



THE HISTORY
OF MEDICINE
IN CONTEXT



Maritime Quarantine

The British Experience,
c.1650–1900



John Booker

MARITIME QUARANTINE



The History of Medicine in Context

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Maritime Quarantine

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 **Routledge**
Taylor & Francis Group
LONDON AND NEW YORK

First published 2007 by Ashgate Publishing

Published 2016 by Routledge

2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

711 Third Avenue, New York, NY 10017, USA

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing in Publication Data

Booker, John

Maritime Quarantine: the British Experience, c.1650–1900. – (The History of Medicine in Context)

1. Quarantine – History. 2. Quarantine – Great Britain - History.

I. Title

614.4'6'09

Library of Congress Cataloging-in-Publication Data

Booker, John, 1941-

Maritime Quarantine: the British Experience, c.1650–1900 / John Booker.

p. cm. – (The History of Medicine in Context)

Includes bibliographical references.

1. Quarantine – Great Britain – History. 2. Communicable diseases – Great Britain – Prevention – History. 3. Naval hygiene – Great Britain – History. I. Title. II. Series. [DNLM: 1. Quarantine – history – Great Britain. 2. History, 17th Century – Great Britain. 3. History, 18th Century – Great Britain. 4. History, 19th Century – Great Britain. 5. Naval Medicine – history – Great Britain. WA 11 FA1 B5987m 2007]

RA644.P7B6694 2007

614.4'60941--dc22

2007007394

ISBN 9780754661788 (hbk)

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Illustrations 8.2–4 are reproduced by courtesy of the Sir John Soane's Museum; Illustrations 5.1, 8.1, 10.1, and 12.1 are by courtesy of the British Library; and Illustration 16.1 is by courtesy of the National Library of Malta.



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Preface

Maritime quarantine, in the unbeatable precision of Sir Peter Froggatt, is ‘the enforced detention and segregation of vessels, persons, and merchandise, believed to be infected with certain epidemic diseases, for specified periods at or near ports of disembarkation’.¹ The word itself is a corruption of the Italian for 40, *quaranta*, as that number of days was the usual detention period. The derivation underlines the Venetian origins of the developed system, although quarantine against leprosy was not unknown in biblical times. Indeed the 40-day duration was a recognition of various religious precedents, and superstition ensured its permanence. At every point in the history of quarantine from the fourteenth century until its virtual abandonment nearly six hundred years later, 40 days remained the standard tariff of quarantine unless there were specific reasons for its increase or reduction.

This book is a history of maritime quarantine as it affected Great Britain, Ireland and British possessions in the Mediterranean until 1896, when Westminster legislation ensured quarantine was ousted (although not totally) by the parallel system of medical inspection. The point of including Gibraltar, Malta, Minorca and the Ionian Islands is that they were exposed not only to the most feared source of infection (the Levant) but also to the critical gaze of sanitary establishments in Italy and France which claimed to manage quarantine better than anyone else. The diseases most feared were what Ackerknecht has called the ‘big three’ – that is, bubonic plague, yellow fever and cholera. It is true that only the first-named was endemic in the Levant, but the fear of plague was ancient and persistent, whereas yellow fever did not alarm Europe until the very late eighteenth century, and cholera nearly 40 years after that. In every century the northern Mediterranean ports took the lead in quarantine management, and plague never left the minds of their health officials even when other diseases threatened more immediate mortality.

In 1853 Dr Gavin Milroy thought it unfortunate that not a single work existed, as far as he knew, ‘to which any one seeking for detailed and trustworthy information upon the subject of quarantine can be referred’. Over 40 years later Dr Charles Creighton apologized for not filling the gap. Both authors could offer no other source than the article in the *Encyclopaedia Britannica*. Creighton had intended to include a history of quarantine in his two-volume treatise on British epidemics but could ‘find no convenient context’ for its inclusion. This lack of convenience, or some other discouragement, has been equally manifest in later literature where quarantine is mentioned obliquely, spasmodically, and with little understanding of its long development or the legal process that underpinned it.

But if quarantine has lacked a comprehensive history, articles have not been wanting. In the second half of the twentieth century, quarantine in Britain attracted the attention of medical historians, several of them American, but their focus on episodes

1 P. Froggatt, ‘The Chetney Hill lazaret’, *Archaeologia Cantiana*, 79 (1964), 1.

or eras ran the risk of distorting the overall picture. There were also problems of accuracy. Mullett called the work of his compatriot McDonald 'regrettably careless', and that stricture could be applied to others. Even the research of British writers, who at least understood their national geography, has been less than comprehensive. For instance, there are scholarly discussions by two unconnected authors on the abortive lazaretto in Kent, but each work has important sources unmentioned in the other. Ironically, the most sustained enthusiasm for international quarantine has been demonstrated by postal historians with their journal named *Pratique*. The main interest in that context is the fumigation of letters, and the franking marks, slits and discolouring which followed the passage of mail through a lazaretto.

Why has quarantine been overlooked for a definitive history? It was, after all, frequently a subject of national debate which taxed and alarmed both Parliament and the Privy Council. Doctors and intellectuals riled against it. For Dr Russell it was 'an oppressive empty form'; for Dr Maclean it was 'perhaps, without exception, the most gigantic, extraordinary, and mischievous superstructure, that has ever been raised by man, upon a purely imaginary foundation'. Sir Thomas Maitland, Governor of Malta, swore that quarantine had given him 'more plague and vexation than anything else'. Although he meant plague in a figurative sense, bad quarantine practice involved Malta in a plague which was all too real. Underpinning the discontent in Britain was the equivocal status of quarantine as a responsibility for the Privy Council, implementing a royal prerogative in which Parliament dabbled and trespassed with little understanding and less enthusiasm. In a practical sense, quarantine embarrassed travellers and infuriated merchants. Ships lay idle, cargoes rotted, and scheduled voyages were cancelled and delayed. Surely there has been enough meat in all this to provide historians with a notable dinner.

The problem has been that the subject is just too diverse. In his history of the Levant Company, A.C. Wood mentioned the danger of falling between the stools of economic and diplomatic history, exposing himself to the charge of inadequacy and irrelevance from specialists in either sphere. The historian of quarantine risks an even greater bridge between disciplines. As quarantine was against disease, it would seem a subject for the medically trained. But the epidemiology of plague and the other disorders takes no account of the constitutional, political, economic and social dimensions which give the study of quarantine its historical depth. Given the impossibility of writing a history which covers all aspects equally, this enquiry has approached the topic from only two of the possible standpoints. These are the constitutional and the economic. Medical issues are not neglected, but introduced only as far as necessary to explain why quarantine was introduced, altered and finally abandoned. Much has been written by medical historians about the tussle between those who believed that plague and other diseases were or were not contagious. It has sometimes been necessary to continue this discussion because quarantine was founded on the doctrine of contagion (that is, that disease was transmitted literally by touch), and its efficacy was challenged or confirmed as the argument swung this way and that.

As regards constitutional and economic history, it will be shown they were intertwined. The Privy Council had a long and monopolistic role which they never felt inclined or empowered to delegate, although the complexities of shipping

and international trade were no more within members' understanding than the medical debates. If the Council were vulnerable on those points, their stand was further weakened by the need to be constantly nice to the mercantile lobby. Free-trade arguments carried weight with politicians and the press, and if quarantine caused any impediment to the normal intercourse between merchants and dealers, then the Council could be sure of an uncomfortable response. Surprisingly seldom did the councillors take shelter behind their own offshoot, the Board of Trade. It says much for their moral courage that, by and large, they stuck to the received wisdom of quarantine as a defence against infection at the risk of upsetting the City of London and, later, the northern textile barons who imported raw materials from countries where plague was endemic. Usually some compromise was arrived at with merchants whereby the vigour of quarantine, in response to some scare, was progressively reduced. But the Council did not hesitate to detain ships if members had reason to believe the public were at risk. Another factor continually to influence their judgement was the realization that European Mediterranean powers would inflict punitive quarantine on British ships if London were judged neglectful in the international line of defence.

If medical historians have been less than adequate in their analysis of quarantine, historians in other disciplines have been equally disappointing. Among works on the Privy Council, quarantine is mentioned but with no suggestion of the relentless pressure which it put on councillors for nearly two centuries, to the extent that at some meetings there was no other topic on the agenda. It will be apparent from the many references in this study to the Levant Company that quarantine was a key issue for its members, but Wood refers to it only as an incidental contribution to the Company's decline. Among economic historians generally it is difficult to find any reference whatsoever to the impact or even existence of quarantine, except briefly in the context of Levantine cotton. It might be argued that this was because the impact of quarantine on the national economy was minimal, and it has been impossible in this study to produce meaningful figures, beyond vague estimates occasionally banded before Parliament, that the opposite was the case.

But that is not to say that the impact on mercantile and shipping interests was also minimal. It was a matter of where trade was conducted. An East India merchant, for instance, knew of quarantine only by hearsay; whereas anyone trading within the Mediterranean, or at certain times to the Baltic, found quarantine only slightly less troublesome than war. The destruction of vessels and cargoes in 1721, 1754 and 1800, although relieved by compensation from the public purse, was a horrid reminder to shipowners and importers that a policy of quarantine could occasionally involve extreme measures beyond the normal detentions. Not that those detentions could be treated lightly. Quarantine, for various reasons, might extend beyond the normal 40 days to 60 or even longer. Crews needed paying and victualling, cargoes were damaged by compulsory airing, and fees were payable at many stages, not least for the privilege of eventual release. Wherever possible this study produces statistics – often compiled from Privy Council registers – of numbers of ships detained, along with their origins, cargoes and quarantine stations. It is still difficult to quantify absolute damage, for instance whether quarantine forced any shipowners out of business, but the sheer volumes involved and the diversity of cargoes suggest a

consequential effect on prices and availability. There is room for an academic study to examine such issues in more depth.

It cannot be argued that the lack of an earlier history of British quarantine is explained by any dearth of sources. In fact, the amount of evidence available is overwhelming, in so far as the administration of quarantine is concerned. Privy Council registers, until the second decade of the nineteenth century, are brimful of decisions regarding individual ships, procedures and policy. Treasury books and papers are useful for earlier years, and parliamentary blue books for later ones. Acts of Parliament, parliamentary journals and records of debates are easily accessed; likewise, there are any number of pamphlets, treatises and books, many discussing quarantine in relation to the contagious properties of plague, to keep the historian abreast of contemporary thinking. Often one episode can be approached from a number of angles. For instance in 1766, when the merchants of Leghorn wished to trade with England free of quarantine restrictions, the story unfolds in the Privy Council register as well as in the journal (published) of the Commissioners for Trade and Plantations, while the representation itself is in Privy Council papers. Furthermore, the episode is mentioned in anonymous pamphlets on the nature of quarantine and the need for a British lazaretto. For several British ports, Customs papers are useful, although the London Custom House fire in 1814 deprived the maritime historian of much important material at a central level. The main gap in knowledge, however, concerns business records of merchants and shipowners. Only from a sustained series of these would it be possible to analyse the real effect of quarantine on the mercantile community, and they are virtually non-existent.

Quarantine in Scotland is discussed in some detail, but the position in Ireland could certainly be enhanced by a more detailed examination. While the destruction of Irish records has meant significant losses, an historian resident on the island of Ireland could undoubtedly add much to the rather sketchy coverage in this study. The official quarantine stations in Ireland have been difficult to establish at any given date, but perhaps that is of no great consequence as ships usually used the first safe haven from Atlantic storms. Undoubtedly, a lot more could also be written on quarantine by a local historian in the Channel Islands. In contrast to these weaknesses, it is hoped that the position on Malta has been examined very thoroughly. The literature on Maltese quarantine replicates the position in England. That is to say there is a thorough medical history which deals with quarantine incidentally, and there is an article specifically on quarantine which is notably stronger at some periods than others. The totality of the subject has not been covered, and while broader historical and economic studies touch upon the relevance of quarantine to the Maltese economy, they do it only at periods and intervals within the limits of the author's enquiry.

As regards source material, quarantine on Malta is even better covered than it is in Britain, at least from the period of control from London. Colonial Office papers in the National Archives at Kew are a rich seam, and the fortunate survival of minutes, letter books and other records in the island's repositories adds a valuable local dimension. Equally useful are the records of the Board of Health at Marseilles. If this port was not always the acknowledged leader in the hierarchy of Mediterranean quarantine, it was never ranked lower than second. The Board corresponded meticulously with colleagues at other ports, and in-letters (sometimes still noxious from fumigation

two centuries earlier) survive in neat and comprehensive bundles. These provide a view of Maltese quarantine from the outside looking in, and the series extends to Gibraltar and the Ionian Islands. Much could be written about quarantine in British possessions elsewhere, but there is no scope for such diversity in a work already so extended.

