with the servant verifying that the indenture was considered valid by officials in the locality in which it was formed. This form of validation at the point of formation was largely unnecessary for apprenticeship contracts in which both the apprentice and master remained within the reach of the officials responsible for determining the validity of the contract and where other evidence regarding the validity of the contract, such as the testimony of witnesses, was more readily available. The inspection of indenture documents by London officials at the point of their formation mitigated the complications posed by the movement of indentured servants across the Atlantic by acting as a certification of the information contained in these identification documents. This inspection thus ensured the smooth legal administration of these contracts in colonial jurisdictions, despite the physical distance between these jurisdictions and England where servants’ indentures were formed.

113 Ben-Amos, pp. 103-5; Wallis, pp. 797-800.

114 *Ibid.*

115 Wareing, pp. 197-208.

While the documents used to identify individuals departing from England to the Americas did represent an adaptation from those used by authorities to identify individuals involved in movement within England and Europe, these adaptations did not represent a radical departure from previous methods of identification. Where changes did occur, it was often more due to pragmatic adaptation of previous methods of identification to the greater distance or number of passengers on ships involved in transatlantic movement, as opposed to English authorities regarding transatlantic movement as a novel phenomenon requiring new technologies of surveillance to control. While the development of indenture documents for indentured servants from apprenticeship indentures represented a greater level of change when compared to the use of licences to pass beyond the seas for both intra-European and transatlantic mobilities, the continuity between indenture documents and apprenticeship contracts is nevertheless evident. The continuity in the usage of licences to pass beyond the seas for individuals departing from England to Europe and those departing to English America indicates that in the seventeenth century English port officials did not yet maintain a clear distinction between transnational mobilities and movements within imperial space. The use of identification documents for individuals migrating to the Americas which were similar to those used for pre-existing patterns of mobility demonstrates that seventeenth-century English authorities regarded transatlantic mobilities as part of wider patterns of mobilities for which they had already developed methods of monitoring and surveillance.

The Household and Patterns of Mobility

The differing relations of the mobilities of colonial indentured servants and New England settlers to structures of the household were reflected in how they were identified. There were important gendered differences between these two patterns of mobility. English migration to New England was characterised by roughly even gender ratios, whereas male indentured servants

outnumbered female by roughly three-to-one throughout the seventeenth century.¹¹⁶ However, this distinction did not determine how differing groups were identified. Rather, the key distinction was that indentured servants migrated as young and single individuals whereas Protestants moving to New England typically migrated as household units.¹¹⁷ People migrating to New England were identified as households, either textually subordinating or omitting the identities of those other than the head of the household. In contrast, indentured servants were identified as individuals, and indentures placed a great deal of emphasis on their unmarried status. Indentured servants were not outside of relations of the family and were subordinated to the households of their new masters in their colonies through the instrument of the indenture. The different forms of identification applied to indentured servants compared to migrants to New England were thus shaped by the differing incumbent relations of household dependence entailed in these two forms of migration.

The divergences between gendered and familial patterns of migration in New England compared to England's Chesapeake and Caribbean colonies are of a fundamental importance to understanding the histories of these colonies more broadly. The arrival of New England colonists predominantly as pre-formed households compared to the arrival of most colonists in the Chesapeake and Caribbean colonies as young, unmarried and predominantly male determined the structures of gender and households in these colonies, as well as the organisation of labour and production.¹¹⁸ Settling as family units, New England colonists generally organised agricultural and other forms of production around relatively small households consisting of blood family and a few servants, both male and female, similar to the typical household structures in England.¹¹⁹ In contrast, household structures and production in the Chesapeake and Caribbean colonies in the

¹¹⁶ Tomlins, 'Indentured Servitude in Perspective', pp. 164-69.

¹¹⁷ *Ibid.*

¹¹⁸ Beckles, pp. 34-35; Kathleen M. Brown, *Good Wives, Nasty Wenches & Anxious Patriarchs: Gender, Race and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1995), pp. 85-88; Carr and Walsh, pp. 542-47; DeJohn Anderson, pp. 1-4; Carol Karlsen, 'Women and Gender' in *Companion to Colonial America*, ed. by Daniel Vickers (Malden, Massachusetts: Blackwell, 2003), pp. 194-235 (pp. 197-206); Snyder, pp. 129-32; Laurel Thatcher Ulrich, *Good Wives: Images and Reality in the Lives of Women in Northern New England, 1650-1750* (New York: Random House, 1991), pp. 7-9.

¹¹⁹ Cressy, pp. 50-55; DeJohn Anderson, pp. 1-2.

earlier seventeenth century were predominantly characterised by large-scale plantation agriculture in which large numbers of predominantly male indentured servants worked in the fields for a single master, which then transitioned towards a reliance upon the labour of enslaved Africans in the later seventeenth century.¹²⁰ Unlike New England, which had a largely self-sustaining population following its initial settlement in the 1620s and 1630s, the Chesapeake and Caribbean colonies remained dependent on the continual migration of new labourers, either white indentured servants or enslaved Africans, to maintain the household structures upon which their economies relied.¹²¹ These interrelated patterns of migration, household structure and production shaped gender in other ways. For instance, due to the length of service contracts for indentured servants, women in the Chesapeake colonies generally married somewhat later than their metropolitan counterparts, whereas those in New England typically married somewhat earlier.¹²² This divergence in average age at marriage in turn acted to reproduce the household structures which had produced it, and heightened the reliance of the Chesapeake and Caribbean colonies on migrant labour compared to New England's self-reproducing labour force. Gendered patterns of migration were thus produced by and reproduced divergent structures of household organisation and production between New England and the Chesapeake and Caribbean colonies.

Colonial indenture documents emphasised the unmarried status of female indentured servants. With the exceptions of Alice Duckett, Mary Flack and Elizabeth Jones, aged twenty-two, twenty-four and twenty, who were listed as widows, the marital statuses of female indentured servants in the London record were invariably recorded as 'spinster'.¹²³ Although processes of identification commonly referred to women's marital status, the unmarried status of female indentured servants had a particular instrumentality.¹²⁴ For an indenture to be valid, a servant could

¹²⁰ Beckles, pp. 2-8; Landsman, pp. 84-87.

¹²¹ *Ibid.*

¹²² Carr and Walsh, pp. 551-52; Ulrich, pp. 6-7.

¹²³ LMA MR/E-1.

¹²⁴ Alexandra Shepard, *Accounting for Oneself: Worth, Status and the Social Order in Early Modern England* (Oxford: Oxford University Press, 2015), pp. 10-12.

not be married, and indentured servants were not allowed to marry during the terms of their service.¹²⁵ Indentured servants had to be patriarchally subordinated to their master within his household during their service, and the bonds of marriage, particularly for married women who were subordinated to their husbands, would not allow this household relation to function. That female indentured servants were invariably unmarried and typically recruited as young women in their late teens or early twenties in part reflected a strategy on the part of plantation owners and colonial officials in both the Chesapeake and Caribbean of attracting young, unmarried women from England through various means in an effort to help establish a self-reproducing white population.¹²⁶ However, the emphasis on marital status in indenture documents reflected less a purposeful strategy on the part of colonial actors than it did the development of indentured service from forms of service in England which were also incumbent on household relations related to marital status. Apprenticeship, agricultural service and, for women, domestic service, all involved servants living as unmarried dependents in the households of their masters.¹²⁷ The development of indentured servitude from forms of English lifecycle service centred around household relations of dependence thus led to an emphasis on the unmarried status of female indentured servants in documents identifying them.

Unlike their female counterparts, male indentured servants were not identified by their marital status in their indenture documents. Instead, male indentured servants' indenture documents more typically listed their occupation.¹²⁸ This distinction was largely a continuation of pre-existing gendered bureaucratic norms in English identification documents. In a wide range of English identification documents, including apprenticeship contracts, men and boys were not generally identified by their marital status and their occupation was more commonly included where

125 Betty Wood, 'Servant Women and Sex in the Seventeenth-Century Chesapeake', in *Women in Early America*, ed. by Thomas A. Foster (New York: New York University Press, 2015), pp. 95-117 (pp. 99-102).

126 Beckles, pp. 46-48; Carr and Walsh, pp. 546-47; Wood, pp. 96-98.

127 Ben-Amos, pp. 150-55.

128 LMA MR/E-1.

relevant.¹²⁹ In contrast, when female apprentices formed apprenticeship contracts in England using pre-printed forms, manuscript additions often included additional details regarding the rules around marriage.¹³⁰

While a continuation of norms surrounding service in England, the emphasis solely on female indentured servants' marital status also had a specific relevance to gendered dynamics in colonial indentured service. Due to the length of their term of service and their inability to marry during this period, female indentured servants were more likely to be unmarried when they became pregnant.¹³¹ Authorities and masters in the Chesapeake and Caribbean colonies exploited this situation by passing legislation which punished female indentured servants who had children outside of wedlock by adding additional years to their terms of service.¹³² Male indentured servants who had children outside of wedlock were both prosecuted far less regularly and faced far less harsh punishment when they did face prosecution.¹³³ The unmarried status of female indentured servants thus had an additional relevance both to the conditions they faced during indentured service and the legal structures which surrounded the practice. By 1682, when the London record begins, indentured service had already been practised in English America for over seventy years, and colonial masters and agents were in regular contact with both the printers producing indenture documents and the clerks who filled them in.¹³⁴ While the gendered divergence in the identification of indentured servants was largely a continuation of English practices, if this practice had needed modification to suit the needs of the colonial context of indentured service, such a modification would have occurred. Instead, the gendered divergence in identification by marital status was maintained in indenture documents because it also suited the gendered nature of indentured servitude in the Americas.

