

A COURT OF COMMITTEES, NOVEMBER 18, 1639 (*Court Book*, vol. xvii, p. 78).

The Court, not being able to procure pipestaves from the King, resolves to use hogtheadstaves, but desires Mr. Sherburne again to request the Lords to supply the Company, as the pipestaves cannot be obtained elsewhere, and the Company formerly spared 30,000 for the King's use. Mr. Smithwick's request to see the orders of Court for the 7th and 12th of November, 1638, refused, unless the General Court calls for them. Mr. Francklyn's bargain with John Lethelieur for 3,994 pieces of calicoes confirmed; Mr. Bowen is directed to enter the contract, and on payment of the money to deliver the said calicoes. The general letter touching the complaints against the Johnsons read (they being present) with the declaration of Henry against William and answer thereto of the latter; the consultation books are also produced, whereupon Messrs. Francklyn, Kerridge, and Davies are entreated to peruse everything concerning this business, and prepare an abbreviated report for the Court's consideration. The Company's answer to Mr. Smithwick's demands read, approved, and ordered to be fair written. The demands and answers are as follows:—1. Mr. Smithwick desires to be righted in his estate and reputation, and to have all lawful favour done him to relieve his necessity: answered, that he has only suffered in his estate and reputation by his own misbehaviour. 2. He desires his accounts may be acquitted of brokes charged at 18 and 12 per cent. since 1633: answered, that the accountants deal with him as with all other adventurers. 3. To be paid 50*l.* for procuring 20,000*l.* at 6 and 6½ per cent.: the Court denies that he procured this money. 4. To be allowed 50*l.* with reparation for losses caused by the Company's breach of covenant, as certified by Lord Dorset and Sir John Suckling: the Court disclaims all knowledge of such covenant, and refers to the court books concerning his not going to the East Indies. 5. To have 40*l.* subscription in the Company's policy: the Court does not think his ability sufficient to secure 2,000*l.*, as he would have underwritten in the policy. 6. To be recompensed for losses for 400*l.* adventure denied in the First Persia Voyage: answered, that this subscription not being underwritten in time was vacated by

the adventurers. 7. To have consideration for losses sustained by being put by the practice of his profession: the Court denies that he was 'put by' his profession by the Company. Mr. Smithwick's demands are dated November 13, 1639, and appended to them is a note signed by Abraham Dawes, Job Harby, Edward Wardour, and Nicholas Crispe, desiring a written answer, that so report may be made to the Lords Commissioners for Trade. To the Court's answers a note is added by Richard Swinglehurst to the effect that he showed a copy of the said answers to Sir John Jacob, Sir Abraham Dawes, and Captain Crispe, the 21st of November, 1639, at the Custom-house, which copy he left with Sir Abraham Dawes. ($2\frac{1}{2}$ pp.)

A COURT OF COMMITTEES, NOVEMBER 20, 1639 (*Court Book*, vol. xvii, p. 81).

The Secretary reporting the difficulty of obtaining a warrant from the Lords to Mr. Crane, victualler of the Navy, for pipestaves to make casks for the Company's ships, and on information from the Husband that with the butts already made the hogsheadstaves may suffice, the former is directed to forbear further demand, and Mr. Fotherby is desired to set the coopers to work on the casks. Directions given to the Husband to buy, as cheaply as possible, a parcel of Spanish iron, of which there is much need and great scarcity, from Mr. Jennings, in St. Martin's Lane. On information of the damage caused to the ships by long-continued fires made to dry the bread-rooms, it is ordered that notice be given for such fires not to be violent nor to continue longer than twenty-six hours. Alderman Abdy, Mr. Francklyn, and Captain Roberts entreated to meet Sir Abraham Dawes and some of the Farmers, to confer about customs on the Company's defective and damaged goods, and, according to information given by Messrs. Bowen and Blunt, to arrange for such reasonable abatement as has been customary. Resolved to sell the coarse silk, as Canary and Ardasse, but to keep the Legee silk; no candle to be put up unless an offer of 18s. per lb. be made. ($1\frac{3}{4}$ pp.)

A GENERAL COURT OF SALES, NOVEMBER 20, 1639 (*Court Book*, vol. xvii, p. 83).

Sale of pepper, cotton yarn, coarse silk, sanoes, gingham, and gonras, with prices and names of purchasers. ($\frac{3}{4}$ p.)