It will be the aim of this study to show that Britain found quarantine impossibly difficult. A system suited to autocratic control could never sit comfortably in a nation proud of democratic and parliamentary traditions. The fact that quarantine was an issue for the Crown made it all the more difficult to impose a regime which was democratically acceptable and legally binding. Parliament laboured to find reasons to intervene, never wanting to make quarantine a pretext for constitutional debate. Within this basic dichotomy lay other problems of bureaucracy and demarcation. Quarantine was administered by the Customs service but instructions from the Privy Council were received through the Treasury. In comparison to these complications, the position at, say, Leghorn or Marseilles could hardly be simpler. Whatever theoretical control existed over Boards of Health in the Mediterranean basin, they did what they pleased: they formulated their own policies and employed those responsible for the operation of quarantine. They were accountable to no one and made others, including health authorities elsewhere, accountable to themselves. They had no literary journals, no self-opinionated doctors, and no maverick politicians to challenge either their arrogance or their unquestioning confidence in the doctrine of contagion. These points become especially interesting in relation to Malta, where the British agreed reluctantly to the establishment of a Board of Health to avoid punitive quarantine at ports where such institutions were judged essential. But the British-run Board was, for many decades, little more than a front for the autocratic decisions of the Governor (or Lieutenant-Governor), taking advice from the Chief Secretary to Government and the Superintendent of Quarantine. The Privy Council did not intervene in Maltese quarantine and the island Board, ironically, was even less democratic within itself than its counterparts on the Continent.

It is hoped, at a broader level, that quarantine will now be recognized as one of the last neglected topics of national historical importance. If its multifaceted identity has made researchers fight shy of a comprehensive analysis, perhaps that same characteristic will encourage historians of specific disciplines to build on the new base and expose the impact of quarantine on, for example, medical issues, the British and Irish constitutions, commerce, the Post Office, steam power and especially tourism. The quarantine experiences of Grand Tourists and travellers could fill a book on their own, and perhaps give the subject a degree of public notoriety to which a general history can hardly aspire. It was possible to do a Grand Tour as far as Italy and not be affected by quarantine, but any return from Greece, unless it was entirely overland and between epidemics, meant almost certain detention in one port or another. Even from Italy, Horace Walpole discovered to his dismay that valuable artefacts, if the timing were particularly bad, could be delayed as long as people. Of course, some travellers' experiences of quarantine were markedly more comfortable than others'; much depended on the location, the climate and the season. But the overwhelming consensus of opinion was that quarantine was an expensive and vexatious impediment to freedom of movement, based on old-fashioned (even

corrupt) motives and of dubious value. It will be suitable to end on that note with a laconic quotation from Henry Matthews, a traveller detained in one of the Leghorn lazarettos in the autumn of 1817. He made reference to Johnson's observation that no man ever does anything for the last time without some feeling of regret. 'The last day of quarantine', Matthews commented, 'might form an exception'.²

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2 H. Matthews, *The Diary of an Invalid being the Journal of a Tour in Pursuit of Health in Portugal Italy Swizerland and France in the Years 1817 1818 and 1819*, 2nd edn (London, 1820), p. 36.

Acknowledgements

My first thanks are due to the Wellcome Trust for a generous grant towards research over more than two years at the Public Record Office (PRO), since renamed the National Archives. The PRO provided a vast corpus of material central to my enquiry, especially the Register Books of the Privy Council and Colonial Office papers. Second only in importance to the PRO has been the British Library where the several departments have provided printed and documentary material covering many centuries and all aspects of my research, and the staff have been constantly helpful with advice and facilities for copying. Elsewhere in London, Susan Palmer of Sir John Soane's Museum guided me to draft drawings of lazaretto designs, and Carol Morgan in the Archives of the Institution of Civil Engineers made available the papers of John Rennie. The librarians of the Wellcome Trust have most helpfully produced rare material which it was difficult or impossible to find in other centres. I must also thank the staff of the Caird Library in the National Maritime Museum, and especially the London Library, probably the most congenial centre of knowledge anywhere.

Around England, I am grateful to the obliging staff in Hull City Archives, the Tyne and Wear Archive Service in Newcastle, and the Staffordshire Record Office. In York, Professor David Palliser received me very kindly in the archives of the Company of Merchant Adventurers. In Scotland, I found useful advice and material at the National Archives, housed in the West Register Office, while staff at Archbishop Marsh's Library in Dublin sent me useful sources via the Internet.

Abroad, I am particularly grateful to Maroma Camilleri of the National Library of Malta in Valletta, who introduced me to invaluable sources, both manuscript and printed, and to Charles Farrugia, Head of the National Archives of Malta at Rabat, who directed me to the letter-books of the Board of Health. Godfrey Monreal of the University of Malta Library copied for me an article unobtainable in England, and the whole experience of research on Malta has been a delight. I am equally enthusiastic about the Archives départementales des Bouches-du-Rhône at Marseilles, which deserves a much wider attendance by British researchers. Also at Marseilles, the Département du patrimoine culturel of the Chambre de commerce et d'industrie is a wonderful storehouse of quarantine material, although within the limited terms of my research it was difficult to do it justice.

For maps and design advice, I have once again to thank Leo Maggs. For encouragement, patience and companionship in travels to Malta and Marseilles I am deeply obliged to my wife, Pam, who made no fuss when I disappeared all day into academic retreats and has helped me with medical aspects of my enquiry. Generally, all comments, opinions and mistakes are my own responsibility, and I would solicit the reader's indulgence for this foray into areas where others, no doubt very sensibly, have found it unwise to dabble.



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Chapter One

The Seventeenth Century

England

The plague, it seems, grows more and more at Amsterdam. And we are going upon making of all ships coming from thence and Hambrough, or any other infected places, to perform their Quarantine (for 30 days as Sir Rd. Browne expressed it in the Order of the Council, contrary to the import of the word; though in the general acceptation, it signifies now the thing, not the time spent in doing it) in Holehaven – a thing never done by us before.

This is an extract from the diary of Samuel Pepys dated 26 November 1663¹ and as Pepys was Clerk of the Acts to the Navy Board he is a reliable source. Indeed, the *Oxford English Dictionary* cites this extract as its first reference to the word quarantine. But it would be wrong to assume that maritime quarantine in England began in 1663. What Pepys appears to be saying is that this was the first instance of quarantine at Hole Haven, which is the estuary of an Essex creek where it meets the Thames by Canvey Island. It would also seem that this was the first occasion when the word quarantine was used in any Order or Proclamation in England; Pepys does not spell this out, but the novelty of the term is partly the reason for the lengthy parenthesis.

Quarantine in England can be traced back almost a century before Pepys was writing. G. Hadley, the eighteenth-century historian of Hull, referred to an outbreak of plague there in 1576: 'quarantine not being strictly performed, it [plague] was brought by seamen into this Town'.² This presumably means that detention measures were in place, though badly enforced. Four years later the Lord Treasurer ordered officers of the port of London to stop ships from plague-stricken Lisbon coming up the river, 'lymiting them a certen place of their staie until ther merchandises shold be ayred for the avoyding of further danger'.³ The Privy Council thought fit to let the Lord Mayor of London know this, asking him to assist the port authority with similar measures for suspect ships and cargoes from anywhere else, especially 'from Plymouth at this presente visited [with plague]'.⁴ It is not clear how long ships were detained, or how long the embargo was maintained.

1 R. Latham and W. Matthews (eds), *The Diary of Samuel Pepys* (9 vols, London, 1970–83), vol. 4, p. 399.

2 G. Hadley, *A New and Complete History of the Town and County of ... Kingston-upon-Hull* (Hull, 1788), p. 95.

3 *Acts of the Privy Council [APC], New Series (1580–81)* (London, 1896), p. 61.

4 *Ibid.*

In the early seventeenth century, Europe was rife with disease and the Privy Council took action from time to time when the threat seemed particularly great. It will become noticeable in this study that England and Scotland had different views as to the places whence danger was strongest. In 1629 London and specified outports were ordered to be on their guard against ships arriving from places as far apart as Amsterdam, Brittany and La Rochelle. Nothing and no one was to come ashore, and no one was to go on board until the goods had been aired for such time 'as may give hope and lykelyhood' that all was well.⁵ No indication was given of the number of days this would take. In 1634 even the airing of goods was felt to be inadequate against reports of the plague at Rouen. The Council, via the Lord Treasurer, absolutely prohibited any goods from there to be landed at London or outports.⁶ A ship from Rouen, with two dead men aboard, was to be detained by Customs officers wherever she might be intercepted.⁷

Plague was also reported at The Hague, Amsterdam and Leyden, and the Privy Council were sufficiently worried to ask the Lord Mayor of London for advice about what to do. This request, in a letter of 9 October 1635, implied that the Lord Mayor could himself initiate countermeasures, 'wherein if neede required we shall be readie to assist you from tyme to tyme wth the Arme of this Board.'⁸ The opportunity for direct action was not heeded and it took nearly two weeks for the mayor to give his recommendations: there should be a Proclamation against the landing of men or goods from infected places without licence from Customs officers; no liberty to land should be given 'till some certain days be overpassed'; and waiters or guardians should be put aboard each suspected ship on its arrival.⁹ The Privy Council agreed and on 1 November 1635 a Proclamation was issued in similar terms against vessels from infected places in France and Holland. The days to be 'overpassed' were given as 20.¹⁰ Here, then, was the first national imposition of maritime quarantine for a stated period, although the word quarantine was not used. It was also the first time that a Proclamation to this effect had been issued in England; it will be seen later that Proclamations in both Scotland and Ireland were issued earlier – in Scotland much earlier.

France and Holland were not the only worry. Even before the Proclamation was issued, several ships began arriving at The Downs from the Straits of Gibraltar (where the plague was 'verie hott') having lost masters and crewmen during the voyage.¹¹ But this dramatic development warranted no more than a letter from the Privy Council to the farmers of the Customs. Until further order, the ships (unnamed) were not to enter the Thames, no person was to go aboard or come ashore, and no goods were to be landed.¹² It would seem that ships from

5 *APC* (1629–30), p. 160.

6 National Archives [NA] PC 2/44/182.

7 NA PC2/45/132–3.

8 NA PC2/45/148.

9 *Calendar of State Papers, Domestic Series* [CSPD] (1635), pp. 443–4.

10 *Bibliotheca Lindesiana*, vol. 5: *A Bibliography of Royal Proclamations of the Tudor and Stuart Sovereigns and of Others ... England and Wales* (Oxford, 1910), p. 205.

11 NA PC 2/45/184–5.

12 *Ibid.*

the Straits were judged too infrequent to merit the constitutional weaponry of Order and Proclamation. In any event, potential danger from the Mediterranean was soon eclipsed by more problems across the Channel. In March 1638, Morlaix in Brittany was adjudged 'exceedingly infected wth y^e plague', so that two linen ships making for London were to come no closer than Tilbury; in May the Lord Mayor of London and Customs officers stopped all linen ships from Morlaix unloading 'untill they have remayned upon y^e River full fortie daies.'¹³ A week later the Mayor and Customs officers at Exeter were authorized to allow a vessel from Morlaix carrying linen and wine to unload, also after 40 days.¹⁴ Thus it was in 1638 that quarantine in England was first practised, to a very limited extent, for the duration of its literal meaning.¹⁵

The episode mentioned by Pepys was the next real test of the English defences. The plague was particularly bad at Amsterdam, carried there by an Algerian warship, and letters to Clarendon from Sir George Downing, English Resident at The Hague, relayed the brutal statistics of death.¹⁶ Plague was also reported at Hamburg. Pepys noted on 19 October 1663 that the King was planning to keep all ships from infected ports out of the Thames.¹⁷ Charles adopted the traditional tactic of asking the Lord Mayor of London for advice, this time via Secretary Morice.¹⁸ The Lord Mayor responded very quickly that vessels from infected places should come no nearer to London than roughly Gravesend, at which point, following practice in other countries, 'some Repositories may be appointed after the manner of Lazaretoes, into w^{ch} the Shipps may be discharged & the Goods lye to be Aired for the space of 40 dayes after the unlading'.¹⁹ The initial reaction of the Privy Council, on 23 October, was to agree, with the lazaretto to be no nearer than Tilbury Hope, at such precise location as the City should agree with the farmers of Customs.²⁰

The lazaretto evidently proved too difficult to site, as no more is heard of it. On 6 November the Privy Council set up a committee to consider the Lord Mayor's recommendations; it reported a week later with some ideas of its own, which were implemented.²¹ The Postmaster General was to ensure that no passenger 'be permitted to be wafted over into England' in the packet boats from Holland, and two small warships, each with two Customs' officials, were to be stationed

13 NA PC 2/49/28, 182.

14 NA PC 2/49/187.

15 The *Speedwell* from Morlaix was allowed to dock at London after 'almost two months' in good health, but what proportion of that time had been spent in the voyage is not stated (NA PC 2/49/94–5).

16 *Calendar of the Clarendon State Papers Preserved in the Bodleian Library [CCSP]*, vol. 5 (1660–1726) (Oxford, 1970), pp. 351, 369, 376, etc. In February 1664 Downing reported 200–300 deaths a week, but towards the end of the year the numbers were four times as many.