129 Gowing, 'Girls on Forms', pp. 447-49; Shepard, pp. 10-12.

130 *Ibid.*

131 Carr and Walsh, pp. 547-49; Snyder, pp. 129-32; Wood, pp. 97-100.

132 Carr and Walsh, pp. 547-49; Snyder, pp. 129-32.

133 *Ibid.*

134 Tycko, pp. 179-87; Wareing, pp. 136-38.

The identification of colonists departing for New England was defined by the identification of individuals within already-formed familial units. In some instances, the registers of licences to pass beyond the seas included discrete entries for the examinations of individual families, such as in the 1637 examination of ‘Thomas Olliver ... aged 36 yeares and Marey his wife aged 34 yeares with 2 children Thomas and John and 2 servants’ who departed from Great Yarmouth to Salem.¹³⁵ All examinations of settlers departing from Yarmouth to New England in 1637 were recorded in this manner.¹³⁶ This grouping together of households as an entry in the registers of licences to pass beyond the seas was continuous with other processes of identification used by English authorities in which households were identified as single units, including in many registers of licences to pass beyond the seas. The 1637 registers of licences to pass beyond the seas for Great Yarmouth included departures to both Europe and New England.¹³⁷ The identification of New England colonists as household units in the 1637 Great Yarmouth registers was thus likely in part a product of clerks maintaining a consistent formatting within the registers. However, the ability for clerks to maintain this formatting and record New England colonists as identifiable, discrete households reflected the familial nature of migration to New England.

Sometimes the identities of migrants departing to New England were recorded in registers of licences to pass beyond the seas as lists of names and ages of those departing on a particular ship. For instance, a 16 March 1634 entry in the registers of licences to pass beyond the seas was a list of twenty-seven names and ages of identified people who were ‘to be transported to New England’.¹³⁸ However, while this method of recording identity did expand beyond the household to the migrant ship as a whole, the registering of identity remained fundamentally linked to the patriarchal family. Of the twenty-seven names listed, only three were female, with the remainder being male.¹³⁹ Only

¹³⁵ TNA E157/21.

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ TNA E157/20.

¹³⁹ *Ibid.*

three individuals listed were under eighteen.¹⁴⁰ Additionally, almost all the individuals recorded had different last names. The exception to this was the Stiles, who were listed as ‘Thomas Stiles – 20, Joan Stiles – 35, Henry Stiles – 3, Jon Stiles – 9 months, and Rachell Stiles – 29’.¹⁴¹ Evidently, the Stiles were migrating to New England as a family. However, given that their family was composed of a young man, two older women and two children, there was no clear head of household. This exception, combined with the general practice of recording almost exclusively adult males’ identities and the demographic nature of migration to New England, makes it almost certain that the port official was only recording the names of heads of households. This method of identifying New England colonists was thus based on registering families by their head of household within the wider collective of the ship. While the large numbers of colonists departing together on a single ship led some port clerks to group their identities together based on their ship of departure, they were nevertheless still identified together within households through the exclusion of the identities of most individuals who were not heads of household.

In contrast, when indentured servants moving to the Chesapeake or Caribbean colonies were identified in registers of licences to pass beyond the seas, their names and identities were listed as individuals, even when they included people who were not adult males. As well as being identified through their indentures, like all subjects departing from metropolitan England, indentured servants were required to hold a licence to pass beyond the seas. Departing indentured servants were generally recorded in the registers as lists of names and ages. In a typical example from January 1634, port officials in London produced a list of over one hundred named individuals with their corresponding ages who were, ‘to be transported to Virginia’.¹⁴² While those named were predominantly adult males such as, ‘Richard Hargrave – 20, John Anderson – 20 ... John Lamb – 23’, women were also listed as individuals, such as ‘Janice Greene – 24’ and ‘Margaret Huntley –

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² TNA E157/20.

20'.¹⁴³ Children were also listed as individuals, such as 'John Greenwood – 16'.¹⁴⁴ While all indentured servants were patriarchally subordinated to their masters, including the adult males—a relation which was expressed in their indentures—indentured servants were identified as individuals in registers of licences to pass beyond the seas, unlike most patriarchally-subordinated individuals who departed to New England. Unlike colonists migrating to New England who generally moved as household units, indentured servants were, during their period of transatlantic transit, although formally subordinated through their indenture documents, not yet physically part of the households within which they would serve in the Americas. This situation required that English port officials identify them as individuals, regardless of gender or age, despite their subordinated status.

Although they differed in their expressions, the methods of recording the identities of both indentured servants and New England settlers were structured by the family. In both instances, practices of identification expressed bonds of household dependence. While the identities of indentured servants were recorded as individuals, the practice of indenturing expressed a form of household dependence. Indentures invariably recorded the identities of both the servant themselves and that of their new master in the colonies or their agent.¹⁴⁵ Indenture documents expressed and formed bonds of dependence between the indentured and their new master which would function in their destinations within the context of the household as part of which they would labour as servants. In contrast, the identification of families moving to New England recorded the identities of household units which had already been formed before their departure from England. The identities of married women, children, and servants were thus textually subordinated or simply elided within that of the male head of household. However, in both instances, identity was fundamentally formed and textually expressed within the patriarchal structure of the household.

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ LMA MR/E-1.

The most obviously textually gendered aspect of transatlantic identification was in comments in registers of licences to pass beyond the seas regarding the oaths of allegiance and supremacy. The requirement for departing individuals to take said oaths was directly gendered in the registers. In a March 1634 entry which listed several departing families, the register stated, ‘These under-written names are to be imbarqued in the Planter ... bound for New England ... The Men have taken the Oaths of Supremacie & Allegiance’.¹⁴⁶ A typical entry from Gravesend in April 1635 of indentured servants, both male and female, being ‘transported to St. Christophers’ also included a note that, ‘the Men did take the oath of Allegiance and Supremacie’.¹⁴⁷ While women and children were listed in these registers, and in the case of the list of indentured servants departing to St. Christopher’s, as independent individuals, the port official made it textually explicit that only men took the oaths of allegiance and supremacy.

In early modern England and its colonies, the practice of oath-taking was highly gendered. Oaths were statements, sworn in the name of God, which established binding relations, either by asserting a statement as a matter of fact or by promising a future or current commitment.¹⁴⁸ The oaths of allegiance and supremacy, first introduced by Henry VIII in 1534, were political and religious oaths which produced a binding relationship between an individual and the English sovereign by having that individual swear their loyalty and obedience to the English Crown and Church, respectively.¹⁴⁹ However, the ability of subjects to take such oaths was shaped by gender. While women and other patriarchally-subordinated individuals were able to take some oaths, such as those required to serve as witnesses in courts, political oaths required to hold office and the oaths of allegiance and supremacy were limited to men, ideally householders.¹⁵⁰ Women were excluded

¹⁴⁶ Hotten (ed.), p. 43.

¹⁴⁷ *Ibid*, p. 50.

¹⁴⁸ Jones, pp. 15-34; Miles Ogborn, ‘The power of speech: orality, oaths and evidence in the British Atlantic world, 1650-1800’, *Transactions of the Institute of British Geographers*, 36 (2010), 109-25 (pp. 112-14); Shepard, pp. 85-88; John Spurr, ‘A Profane History of Early Modern Oaths’, *Transactions of the Royal Historical Society*, 11 (2001), 37-63 (pp. 38-40).

¹⁴⁹ Jones, pp. 15-34.

¹⁵⁰ Ogborn, pp. 112-14; Shepard, pp. 85-88.

from taking the oaths of allegiance and supremacy as it was presumed that their relation to the English Crown and Church would be mediated through a house-holding male to whom they were be subject.

Despite the phrase in some registers of licences to pass beyond the seas stating that ‘the Men took the Oaths of Allegiance and Supremacy’, a closer inspection reveals that this aspect of identification was not based on a simple divide between male and female but rather ideally constituted identity through the family. An April 1635 entry for a family departing from London for New England listed the names and ages of ‘Richard Hasfell – 54’ and his wife ‘Martha – 42’, as well as his four daughters and four servants ‘Alice Smith – 40, Elizabeth Cooper – 24, Jo Smith – 13, Job Hawkins – 15’.¹⁵¹ However, despite the inclusion of other male names among the servants, the register specified that, ‘He hath taken the oath of Allegiance and Supremacie’.¹⁵² The use of the singular he implies that only Richard Hasfell, and not his young male servants, took the oaths. In situations of transatlantic mobility in which the ideal form of the male-headed household was maintained throughout, English authorities continued to constitute political identity and allegiance through ideological structures of the family in which political allegiance was established between the sovereign and a house-holding male to whom patriarchally-subordinated individuals, including male servants, owed obedience. As the political allegiances of patriarchally-subordinated subjects were mediated through their subordination to a male householder, their identifications as political subjects were thus also mediated through this relation.