A COURT OF COMMITTEES, NOVEMBER 22, 1639 (*Court Book*, vol. xvii, p. 84).

Mr. Styles, having noted when at Blackwall that the workmen were owed a week's wages, moves that Mr. Younge be ordered to pay them; whereupon the Court revives the former order that every officer receiving money to disburse for the Company shall bring in his account monthly to be audited, and directs that several copies of this order be made for the benefit of their servants. Matthew Garland and Simon Busfeild allowed as security by the balloting-box for cotton wool, and Messrs. William Middleton, Thomas Russell, Edmond Harvy, and Edmond Sligh for silk, at the weighing of which Messrs. Trott, Davies, and Roberts are desired to be present. Charles Slade renews his request for money, but is referred until the arrival of the *Mary*. General letter from the President and Council read, wherein Ralph Cartwright is held responsible for a bale of gingham now missing; his answer disclaiming all knowledge of the same is also read; examination hereof is deferred. (1 p.)

A COURT OF COMMITTEES, NOVEMBER 27, 1639 (*Court Book*, vol. xvii, p. 85).

On the motion of Boatswain Ingram the Court orders that the *Fonas* shall not be launched until next January, and meanwhile Mr. Steevens is required to do as much to her as possible. Petition of John Jefferies, late purser in the *Swan*, to go as purser in the *Fonas*, considered; being recommended by his father-in-law, Boatswain Ingram, and well reported of during his many years in the Company's service in India, he is directed to attend when officers are elected for the ships to be dispeeded next spring. Letter read from Mr. Cramporne from Plymouth, recommending his servant George Byle as purser; the latter appearing to be 'an ingenious

youth' is directed to present himself at Christmas for entertainment. Gratification of 20s. bestowed on Mr. Mezy, messenger to the Farmers, for good service lately done the Company. A Court of Sales appointed this day senight for sale of 100 bales of Legee silk. Captain Bell presents a petition shown to the King in the Earl of Southampton's name, with His Majesty's reference thereon to the Lords of the Council and Their Lordships' direction to the Governor and Committees, about the stay of the Earl's ship intended for a plantation on Mauritius, requiring their attendance at the Star Chamber next Friday to explain the reason of the said stay; whereupon Captain Bell is told that the Governor and some Committees will attend accordingly, and on the Captain's departure it is resolved to answer that the Company, having lately remonstrated on this subject, has nothing further to say, but leaves it to the consideration of the King and Lords to do therein as they think fit. John Buxton, John Wilson, John Richardson, and Francis Knight allowed as security by the balloting-box for calicoes. Mr. Steevens, master of the *Swan*, questioned as to information received that he had 240 pieces of calicoes, his private trade, conveyed secretly from the said ship when in the Downs; he confesses to selling eighty pieces to one Culmer, of Deal, but declares he sent everything else of his to the Company's warehouse, where it remained until freight was remitted and order given for its delivery; he prays that this error may be overlooked, and he will try to recover and return the said calicoes. The Court, much disliking his setting such a bad example, having remitted all freight on his goods and given him a gratification for making the Downs his first port, resolves to enact that any captain or master landing or putting aboard any ship any goods or private trade brought home by him, or allowing others to do so, shall not only be questioned in the Star Chamber according to the King's proclamation, but shall forfeit the Company's gratification of 100*l.* given on the ship making the Downs her first port. Mr. Charke chosen to take Mr. Chauncy's place and keep the cellar warehouse in the Exchange; and it being thought that Mr. Chauncy has not behaved as fairly as was expected, Messrs. Craddock and Francklyn are entreated to examine and report on his books of accounts, especially with regard to pepper received from the

A GENERAL COURT OF SALES, DECEMBER 4, 1639 (*Court Book*, vol. xvii, p. 89).

Mr. Smithwick proposes to sell 100*l.* adventure at 70*l.*, being uncertain whether the two dividends have been deducted or not ; Mr. Deputy buys the same for 70*l.* ready money. Mr. James Martyn buys 3,000 sallampores at 17*s.* 1*d.* per piece. ($\frac{1}{4}$ *p.*)

A COURT OF COMMITTEES, DECEMBER 6, 1639 (*Court Book*, vol. xvii, p. 90).