17 Latham & Matthews (eds), *The Diary of Samuel Pepys*, vol. 4, p. 340.

18 NA PC 2/56/592.

19 Ibid.

20 Ibid.

21 NA PC 2/56/607, 610–12.

at the mouth of the river to interrogate every ship.²² Those from Amsterdam or Hamburg, or any other infected place, had either to turn back or perform 30 days' quarantine at Hole Haven, where a ketch with six men would keep an eye on the detainees.²³ Ships from uninfected places were to be given a pass and allowed to proceed up to London, showing their passes on the way to the commanders of blockhouses at Gravesend or Tilbury Fort.²⁴ For the period of detention at Hole Haven, Privy Council minutes used the novel word 'Triantane', an infelicity which has escaped the dictionary.²⁵ It can be deduced from Pepys's quotation that it was not used in the phrasing of the Order.

Correspondence from The Hague suggests that Downing was slow to grasp the English end of the crisis. In February and March 1664, he was still suggesting to Clarendon what quarantine precautions were advisable, while Pieter Cunaeus, Dutch secretary in London, was reporting to the States General the latest de facto restrictions.²⁶ These were the broadening of detention to cover ships from the Maes (to prevent Amsterdam goods arriving via Rotterdam), and later (May) from Zealand, with 'triantane' requirements extended to all outports of the kingdom.²⁷ Outports were presumably included in the initial Order of 11 November but the minutes of the Privy Council meeting do not make that clear. On 13 May detention was increased to 40 days, and so the term quarantine became literally relevant.²⁸ The reason was the increasing sickness at Amsterdam '& the heat of weather approaching, which renders the Contagion more dangerous'.²⁹ Quarantine against Hamburg had earlier been relaxed, but in July it was 'strictly & inviolably' reinstated, for the full 40 days.³⁰

The Dutch took quarantine very badly. Relations between England and Holland were in any case markedly difficult. Neither Charles nor Clarendon wanted another trial of strength, but a war lobby in England was straining at the leash, while the merchants of Holland were snarling at the latest Navigation Act.³¹ Quarantine was seen as an over-reaction – just another English ploy against Dutch trade. On 30 March the States General had sent a resolution to Charles asking for quarantine to be repealed.³² Cunaeus reported that the King and Privy Council seemed inclined to suspend it, although the resolution was never formally discussed, or at least minuted, in the Council's business.³³ In late April, Cunaeus

22 NA PC 2/56/610–11.

23 NA PC 2/56/611.

24 NA PC 2/56/611.

25 At one point (NA PC 2/56/612) the word 'triantane' was entered over a deletion of 'quarantine'.

26 *CCSP*, vol. 5, pp. 369, 375–6.

27 *CCSP*, vol. 5, pp. 375, 394; NA PC 2/57/89.

28 NA PC 2/57/93.

29 *Ibid.*

30 NA PC 2/56/688; 2/57/164.

31 J.F. Bense, *Anglo-Dutch Relations from the Earliest Times to the Death of William the Third* (Oxford and The Hague, 1925), pp. 176–8.

32 *CCSP*, vol. 5, p. 386.

33 *CCSP*, vol. 5, p. 392; NA PC 2/57 is silent.

was writing more dismally to the States General that nothing had changed.³⁴ Then came the increased detention from 30 days to 40, stinging the Dutch into formal protest. Their ambassador complained in July that vessels from the United Provinces were being stopped 'under pretence' of infection, by which means 'the Freedom of Trade & Passage' was obstructed.³⁵ He insisted that the strictness be relaxed. Charles replied expressing sorrow for the affliction, but pointed out that England had been the last neighbour of the United Provinces to make restrictions, and commerce would now have to be suspended altogether.³⁶ Thus another Dutch plea for mitigation was greeted by a precisely opposite response.

In the forefront of defensive nations had been France, and news reached Holland in mid-August that France was so alarmed at the mortality in Amsterdam (another 905 people died in the first week of that month) that all Dutch ships were to be barred from French ports until December.³⁷ On 31 August Charles followed suit: quarantine times for ships already in detention were to continue, but no more ships from Holland, Zealand or any other part of the United Provinces were to enter any port in his kingdom until 1 December.³⁸ The Dutch were incensed; the Admiralty proposed a retaliatory quarantine against shipping of all nations that had imposed it on them, but anger against England was to some extent deflected by events in Spain, where Admiral de Ruyter had been refused pratique to the chagrin of the Dutch Grand Pensionary, Jan de Witt.³⁹ In fact, the considered reply of the States General to Charles's memorial was surprisingly plaintive: could he please permit commerce with places not actually infected?⁴⁰ That was late September, and news of the loss of New Amsterdam would not yet have reached de Witt's ears. With outrage to follow humiliation, the prognosis of war was inescapable. In the anxiety of open conflict, and with London soon suffering a catastrophic plague of its own, the quarantine orders against Holland withered gently to a natural extinction. Quarantine against Hamburg was lifted on 30 November 1664.⁴¹

The efficacy of these measures is very much open to question. Defoe, in his *Journal of the Plague Year*, linked the London epidemic to the outbreak in Holland, but how the two Frenchmen who appear to have imported the disease in late 1664 came into the country is unexplained. Defoe, of course, may not have been correct about the Frenchmen, and another writer, on 'irrefragable Authority', believed the plague was imported, certainly from Holland, but in trans-shipped bales of Turkish cotton or silk.⁴² Detention at Hole Haven, the only quarantine harbour to be named by the Privy Council, netted three merchant ships and one warship

34 CCSP, vol. 5, p. 394.

35 NA PC 2/57/199.

36 Ibid.; CCSP, vol. 5, p. 412.

37 CCSP, vol. 5, pp. 351, 414.

38 NA PC 2/57/199; CCSP, vol. 5, p. 421.

39 CCSP, vol. 5, p. 424.

40 CCSP, vol. 5, pp. 425–6.

41 NA PC 2/57/305.

42 N. Hodges, *Loimologia* ... (London, 1720), p. 30.

as early as 18 November 1663.⁴³ They were then destined to stay there another 14 days; as quarantine at that time was 30 days, they would seem to have arrived about 2 November, but that date is earlier than the Order. Because the ships had come from the island of Texel, perhaps they were considered relatively 'safe'. The haven held 18 vessels in early September 1664, with more expected daily, but by 1 November it was reported empty of ships, 'their time having expired'.⁴⁴ As quarantine was then 40 days, the new daily arrivals clearly never materialized. This was presumably the result of Charles's total embargo against Dutch ships, announced on 31 August.

Whatever period of quarantine was inflicted on ship and crew, there were always people who, or cargo which, for one reason or another escaped the restrictions. An early problem was caused by barrels of fish destined for London in Lent, and lying in five ships at Hole Haven in February 1664.⁴⁵ Clearly this was a most perishable cargo, and encouraged by a statement from the Lord Mayor 'of the great want ... in this season', and relying on the strength of certificates of good health from Rotterdam (which they might in other cases have ignored), the Privy Council allowed the fish to be trans-shipped up the river.⁴⁶ And reasons could always be found for allowing small personal items ashore if the owner were well-enough connected: thus the Danish Resident in London could retrieve a trunk, portmanteau and some linen sent from Hamburg; and the Countess of Chesterfield could receive effects from Flushing.⁴⁷ Both these concessions concerned ships under quarantine at Hole Haven.

Some individuals fared especially well. In May 1664 the wife and maid of Nicholas Oudart were allowed to land at Harwich from The Hague, performing no quarantine at all; Sir William Killigrew and his servant, travelling between the same two ports, enjoyed the like privilege in June.⁴⁸ In the same month a gentleman and his servant were allowed out of Hole Haven to deliver a present for the King from a German prince.⁴⁹ The weak justification was that he had travelled through Holland to embark, but had not stayed there. In July, Lieutenant-Colonel Cromwell came ashore at Harwich without quarantine, and Lady Davidson and family did likewise a little later.⁵⁰ In October a pregnant Mrs Martha Watson, travelling from Hamburg, was permitted on shore near Rochester with a maidservant, under certain conditions.⁵¹

43 NA PC 2/56/624.

44 *CSPD* (1664–65), pp. 3, 51.

45 NA PC 2/57/23.

46 *Ibid.*

47 *CSPD* (1664–65), pp. 15, 17.

48 *CSPD* (1664–65), pp. 580, 605.

49 NA PC 2/57/108. The bearer was Nicholas Bowman.

50 *CSPD* (1663–64), pp. 634, 647.

51 NA PC 2/57/235.

Sir John Hebdon, an envoy to Russia, was allowed to land in September 1664 'so he may be enabled the sooner to give an Account to his Ma^{tie} of his Service'.⁵² It was not even known where Hebdon would land, but his son petitioned the Privy Council because he was expected 'hourly'.⁵³ Hebdon had been driven on shore in the Baltic before reaching The Sound, near Elsinore; this had forced him overland to Hamburg, from where Sir William Swan would certify that he had been in no infected house.⁵⁴ But Hebdon tarried in diseased Hamburg long enough for his son to learn all this by post, for a petition to be written and presented, for the Privy Council to inform the farmers of Customs, and for the farmers to notify outports.

In two cases a partial exemption was made for horses. Sixteen from Friesland, ordered by the Duke of Albermarle for the King's service, were allowed to complete their quarantine in a meadow near Hole Haven, having been 14 days on board 'to their greate prejudice by reason of the faintness of the Weather'.⁵⁵ The justification was that Friesland was from free of disease (although Schiedam, the port of departure, was not). Similarly there was a concession for Lord Wotton to land six horses from The Brill at Hole Haven, provided they kept their distance from 'other cattle' ashore; his lordship's servants could also land after four days in good health.⁵⁶

More significant were the exemptions for naval stores. In July 1664 the Duke of York, as Lord High Admiral, told the Privy Council of cordage 'whereof there is a great Want at p^{re}sent', arrived at Yarmouth from Holland, and destined for the King's service at Portsmouth.⁵⁷ When this could be unloaded immediately, it was the cue for the fishing lobby at Yarmouth to argue successfully for cordage to be discharged for their herring fleet.⁵⁸ There was a useful argument here, as 'the Nature of Tarred-Cordage is rather a preservative against Infection, then Apt to convey It'.⁵⁹ Later, it became routine to allow ships at Yarmouth to unload cordage without quarantine.⁶⁰ Sir William Warren, the biggest naval contractor of the era, warned the Privy Council that a new 50-gun ship for the Turkey Company could not be completed unless cordage and cables imported from East Friesland in a Dutch ship were allowed ashore.⁶¹ A further inducement for the Council's indulgence were the glazed tiles on the same vessel destined for the royal palace

52 NA PC 2/57/220. Hebdon suggested the Russians as potential providers of naval stores.

53 Ibid.

54 Ibid.

55 NA PC 2/57/132.

56 *CSPD* (1663–64), p. 618. The Brill was the English name for Briel near Rotterdam.

57 NA PC 2/57/139.

58 NA PC 2/57/177.

59 Ibid.

60 For example *CSPD* (1664–65), pp. 7, 11 for three ships permitted to unload by Secretary Bennet.

61 NA PC 2/57/218–9. Warren presented his case 'doubting a warr might happen at sea'.

under construction at Greenwich.⁶² In October 1664 the Privy Council listened to a petition from Denis Gauden, Surveyor General of his Majesty's marine victuals.⁶³ Gauden was responsible for providing pipestaves (used in barrel making) and hogshead staves for naval use. With constraints on cutting timber in Ireland, Gauden relied on supplies from the Baltic and Hamburg. But Hamburg ships could not unload for 40 days. Not only was the shortfall of supplies affecting the navy, but shipowners were too 'discouraged' to hire out their vessels.⁶⁴ The Privy Council, of course, gave immediate exemption.

The total embargo on vessels from Holland, instituted on 31 August 1664, brought inevitable problems for ships which had sailed before news of the ban had reached them. The first petition, in late September, was from the owners and freighters of the *Sampson* of London, which had arrived at Amsterdam from the Straits, taken in a cargo, and then gone north to Texel before the embargo had been issued or received.⁶⁵ The arguments for compassion were based on patriotic sentiment: the ship was English and so were the crew (therefore the Navigation Act was being observed) and the cargo was destined for his Majesty's subjects; the petitioners, rather vaguely, were 'desirous to withdraw their Estates from those parts in this juncture of time'; and worst of all the ship was too leaky to put back to sea. Could she, please, be allowed to proceed to Hole Haven to do quarantine?⁶⁶ The Privy Council could scarcely have objected. In October merchants at Plymouth found themselves in the same curious situation of petitioning for a gross inconvenience which was simply the lesser of two evils.⁶⁷ Other petitions came from Colchester and London, the former worrying about bills of exchange drawn for the goods, the latter pointing out that the ship carried cordage suitable for the navy.⁶⁸ All these petitions were successful, in that quarantine rather than exclusion was the resulting remedy.