In practice, the ability of the allegiances of patriarchally-subordinated subjects to be mediated through a male head of household in registers of licences to pass beyond the seas was often complicated by the frequency with which individuals migrated across the Atlantic outside of the ideal household structure. Even amongst groups migrating to New England, where family migration predominated, many migrated in household structures which did not conform to the ideal.

¹⁵¹ Hotten (ed.), p. 55.

¹⁵² *Ibid.*

In an entry from April 1635, four individuals were listed together as a family unit ‘to be transported to New England’, ‘Elizabeth Winckoll – 25, John Winckoll – 13, William Swayne – 16, Francis Swayne – 14’.¹⁵³ In such an instance, where a household was composed of an adult woman and four male children, given the age of Elizabeth Winckoll, it is presumable that she was acting as *de facto* head of household. However, given her relative youth and her gender, it is also likely that she was unable to serve as a *de jure* head of household, and was unable to take the oaths of allegiance and supremacy as a woman. A similar problem emerges in the previously discussed example of the Stiles family who migrated to New England in March 1634 and were listed as, ‘Thomas Stiles – 20, Joan Stiles – 35, Henry Stiles – 3, Jon Stiles – 9 months, and Rachell Stiles – 29’.¹⁵⁴ Although Thomas would have been able to take the oaths of allegiance and supremacy, given his relative youth compared to the two older women with whom he migrated, he does not emerge as a clear head of household through whom the allegiances of the other members of the household could have been mediated.

Registers of licences to pass beyond the seas which identified indentured servants departing to the Chesapeake and Caribbean colonies also referenced men taking oaths of allegiance and supremacy, despite the lack of a clear household structure during the actual period of movement and the inability of many of the migrants to take these oaths as individuals. An April 1635 entry which listed the names of seventy-seven individuals who were ‘to be transported to the Barbadoes’ noted that ‘The Men have taken the oaths of Allegiance & Supremacie’.¹⁵⁵ While this list of departing indentured servants was heavily male, there were also eight female indentured servants identified. Additionally, there were several male children among those listed, including ‘Robert Davers – 14’, ‘Nicolas Flitcroft – 16’, and ‘Peter Lostel – 14’. There were thus numerous individuals departing from England who were unable to take the oaths of allegiance and supremacy and, during the period

¹⁵³ *Ibid*, p. 54.

¹⁵⁴ TNA E157/20.

¹⁵⁵ Hotten (ed.), pp. 63-64.

of their voyage, were not directly under the patriarchal authority of a household. Even the oaths given by adult male indentured servants fell somewhat outside the ideal of the patriarchal structuring of political oaths given that they were not independent male householders but rather patriarchally subordinated as bound servants. While, where possible, the use of political oaths in registers of licences to pass beyond the seas corresponded to ideals of familial obedience mediated through a male house-holder's allegiance and conformity, in practice, the frequency with which this ideal was not maintained during migration necessitated significant adaptation. Although, it is not entirely clear if and how the political and confessional allegiances of women and children departing to England's colonies in the Americas outside of ideal household structures were affirmed, this uncertainty suggests that these mobilities posed challenges for the use of oaths to affirm and maintain subjects' allegiances.

The inclusion of references to oaths of allegiance and supremacy thus makes registers of licences to pass beyond the seas the more directly textually gendered form of identification, despite the strong relation of colonial indentures to the patriarchal household as a structure governing labour. Pre-printed colonial indenture documents included blank spaces in which the gendered pronouns of the indentured servant could be filled in, thus rendering indentured service as gender neutral within the text of identification documents, despite the predominance of male servants and resultant implicit gendering of colonial indentured service as male.¹⁵⁶ In contrast, the registers of licences to pass beyond the seas were specifically textually gendered through the use of oaths, despite being used for both colonial indentured servants and the more evenly gender-balanced migration of colonists to New England. This divergence is explicable by the two distinct sets of relations established by colonial indentures and licences to pass beyond the seas: colonial indentures formed relations of obedience within a patriarchal household, licences to pass beyond the seas were predicated on relations of continued political obedience to the English Crown. Therefore,

156 LMA MR/E-1.

while service in households was immensely gendered, servitude was a relation within the household into which both unmarried men and women could enter. By contrast, women were unable to swear political obedience by taking an oath as they were unable to enter into direct, unmediated political allegiance to the Crown.

The divergent and multiple forms of identification applied to transatlantically mobile individuals in the seventeenth century demonstrates that identity was not singularly constituted in early modernity, but rather that individuals were interpellated multiply within different, though overlapping, contexts and sets of power relations. Identity was constituted multiply through sets of relations of dependence and duty, centred around the family. These sets of relations included those which governed dependence within the household and those which governed obedience to the sovereign, ideally mediated through a male-headed household. Therefore, indentured servants required two forms of identification: indentures which established their identity as servants dependent on a master within a household, and licences to pass beyond the seas which established their identity as subjects dependent to the Crown. In contrast, as settlers typically migrated to New England as pre-formed households, they did not require additional documents to establish relations of obedience within the household upon their arrival in New England and needed only to establish their continuing obedience to the English Crown through the processes of identification required to receive a licence to pass beyond the seas. While the use of oaths served to express and maintain the hierarchical dependence of women, children and servants to heads of household, the frequency with which transatlantic movement occurred outside of these ideal household structures posed a challenge to the ability of these oaths to function as a mechanism for affirming allegiance.

Legal Personhood in Colonial Indenture Documents

Colonial indenture documents, as documents which formed labour contracts, were keenly concerned with establishing that the individuals identified in them possessed the correct forms of legal personhood required to legally take on the obligations incumbent in this form of identification.

Legal theorists, such as Visa A.J. Kurki, have defined a legal person as ‘any being whom the law regards as capable of rights and duties’.¹⁵⁷ A legal person is someone who is able to, for instance, enter into legal contracts or be held responsible for their actions legally.¹⁵⁸ In early modernity, legal personhood was not defined by a simple distinction between legal person/non-person, but rather by a shifting sets of legal rights and duties dependent upon cleavages of gender, marital status, race, and age.¹⁵⁹ The multiplicity of factors upon which situationally specific legal personhood was dependent made indenture documents sharply focused on these components of identity in order to textually establish and confirm the ability of the identified to legally enter into the sets of rights and duties which were required to establish the contracts these documents formed. The confirmation of legal personhood was thus central in these texts. Legal personhood was not static in early modern England and its colonies, but rather the requirements for legal personhood were continually contested and changed significantly over time. By the 1680s, when the London record was produced, age and race were becoming an increasingly important categories in the construction of legal personhood, both in England’s colonies in the Americas and in England itself. While legal personhood has often been ignored as a category of identity by historians of identity and identification in early modernity, its centrality to colonial indenture documents reveals both its importance to legal and governmental understandings of identity in early modernity and the contested nature of these understandings. Colonial indenture documents reveal the importance of transatlantic mobilities to shifting and developing concepts and requirements of legal personhood in seventeenth-century England and English America.

157 Visa A.J. Kurki, *A Theory of Legal Personhood* (Oxford: Oxford University Press, 2019), pp. 1-6.

158 *Ibid.*

159 Andrea Boboc, ‘Introduction’, in *Theorizing Legal Personhood in Late Medieval England*, ed. by Andrea Boboc (Leiden: Brill, 2015), pp. 1-28 (pp. 1-3); Holly Brewer, *By Birth or Consent: Children, Law & the Anglo-American Revolution in Authority* (North Carolina: The University of North Carolina Press, 2005), pp. 1-7; Kurki, pp. 31-37; Brian P. Owensby, ‘Legal personality and the processes of slave liberty in early-modern New Spain’, *European Review of History*, 16.3 (2009), 365-82 (pp. 365-70).

Concepts of legal personhood became more firmly established in early modernity. Although concepts which scholars have identified as important precursors to that of legal personhood have existed since antiquity, it was early modern jurists who first developed a recognisably modern conception of legal personhood.¹⁶⁰ In the late sixteenth century, German jurist Hermann Vultejus first distinguished between *homo*, defined as any human being, and *personae*, a human being with civil standing.¹⁶¹ In the early seventeenth century, Dutch jurist Hugo Grotius further developed this concept by tying legal personhood to right-holding.¹⁶² These concepts of legal personhood further distinguished themselves from their late medieval precursors in that whereas late medieval discussions of what constituted a valid legal actor typically focused on corporate entities, such as monasteries and medieval corporations, in early modernity individuals increasingly became models for legal personhood.¹⁶³

Conceptions of legal personhood were brought into contestation in seventeenth-century England as scholars and legal practitioners debated between criteria for exercising political and legal rights centred around developing concepts of ‘reason’ and contractuality between rulers and their subjects and criteria centred around status and inheritance.¹⁶⁴ While advocates of the former set of criteria developed nominally more expansive definitions of legal personhood, conceptions of ‘reason’ and contractual governance centred around white, adult, male subjects and often excluded women, children and enslaved people from eligibility for legal personhood even more rigorously than conceptions based on status and inheritance.¹⁶⁵ While legal scholars and historians such as Holly Brewer and Visa A.J. Kurki have centred seventeenth and eighteenth-century intellectual and political developments in their accounts of the rise of conceptions of legal personhood dependent upon ‘reason’ and contractuality, the importance of legal personhood in colonial indenture

¹⁶⁰ Kurki, pp. 31-36.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ Boboc, pp. 1-3.