According to an order made by the Master of the Rolls in the suit between the Company and William Ricks and his wife Anne, executors of Jeremy Sugar, 10*l.* is ordered to be paid the said Ricks. Mr. Acton's bill for law causes to be paid. Mr. John Younge's accounts examined ; he standing charged with 30,000*l.*, Mr. Markham is asked why these accounts are not settled, and replies that they are very intricate and have not long been brought in, and, Mr. Fotherby not having sent in his book of prick and check from Blackwall, they cannot be made up. The Court, much displeased at the delay, directs Mr. Markham to use all diligence in settling them, blames Mr. Younge for not seeking his discharge, and orders that, as large sums are issued weekly from the Treasury for Blackwall of which no particular account is given, henceforth Mr. Fotherby make up his account of prick and check every Thursday night, and present an abstract every Friday morning to Mr. Governor at the Court of Committees of all payments for the slaughterhouse, and all materials, entered by himself in his great book, which is to be brought to Mr. Treasurer's office or to Mr. Markham every Monday. Ordered that neither Mr. Bowen nor Mr. Sambrooke is to issue warrants to the officers or servants until these have produced their accounts to Mr. Treasurer or Mr. Massingberd for money already received and disbursed by them. Thomazine Needs, widow, whose husband died in the Indies, given 10*s.* from the poor-box. ($1\frac{3}{4}$ *pp.*)

ORDER IN COUNCIL, DECEMBER 10, 1639 (*Public Record Office : East Indies*, vol. iv B, No. 71).

Recites that a remonstrance was presented to His Majesty in October last concerning the grievances and hindrances experienced

by the East India Company in its trade; that a committee was thereupon appointed to consider and report upon the same; and that this committee on November 2 ordered the Farmers of the Customs to confer with the Governor, Deputy, and Committees of the Company and advise upon the best way of raising a new and ample subscription. The result of the conference was now read in a full Council, and in the presence of the Earl of Southampton, Mr. Courten, and the Governor, Deputy, and some of the Committees of the Company; and hereupon His Majesty was pleased to declare himself as follows:—(1) that as regards the injuries done by the Dutch, His Majesty is now treating upon the same, and the differences are in a fair and hopeful way of accommodation; (2) for the depredations of Cobb and Ayres and their associates, His Majesty gives the Company free leave and liberty to right itself against them by the ordinary course of justice; (3) as regards the customs dues, His Majesty agrees to extend the time for re-exportation to its former limits, and to allow six and six months for payment of the impost; (4) His Majesty will revoke and call in all patents granted for plantations and otherwise beyond the Cape Bone Sperance, and grant no more of the same kind, after allowing Mr. Courten and his associates a reasonable time to withdraw and bring home their shipping and goods now abroad; (5) as soon as a sufficient subscription is obtained to carry on the trade, His Majesty will renew the Company's charter with such additional privileges as are desired. To this end the Governor and Committees are to set forth a book of subscription, with a preamble enumerating the concessions to be granted; and the same is to be open to any one willing to adventure, 'whether His Majesties naturall subjects or strangers of what nacion soever.' The book and preamble are to be submitted to the King before they are issued; and a General Court is to be summoned, at which Lord Cottington will declare His Majesty's favour and his resolution to maintain the adventurers in their privileges. (*Copy. 4½ pp.*)

A COURT OF COMMITTEES, DECEMBER 11, 1639 (*Court Book*, vol. xvii, p. 92).

Mr. Smithwick desiring liberty to transfer 100*l.* of his adventure to Mr. Deputy, Mr. Sambrooke, on request, produces a statement of