Although the Privy Council did not reject outright any petition (at least, any minuted petition) which came their way, they were far from complacent about the way quarantine as a whole was managed. The authorities at Yarmouth were never sure where they stood, at one point praised for their 'Circumspeccon to p^{re}vent the feared Infection of the Pestilence', and then warned that persons and goods were landing illegally, 'which neglect is no waies suitable to that care you ought to have of the Health & Welfare of his Ma^{ties} Subjects, nor to the Obedience you owe to the Commands of this Board, and which for the future will be more exactly expected from you.'⁶⁹ This rider was added to the Yarmouth version of a circular letter to London and all outports dated 17 June 1664.⁷⁰ The burden of this

62 Ibid.

63 NA PC 2/57/237.

64 Ibid.

65 NA PC 2/57/230–31.

66 Ibid.

67 NA PC 2/57/242.

68 NA PC 2/57/245, 278–9.

69 NA PC 2/56/676; 2/57/127. In January 1636 the Yarmouth authorities had been formally warned for letting a man ashore from Rotterdam (PC 2/45/401–2).

70 NA PC 2/57/126–8.

letter was that no goods were to be received from the United Provinces without a Customs certificate that quarantine had been performed. If this were disobeyed, then the house of an offender was to be 'shut up' as if it were harbouring plague. London and 27 outports received a virtually identical text. Other than Yarmouth, the only outport to receive a tailored letter was Harwich: the mayor and corporation were told of 'a generall neglect or Connivance in the severall Out Ports of this Kingdome', reminded to observe the restrictions, and told to inform the master of the packet boat from Holland that he was to land no one in England.⁷¹

There is certainly some evidence of problems in the outports. In May 1664, Customs officers at Topsham, the port for Exeter, reported that a sailor from Amsterdam had disobeyed quarantine and come ashore with his family.⁷² A far more serious incident arose at Whitby a few months later.⁷³ Five ships from Holland arrived on the same day, but they would not be moored together to facilitate surveillance, and some seamen went ashore. The authorities ordered the houses which received them to be shut up, but this provoked the rest of the crews, and some inhabitants, to threaten to release them by force. The Customs officers, finding the men were local and the town was on their side, 'resorted to good words', which at least got the offenders back on board. But the Customs officers warned that the situation was untenable: either commerce with infected places had to be suspended, or trained bands were needed to supervise the arrivals. As this report was made to the farmers of Customs, and not to the Privy Council, and as the records of the Customs service have generally not survived, it can easily be imagined that the position at Whitby was by no means unique.

While London suffered from plague in 1665, and attempted to fight the Dutch, naval stores like hemp and rope yarn arrived at Portsmouth from St Malo.⁷⁴ But the French reacted to the English affliction as they had to the Dutch, prohibiting all commerce between those Channel ports for the duration of the plague, and for six months afterwards.⁷⁵ The Baltic supply route remained open, but the hard lesson was being taught, if not learnt, that in a state of war disease found various ways to side with the enemy. It was also being made clear to the English that quarantine could have an absolute and dispassionate application. There was little sign of the French making the kind of concessions, even for their own dignitaries, as had weakened the English defences. When the French ambassadors were recalled from England, they sat out their quarantine at St-Valéry.⁷⁶ Similarly, the Spanish summarily stopped all trade with England, Scotland and Ireland, partly in response to a botched attempt at smuggling to breach their quarantine rule.⁷⁷

71 NA PC 2/57/127.

72 Ibid.

73 *CSPD* (1663–64), p. 670, from which remaining references in this paragraph are taken.

74 *CSPD* (1664–65), p. 499.

75 Ibid.

76 *CSPD* (1665–66), p. 63.

77 *CSPD* (1665–66), p. 38.

When plague returned to northern France in 1668, England's response was directed only at places judged to be the greatest risk. The Privy Council ordered all ports to prevent ships from Rouen and Caen unloading until quarantine (presumably 40 days) had been completed.⁷⁸ A sloop, HMS *Emsworth*, was ordered to the mouth of Hole Haven, to direct ships from Normandy to the quarantine station.⁷⁹ Up to a point, this worked: in February 1669 there were seven ships detained there, but in earlier months many others had got through.⁸⁰ The *Emsworth's* captain complained rather pathetically that the Thames was wide, the nights were dark, and the ships could be obstinate⁸¹. At Hull, however, there were signs of confidence, with the Customs officers taking it upon themselves to keep ships from Ostend (not in the suspect area) out of the harbour until they had given a satisfactory account of their journey.⁸²

England's last brush with quarantine in the seventeenth century involved danger from a new direction. In terms of the origin of the disease, the ports initially at risk, and the nature of the infection (which was never openly discussed), England was unprepared. On 1 July 1692 Secretary of State Lord Nottingham wrote to the Treasury, conveying the Queen's concern about mortality in Barbados and the Leeward Islands, of which news had very recently reached Bideford in Devon.⁸³ While quarantine from those areas was being introduced, the Customs Commissioners discovered that two ships had recently reached Penzance from Jamaica, one confessing five deaths on the voyage, the other admitting nothing but testifying that Jamaica was very sickly.⁸⁴ On 27 July the Treasury accepted a recommendation from the Customs Commissioners that quarantine should be extended to ships from Jamaica.⁸⁵ The Commissioners were already considering a revival of the previous quarantine station, but ships from the West Indies were significantly larger than those trading with the near Continent and Hole Haven was judged too cramped.⁸⁶ The Commissioners recommended, therefore, that ships should do quarantine at The Hope – that is, in the river itself – and the Treasury agreed that a naval ketch, supported by two boats from the Customs service, should patrol between the Essex and Kent shores.⁸⁷

On 1 August 1692 the Queen, through the Privy Council, formally ordered quarantine to take place, but with no holding ground for ships going anywhere other than London.⁸⁸ There was also a curious concession: if a ship had put in at Ireland, Scotland, the Isles of Scilly, or the Isle of Man on the way to London,

78 NA PC 2/60/444–5.

79 Ibid.

80 *CSPD* (1668–69), pp. 2, 162, 193.

81 *CSPD* (1668–69), p. 2.

82 *CSPD* (1667–68), p. 580.

83 NA T1/19/1; *Calendar of Treasury Papers [CTP]* (1556/57–1696), p. 245

84 *Calendar of Treasury Books [CTB]* (1689–92), p. 1708; *Acts of the Privy Council, Colonial Series [APCCS]* (1680–1720), p. 213.

85 NA T1/19/71; *CTB* (1689–92), pp. 1739–40.

86 *APCCS* (1680–1720), pp. 213–15.

87 Ibid.; NA T1/19/71/73.

88 *APCCS* (1680–1720), pp. 214–15; *CTB* (1689–92), p. 1762.

and spent some time there (of which 'divers instances ... daily happen'), that same time should be deducted from the quarantine.⁸⁹ No thought was apparently given to the possibility of disease striking these extremities of the kingdom. Final release from quarantine could only be secured by a certificate from the appropriate Customs officer that he had frequently mustered the men during the detention; and by the oath of the master that all on board were healthy.⁹⁰ These stipulations had been put by the Customs Commissioners to the Treasury as no more than points for their consideration.

As in earlier decades, quarantine induced a variety of petitions for the Privy Council to ponder. But this time the subjects were new: a naval captain was rude to the Mayor of Plymouth; press gangs were taking men from potentially infected ships; and owners and freighters were coming up with ingenious reasons why quarantine should not apply to their vessels.⁹¹ London merchants petitioned that two ships in The Hope from Barbados should perform only half-quarantine 'as is usuall in such Cases [i.e. the crew were all well], the Shippes lyeing at Extraordinary Charges'.⁹² The exact reasons for another merchant ship to be exempt are not recited,⁹³ but the master of the sloop *Neptune* had a winning formula. The ship had come rapidly from Jamaica with official despatches about an earthquake that had occurred there on 7 June.⁹⁴ He and two seamen testified to the good health of the island when they left, and showed the need for an equally rapidly return, bearing news of what aid could be expected.⁹⁵ On 18 August 1692, on the strength of this message, quarantine from Jamaica was summarily removed.⁹⁶ The lifting of quarantine generally occurred in November.⁹⁷ The decision was taken quickly, for no obvious reason, almost as though the Privy Council were looking for an excuse: a ship's master from the West Indies petitioned for entry, claiming that his vessel, the *Coronation*, was 'one of the most healthy ... that ever went and came from thence' and no crewman had even been ill on board, let alone died, for the last four months.⁹⁸ In allowing the ship to unload, quarantine generally was lifted as a kind of rider to the ad hoc decision. A significant factor was that most of the crew had recently been impressed, and any application of quarantine would logically have extended to the warships.

The West Indies, and Barbados in particular, continued to cause periodic concern. Governor Russell lost his wife and ten servants to rampant fever, while ships, undermanned at the outset, were barely operational through sickness.⁹⁹

89 *APCCS (1680–1720)*, pp. 214–15; NA PC 2/74/455–6.

90 *Ibid.*

91 *APCCS (1680–1720)*, pp. 215–16; NA PC 2/74/464, 496; T1/19/71, 107.

92 NA T1/19/105, 107.

93 This ship was the *East India Merchant* from Jamaica. The Privy Council minutes (NA PC 2/74/459) refer only to the petition and 'the reasons therein contained'.

94 NA PC 2/74/465 (*APCCS (1680–1720)*, p. 215).

95 *Ibid.*

96 NA PC 2/74/467.

97 *APCCS (1680–1720)*, p. 216; *CTB (1689–92)*, p. 1891.

98 *Ibid.*

99 *Calendar of State Papers, Colonial Series [CSPC] (1693–6)*, pp. 362, 386, 445.

In September 1693 another order for quarantine at The Hope was made against arrivals from Barbados, but this petered out very quickly.¹⁰⁰

England, at the close of the seventeenth century, was like a nervous householder, rushing between the front and back doors, locking them at a whim against deadly intrusion from east or west, but knowing that if the doors stayed locked for too long, the household itself could not function. One solution, the house being big enough, was to employ specialist janitors, but England was still a very long way from the Continental model.

Policy in embryo

Among the measures of the seventeenth century, most of the later characteristics of British quarantine policy can be seen at a formative stage. The imposition of quarantine was always short-lived, in response to perceived emergencies, and within the royal prerogative. There was as yet no question of permanent measures or of parliamentary involvement. Below the monarch, the chain of communication was fairly clear. The Privy Council exercised and promulgated the Crown's wishes, although how far quarantine was delegated to the Council's own subsidiary bodies – the fledgling Cabinet and the Committee on Foreign Affairs – is difficult to gauge. The Council gave directions to the Lord High Treasurer, who in turn instructed the farmers of the Customs (later the Customs Commissioners) to enforce the provisions. Neither at this stage nor at any later one, was quarantine more than one of the burdensome distractions of the Customs service, 'not being a Part of the general Business'.¹⁰¹ In the seventeenth century quarantine was too fitful and localized to cause the service a lasting problem, but in the next century that position was to change. Two other bodies little affected by quarantine at this period were the Navy Board and the Board of Admiralty. The latter were concerned with the disposition of warships, but the number of these ships necessary to meet the quarantine regulations of the seventeenth century was small, so problems were still a decade away.

There were, however, some interesting constitutional aspects to the application of quarantine, especially after the Restoration. It was Charles II who was most closely connected with the risks and indeed the opportunities that quarantine presented. Opportunity sounds a strange word in this context, but Charles was soon to realize that the unwarranted imposition of quarantine was a potent political weapon. It could undermine the concept of free trade by denying *pratique* to ships of a particular nation. This is exactly what happened in the Mediterranean, to England's disadvantage, in 1662–63.¹⁰² The Spanish, wishing to harass England, claimed there was plague at Tangier where the English were trading. Because of this, English ships were denied *pratique* in Spain, and then at Toulon. Charles feared that the same might happen, disastrously, at ports like Leghorn and Genoa,

¹⁰⁰ *APCCS (1680–1720)*, p. 254.

¹⁰¹ J. Lane, *The Reports of the Commissioners appointed to examine, take, and state the Public Accounts of the Kingdom ...* (London, 1787), p. 366.

¹⁰² *Calendar of State Papers Venetian [CSPV]* (1661–4), p. 199.

and the Venetian ambassador was asked to persuade Italian rulers that Tangier was perfectly healthy.¹⁰³ But the least suspicion of infection was enough to rattle the Italian sanitary authorities, and in December 1663 Charles was forced to send an envoy to Leghorn to demand pratique for English ships.¹⁰⁴ Pepys, who had no first-hand knowledge of quarantine, was scathing of the Mediterranean practice 'where a man may buy a bill of health for a piece-of-eight, and my enemy may agree with the *Intendent* ... for ten pieces-of-eight or so, that he shall not give me [one]'.¹⁰⁵ It is against this background that the measures taken against the Dutch in 1663-64 must necessarily be examined. But there is no evidence that the English quarantine precautions, including the banning of ships from Holland for three months, were instituted to any significant degree by a basic dislike of the Dutch. The French had anticipated the English by making an absolute embargo against Dutch ships, and Pepys was a frank-enough diarist to mention any political aspect to the quarantine, had one existed. Moreover, it was in England's interests to receive cargoes from Holland, as the cordage at Yarmouth indicates, whatever the nationality of the ships that carried them.