¹⁶⁴ Brewer, pp. 2-4; Kurki, pp. 36-37; Ogborn, pp. 114-16.

¹⁶⁵ Brewer, pp. 2-4.

documents reveals the role played by colonialism in these developments. As colonial indenture documents reveal, the organisation of labour in England's Chesapeake and Caribbean colonies which came to depend upon both the migration of large numbers of young unfree labourers from England and a racialised hierarchy of labour required the development of conceptions of legal personhood in the English Atlantic world more strongly related to age and race.

In practice, legal personhood in seventeenth-century England and its American colonies was never singularly defined. Individuals could be legal persons in some situations and not in others. Cleavages of gender, marital status and race were highly relevant to defining legal personhood situationally. Due to the English legal principle of coverture, married women were not, in theory, viewed as legal persons as their legal personhood was dissolved into that of their husband's upon marriage.¹⁶⁶ As a result, married women were considered to be unable to legally hold property or enter into contracts independently of their husbands.¹⁶⁷ However, in many situations, married women were able to act as *de facto* legal persons, in that they able to act as witnesses in courts, be held responsible for crimes, act as litigants in church courts, and—through complex legal and financial arrangements—hold property independently.¹⁶⁸ Enslaved Africans in England and its colonies in the Americas were also not defined as legal persons, but rather as property belonging to their masters, who were thus unable to access the legal system as litigants, and were typically able to serve as witnesses only in cases involving other enslaved Africans.¹⁶⁹ This situation contrasts with that of enslaved Africans in Spain and its colonies who, while still regarded as property, were allowed a somewhat greater level of legal personhood, and were often able to bring forward litigation in the courts.¹⁷⁰ However, even in England and its colonies, enslaved people were still

166 Amy Louise Erickson, 'Coverture and Capitalism', *History Workshop Journal*, 59 (2005), 1-16 (pp. 1-5); Kurki, p. 2.

167 *Ibid.*

168 Erickson, pp. 5-10; Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1996), pp. 30-38; Shepard, pp. 53-62.

169 Kurki, pp. 35-36; Ogborn. pp. 115-16; Owensby, pp. 365-38

170 Owensby, pp. 365-38.

legal persons insofar as they were treated as responsible for their own actions and could be charged in the criminal courts.¹⁷¹ Both married women and enslaved Africans thus fell outside of the definition of legal personhood, but were nevertheless viewed and acted as legal persons in certain situations.

The relation of age and childhood to legal personhood was complex and changed significantly over the course of the early modern period. In her investigation of children and legal systems in early modern England and English America, Holly Brewer has found that in the sixteenth century, children including very young ones, were not necessarily denied legal personhood.¹⁷² Children of any age were able to consent to contracts, such as by making wills or by binding themselves as apprentices, and could theoretically be held criminally liable for their actions identically to adults.¹⁷³ However, Brewer argues that over the course of the seventeenth and eighteenth centuries, children gradually came to be increasingly denied legal personhood as concepts of an 'age of reason' and 'parental custody' gained hold in English legal systems.¹⁷⁴ The legal personhood of children in the seventeenth century was highly contested and thus highly situationally variable.

As legal contracts establishing labour relations, colonial indenture documents were centrally concerned with establishing that identified individuals possessed the legal personhood required to enter into the labour relations which these documents governed. As previously discussed, The 1682 royal proclamation which led to the involvement of English authorities in colonial indentures, and the resultant production of a corpus of London colonial indentures from 1682 to 1685 certified by Justices of the Peace, was a reaction against the practice of 'spiriting' in which individuals were brought to the colonies to serve as indentured servants against their will.¹⁷⁵ In seeking to prevent

171 Ogborn, pp. 115-16.

172 Brewer, pp. 238-42.

173 *Ibid*, pp. 1-2.

174 *Ibid*, pp. 250-55.

175 Beckles, pp. 49-52; Brewer, pp. 274-75; Tycko, pp. 175-76.

‘spiriting’, these documents are thus heavily interested in establishing the consent of the prospective servants and that they had the necessary legal personhood to enter into such contracts. This interest in textually establishing consent was reflected in the texts of indenture documents which typically stated, ‘In witness whereof the parties above mentioned to these Indentures have interchangeably set their Hands and Seals the day above written’.¹⁷⁶ As well as textually confirming consent, the aspects of identity which the printers producing these pre-printed forms instructed the official filling out the form to provide through the use of blank spaces to be completed in manuscript, such as marital status and age, were all essential for establishing the requisite legal personhood of the identified servant.¹⁷⁷ In instances where the legal personhood of the identified was complicated or insufficient, manuscript additions were used to establish the validity of the contract. Colonial indenture documents produced in the late seventeenth century, a key period in the development of constructions of legal personhood, both reflected pre-existing requirements for legal personhood and established novel requirements for legal personhood.

The texts of colonial indenture documents reflected the importance of marital status to determining individuals’ legal personhood and their ability to consent to indentured servitude. As previously discussed, indentures involving women included manuscript additions establishing their marital status.¹⁷⁸ There are no examples in the London record of married women who signed indentures.¹⁷⁹ While, in part, a reflection of the norms of the forms of labour out of which colonial indentures developed, such as domestic service and apprenticeship, participation in which was limited to unmarried women, the emphasis on marital status in colonial indenture documents also reflected married women’s lack of legal personhood due to coverture.¹⁸⁰ Married women would have been unable to consent to such labour contracts independently of their husbands as legal

¹⁷⁶ LMA MR/E-1.

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

¹⁸⁰ Erickson, pp. 1-4; Amy Froide, *Never Married: Singlewomen in early modern England* (Oxford: Oxford University Press, 2005), pp. 25-32; Kurki, p. 2.

persons. The granting of a relatively greater level of legal personhood to unmarried women compared to their married counterparts led to an emphasis on the unmarried status of female indentured servants in their indenture documents.

In colonial indenture documents, age became a central requirement in defining which individuals held the necessary legal personhood to form a valid contract. The 1682 order that established a system in which English officials oversaw and approved the formation of colonial indentures introduced a tripartite division which created different requirements for a servant to legally consent to the formation of their indenture determined by their age. For individuals twenty-one years or older, the formation of an indenture required only their voluntary consent.¹⁸¹ However, individuals aged fourteen to twenty could only independently form an indenture if their parents were dead and they were not presently bound to a master.¹⁸² If a prospective servant aged fourteen to twenty had living parents or a master then they would also have to consent to the formation of the indenture.¹⁸³ Prospective servants under fourteen could in no circumstances independently consent to the formation of an indenture, requiring the consent of their parents or, if their parents were dead, the consent of the church wardens or overseers of their parish.¹⁸⁴ The 1682 order thus established age as a key criteria for determining if individuals possessed the legal personhood necessary to form colonial indentures independently. While individuals twenty-one or older were unambiguously legal persons and able to consent to indentured servitude according to this order, individuals aged fourteen to twenty were only legal persons for the purpose of establishing an indenture if their parents were dead and they were not bound to a master. Individuals aged fourteen to twenty with living parents or a master and all individuals under fourteen were not considered legal persons for this purpose and could not independently consent.

181 TNA CO234/4.

182 *Ibid.*

183 *Ibid.*

184 *Ibid.*

The Privy Council in its 1682 order vested authority for determining the ages of indentured servants in the officials overseeing the formation of indentures. In outlining the age-dependent requirements for forming an indenture, the order stated that ‘all Persons above the Age of one and twenty years, or who shall, upon view and examination, appear to be so in the Judgement of the Magistrate’ and ‘if any Person be under the Age of one and twenty years, or shall appear so to be’.¹⁸⁵ Given that thirty percent of all of the ages of adults whose indenture documents were registered in London between 1682 and 1685 had their age listed as twenty-one, it appears that English officials wielded their authority to determine the ages of prospective servants with a significant degree of discretion.¹⁸⁶ While the over-representation of individuals listed as twenty-one likely in part reflects a deliberate evasion of the more strenuous requirements for younger individuals, it also reflects the limited exactitude of identification in this period. While the order refers to an examination by an official to determine age, it does not reference the use of any documents to verify an individual’s age. Rather, full authority to determine an individual’s age was vested to officials in the encounter of identification. While the 1682 order attempted to create a clear tripartite division based on age in the processes of identification surrounding the formation of indenture documents, given the frequent absence of additional documents which could be used to verify the identified’s age, the implementation of this division was largely left to the discretion and judgement of the officials involved.