Mr. Smithwick's account, whereby it appears that on payment of brokes the said adventure will be reduced 38*l.*; to this Mr. Smithwick objects, pretending that deduction ought to be made of the interest of 6,000*l.* for three months, which he claims was lent to the Company at his instance from money collected to repair St. Paul's, because he paid in 500*l.* (part of his gift to the church) beforehand, in confirmation of which he shows a letter from the Lords of the Council; whereupon Mr. Craddock and Captain Roberts are entreated to examine and report on his accounts and demands. Mr. Peter Vandermas, a Dutchman, desiring to be made free of the Company by purchase, the Court directs that the patent and ancient orders be consulted before the next meeting to ascertain if he, being 'a stranger', may be admitted. The Court being reminded how necessary it is that Mr. Rilston, the Husband, should have an assistant, he declaring that he is unable to do the work alone, desires that an able accountant be sought out before the next meeting, when resolution shall be made herein. Edward Peck to be paid 3*l.* from the wages of Thomas Wheeler, factor in the Indies, for maintenance of the said Wheeler's daughter, on condition that he troubles the Company no further until it be ascertained from Wheeler whether she is his child or not. Mr. Governor's relation of the proceedings before the King and Lords at the presentation of the Sub-Committees' report on the Company's petition and remonstrance is interrupted by a messenger sent by Sir Dudley Carleton, Clerk of the Council, with an order containing a digest of His Majesty's pleasure, which order is immediately read, and not being thought in accordance with the King's declaration and intention, after much dispute Mr. Governor, Alderman Abdy, Mr. Craddock and Captain Roberts are entreated to wait on Mr. Recorder of London, who was present at the presentation of the petition and remonstrance, and with his advice amend this order and return it to Sir Dudley Carleton. (2 pp.)

A COURT OF COMMITTEES, DECEMBER 13, 1639 (*Court Book*, vol. xvii, p. 94).

Mr. Michael Castile, having commissioned Mr. Smithwick to buy half the Company's gumlac, appears himself and offers to buy the whole at 8*l.* per hundred at five, six months; the price being

agreed to but not the time, determination herein is deferred to the next court. Mr. Peter Vandermas renews his request to buy the freedom of the Company, which the Court grants (finding by perusal of the patent and ancient orders that they have power to admit foreigners¹) on condition that he pays, as is customary, 100*l.* or 100 marks; whereupon he offers 20*l.*, pretending to understand that others had been admitted for a like sum. This is refused unless he also become an adventurer in a competent sum; and he denying to do this is told that a book of subscription is shortly to be opened for a new stock, which if he will underwrite for his request shall be reconsidered. On the motion of Alderman Gayre concerning the disadvantages suffered last year through lack of rials of eight, of which quantities are now in town and more expected daily, Mr. Treasurer is recommended to buy as many as shall be necessary for furnishing the three ships to be dispeeded next spring. Captain Styles' proposition to contract for knee timber, plank, and pipestaves referred for consideration until after issue of the new subscription. Mr. Fotherby presents a bill of 118*l.* 16*s.* 11*d.* for wages and payments at Blackwall during the past week; this Mr. Treasurer is directed to pay to John Younge. Thomas Cambell, son and heir of the late Alderman Robert Cambell, admitted a free brother of the Company by patrimony, paying the usual fine of 10*s.* to the poor-box and taking the accustomed oath. (2 pp.)

A COURT OF COMMITTEES, DECEMBER 18, 1639 (*Court Book*, vol. xvii, p. 96).

Letter read, dated the 15th inst., from the late President, William Methwold, telling of the happy arrival of the *Royal Mary* in the Downs; whereupon and because of the encouragement given by the King's late gracious order upon the Company's petition and remonstrance, the Court agrees to consider the best way to invite a new and ample subscription for prosecution of the Company's trade; also how to dispose of the present stock to the best advantage and satisfaction of the adventurers. Some think it should be valued and added to the new subscription, while others advise

¹ See the *Calendar of State Papers, E. Indies*, 1513-1616, No. 495.

that the old and new stock 'stand upon their owne leggs without intermingling', and that on return of the present stock, after payment of debts, it be divided and finished with, which would prevent all jealousies and much confusion in accounts. Finally, further discussion is deferred until the *Mary* arrives in the river and her goods are safely delivered. Mr. Deputy, Mr. Muns, and Captain Roberts earnestly entreated to draw up a preamble, according to the direction of the King, for the new book of subscription and present it to the Court, who will then refer it to the Company's counsel for further advice. Mr. Acton's bill of 2*l.* 19*s.* for law causes to be paid. Mr. Smithwick's motion, that order be given to seize Mr. Methwold's papers and all things belonging to him before they are taken out of the *Mary*, is utterly refused as an act unworthy of the Court. Messrs. Sambrooke and Markham required between this and 'Twelve tide' to draw up a true statement of the Company's estate at home and abroad, that it may be compared with their debts, and the generality acquainted how affairs stand. A present to be provided for the King of Bantam, to be sent in the *Caesar*. (2 pp.)