Among the state papers is an interesting undated memorial referring to the advantages which might accrue in England from a permanent quarantine 'Office'.¹⁰⁶ This document has been endorsed with a suggested date of March 1665. The memorial refers to a petition to the King against 'bringing in the Pest' – a petition which seems not to have survived – advocating the adoption of procedures which existed in 'most other well governed Kingdomes and Republicks professing Christianity'. Thus the new office would have been like a Board of Health. The memorial was not concerned with the medical argument, only the contingent advantages. The case was argued on four grounds: collusion between the farmers of Customs and 'the directors of ... [the] office' would ensure that duties were paid; importers of goods would see their ships liable to equal detention, 'so as hee that first arrives makes not the proffitt alone'; it would be known what ships and cargoes were in detention, which would keep prices moderate; and people coming into the country would be monitored, so bona fide travellers could be distinguished from spies. The memorialist was particularly struck by the second argument, against forestalling, drawing an analogy from Holland where ships could only come and go 'in Fleetes'. But the quarantine arrangements of Holland, unlike its trading practices, were never a model for the European states. In muddying the waters between trade and disease, this mercantilist paper seems to have had no impact on Charles or his advisers. But it is important as the earliest advocacy for a permanent quarantine establishment.

No evidence of political manoeuvring, in the realm of quarantine, is apparent among the royal advisers. The post of Secretary of State had been divided before 1680 between northern and southern divisions (Holland in the former, France in the latter), but at the time of the measures against the Dutch this distinction, if it

103 Ibid.

104 Latham & Matthews (eds), *The Diary of Samuel Pepys*, vol. 4, pp. 417–18.

105 Ibid.

106 NA SP 29/116/122, from which remaining references in this paragraph are taken.

existed at all, was probably weak.¹⁰⁷ It would seem to have been Clarendon, as Chancellor, who formulated quarantine policy at that period (perhaps in Cabinet) but there are no grounds for assuming that quarantine and political ambition were linked, or that any one man made it his speciality. As for the Secretaries of State, interest in their role arises from their relationship not with the Crown but with the Privy Council, which they appear occasionally to have sidelined. This was most noticeable among the 'grace and favour' exemptions cited above from the quarantine restrictions of the 1660s. Of the fourteen instances, seven were sanctioned by the Privy Council, one by Secretary Morice and four by his successor, Bennet.¹⁰⁸ The remaining two were recorded as authorized by licence and warrant respectively, but with no source; as they were not minuted in the Privy Council's register, the authority presumably was Bennet's.¹⁰⁹ Thus the dispensations were shared equally between Privy Council and Secretary of State. Again, in 1692, Secretary Nottingham conveyed Queen Mary's pleasure straight to the Lord High Treasurer, and quarantine against Barbados and the Leeward Islands was in position before the Privy Council had even issued the Order. Of course, the perceived need for immediate action justified a precipitate move in this instance, and it is possible that some committee of Council had sanctioned the Secretary's action whenever he appeared to act by his own initiative, or by a direct route from the Crown.

Another body whose role in quarantine procedures changed after the seventeenth century was the Corporation of London. It has been seen above that the Lord Mayor was consistently canvassed for advice, and even offered executive action. There were three factors at work here. The first was the delicate relationship between the Crown, working from Westminster, and the international merchants working a few miles away in the City of London. As long as the economic affairs of the country were within the royal prerogative, tension with the City was at times inevitable: there was therefore a political reason to consult the City in any issue, such as quarantine, which threatened to disrupt business.¹¹⁰ The second factor was the body of expertise in the City about the nature of plague, the means of its transmission, and the precautions taken in the Mediterranean to prevent it. Only a Turkey merchant, or a trader to Leghorn or Venice, knew at first hand what quarantine measures were used in the hot spots, and what they meant to the merchant or freighter. The third factor follows closely on the second; only in London were all these people gathered. London was, by a spectacular margin, the most important entrepôt of the country, with four-fifths of the foreign trade.¹¹¹ It is

107 For the divisions, see M.A. Thomson, *The Secretaries of State, 1681–1782* (Oxford, 1932), pp. 2–3.

108 The dispensations made by the Secretaries of State were to individuals, with the exception of Sir John Hebdon and the pregnant Mrs Watson who were dealt with by the Privy Council.

109 These were again dispensations to individuals (Cromwell and Lady Davidson).

110 For relations between Crown and City, see C. Wilson, *England's Apprenticeship, 1603–1763*, 2nd edn (London, 1984), pp. 47, 48, 58.

111 E. Lipson, *The Economic History of England. The Age of Mercantilism* (3 vols, London, 1943), vol. 2, pp. 249ff.

unsurprising that nowhere else in the country seemed to matter very much when overseas business was being considered.

The exact nature of the plague, pest or pestilential contagion against which quarantine defended was little discussed. It is doubtful whether the 'plague' reported in Holland and France in 1629, and at Rouen in 1634, was bubonic plague, but when mortality was high the exact diagnosis was of no consequence, and in any event beyond the scope of contemporary medicine.¹¹² There was no attempt to classify as plague, or as anything else specific, the disease from the West Indies which caused the Queen's panic reaction in 1692. Indeed, this instance is remarkable. It was to be nearly 150 years before disease in the West Indies was again the cause of quarantine in England, although the eighteenth century was to witness more than enough sickness coming into the country from that quarter. Within Britain, however, 'plague' had long existed in various places at different times, and the Privy Council routinely intervened to control the spread of disease, sometimes with significant consequences to local trade. A feature of this early period was the use of quarantine, airing and other controls within the British Isles. This was more than a question of Scotland denying access to people and goods from across the border. It has been shown above that London in 1580 barred ships from Plymouth, and in 1666 all cloth from Colchester to London had to be aired at Stratford before entering the capital.¹¹³ Particularly affected by constraints, some from the Privy Council, others from neighbouring boroughs, was the port of Hull. Ravaged by periodic epidemics, the town's merchants were forbidden to trade in the dire years of 1637–38.¹¹⁴ The eighteenth-century historians of both Hull and Newcastle refer to eras in their respective towns when business was at a standstill because of plague and grass grew in the streets.¹¹⁵ In 1645 the corporations of Hull and York took joint action against Leeds, to prevent plague arriving from there in infected cloth.¹¹⁶

It has been seen that most impositions of quarantine involved the airing of cargoes. Indeed, in earlier years the airing was the main provision, and the length of detention was whatever time was deemed necessary for the cargo to be aired. There were thus two distinct elements to quarantine – the period of detention for ship and people, and the time needed for fresh air to nullify the contagious elements of the cargo. Ideally these events happened simultaneously, but the lack of airing space was a conspicuous problem and was to become worse in the years ahead. At this period, as later, there is little or no evidence that airing actually took place; for instance, in the measures taken against Holland in 1663–64 the attempt to find space for a lazaretto and airing ground clearly failed, and the emphasis changed

112 J.-N. Biraben, *Les Hommes et la peste en France ...* (2 vols, Paris, 1975–76), vol. 1, Annexe 4.

113 NA PC 2/58/394: the cloth had to be 'well ayred with Brimstone'.

114 NA PC 2/48/226, 227. When the restraint was lifted, the mayor of Hull was warned 'to bee very cautious' still.

115 Hadley, p. 95; J. Brand, *The Histories and Antiquities ... of Newcastle upon Tyne ...* (2 vols, London, 1789), vol. 2, pp. 455–6.

116 L.M. Stanewell (ed.), *Calendar of the Ancient Deeds ... of ... Hull* (Hull, 1951), p. 209.

to quarantine pure and simple. Yet the European perception that some goods were more 'susceptible' to harbouring disease than others was certainly understood in England. Cloth was thought one of the most deadly transmitters: this is why the linen ships from Morlaix were targeted in 1638, and why textiles from Colchester were to be aired at Stratford in 1666. Any fibrous material, including hemp and flax, was reckoned highly contagious, although tar and pitch were thought to form an effective barrier. Thus the cordage at Yarmouth was susceptible, but not when tarred. In the years ahead the division into susceptible and non-susceptible goods was to be a science in itself, with every conceivable import placed in one category or the other, with grades of susceptibility.

Mention of cordage introduces the tricky issue of naval stores. With England almost continually at war with one or more European neighbour, the supply of material for shipbuilding and repair was vital for the efficiency of the navy. The depletion of English forests, the particular suitability of Norwegian pine for masts and spars, and the reliance on the Baltic for hemp and flax (for rope and canvas), combined to make England vulnerable if supplies were disrupted. It was for this reason that the cordage was allowed in at Yarmouth for naval use. As the hemp had been processed in Holland the import was not a breach of the Navigation Act. A wider discussion of this subject will be necessary when the quarantine measures, specifically against the Baltic, are discussed.

If the navy was in need of stores, it was in even greater need of men. There is a large literature on impressment and the history of its use and abuse need not be examined here, although the theme will be recurrent in this work. The seventeenth century saw a significant problem with men being pressed from ships liable to, or even undergoing, quarantine. At this early period some excuse can be found for the navy's actions: for one thing the relative novelty of quarantine made the inviolability little understood. There was the problem of disseminating information to ships' captains, not only that quarantine existed but what it stood for. A captain who had spent the best part of his life capturing enemy merchant ships, regardless of the state of health in the ports his prizes had sailed from, would not hesitate taking men from an idle ship which had a theoretical chance of infection. In 1692 this very much worried the Customs Commissioners, who complained to the Privy Council.¹¹⁷

There are many other respects in with the seventeenth-century measures foreshadowed later experience. None of them is particularly significant in itself, but together they form an indication of where the contentions of the future would lie. Shipowners became discouraged from hiring out vessels which would lie for long periods unproductive: the cost of supporting a ship and crew in quarantine was considerable, and the liability sometimes uncertain. Ships could be leaky and seawater might spoil a cargo. Merchants might be called upon to honour bills of exchange against a cargo which had not yet landed. All these issues would develop in the years ahead, but they were questions for individuals and none of them particularly bothered the Privy Council or Secretaries of State. What did trouble the authorities, however, was the widespread evasion of, or deliberate

117 NA PC 2/74/458.

disregard for, quarantine, and the circular letter from the Privy Council of 1664 was evidence of their real concern for this intractable issue. It was one thing to bend the rules for a diplomat or aristocrat who wanted to be rid of the stinking prison which a quarantined ship might become; but quite another to see common seamen sneaking ashore to the local tavern, or even going home. The British never entirely overcame the issue of favouritism, and the problem of deliberate contempt was destined to run and run, embroiling all branches of civil and military administration.

Scotland

Measures against plague in Scotland were being vigorously undertaken while England was still groping for some kind of effective response. This head start was partly born of necessity in that most of the trade, particularly on the eastern seaboard, was conducted with Scandinavia, the Baltic, the Low Countries and France. If exposure to plague were not controlled, the whole population of eastern Scotland, not to mention its economy, could suffer dramatically. Another major difference from the English situation was the plethora of small ports, many of them clustered around the Forth estuary, each with its interest in overseas trade. Whereas in England quarantine measures were aimed at protecting London, while the outports were left largely to their own devices, the system in Scotland had to be workable across a score of harbours, very few of which were large enough to offer quarantine facilities. Another important difference was that, while the enforcement of quarantine in England was handled by the Customs service, in Scotland it was a matter for local government – that is, the burgh councils and magistracy.¹¹⁸ In both kingdoms, however, it was the Crown acting through the respective Privy Councils (in Scotland initially the ‘Secret Council’) who formulated policy by a series of Orders and Proclamations. The latter were used more literally than in England: an Order in Scotland was proclaimed at the market cross in burghs and seaports.

The measures themselves were sometimes a simple embargo on trade or landing, and the Scottish Council never flinched from including England among countries on the quarantine blacklist.¹¹⁹ It was a paradox of the Scottish system that detention periods, whether for ships, crews or airing, were distinctly vague while the process of purification was precisely set out. In July 1564, for instance, merchants trading with Danzig were asked to put in where they could at ‘quiet places’, rather than the main ports, until further notice.¹²⁰ Two months later they were still there, the ships were getting leaky, and the cargoes beginning to spoil. In a decision which predated, quite significantly, the classification later adopted in England of enumerated goods, the Scottish authorities reckoned that only the

118 J. Ritchie, ‘Quarantine for plague in Scotland during the sixteenth and seventeenth centuries’, *Edinburgh Medical Journal*, 55 (1948), 691.

119 Ritchie, p. 692.

120 *Register of the Privy Council of Scotland [RPCS]*, vol. 1, p. 279.

flax element in a cargo of naval stores was dangerous.¹²¹ At the expense of the owners, the flax was therefore to be opened and aired on Inchcolm Island in the Firth of Forth, while pitch, tar, iron and timber could stay on board.¹²² The ships themselves were to be half scuttled and lie in the water for ‘ane or twa tydis’ (one or two tides), while the cargoes were washed, cleansed and partly fumigated with burning heather.¹²³ As well as being precise, these measures were harsh and threatened irreparable damage.