While officials overseeing the formation of colonial indentures did not always apply the principles outlined in the 1682 precisely, the concept of a tripartite division of ability to consent determined by age was nevertheless evident in colonial indenture documents produced in 1680s London. Many of the indenture documents of servants under the age of twenty-one included memoranda noting either that their parents were dead and they were not presently bound or that they had the consent of their parents, alongside the signature of their parent demonstrating this

¹⁸⁵ *Ibid.*

¹⁸⁶ Wareing, p. 62.

consent.¹⁸⁷ However, towards the upper range of this age cohort, the fulfilment of this requirement was not always demonstrated in indenture documents. For instance, the 1683 indentures of ‘Marie Sandford ... aged twentie yeares’ and ‘Margarett Rogers aged 19’ did not include any memoranda or additional signatures indicating that their indentures had required the consent of their parents or guardians.¹⁸⁸ While it is possible that these women either had the necessary external consent or met the requirements for acting as independent legal persons and the clerk simply did not think it was necessary to include this information in their indenture documents, it is also possible that the requirements of the 1682 order were simply ignored in these instances.

In other instances, clerks were overzealous in their enforcement. In the 1683 indenture of fifteen-year-old Elizabeth Fletcher, who went to Pennsylvania as an indentured servant, while Fletcher was able to sign the contract, it contained a manuscript addition at the bottom of the document stating, ‘Memorandum the said Elizabeth Fletcher for her brother John Jackson & Mr Jasper Rankins churchwarden ... her father and mother being both dead consenting for the said Elizabeth Fletcher’.¹⁸⁹ The indenture was also signed by Jackson and Rankins. While Fletcher, as an individual over fourteen without living parents, should have been able to sign the indenture document as an independent legal person without external consent, her indenture document nevertheless noted that the consent of both her brother and the churchwarden of her parish was obtained. Although Fletcher was fifteen, the officials overseeing the formation applied the requirements for individuals under fourteen and denied her independent legal personhood. Despite sometimes diverging from the precise requirements prescribed by the 1682 order, officials overseeing the formation of indentures nevertheless applied the principle of a tripartite age-based division of legal personhood to the ability to consent to these contracts.

¹⁸⁷ LMA MR/E-1.

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*

The denial of legal personhood to children or adolescents in the formation of labour contracts was not widespread in early modern English legal systems in the late seventeenth century, but rather was a relatively novel development specific to colonial indentures. Throughout the seventeenth century, children of any age were able to form labour contracts, including apprenticeship contracts, independently without the explicit legal consent of their parents.¹⁹⁰ Holly Brewer has argued that it was only in the later eighteenth century that it became the legal norm in England and its American colonies that labour contracts signed by children without parental consent were deemed invalid.¹⁹¹ However, while Brewer includes a cursory discussion of the 1682 order requiring parental consent for colonial indentures, she does not provide any explanation for why colonial indentures came to require parental consent nearly a full century before it became required for other, equivalent forms of labour contract.¹⁹² An explanation, related to the specificities of colonial indentures, for their exclusion from legal personhood in this context is therefore required.

The function of colonial indentures to not only form a labour contract, but also to catalyse the identified servants' movement across the Atlantic to English America distinguished colonial indentures from other, similar labour contracts and caused the greater emphasis on age as a condition of legal personhood in these texts. While Brewer, in her analysis of age in early modern English and American legal systems, extensively considers the adaptation of English Common Law to England's American colonies, as a legal historian, she pays little attention to the actual physical movements involved in colonisation.¹⁹³ Referencing the 1682 royal proclamation, the pre-printed texts of colonial indentures specifically mentioned the transatlantic nature of these indentures, stating, 'That all Servants at any time as are free and willing to be Retained to Serve in His Majesties Plantations in AMERICA; Are to be duely Examined ...'.¹⁹⁴ Migration to the Americas

¹⁹⁰ Brewer, pp. 242-44.

¹⁹¹ *Ibid*, pp.274-78.

¹⁹² *Ibid*.

¹⁹³ *Ibid*.

¹⁹⁴ LMA MR/E-1.

effected a more definitive split of the indentured from their families than did other forms of indentured labour, including apprenticeships involving the long-range movement of apprentices away from their families to masters' households in London. While apprenticeships, domestic service and other forms of labour characteristic of youth in early modern England often involved the movement of children away from their birth families to households significant distances from their places of birth, that does not mean that there was a total rupture between children and their birth families.¹⁹⁵ Parents were often heavily involved in finding a master to place their child with and in the formation of their indentures, despite not technically requiring their legal consent.¹⁹⁶ Parents were often able to advocate for their children if they came into conflict with their masters and could aid in the dissolution of their indentures if necessary.¹⁹⁷ Many children in service were able to return home to visit their birth families and often returned to their places of birth after the completion of their service.¹⁹⁸ In contrast, colonial indentures placed children with masters whom their birth families would likely have no connection to or influence over, and in most instances, after their departure from England, most colonial indentured servants would never see their birth families in-person again.¹⁹⁹ The denial of legal personhood to prospective child colonial indentured servants and the related requirement of parental consent was thus related to the far greater rupture between child and birth family caused by transatlantic migration.

The emphasis on consent and legal personhood in colonial indenture documents reflects the growing importance of race, whiteness, and slavery in constructions of legal personhood in the English Atlantic. Given that both white indentured servitude and Black slavery were forms of unfree labour, contractuality and legal personhood became important factors distinguishing between

195 Grubb, pp. 28-30; Leuning, Minns, and Wallis, pp. 414-17; Wallis, pp. 794-95.

196 Leuning, Minns and Wallis, pp. 414-17; Wallis, pp. 794-95.

197 *Ibid.*

198 Gowing, *Domestic Dangers*, pp. 13-17; Vanessa Harding, 'Families and Households in early modern London, c. 1550-1640', in *The Oxford Handbook of the Age of Shakespeare*, ed. by M.R. Smuts (Oxford: Oxford University Press, 2016), pp. 596-615 (pp. 597-602).

199 Beckles, pp. 5-10; Sandra L. Dahlberg, "'Doe Not Forget Me': Richard Frethorne, Indentured Servitude, and the English Poor Law of 1601', *Early American Literature*, 47.1 (2012), 1-30 (pp. 21-24); Grubb, pp. 28-30.

the two, thereby constructing whiteness and Blackness. While enslaved Africans were denied legal personhood almost entirely, white indentured servants, although subordinated, were not, and were able to access legal systems in a variety of ways.²⁰⁰ The legal personhood of indentured servants was most clearly expressed through their ability to enter into contracts such as indentures, a right denied entirely to enslaved Africans.²⁰¹ The emphasis on legal personhood and consent in indenture documents thus both expressed and maintained the distinctions between white indentured servitude and Black slavery.

The 1682 order introducing a system for the registration of indenture documents was in part motivated by racial concerns. Explanations for the promulgation of this order have generally focused on the threat of ‘spiriting’ in English port cities and English authorities’ response to this threat.²⁰² However, this order was also conceived of by the members of the Privy Council in explicitly racialised terms. While the final title of the promulgated order was the ‘Order to Prevent Abuses in Transporting Servants’, in the register of Privy Council minutes the order was described as ‘His Majesty’s declaration how merchants may without prejudice send white Servants into Plantations’.²⁰³ This order was not the first time authorities in England had conceived of indentured service as a practice defined by the servants’ whiteness, in contrast to the enslavement of Black Africans. In 1661, the Committee for Foreign Plantations produced a report which differentiated between white indentured servants and Black ‘perpetual servants’.²⁰⁴ By 1682, a specifically racialised distinction between white indentured service and Black slavery had been established by English authorities. The promulgation of an order directed at the prevention of ‘spiriting’ acted to maintain and further this distinction. An order which sought to prevent the kidnapping of white English people to forcibly work as indentured servants in the Americas and which defined indenture

200 Kurki, p. 10; Owensby, p. 366; Tomlins, *Freedom Bound*, pp. 78-82; Wood, p. 95.

201 Owensby, p. 366; Tomlins, *Freedom Bound*, pp. 78-82.

202 Beckles, p. 65; Brewer, pp. 274-75; Tycko, pp. 175-76; Wareing, pp. 208-10.

203 TNA CO324/4.

204 Wareing, pp. 197-98.

documents as legally formed through an indentured servants' 'free and voluntary agreement to enter into said Service' inherently served to further the distinction between white indentured service defined by voluntary consent and Black slavery defined by the kidnapping of people from Africa and their enslavement in the Americas.