A COURT OF COMMITTEES, DECEMBER 20, 1639 (*Court Book*, vol. xvii, p. 98).

Messrs. Craddock and Roberts report that on examination of Mr. Smithwick's account they find that the 900*l.* given by him to St. Paul's is to be charged with brokes, which are to be discharged by the 6,000*l.* lent by the Lords and other Commissioners for St. Paul's to the Company gratis for six months through his means, which frees one quarter of his subscription from brokes; Mr. Smithwick being told this desires that his account may stand as it is, his brokes be valued as the Court pleases, and he be paid 96*l.*, according to the order of the Lords, and he will leave the rest; but Mr. Deputy offering to explain to him how mistaken he is, Mr. Smithwick refuses to listen and leaves the court. The Lord Mayor represents the great danger the *Mary* may be in during the long dark nights and winter storms from her foulness after so long a voyage and moves that she be lightened of some of her goods; after debate whether to loose her from her present moorings in the Downs and bring her up

to the Gore, where she may ride more safely, it is resolved to send some ships to attend her, and, the wind being contrary, to ease her of some of her lading; pending further resolution Boatswain Ingram is ordered to go down and give his best assistance. Motion made on behalf of James Cox that his account be settled and he paid 200*l.* upon it; resolved that nothing be given him until his account is made up, when he shall be paid his due. Note presented by Mr. Fotherby of 36*l.* 14*s.* 5*d.* to be paid at Blackwall; Mr. Spiller, Mr. Younge being absent, to be given money to settle the said account. (1½ *pp.*)

A COURT OF COMMITTEES, DECEMBER 23, 1639 (*Court Book*, vol. xvii, p. 99).

Mr. Smithwick presents a petition shown by him to the Lords of the Council, with their references on it, concerning the 96*l.* claimed by him for 6,000*l.* lent gratis through his means to the Company by the Lords Commissioners for St. Paul's for three [*sic*] months; he is told that the 900*l.* he gave to St. Paul's is to be charged with brokes, which brokes are to be discharged by the 6,000*l.* loan; this not pleasing him, and the Court wishing to satisfy the Lords of the Council herein, Messrs. Craddock, Roberts, Sherburne, and Sambrooke are entreated to wait upon them and explain. The Lord Mayor reports that several 'men of quallity' think it wiser to bring the *Mary* into the Gore to lighten her and so avoid her going by the King's Channel this winter season; resolved, this being an important question, that Captains Rainsborough, Morris, Cranly, John Steevens, Messrs. Salmon, Twiddy, Johnson, Ewens, Tutchyn, Martyn, and Thomas Steevens be desired to meet the Court this afternoon to discuss it. Letter read from Sir Thomas Row from Hamburg in answer to one from the Company. John Spiller appointed land purser at the unloading of the *Mary* at Erith. (1 *p.*)

A COURT OF COMMITTEES, DECEMBER 23, 1639 (*Court Book*, vol. xvii, p. 101).

Captains Rainsborough, Morris, and John Steevens, and Messrs. Roger Martyn and Thomas Steevens appear, and the Court acquainting them with the object of their meeting, they agree that, considering the long time the *Mary* has been out, and the extremity

of the season, barques or hoys should be sent and she eased of all lumber that can be spared and all ordnance, except five or six for her defence, and brought into the Gore (where ships never miscarry, being much safer than the Downs) and there be unladen until she draws only sixteen or seventeen feet of water and can go over the flats and so avoid the King's Channel; to this the Court agrees and directs that an able seaman and half a dozen 'musketts' be sent in each vessel accompanying her, which Messrs. Mun and Kerridge are to see to, and the Husband to provide two hoys for the silk, indigo, cotton yarn, &c., taken from her hold. Mrs. Muschampe to be paid 100*l.* on account of her husband's wages, according to an order of the 5th of December, 1638. Mrs. Susan Martyn, widow of a free brother of the Company, who was promised 20*l.* on any freedom being granted by redemption, having received 15*l.* is now on request paid the remaining 5*l.*, though no freedom has been granted. Thomas Corne paid 6*l.* 2*s.* 6*d.* for posting to the Downs. (1 $\frac{1}{4}$ pp.)

A COURT OF COMMITTEES, DECEMBER 24, 1639 (*Court Book*, vol. xvii, p. 107).