Another characteristic of the Scottish system, again in contrast to the English, was the nominal severity of punishment. In Scotland a Proclamation could carry its own penalties for those in breach, and these were invariably death. This threat might even extend to merchants whose goods, declared ‘safe’ on arrival, were later believed to have carried a fatal infection.¹²⁴ When some crews came ashore in Leith, in breach of the Proclamation of 1564, they were to be seized, and the Proclamation reread at strategic locations to remind people that its provisions were to be enforced ‘undir the pane of deid’.¹²⁵ Similarly, in 1574, when ‘seik and fowll’ persons inland presumed to break their isolation for infection, they were to suffer the ultimate fate.¹²⁶ In fact, it will be seen that magistrates were lenient with offenders and the cruellest aspect of the Scottish measures lay arguably in the indeterminate duration of quarantine while the ‘clengeris’, or cleansers, went about their business. In a complicated incident of 1580 (which gave rise to two Proclamations), some seamen and passengers from a Danzig ship spent 115 days in quarantine on Inchcolm.¹²⁷

In the seventeenth century the ferocity of punishment was theoretically maintained, while other measures were introduced to deal with the nature of the risk. A ship which arrived at Dunbar from Norway in 1618, suspected of carrying plague, was summarily ordered back to sea with such provisions as the town would allow.¹²⁸ In the summer of that year, the magistrates of Edinburgh were given full power to act as they pleased in relation to quarantine while the lords of the Council dispersed to their respective homes to organize the local harvest.¹²⁹ Soon Scotland developed a relatively sophisticated system, whereby ships from suspected places were intercepted before entering port and the master was asked by the local authority to respond to a questionnaire, covering such matters as the port or ports where he had loaded, the ‘estate and conditioun’ of the area at that time, the health of the people on board, and the nature of the cargo.¹³⁰ Satisfactory answers led to a licence to land; if danger was still apprehended, the ship could be sent elsewhere for ‘tryall’ (detention to see if infection developed) or for

121 *RPCS*, vol. 1, pp. 280–82. The Scottish word for flax was ‘lynt’.

122 *Ibid.*; Ritchie, p. 692.

123 *Ibid.*

124 Ritchie, p. 692.

125 *RPCS*, vol. 1, pp. 280–82.

126 *RPCS*, vol. 2, p. 415.

127 *RPCS*, vol. 3, pp. 313–14; the full story is in Ritchie, pp. 694–6.

128 *RPCS*, vol. 11, p. 410.

129 *RPCS*, vol. 11, p. 417.

130 *RPCS*, vol. 12, pp. 62–3 (1619).

cleansing.¹³¹ These arrangements were in force, at various times, against arrivals from the East Country, and especially from Denmark and Königsberg.¹³² As the Scottish Proclamations invariably claimed the plague in those areas was most violent and infectious, it is all the more curious that England had no quarantine protection against the Baltic until a century later. At times, the Scottish Council could still appear very severe, for instance ordering an Anstruther vessel 'not altogidder voyde and frie of danger' to Inchcolm where the crew had more or less to fend for themselves, as well as unload their cargo for airing.¹³³ The penalty, of course, was death for infringement at any step of the way.

Despite such precautions, and new measures against Holland, parts of Scotland were attacked by plague in 1624–25, causing court sittings to be cancelled in Edinburgh, and the Privy Council to migrate to Stirling.¹³⁴ Plague continued to afflict the Scottish capital, off and on, over the next decade. But as the enthusiasm of the Privy Council for preventive action at the seaports increased (particularly against the Low Countries), there was no inclination by local magistrates to insist on the full penalties of the law. Sailors who left their ships without licence were simply fined, and the offenders were happy to plead guilty.¹³⁵ The Council also became aware that provosts and bailies in the seaports were sometimes not doing their duty. In 1629 they summoned the bailies of eight ports between Burntisland and Fife to appear before them and answer for their neglect; the bailies of Leith appeared separately and were asked to keep ships from suspect places routinely out of harbour, for which, and similar measures, they were given a special commission.¹³⁶ Similar powers, by specific commission, were later extended to the ports on the northern shore of the Forth, and to Dundee, St Andrews and Montrose, following reports of plague in France, Orkney and Shetland.¹³⁷

An ad hoc commission was appointed in 1635 to examine one William Muddie (or Mudie), master of a ship from the Low Countries, accused of 'most undewtifullie and mischantlie' letting a sick man go ashore.¹³⁸ Muddie was not the only skipper to be accused of letting people land, and the Council positively ranted against intercourse with certain Dutch ships, 'being a mater verie suspicious and dangerous and carying with it verie pregnant presumptions of great evill to follow ...'¹³⁹ A year later (1636) even ships from English ports, especially London and Newcastle, were subject to special watch.¹⁴⁰ One hapless master of a London ship, arrived at Prestonpans, had the temerity to allow ashore his entire ship's company.¹⁴¹ For this he was summoned to appear before the Council who, in full

131 Ibid.

132 *RPCS*, vol. 12, pp. 62–3, 322–3.

133 Ibid.

134 *RPCS*, vol. 13, pp. 622, 652, 699, 700.

135 *Extracts from the Burgh Records of Edinburgh [EBRB]* (1626–41), pp. 176–84.

136 *RPCS*, 2nd Series, vol. 3, pp. 380–87 *passim*.

137 *RPCS*, 2nd Series, vol. 3, pp. 386, 388–9.

138 *RPCS*, 2nd Series, vol. 6, pp. 119–20.

139 *RPCS*, 2nd Series, vol. 6, p. 126.

140 *RPCS*, 2nd Series, vol. 6, p. 247.

141 *RPCS*, 2nd Series, vol. 6, p. 277.

bluster, announced ‘for ... his proud contempt he aucht to be exemplarlie punished to the terror of others to committ the like’.¹⁴² It is by no means clear that he was. Rumours of the plague on the English side of the land border with Scotland in 1637 led, not for the first time, to the total embargo of communications between the kingdoms.¹⁴³

Once Scotland had shaken off the plague, which was not until the late 1640s, a measure of calm allowed the quarantine regulations against Holland to be codified with some precision. In 1655 a Proclamation set out procedures which were well in advance of the English practice, and for the first time allowed the Collector of Customs as well as magistrates to issue a licence to land.¹⁴⁴ A certificate was demanded that the port of loading was not infected, but 20 days’ quarantine was still necessary; if the port *were* infected, the quarantine period was 40 days. Any unlawful communication with the shore was to be punished by imprisonment – the death penalty, which had probably never been used, was now discredited and abandoned. Magistrates were responsible for supplying quarantined ships with provisions at reasonable rates. As the Scottish Privy Council were to be made aware of all ships arriving from the United Provinces, the way was paved for each vessel to be monitored and treated on its merits, its discharge being handled by a body which was, save only in name, a Board of Health. In this system lay the roots of the practice which was to overburden the English Privy Council more than 50 years later.

Unfortunately, the 1655 arrangements did not survive the panic which gripped Scotland during the next decade, when plague again ravaged the Low Countries. This outbreak was preceded by other scares from Danzig and Königsberg, leading the Scottish Privy Council to distinguish between black plague in the Baltic and white plague in Holland.¹⁴⁵ To those ships’ masters who traded also with England, the almost perpetual fear in Scotland of plague from the Baltic was irrational and unjustified. In 1662 Matheus Janson, master of the *Nicolai* carrying flax and other goods from Pilau, pointed out that not only was the region free of plague, but people and produce could enter London from the Baltic as they pleased.¹⁴⁶ Janson won his point, and soon the Council became so preoccupied with Holland that the Baltic was no longer an issue.

In October 1663, roughly when quarantine against Amsterdam and Hamburg was being introduced in the Thames, the Scottish Privy Council wrote to seaports banning all ships from Holland from entering harbour until they had been visited, after which suspect vessels would ‘abyd a tryall’.¹⁴⁷ At the same time a letter was written to Sir William Davidson, Conservator of Privileges in Holland, informing him of this decision and hoping that he would keep the Council informed of ships

142 Ibid.

143 A good summary of the plague worries in Scotland appears in *RPCS*, 2nd Series, vol. 6, pp. xii–xv.

144 *Bibliotheca Lindesiana*, vol 6: *Ireland and Scotland* (Oxford, 1910), p. 352.

145 *RPCS*, 2nd Series, vol. 8, pp. 83–4.

146 *RPCS*, 2nd Series, vol. 8, p. 135.

147 *RPCS*, 2nd Series, vol. 8, p. 452.

from suspected places.¹⁴⁸ In the following month, the rather vague provision about 'tryall' was superseded by a simple, direct requirement for 40 days' quarantine against arrivals from Amsterdam and Holland, as compared with the 30 days which England had just imposed.¹⁴⁹ One noticeable feature of these decrees was the absence not only of any mention of the death penalty for disobedience, but of any penalty at all. When the inevitable accusations of breach of quarantine ensued, the Council were simply content for ships to complete their time, or leave it to local magistrates to arrive at a suitable punishment, which could include sequestration of goods.¹⁵⁰ Indeed, in February 1664 matters became so relaxed that for certain ships' masters in Bo'ness, the 40 days could be reckoned from the date the ship had set sail.¹⁵¹ This was in response to information from Davidson that the plague was abating.

By June 1664, however, it was clear that plague in Holland was actually on the increase, and the full 40 days' quarantine was again demanded of all arrivals. This time the instrument was a Proclamation, and in referring to the many breaches which had arisen, it set out the new punishments – confiscation of ship and goods and imprisonment during the Council's pleasure.¹⁵² This led to a coordinated protest on behalf of those masters who arrived daily from Holland without cargo or passengers, but simply to load coal, which meant income to Scotland from Customs dues and the import of specie.¹⁵³ An accommodation was reached by which coal could be lightered to vessels waiting offshore, against a bond of the master in £1000 that there would be no other communication with the land.¹⁵⁴ It was clear, however, within a week that many people, including the collier crews, came and went as they pleased.¹⁵⁵ This fact, coupled with even gloomier news from the Low Countries, led to a new Proclamation on 8 July 1664.¹⁵⁶ Past measures were recognized as insufficient, and now all trade with Holland was embargoed from 1 August until 1 November; persons contravening were to lose 'their lyfe, ship and goods, without mercy'. This, then, was a return to the old days, with death as the ultimate sanction. Ships which should arrive in the meanwhile were to stay offshore until magistrates allowed people to land, 'bringing ashore their goods to such houses and places as shall be designed for them and there to handle their goods and commodities daylie be the space of fourty dayes ...' This amounted to the provision of lazarettoes, but with an astonishing lack of precision as to how they would actually work and be financed.

Again the measures were largely ignored, probably because they were impracticable, and the Privy Council's resolve was tested to the limit. At Bo'ness several ships, mainly Dutch and apparently colliers, were arriving to load and 'most

148 *RPCS*, 2nd Series, vol. 8, p. 451.

149 *RPCS*, 2nd Series, vol. 8, p. 454.

150 *RPCS*, 2nd Series, vol. 8, pp. 461, 466, 467.

151 *RPCS*, 2nd Series, vol. 8, pp. 492–3.

152 *RPCS*, 2nd Series, vol. 8, p. 534.

153 *RPCS*, 2nd Series, vol. 8, p. 541.

154 *Ibid.*

155 *RPCS*, 2nd Series, vol. 8, p. 544.

156 *RPCS*, 2nd Series, vol. 8, pp. 561–3.

contumaciously' doing as they liked.¹⁵⁷ The ships were ordered out of harbour, some within 48 hours, others within 24, after which, if they refused, the local bailie was ordered to burn them.¹⁵⁸ In early August some merchants of Edinburgh and Glasgow petitioned for a ship, just arrived at Bo'ness from Holland, to be unloaded, hoping that if they agreed to abide by a period of quarantine they might sidestep the total embargo.¹⁵⁹ But the Privy Council would have none of it; the ship was ordered to leave as soon as weather conditions allowed, with the master under pain of death.¹⁶⁰ Whether or not the threat would have been carried out, news of the tough stance was reported back to Holland by the Dutch ambassador in London.¹⁶¹ Meanwhile, one of the Dutch ships ordered out of Bo'ness had simply moved to the next port and the crew were going ashore and socializing with the locals, as well as loading coal.¹⁶² In a move which questions the Privy Council's resolve, the previous threat was not carried out, but simply repeated.¹⁶³ The only difference now was that those supplying the coal were summoned to appear before the Council.

Faced with continuing petitions from Scottish merchants, the Council blew hot and cold. At least one merchant won a concession from the Council about unloading: Thomas Crawford of Glasgow petitioned in mid-August for a ship to unload in the Clyde, where it had lain 26 days after six weeks at sea from Holland.¹⁶⁴ As the cargo was basically iron, and therefore non-susceptible, the Council had no real reason to disagree, although it was still to be cleansed 'at the sight of' local magistrates.¹⁶⁵ This leniency provoked another concerted petition from merchants of Edinburgh and Glasgow for the ship recently ordered out of Bo'ness to land its cargo, as it had arrived before 1 August.¹⁶⁶ But this merely provoked a repetition of the earlier hard line. The next ploy, in November 1664, was to claim that three ships had been forced into Bo'ness 'by the stresse of weather', which caused the Privy Council to ask for a report from a board of local aristocrats.¹⁶⁷ The board made no comment on the circumstances of arrival and generally favoured ways and means of getting the cargo ashore, subject to safeguards at the merchants' expense; as the cargo included iron and barrels of oil, it was recommended that they lie in the sea 'for the space of thrie tydes'.¹⁶⁸ The Privy Council roughly agreed but decided on a somewhat tougher line, ordering

157 *RPCS*, 2nd Series, vol. 8, pp. 567–8.