The 1682 order emerged at a moment in which colonial authorities began to enforce a heightened distinction between white indentured servitude and Black slavery. In the English Caribbean, by 1680 the majority of the labour force, particularly for field agricultural labour, was comprised of enslaved Africans.²⁰⁵ From the 1660s, the transport of indentured servants to the Caribbean had declined, and by the 1680s where white indentured servants were employed on Caribbean plantations it was generally as overseers or guards, tasked with monitoring and controlling the enslaved population, often through brutal means.²⁰⁶ While in the mid-seventeenth century, white indentured servants and enslaved Africans in the Caribbean had often worked alongside each other in the fields, by the 1680s a racialised distinction between enslaved Africans working in the fields and white indentured servants tasked with overseeing them had emerged.²⁰⁷ In Virginia, while the transition to a system of labour in which enslaved Africans predominated in the agricultural labour force lagged behind the Caribbean, by the 1680s Virginia had begun to shift decisively away from white indentured servitude and towards Black slavery.²⁰⁸ This shift was accompanied by colonial legislation which enforced a clear hierarchical division between white indentured servants and enslaved Africans. In 1680, the Virginia General Assembly passed 'An act for preventing Negroes Insurrections' which included a clause making it an offence punishable by thirty lashes for 'any negroe or other slave ... to lift up his hand in opposition' against any white

205 Beckles, pp. 38-40; Verene Shepherd and Carleen Payne, 'Comparisons: The Caribbean', *A Companion to Colonial America*, ed. by Daniel Vickers (Malden, Massachusetts: Blackwell, 2003), pp. 425-50 (pp. 428-30); Wareing, pp. 3-5.

206 Beckles, pp. 38-40; Shepherd and Payne, pp. 428-30.

207 *Ibid.*

208 Bailyn, pp. 99-102; Tomlins, 'Indentured Servitude in Perspective', pp. 152-55; Wareing, pp. 86-87.

person, including indentured servants.²⁰⁹ This act thus furthered a clear hierarchical legal distinction between enslaved Africans and white indentured servants, allowing both white masters and white servants to beat and abuse enslaved Africans without reprisal. Efforts to prevent ‘spiriting’ in England through the identification of indentured servants prior to their departure thus served to further a racialised distinction between white indentured servants and enslaved Africans which was already established in England’s colonies in the Americas.

However, the distinction between white indentured servitude and Black slavery remained unclear in some instances in the 1680s. While both England’s Caribbean and Chesapeake colonies had moved decisively towards the use of enslaved Africans for field labour by the 1680s, even in the Caribbean white indentured servants continued to work in the fields on many smaller plantations, including alongside enslaved Africans in some cases.²¹⁰ Additionally, skilled African labourers often worked alongside white indentured servants, even on many larger plantations.²¹¹ Even the distinction between indentured servitude as voluntary and slavery as forcible was not always clear as the service of both pauper indentured servants and those who underwent penal transportation was forced.²¹² However, even in cases of coerced indentured servitude, such as pauper and penal servitude, the technical legal consent of the indentured servant or a legal guardian established using an indenture document was still required for the valid formation of the indenture.²¹³ Ensuring that white indentured servants had legally valid indenture documents served to maintain a clear legal distinction between white indentured servants and enslaved Africans at a moment in which this distinction was becoming increasingly important to the economic and legal cultures of the English Atlantic and yet still not always evident in practice.

209 *The Statutes at Large: Being a Collection of All Laws of Virginia, from the First Session of the Legislature, in the Year 1619*, ed. by William Waller Henning (New York: R. & W. & G. Bartow, 1823), pp. 481-82.

210 Beckles, pp. 133-39; Wareing, pp. 43-44.

211 *Ibid.*

212 Beckles, pp. 7-8; Dahlberg, pp. 1-6; Wareing, p. 197.

213 Beckles, pp. 7-8; Brewer, pp. 275-76; Wareing, p. 96.

The impact of developing structures of race in England's colonies upon constructions of legal personhood in metropolitan England through laws regarding colonial indentures promulgated and implemented within England itself points towards the importance of legal and social developments in English America on legal systems in England. While significant scholarly attention has been given to the transferral and adaptation of English legal systems to its colonies in Americas, this process has generally been assumed to be unidirectional.²¹⁴ However, when regulating the movement of individuals and their documents of identification across the Atlantic from England to its colonies in the Americas, English authorities necessarily had to create legislation adapted to the specificities of both the English context in which the identification documents were produced and the colonial contexts in which they were utilised. Transatlantic migration thus led to the adaptation of English laws and legal documents to colonial contexts.

The processes of identification involved in the formation of colonial indenture documents were centred on determining if prospective servants possessed the required forms of legal personhood to form a valid indenture. While age and women's marital status explicitly appeared as requirements for legal personhood in these documents, the role of race remained more implicit. Despite remaining implicit in indenture documents, it is evident that by 1682 English authorities had, following their colonial counterparts, come to regard indentured servitude as a racialised practice associated with whiteness in contrast to Black slavery. English authorities used indenture documents as a means of maintaining and furthering this racial division between forms of unfree labour. While women's marital status as a factor in determining legal personhood was not developed upon significantly from previous legal norms in indenture documents, the emphasis on both age and race in these documents represented important changes in both the constitution of

²¹⁴ David Grayson Allen, *In English Ways: The Movement of Societies and the Transferral of English Local Law and Custom to Massachusetts Bay in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1981), pp. 208-10; Brewer, pp. 255-58; James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: University of North Carolina Press, 1994), pp. 337-49; Tomlins, *Freedom Bound* pp. 69-70.

legal personhood and processes of identification. In emphasising age and race, indenture documents reflect that by the 1680s notions of legal personhood had significantly shifted towards those centred around contractuality in which both whiteness and adulthood had become key criteria. The emphasis on age and race in indenture documents also distinguishes indenture documents produced in the 1680s with other forms of identification utilised earlier in the century, including licences to pass beyond the seas. The novel aspects of indenture documents, such as the emphasis on age as a determinant in the validity of contracts and the implicit emphasis on race, highlights the impact of transatlantic colonisation on English legal cultures and identification processes. Notions of English legal personhood in the seventeenth century were deeply altered both by the practicalities caused by long-distance migration to the Americas and by conceptions of legal personhood developed by colonial authorities.

Conclusion

The identification of individuals departing from England to its colonies in the Americas was an important, and hitherto historiographically underappreciated, mechanism by which English officials governed and imposed their authority on English America. While recent work on early modern English colonial forms and paperwork, including Sonia Tycko's work on indenture documents, has considered these documents as mechanisms through which power relations and authority were expressed and enforced, the function of these documents in identifying individuals and controlling movement has not previously been considered.²¹⁵ The production and registration of identification documents by English officials enabled them to both control the movements of individuals departing to English America and maintain an archive of information regarding these individuals and their movements stored within England to which officials could later refer. Monitoring and controlling movement through identification documents contributed to England's

215 Hannah Farber, 'The Embellished Bill of Lading in the Material Atlantic, 1720-1864', *Early American Studies*, 17.1 (2019), 37-83 (pp. 40-43); Siddique, pp. 6-10; Tycko, pp. 170-71.

governance of its colonies in the Americas both by directly determining whose movements authorities permitted at the point of departure, and by maintaining a repository of information to which they could refer in future acts of governance. While previous work has considered the role of documents in early modern empires' governance of their colonies, the development of identification documents in the seventeenth century reveals the need to both centre the nature of colonisation as a process inevitably requiring large-scale movement and to understand authorities' efforts to control this movement as crucial to processes of colonisation and colonial governance.

The development of documents specifically for use in identifying individuals departing for the Americas by English officials was a gradual, and often somewhat partial, process in the seventeenth century. For the first three decades of England's colonisation of the America, no specific legislation regarding the identification of transatlantically mobile individuals was promulgated, and such individuals were identified largely identically to those moving transnationally within Europe in the registers of licences to pass beyond the seas. Where differences did emerge between the identification of these two groups it was largely the result of pragmatic adaptations or specific political concerns arising from transatlantic mobilities. The promulgation in 1637 and 1638 of legislation imposing additional requirements on the identification of people departing to New England was not due to the transatlantic nature of their movements but the specific confessional nature of this migration which was deemed problematic by the Crown. Similarly, the 1647 legislation affirming the need for individuals departing as indentured servants to be registered by port officials was merely restating the already existing requirements for individuals leaving England to possess a licence to pass beyond the seas but reframed as a means of combating spiriting. The tendency of some port officials to enter groups departing for the Americas in the registers of licences to pass beyond the seas by the ship they were departing on as opposed to individual entries for each household or individual was not a top-down imposition of new bureaucratic requirements. Rather, it was the pragmatic reaction of some individual clerks to the

maritime transport of passengers across the Atlantic in larger groups than was typical for groups crossing the North Sea. The earlier seventeenth century thus did not witness the development of an intentionally designed or targeted system for the identification of individuals departing from England to its colonies in the Americas but rather the ad-hoc extension of existing processes of identification, adapted in response to specific issues when they emerged.