Mr. Smithwick desires to transfer 100*l.* of his adventure in the Third Joint Stock to Mr. Deputy; but the Court, on information given by Mr. Sambrooke, tells him that his remaining stock is not sufficient to pay his brokes, after the rate ordered by the preamble of 18*l.* per hundred, and these can only be remitted by consent of the General Court, to whom he should apply. Mr. Methwold, late President of Surat, appears and, after being congratulated on his safe return, acknowledges the good opinion and many favours of the Court during his twenty-three years' service, and doubts not but that he can satisfy them with a good account of their affairs and of the trust committed to him, notwithstanding certain contrary reports. He went to Goa not for his own ends but to recover a debt of the Company's, and then only after consultation and when he had resigned his office to Mr. Fremlyn; he stayed there ten days, and had it not been for unprecedented storms and bad weather would have arrived home last August; he had not harmed the Company, his one desire being to live and die in their service; whereupon the Court desires him to take comfort,

his services being appreciated and nothing found amiss. The preamble read again and discussed. Some think the intended subscription ought to be for longer than seven or eight years, as mentioned; that those who subscribe but little should have no voice in the General Court, the smallest adventurers being usually the most turbulent and clamorous; that the time for underwriting for those in or near town be the 15th of February, for those at a distance the 15th of March; that the General Court be moved to consent to 200,000 rials of eight being sent in the four ships to be despatched in the spring, to enable the Company to make larger profits and the ships to return sooner; and that a clause be inserted in the preamble to the effect that if the King makes good his gracious promises the new subscription shall be proceeded with, but not unless, even though partly underwritten for. All this is referred for future consideration. (1 $\frac{1}{4}$ pp.)

A COURT OF COMMITTEES, DECEMBER 30, 1639 (*Court Book*, vol. xvii, p. 102).

Mr. Smithwick renewing his demand to be paid 100*l.*, he is again refused and told that the Court is bound by oath to deal equally with all men, and therefore the General Court alone can show him any favour; which answer, at his request, Messrs. Craddock and Francklyn are entreated to communicate to the Lords next Friday. Order confirmed to lighten the *Mary* so that she may come over the flats into the Gore, and Mr. Roberts desired to go there with Mr. Kerridge, in place of Mr. Muns, to consult with the pilots and seamen. Mr. Methwold presents to the Court a Jesuit, a Portuguese priest, and a German, Herr Mantelowe, who came in the *Mary*. The Jesuit and priest are allowed free passages, but the German is ordered to pay for his. ($\frac{1}{2}$ p.)

c MR. SAMBROOKE'S ARGUMENTS IN FAVOUR OF A JOINT STOCK, [1639?] (*Home, Miscellaneous*, vol. xxxix, p. 151).

If a Joint Stock is subscribed, the trade on the coast of India will be much advantaged by traffic with the Portugals, who are greatly disturbed by the Dutch and in danger of losing Ceylon, which if lost, Goa will then be placed in jeopardy. The Company by helping the Portugals with shipping and merchandise will not

only make a great gain for themselves, but doubtless procure some Portuguese fortifications. An appeal is made to the testimony of Sir Henry Middleton concerning the differences between the factors at Bantam for the several accounts and the inconveniences arising from the same ; whereupon it was determined to bring them all into a joint stock. If the projected voyages continue, the trade to India will in a few years be ruined and lost. By the 28th Article in the Treaty of 1619 the maintaining of the privileges of the English and Dutch Companies was insisted on, both nations agreeing to hinder all who shall attempt anything to the prejudice of the trade ; this the Dutch have strictly adhered to and the English have also used their utmost endeavours in the same direction, as when they caused the two ships set out by the Earl of Warwick to be seized on their arrival at Swally.¹ The benefits of the East India trade have attracted the notice of many, and doubtless large profits are to be made from it if properly managed ; but so many ships going out on separate accounts will only enrich the natives, whereas a joint stock may be so managed as to redound to the profit and honour of the commonwealth and to the encouragement of merchants adventuring their estates. The Netherlands Company's persistent way of conducting their trade might be viewed and imitated with advantage, and if all work in harmony a blessing may follow. (1½ p.)

¹ In 1617 (see *The Embassy of Sir Thomas Roe*, p. 420).

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