158 *Ibid.*

159 *RPCS*, 2nd Series, vol. 8, p. 583.

160 *Ibid.*

161 *CSPD* (1663–64), p. 670.

162 *RPCS*, 2nd Series, vol. 8, p. 584.

163 *Ibid.*

164 *RPCS*, 2nd Series, vol. 8, p. 591.

165 *Ibid.*

166 *RPCS*, 2nd Series, vol. 8, p. 594.

167 *RPCS*, 2nd Series, vol. 8, p. 617.

168 *RPCS*, 2nd Series, vol. 8, pp. 621–2.

that any goods which could not be cleansed should be burnt, and that all persons aboard should do 40 days in quarantine.¹⁶⁹

The same terms were decreed for a ship which had been lying at an exposed mooring off Greenock for the previous 15 days, after a stormy crossing from Holland.¹⁷⁰ The point here was that the ship had been forced out of Holland to avoid being seized. The Laird of Greenock was to provide empty houses in which the cargo might lie during cleansing, and this set a precedent: within a few weeks, the bailie of Bo'ness had to find houses for both goods and people while cleansing and quarantine were performed there.¹⁷¹ Another ship which claimed to have left Holland in a hurry, to escape seizure, rode outside Burntisland for 40 days; the master then petitioned to land his cargo of 'fyftein barrells of train oyle and certain hogsheids of lint seid'.¹⁷² The Privy Council left it to the local magistrates to make a decision. The minutiae of quarantine work were evidently beginning to pall.

When plague broke out in London in 1665, the Scottish Privy Council were distracted from the position in Holland, although the problems from there did not go away. The new situation was not without irony. However much there was a threat to Scotland from its seaborne trade with London, the excuse to retaliate against its southern neighbour for the perceived injustice of the recent Navigation Act was a big temptation. By the 1662 Act Scotland had been disadvantaged to the same extent as any other foreign nation.¹⁷³ Representations to London had had some success, but there were English interests which threatened to undermine it.¹⁷⁴ Against the retaliation argument, however, must be set the fact that embargoes on trade with England, albeit normally across the land border, were nothing new. In any event, a Proclamation against trade with London, and any other English town which might become infected, was issued on 12 July 1665, to be effective until 1 November.¹⁷⁵ Ships already at sea were to be subjected to 40 days' quarantine, and there were restrictions at the land border. Penalties were vague to say the least, and curiously confined to the magistrates themselves, and to others responsible for the execution of the 'act', who if they failed would 'be punished in their persons and goods to the terrour of others'. The Dutch ambassador in London did not fail to let the States General know of this firm stance by their chief trading partner against a virtual enemy of Holland.¹⁷⁶

As far as can be judged from the many petitions which ensued, it was the Scots themselves who were most inconvenienced by the restriction. A surgeon had his drugs stopped at Berwick-upon-Tweed, and a merchant, sending goods home, saw them stranded in Carlisle.¹⁷⁷ But it was the middle classes and aristocracy who suffered most, struggling to get home from London, Yorkshire or even

169 Ibid.

170 *RPCS*, 2nd Series, vol. 8, pp. 623–4.

171 *RPCS*, 2nd Series, vol. 8, p. 639.

172 *RPCS*, 2nd Series, vol. 8, p. 641.

173 Lipson, vol. 3, pp. 126–7.

174 *EBRB* (1655–65), p. xiv.

175 *RPCS*, 3rd Series, vol. 2, 71–4; *CSPD* (1664–65), 473.

176 *CSPD* (1664–65), p. 488.

177 *RPCS*, 3rd Series, vol. 2, pp. 79–80.

France, and sometimes forced to get a bill of health at Newcastle.¹⁷⁸ The majority of these people were women travelling with servants, all in good health, and in no mood to be put to the expense of exile for the sake of a theoretical risk. The Privy Council, of course, capitulated without condition on every petition, and licences to 'converse at freedom' appeased ladies, merchants and doctors who felt as isolated within Scotland as their compatriots felt outside it.¹⁷⁹

Despite these concessions, the Scottish Privy Council remained very jittery. In October 1665 two ships in Leith harbour, and one at Prestonpans, were rumoured to carry plague.¹⁸⁰ It was not stated where they had come from. All three were summarily ordered to the island of Inchkeith to air their goods for 40 days.¹⁸¹ If the masters refused they were to be hanged there and then, and the ships and cargoes burnt.¹⁸² In November the master of one of the ships petitioned that he, his crew and his passengers were virtually dying of exposure.¹⁸³ The Privy Council asked the bailies of Leith to establish, as far as they could, whether cleansing had worked; it was then up to the bailies to decide whether the ship could return, 'as they will be answerable'.¹⁸⁴ This encouraged the master of another ship to make a similar, but less dramatic, petition, which was handled the same way.¹⁸⁵ The fate of the third ship is not recorded.

There were two subsequent Proclamations against trading with England, one on 21 December 1665 (continuing the embargo until 1 March), and the other on 2 March 1666, to continue until 1 June.¹⁸⁶ The latter recognized that the plague was abating, but regretted that 'by sad experience it hath bein found that the infection may lurk for a long tyme in merchand wares and commodities, and after handling thereof will break out againe to the great prejudice of the people ...'¹⁸⁷ There appear to have been no petitions arising from either of these later Proclamations, from which the inference must be that they were either very closely respected, or very heartily ignored. Certainly the remainder of the seventeenth century saw very few alarms and incidents at Scottish ports, one brief exception being quarantine for seamen with 'spotted feavers' arriving at Bo'ness from the Low Countries in 1678.¹⁸⁸

The most interesting aspect of the Scottish measures lies in the insistence that cargoes should be 'cleansed', either by the very radical measure of immersion in sea water for a day or two, or by opening and airing. In this respect the country

178 *RPCS*, 3rd Series, vol. 2, pp. 85, 88.

179 *RPCS*, 3rd Series, vol. 2, p. 87.

180 *RPCS*, 3rd Series, vol. 2, p. 95.

181 *Ibid.*

182 *Ibid.*

183 *RPCS*, 3rd Series, vol. 2, p. 100. The island of quarantine is here named as 'Inshcomb'.

184 *Ibid.*

185 *RPCS*, 3rd Series, vol. 2, p. 102.

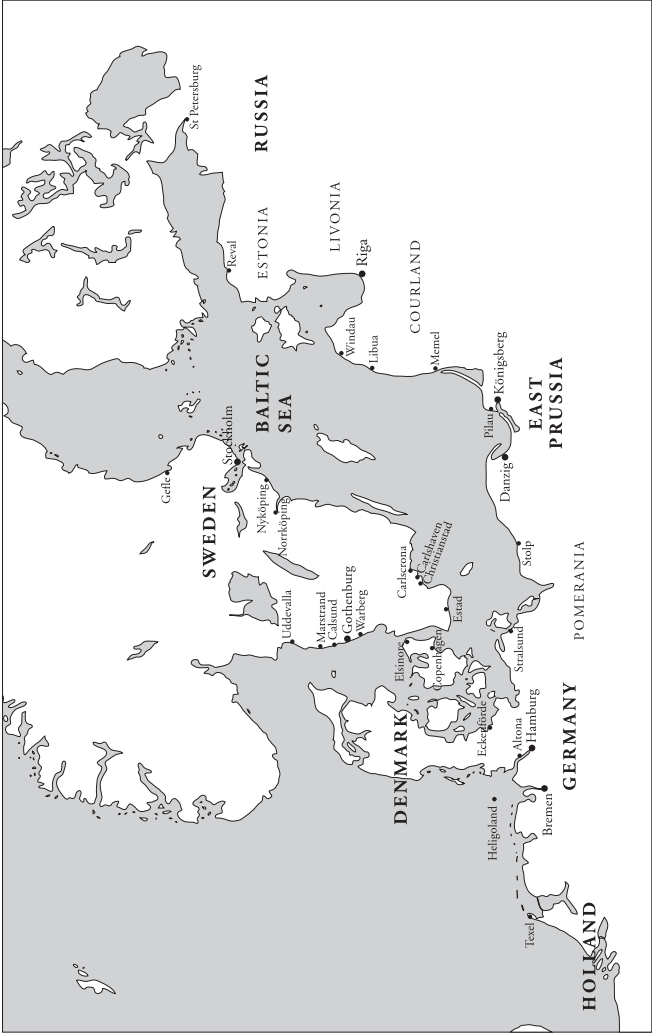
186 *RPCS*, 3rd Series, vol. 2, pp. 119–20, 147–8. The latter is referred to in the margin as an 'Act', although there was no Scottish statute to that effect.

187 *RPCS*, 3rd Series, vol. 2, p. 148.

188 *RPCS*, 3rd Series, vol. 5, p. 491.

was nearer to the Continental practice than was England where, for lack of a convenient airing ground in the Thames estuary, and for the insouciance of the Privy Council about what happened in the outports, the focus was on quarantine itself. Admittedly, Scotland had two advantages. The first was the concentration of ports around the estuary of the Firth of Forth, so that one or two airing grounds would suffice for much of the east coast. The second was the location of several small islands in the Forth estuary, of which one or more might at times be suitable.¹⁸⁹ Islands were, in the nature of things, the best places for quarantine and certainly for airing a cargo which was suspected of harbouring infection. The problem which Scotland was soon to face, however, was exactly that which was destined to trouble England – all land, including islands, belonged to somebody and potential plague grounds were not popular with proprietors.

189 cf. Ritchie, p. 692.



Map 1.1 The Baltic Sea and northern Europe, c. 1710. Ports shown with a larger font were those chiefly affected by quarantine in Britain.

Chapter Two

The Baltic Crisis, 1709–1714: Policy and Procedure

Panic measures

In the reign of Queen Anne, England's relationship with the Northern Crowns (as the states around the Baltic Sea were collectively known) reached a peak of complexity. Interest in the region had seriously developed in Elizabethan times, when English cloth gained a strong foothold on the eastern shore, an area known in Britain as the East Country. In 1579, the year when the Hanseatic League lost its privileges in London, English Baltic merchants formed themselves by royal charter into the Eastland Company.¹ This began as a regulated company (in which merchants traded under their individual stock) and it stayed that way, unlike the slightly earlier Russia Company which at times had joint-stock status.² Another early regulated company had been the Merchant Adventurers and there was some overlap in boundaries. The Eastland Company shared the German territories bordering the Baltic and parts of Denmark with the Merchant Adventurers and could, in exceptional times, ship goods through Hamburg which was the Merchant Adventurers' staple.³ But in terms of the Baltic Sea, the Eastland Company was the organization which had most to gain or lose. The Russia Company was later to compete in the Gulf of Finland, but its activities for the time were confined to Archangel.⁴

Politically, the Baltic during the seventeenth century was very much in the grip of Sweden.⁵ Finland, plus the area around the Gulf of Finland and the territories to the south (the modern Estonia and Latvia), were already or became under Swedish control. Further south again, Prussia controlled the ports of Memel and Königsberg, while Poland, Germany and Denmark possessed the remaining shoreline. Denmark also controlled Norway, and the southern tip of Sweden, facing its own territory, until 1658. Wars were frequent and vicious, as between Sweden and Denmark from 1675 to 1678, and the whole region became seriously destabilized on the death of Charles XI of Sweden in 1697. Poland, Russia and Denmark combined to catch Sweden wrong-footed, and the Great Northern War erupted. But the extraordinary

1 R.W.K. Hinton, *The Eastland Trade and the Common Weal in the Seventeenth Century* (Cambridge, 1959), p. 5; M. Sellers, *The Acts and Ordinances of the Eastland Company* (London, 1906), p. x.

2 E. Lipson, *The Economic History of England. The Age of Mercantilism* (3 vols, London, 1943), vol. 2, p. 196.

3 Hinton, p. 5; Lipson, vol. 2, p. 318; Sellers, p. xvi.

4 S.-E. Åström, *From Cloth to Iron. Part I ...* (Helsingfors, 1965), p. 189.

5 J.F. Chance, *George I and the Northern War* (London, 1909), p. 676.

prowess of the boy king, Charles XII, led in the short term to even greater Swedish supremacy. Russia suffered a humiliating defeat at Narva in 1700, but eventually all the Swedish territory on the eastern side of the Baltic was overrun by Russia between 1704 and 1714.