While English officials attempted to use identification documents to control movement across Atlantic and thereby establish their authority over English America, it is evident that these efforts were not always successful. The 1637 act passed by the Privy Council which established stricter requirements for individuals departing to New England failed to prevent the departures of many Separatists. In 1638, the Privy Council's attempt to introduce still stricter requirements was quickly rolled back. In 1647, the Crown's order that officials in English America create registers of indentured servants failed to be implemented. Even after 1682, not all indentured servants' indenture documents were registered prior to their departure and instances of spiriting continued. While a number of scholars, including Ian K. Steele and Sylvia Sellers-Garcia, have demonstrated the importance of documents to European powers' efforts to govern their colonial possessions, these efforts also had clear limitations.²¹⁶ Sylvia Sellers-Garcia has noted Spanish authorities viewed the distance between Spain and the Americas as an administrative problem to overcome.²¹⁷ As Filippo De Vivo has argued, distance was a continual limiting factor in the transmission of information in early modernity, and thereby a constant challenge to authorities' efforts to govern territories over large distances.²¹⁸ Although the use of identification documents to control mobility was developed as a means of contending with the difficulties of governing populations across large distances, these efforts were themselves also limited in their efficacy by distance. Limitations on the efficacy of identification documents were not limited to the control of transatlantic mobilities and also

²¹⁶ Sellers-Garcia, pp. 9-16; Steele, pp. 3-10.

²¹⁷ Sellers-Garcia, pp. 9-16.

²¹⁸ De Vivo, 'The composite world of early modern information', pp. 646-50.

appeared in efforts to control movement within England or across the North Sea. However, distance emerges more strongly as a limiting factor in the implementation of the use of identification documents to control transatlantic movement than it does for other fields of mobility. Distance posed a constant problem for the efforts of English authorities to govern English America, despite the development of mechanisms, such as identification documents, aimed at resolving these issues.

The lack of significant distinctions in registers of licences to pass beyond the seas between how individuals departing from England to other polities in Europe and those departing from England to English colonies in the Americas were identified indicates that English officials did not yet strongly distinguish between transnational movement and movement within imperial space. While individuals departing from England to English America technically remained within the same imperial polity, they were identified using the same method of identification as individuals departing to other European polities. This lack of distinction indicates that English officials regarded the physical act of departing ‘beyond the seas’, that is, leaving the island of Britain, as the relevant point at which individuals needed to be identified, as opposed to departing from English territory more widely defined to include England’s colonies. English port officials in the earlier seventeenth century who engaged in the work of identification thus did not display a conception of the English empire as a singular polity but rather conceived of all maritime departures from England similarly regardless of if those departures were intra-imperial or transnational.

Colonial indenture documents produced in the 1680s displayed a greater degree of novelty compared to the forms of identification from which they developed. While colonial indentured service and indenture documents developed out of English forms of service and their accompanying contractual documents, most notably apprenticeship contracts, indentured service represented a specifically colonial form of labour and household relation. By the 1680s this relation had become racialised. The implicit role of race in the involvement of London officials from 1682 indicates that by the 1680s colonial social structures had begun to influence forms of identification produced in

England. New aspects of identity, developed first in those of England's colonies in the Americas which relied upon the labour of enslaved Africans, had begun to be expressed, if still implicitly, in English identification documents.

Conclusion

Two recent articles in the British press presented two very different opinions related to the history of migration. In an article published on 27 July 2023 in the conservative magazine *The Critic* entitled ‘London’s monocultural history’, journalist Sam Bidwell glossed approximately two thousand years of London’s history, from its founding in 47AD to the present day, to argue that there was no large-scale transnational migration into London prior to the end of the Second World War.¹ He referred to the appearance of transnational migration into London as a ‘change’ that has been ‘recent, rapid and remarkable’.² Given the widespread historical evidence for the existence of significant communities of transnational migrants in London prior to the twentieth century, including Dutch-speaking and Francophone communities in the seventeenth century, Bidwell’s argument has little to no basis in historical evidence. In a video published online on 4 October 2023, left-wing former finance minister of Greece Yanis Varoufakis engaged in a somewhat combative interview with a journalist from the right-wing online media platform *UnHerd*.³ In an exchange between the two related to contemporary British migration and refugee policies, Varoufakis stated,

Do we really want borders? I mean, once upon a time, there were no passports. The world was a much better place. When Lord Byron went to Greece ... or Lord Elgin, for that matter, he didn’t need a passport. What was wrong with that? You might’ve had a document identifying yourself, or not even that.⁴

The use of identification documents in seventeenth-century England demonstrates that Varoufakis’ idyllic evocation of a relatively historically recent past prior to the invention of identification documents as a means for authorities to monitor and control transnational movement is historically dubious at best.

1 Sam Bidwell, ‘London’s monocultural history’, *The Critic*, 27 July 2023 <<https://thecritic.co.uk/londons-monocultural-history>>.

2 *Ibid.*

3 UnHerd Staff, ‘Yanis Varoufakis: Suella Braverman should be expelled from the UK’, *UnHerd*, 4 October 2023 <<https://unherd.com/newsroom/yanis-varoufakis-suella-braverman-should-be-expelled-from-the-uk>>.

4 *Ibid.*

While contemporary right-wing commentators and politicians have frequently argued that transnational migration is a problem in and of itself, the political left have tended to counter these arguments by pointing out the construction of migration as a problem is achieved through the violence of the border and the state's migration control apparatus. However, there exists a tendency on both the political right and the political left to view the development of migration as a 'political problem' as a historically recent phenomenon, dating to the late nineteenth or twentieth century. By putting forward claims which emphasise the supposedly recent nature of either migration or authorities' efforts to control migration, popular political discourse surrounding migration tends to present these practices as epiphenomenal, the result of specific, recent political choices, as opposed to being related to long-term structural developments. The identification of mobile people in seventeenth-century London demonstrates that to understand the development of authorities' efforts to govern and control migration and migrant people requires a longer view. Examining the governance of mobility over the *longue durée* reveals that these practices developed alongside migration and were both shaped by and actively shaped historical structures of authority and domination, including patriarchy and government.

This thesis has charted the development of multiple different genres of identification document which were produced and used in London over the course of the seventeenth century. These documents were used to monitor and control a variety of different patterns of mobility, from the inter-parochial to the transatlantic, and were developed by authorities in response to a variety of concerns: from attempts to control the mobile poor to efforts to maintain confessional uniformity in English territory to endeavours aimed at ensuring the legitimacy of contracts governing colonial service relations. A variety of different authorities were involved in these processes of identification. Some of these authorities, such as the Privy Council, Justices of the Peace and port officials, were involved in the production and use of a number of different forms of identification document. Others, such as the consistory of the Dutch Church at Austin Friars, were concerned with

monitoring a specific kind of migration using a single form of identification document. This variety reveals that the proliferation of identification documents in seventeenth-century London did not represent the development of a centralised or singular identification regime but rather reflected a developing logic of governance which became widespread through the adoption of identification as a means to monitor and control movement by a number of different authorities.

The monitoring and control of everyday mobilities through identification in seventeenth-century England has important implications for understandings of the relationship between mobilities and the development of forms of governance that have been associated with state formation. While scholars have previously considered the relationship between migration and the formation of states or polities, such as in Aristide R. Zolberg's seminal 1983 article 'The Formation of New States as a Refugee-Generating Process', this research has typically focused on moments of large-scale migration and expulsion, such as the expulsion of Jewish and Muslim people from Iberia following the *Reconquista* or instances of twentieth-century population transfers.⁵ While mass expulsions and migrations have undoubtedly been central to the formation of many polities and states, the development of processes of identification in seventeenth-century London demonstrates that it was not only through such large-scale violent measures that authorities exercised their powers to influence the movement of people and thereby asserted their governance over territories or communities. The monitoring and control of movement by various authorities, while not necessarily developing towards a national state form, represented an important development in the governance of everyday life through the use of documents and is of deep importance to understanding how mobile people and populations were controlled through means more subtle than expulsion.

5 Matthew Frank, *Making Minorities History: Population Transfer in Twentieth-Century Europe* (Oxford: Oxford University Press, 2017), pp. 1-10; Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), pp. 52-56; Nicholas Terpstra, *Religious Refugees in the Early Modern World: An Alternative History of the Reformation* (Cambridge: Cambridge University Press, 2015), pp. 1-17; Aristide R. Zolberg, 'The Formation of New States as a Refugee-Generating Process', *The Annals of the American Academy of Political and Social Science*, 467.1 (1983), 24-38 (pp. 31-38).

Migration had potentially destabilising effects on gender and household relations. Cases related to the administration of poor relief and the punishment of individuals deemed to be ‘vagrants’ frequently involved the abandonment of spouses or children by individuals moving between parishes. Similarly, the movement of Dutch-speaking migrants often led to the disruption of families and fears of bigamy or of individuals, particularly women, concealing previous scandalous behaviour through long-distance migration. The transatlantic migration of indentured servants to English America disrupted their ties to their birth families to a far greater extent than was typical for young people engaged in service in England. The governance of mobility and mobile people through the mechanism of identification represented a widespread effort on the part of different authorities to mitigate the disruptive effects of migration by using identification to uphold the patriarchal order. The reoccurring centrality of gender in documents of identification is thus unsurprising. While this thesis does not suggest—with the possible exception of the Privy Council mandating licences to pass beyond the seas specifically for women and children in 1606—a conscious series of decisions on the part of authorities to use identification as a means of stabilising gender relations, it does demonstrate that the underlying logics surrounding the identification of mobile people were fundamentally shaped by patriarchal conceptions of governance and gender. The dialectic between migration and authorities’ efforts to control it presented a terrain in which gender was contested and reshaped both by the potentially destabilising effects of migration on gender norms and authorities’ reassertion of these norms through their monitoring and control of migration and mobile people.

The patriarchal nature of identification reveals the subtle yet pervasive ways in which gendered experiences of governance were shaped by individuals’ inclusion or exclusion from certain forms of interaction with authorities. Individuals’ ability to participate in these interactions was determined both by their gender and by their position within the patriarchal structure of the household. Some forms of identification, including registers of licences to pass beyond the seas and

returns of aliens, primarily or only identified heads of household. Mobile people's experiences of the interactions with authority which surrounded migration were thus deeply shaped not only by their gender or age but also but their position within the patriarchal structure of the household. However, women were excluded from taking oaths regardless of their position within the household, including if they were head of a household. Situations of women moving transnationally as heads of household or independently of their household thus complicated their identification in passports or licences to pass beyond the seas, the granting of which required the swearing of oaths. In certain instances, individuals' ability to participate or not in interactions with officials involved in processes of identification were thus determined not by household position but rather by their gender. Gender and the household were always present, whether explicitly or implicitly, as a fundamental structuring factor of identification as a process of governance. As demonstrated by the colonial indenture documents inspected by local officials in London in the 1680s, towards the end of the seventeenth century interactions with authorities related to identification were becoming increasingly racialised within England itself. Any understanding of how authorities endeavoured to govern movement thus needs to consider how these processes of governance were interrelated with structures such as race and gender.

The use of identification documents as a mechanism of surveillance and control further complicates understandings of identity and the self in early modernity. Research on early modern identity has often been concerned with identity as it relates to people's subjective understandings of themselves, such as in discussions of the relationship between the interior self and identity or between individual and group identities.⁶ These discussions have often centred on the conscious self-presentation of early modern people and, relatedly, debates surrounding the question of whether

6 Stephen Greenblatt, *Renaissance Self-Fashioning: From More to Shakespeare* (Chicago: University of Chicago Press, 1980), pp. 4-11; John Jeffries Martin, *Myths of Renaissance Individualism* (Basingstoke: Palgrave Macmillan, 2004), pp. 1-9; Roger Louis Martínez-Dávila, *Creating Conversos: The Caraval-Santa María Family in Early Modern Spain* (Notre Dame, Indiana: University of Notre Dame Press, 2018), pp. 5-6; Elizabeth Terry-Roisin, 'Renaissance Self-Fashioning after 44 Years: Hybridity, Conversos, Individuation and littérature totale', *The Historical Journal*, 67 (2024), 1-32 (pp. 18-23).

early modernity witnessed the development of conceptions of individual identity.⁷ However, studying identification documents entails analysing identity not as it relates to the subjective self but rather to processes of surveillance and governance. The identification practices of authorities indicate that scholars writing on identity and the self need to pay careful attention to how early modern people's self-presentation and self-fashioning interacted with authorities' efforts to establish people's identities using documents. For instance, the proliferation of identification documents in the seventeenth century complicates the assertions of scholars of early modern identity who have argued that long-distance movement provided early modern people with an opportunity to reinvent themselves.⁸ While the use of identification documents in early modernity does not discount the possibilities of fraud, forgery and imposture, it does demonstrate that movement often occasioned less an opportunity for the reinvention of the self than for the assertion of an individual's fixed identity by authorities responsible for monitoring and controlling mobile people.

The role of identification in seventeenth-century London suggests a need for historians of early modernity to return from post-structuralist towards more structuralist conceptions of identity. Post-structuralist ideas about identity, such as those of Judith Butler, do have an evident degree of utility when examining seventeenth-century identification. The encounters between individuals and authorities which surrounded the production and use of identification documents were clearly scenarios in which the performativity of identity is of analytic relevance.⁹ In particular, the swearing of an oath as an affirmation of identity seems definitional of Butler's conception of performative acts as speech acts which are granted power by the social and legal contexts surrounding them, including in relation to the construction of identity.¹⁰ However, while Butler has argued that the

7 Greenblatt, pp. 6-9; Martin, pp. 1-9; Terry-Roisin, pp. 18-23.

8 Miriam Eliav-Feldon, *Renaissance Impostors and Proofs of Identity* (Basingstoke: Palgrave Macmillan, 2012), pp. 1-8; Gwenda Morgan and Peter Rushton, 'Fraud and Freedom: Gender, Identity and Narratives of Deception among the Female Convicts', *Journal for Eighteenth-Century Studies*, 34.3 (2011), 335-55 (pp. 336-38); Natalie Zemon Davis, *The Return of Martin Guerre* (Cambridge, Massachusetts: Harvard University Press, 1984), pp. 22-26.

9 Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, fourth edition (London: Routledge, 2010), xv-xvii.

10 Judith Butler, 'Performative Acts and Gender Constitution: An Essay in Phenomenological Theory', *Theatre Journal*, 40.4 (1988), 519-31 (pp. 521-26).

performativity of identity produces a potential for subversion and mutability, there is little evidence of such mutability in seventeenth-century archives of identification.¹¹ Contrastingly, Louis Althusser conceptualised identity and identification in terms of interpellation: processes through which individuals are constituted as identifiable subjects by authorities which he referred to as ideological state apparatuses through the dominant ideologies of a period.¹² There are aspects of Althusser's analysis that are historically suspect, such as his account of a neat transition between feudal or religious and bourgeois or secular ideologies and ideological apparatuses before and after the French Revolution.¹³ However, processes of identification in seventeenth-century London provide a clear example of Althusserian interpellation in that individuals were constituted as identifiable subjects by authorities through ideological constructs, such as confession, allegiance and the patriarchal family. Where contestation emerged in identification, it was typically not through the ability of identified subjects to subvert notions of identity through performance, but rather through their efforts to utilise their interpellation by authorities to their own ends or to evade the power of authorities altogether.

To return to the present day, the use of identification in processes of governance is seemingly everywhere. These processes are particularly evident in the monitoring and control of migration and migrant people. In the United Kingdom, transnational migrants are identified using documents proving their right to reside and work in the United Kingdom not only at the border, but also in their everyday lives as both state and non-state institutions, including the NHS, employers, and universities, are required to check such documents under a set of policies referred to as 'the hostile environment'.¹⁴ In the Occupied Palestinian Territories, the movements of Palestinians are

11 Butler, *Gender Trouble*, pp. 188-91.

12 Louis Althusser, "*Lenin and Philosophy*" and *Other Essays*, translated by Ben Brewster (New York: Monthly Review Press, 1971), pp. 164-69.

13 *Ibid*, pp. 148-49.

14 Tracey Reynolds, Umut Erel, and Maggie O'Neill, 'Editorial Introduction: Racialised migrants navigating the UK's hostile environment policies', *Critical Social Policy*, 44.2 (2024). 165-77 (pp. 167-70); Nira Yuval-Davis, 'Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation', *Sociology*, 52.2 (2018), 228-44 (pp. 228-32).

monitored, controlled, and curtailed by requirements that they present identification documents at Israeli checkpoints.¹⁵ However, such processes of identification are not limited to the control of movement. In many countries, shopkeepers selling age-restricted products such as alcohol and tobacco, and door staff controlling access to age-restricted venues are required by law to ask for identification documents proving the age of prospective customers. In a number of countries, such as in the United Kingdom, both law enforcement and businesses or institutions who employ private security have increasingly come to rely upon their ability to identify individuals using CCTV and facial recognition software in their efforts to control or punish individuals engaged in activities which they deem to be criminal or undesirable.¹⁶ However, while it is evident that today processes and technologies of identification occupy a central role in both state and non-state institutions efforts to govern and control populations, there has been relatively little research into the historical lineages of these practices. Further research is needed to understand how identification functioned historically and came to be central to processes of governance and control.

The use of processes of identification in both seventeenth-century England and contemporary societies is not presented to suggest any neat parallels or a clear pathway of teleological development between the use of identification in seventeenth-century governance and in governance today, but rather to illustrate that identification has reappeared as a mechanism for the exercise of authority in different historical and contemporary societies. This historical reoccurrence suggests the potential for the history of identification to develop into a wider field of historical study. Such a field could include not only the use of identification to monitor and control migration, but also its uses areas as diverse as the control of criminality and the verification of credentials, as well as in the histories of governance and legal histories more generally. If

15 Jennifer Loewenstein, 'Identity and movement control in the OPT', *Forced Migration Review*, 26 (2006), 24-26 (pp. 24-26); Michelle Weitzel, 'Access Denied: Temporal Mobility Regimes in Hebron', *Borderlands Journal*, 21.1 (2022), 171-200 (pp. 177-80).

16 Joe Purshouse and Liz Campbell, 'Privacy, crime control and police use of automated facial recognition technology', *Criminal Law Review*, 3 (2019), 188-204 (pp. 188-92).

identification has frequently been central to the efforts of a variety of authorities and institutions to assert their control and maintain the social order, then identification is a topic which provides fertile ground for historians working in a wide range of periods interested in areas ranging from institutional histories and political histories of states or governments to social and cultural historians interested in topics such as criminality, migration, identity and social order more broadly.

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