England wanted no part in any of this fighting, and had long adopted a passive foreign policy in the Baltic, while ensuring that its interests were not upstaged by the Dutch.⁶ This meant maintaining a balance of power, particularly between Sweden and Denmark, as they glared at each other across the narrow strip of water known as The Sound. With the Great and Little Belts (the alternative channels through the Danish islands) dangerous because of shoals, all shipping out of the Baltic passed through the Sound. There it paid a toll at Elsinore to the King of Denmark, who exacted it, under duress if necessary, at the highest rate he could get away with. England acquiesced in this, as long as Denmark remained relatively weak. But when there was threat of this 'turnstile' being closed, or other interests were threatened, England's policy became suddenly very positive, and between 1658 and 1814 England sent warships to the area nearly 20 times.⁷

The strategic importance of the Baltic to England lay in its provision of naval stores. Through the seventeenth century, exports of cloth to the East Country declined, but the Eastland Company (and interlopers) found good business in the import of hemp, flax and masts from Prussia, and iron, tar and pitch from Sweden.⁸ During the Commonwealth the need for naval stores became acute, and they were exempt from the first Navigation Act.⁹ Thereafter demand never slackened, and the War of the Spanish Succession, which began in 1697, required a permanently strong fleet against France. Soon a nervous Government sought an alternative supply source from the American colonies but the quality of materials from the Baltic could not be matched.¹⁰

One of the many problems worrying England was the increasing ability of Sweden to control the market. The Stockholm Tar Company, established in 1689, refused to supply its product except in Swedish ships at its own price, and later through its own factors.¹¹ Generally, relations between England and Sweden had been good in the seventeenth century, but soured significantly when England, as a guarantor of the Treaty of Travendal of 1700, failed to send troops in support of Charles XII when he urgently needed them.¹² Charles placed retaliatory restrictions on trade with England resulting, for instance, in nine ships with naval stores being prevented from sailing in 1709.¹³ In the words of Secretary of State St John, the King of Sweden

6 R.G. Albion, *Forests and Sea Power: The Timber Problem of the Royal Navy, 1652–1862* (Cambridge, Mass., 1926), pp. 140, 164ff.

7 Albion, p. 165.

8 Hinton, pp. 22, 37ff., 61, 98–101; Albion, pp. 153ff.

9 Lipson, vol. 3, pp. 122–3.

10 Albion, pp. 148–9, 240, 243.

11 National Archives [NA] CO 388/12, Part 2/71.

12 J.F. Chance, 'England and Sweden in the time of William III and Anne', *English Historical Review*, no. 63, vol. 16 (1901), 684–7.

13 NA SP 104/154/95–6.

was ‘neither unwilling nor unable to hurt us.’¹⁴ In another letter, he claimed that the King’s interruption of the trade to Riga was ‘groundless and intolerable’, but at least it affected Holland as well as Britain.¹⁵ To add to the problem, the Baltic was infested with privateers of the various combatant nations, who paid little regard for a ship’s nationality if the cargo were from an enemy source.¹⁶

Statistics of trade with the Baltic reveal the extent of England’s dependency, and how much the balance of trade was against her. Between 1697 (when annual figures began) and 1709, England had an average annual trade deficit of nearly £22,000 with the East Country, and almost £138,000 with Sweden.¹⁷ This imbalance offended the mercantilist philosophy of the day and renewed calls for the plantations to produce alternative supplies.¹⁸ An Act of Parliament gave muscle to this movement in 1704, but there was to be no quick fix from across the Atlantic.¹⁹ The Baltic remained vital to British interests and England’s policy towards the Northern Crowns did not alter. When Robert Jackson took up his post as English Resident in Sweden in 1710, Anne reminded him first of her concern for the ‘Good of Europe by preserving a due Balance in the North’.²⁰ She went on to state the dire need for ships to get through: ‘you are to endeavour to put that matter upon such a foot, That our Navy may be constantly and sufficiently supply’d; and particularly you are to make application to obtain a free Exportation of Masts, and all other naval stores from any Part in Sweden.’²¹ As if this messy and dangerous situation, with implications for national security, were not a sufficient trial for Anne, she was already facing an imponderable complication of another kind – the arrival in the Baltic of bubonic plague.

This was far worse than the periodic local epidemics to which western Europe had long been accustomed. The threat now was from a relentless scourge, springing from the Ottoman Empire, rampaging north-west, and killing those who stood in its way. It was as if a new Tartar horde had burst from the eastern fringes of Europe in some devilish, incarnate disguise. Not since the Black Death had the West been faced with such a virulent, invisible enemy. In 1707 Poland was badly attacked and the disease travelled inexorably north to Danzig, which lost up to 25,000 inhabitants, perhaps two-thirds of its population, in 1709.²² The plague crossed the Baltic to

14 G. Parke, *Letters and Correspondence of Lord Bolingbroke* ... (4 vols, London, 1798), vol. 1, p. 171.

15 Parke, vol. 1, p. 291; Chance, ‘England and Sweden in the time of William III and Anne’, 698.

16 Albion, pp. 151, 176.

17 Sir C. Whitworth, *State of the Trade of Great Britain* ... (London, 1776), Part 2, pp. 7, 35.

18 Albion, pp. 158–9; Chance, ‘England and Sweden in the time of William III and Anne’, 678.

19 3 & 4 Anne, c.9, encouraging the import of naval stores from North America.

20 NA SP 104/214/33–8.

21 Ibid.

22 [A. Boyer], *The History of the Reign of Queen Anne, digested into Annals* (11 vols, London, 1710–13), vol. 8, p. 158; D. Panzac, *Quarantaines et lazarets. L’Europe et la peste d’orient (XVIIe–XXe siècles)* (Aix-en-Provence, 1986), pp. 58–9; from which remaining references in this paragraph are taken.

Sweden, killing close to 40,000 people, mainly in Karlskrona and Stockholm in 1710. Denmark was severely affected in the following year, with some 28,000 deaths at Copenhagen. The sickness then spread to Hamburg and Bremen and threatened to move west, ever closer to the British Isles.

There was no sense of alarm in England until the epidemic reached Danzig. This was understandable as plague in the Empire was endemic, and fighting in Poland masked the reality of the threat, as armies were often ravaged by disease. It was only when plague reached the civilian population on the Baltic shore, where English ships collected cargo, that the risk was understood. In the late summer of 1709 Boyer noted that ‘besides the Calamities of War, Poland, and the neighbouring Countries were afflicted by a violent Plague, that raged most furiously at Danzick, where for several Months, above 1,500 Persons a Week were swept away’.²³ It was Danzig, also, which featured in the Privy Council’s deliberations of 22 August 1709, when ships from that port, and places adjacent, were stopped from coming further up the Thames than The Nore.²⁴ The navy was to prevent any goods, seamen or passengers from those areas being landed in London or the outports ‘untill they be under the Care of the Officers of the Customes who are to take Care ... according to the Intention of this Order’.²⁵ But what *was* the intention of the Order? Was this quarantine? Evidently there was confusion, as another Order followed quickly on 5 September.²⁶ This stated that landing could only occur at places ‘provided for airing the ... Persons and Goods for 40 Days appointed for performing their Quarantain’; Customs officers were empowered to release the ships after that period.²⁷

This second Order was as hasty and ill-considered as the first. The concept of airing appears misunderstood: people were never ‘aired’, only cargoes, and no open spaces were appointed by the Order where airing could take place. The lessons of the seventeenth century had not been learnt. As regards the Thames, the second Order repeated that The Nore was the closest point to London for suspect ships, unless Customs officers should choose somewhere else after consultation with the Lord Mayor of London. But if the City felt once again that its *savoir-faire* was in demand, the satisfaction was short-lived. On 14 September there was a third Order which did little more than repeat the second, but with two important differences: the infected area was now designated as the ‘Baltick Seas’, and the consultation clause was discontinued.²⁸ The City was never again asked for a view.

As it was, the City had favoured quarantine at Black Stakes, near the mouth of the Medway.²⁹ Apparently the Queen, and no doubt the City as well, had blocked a proposal that quarantine should be at The Hope, which was judged too near London.³⁰ The Customs Commissioners, who had been asked to consider an exact site with the

23 Boyer, vol. 8, p. 118.

24 NA PC 2/82/419.

25 Ibid.

26 NA PC 2/82/420.

27 Ibid.

28 NA PC 2/82/427–8.

29 NA PC 2/82/427; *Calendar of Treasury Books [CTB]* (1709), p. 360.

30 CTB (1709), pp. 357–8.

Navy Board, were hurriedly called in to advise the Lords of the Committee.³¹ The Privy Council, on 16 September 1709, appointed the holding ground as Stangate Creek, a remote backwater further up the Medway than Black Stakes.³² If it became overcrowded, ships were to use nearby Sharfleet Creek, with further capacity, if needed, in the Thames at the Lower Hope.³³ After a quarantine of 40 days (if all was well), passengers could go ashore at the discretion of Customs officers and goods were to be unloaded and aired for a further week.³⁴ Release was then a formality and the ship could continue to its place of discharge. There were, however, certain goods – linen, Polonia wool, hogs' bristles, spruce-yarn, feathers, hemp and flax – which medical opinion considered highly susceptible to harbouring infection.³⁵ These items were to be reported to the Privy Council for further instructions. As these 'enumerated' goods contained two vital naval stores, hemp and flax, the problems ahead might well have been imagined.

The continuing Orders testify to something very much like panic in a thoroughly rattled Privy Council. Members were relearning the practicability of procedures which had engaged the minds of past councillors, but the corporate memory had effectively lapsed. On 26 September 1709 it was ordered that the Isle of Grain would be the airing ground for ships bound for London, while Customs officers and magistrates in the outports were to appoint similar places locally.³⁶ Unfortunately, airing grounds were no easier to establish in this century than they had been in the last. The Isle of Grain had salt pans with a wharf and warehouses, but the owner, Lord Teynham, was in no mind to agree terms with the Customs Commissioners.³⁷ Through his agent, he demanded £2,000 to compensate for land already settled on his daughters, for the inevitable flight of tenants from their farms, and for the upkeep of sea walls.³⁸ The Commissioners were unimpressed; their own agent found the wharf in disrepair, most buildings nearly derelict, and the whole claim 'very extravagant'.³⁹ For a quarter of the cost, he reckoned 'a small stage and a large shed' could be built more conveniently in the Medway creeks, and the Commissioners were empowered to treat.⁴⁰

Meanwhile, even the use of the quarantine creeks was not unopposed. At low tide they were little more than dreary mudflats among inaccessible, featureless marshlands, divided into islands on the western shore. The area was unhealthy and desolate but it provided a livelihood for the free fishermen of Milton or Middleton Hundred, who paid the lord of the manor £100 a year for the right to dredge for

31 NA PC 2/82/427; *CTB* (1709), p. 358.

32 NA PC 2/82/429. The name was subject to many corruptions and variations (Stanlet, Stanley, etc.), and was frequently written Standgate.

33 *Ibid.* The spelling Sharfleet (Sharpe Fleet) was equally in usage.

34 *Ibid.*

35 *Ibid.*

36 NA PC 2/82/434–6.

37 NA PC 2/82/436; *CTB* (1709), pp. 382, 393.

38 NA PC 2/82/466–9; *CTB* (1709), p. 417.

39 *Ibid.*

40 *Ibid.*

oysters.⁴¹ The Customs Commissioners were asked to arrange a buyout, as the trade could no longer be tolerated.⁴² That was 6 November 1709, but ships in quarantine had already been there for some weeks: the oysters had long been ruined and the Commissioners did little negotiation. A bigger problem at that time was the site of the proposed airing ground. Attention was focusing on Hoo Fort Island, higher up the Medway. This was controlled by the Board of Ordnance, who already allowed goods to be aired there.⁴³ But the Privy Council had conflicting advice: the Navy Board, supported by other interests, felt the island 'one of the most improper Places that can be', while the Lord Treasurer, speaking for the Customs Commissioners, stressed its 'great Conveniency'.⁴⁴ Up to three ships could unload there at one time, and preparations continued for the reception of cargoes – but only goods from Stockholm or Riga and other places not actually infected with plague. The Privy Council felt this practice should continue; the purpose of the limitation was to allay fears in Rochester and the surrounding towns.⁴⁵

The absurdity therefore existed that goods were being aired against plague despite no perceived risk of infection. The corollary was that goods from infected ports, like Danzig, were not being aired at all. It was probably the policy to develop Hoo Fort Island from small beginnings; in other words, once the locals had become accustomed to the airing ground, the island could be used for ships from higher-risk locations, and indeed for ships which were actually infected. In the meanwhile, even as Hoo Fort Island was receiving ships, £2,100 was being spent in making 'stages and other conveniences' at the quarantine creek.⁴⁶ The idea was that goods from infected ports could be offloaded for airing on the deserted islands or Chetney Marshes.

In the event, this was money wasted: the region was uninhabited because it was uninhabitable, unable to support the infrastructure of buildings, population and supply routes which a properly organized airing ground demanded. The provision of landing stages merely brought the problems into focus; it was pointless taking potentially infected goods out of ships' holds unless the airing ground allowed several cargoes at once to be kept distinct, opened, turned, repacked and reloaded. The manpower needed for labouring, supervision and security was immense; and even this set-up would fall short of a full-scale lazaretto, as there would be no facilities for passengers or crew. It is doubtful whether any cargo was ever aired at Stangate Creek, or if the 'stages' were even completed. The Customs Commissioners had no illusions about the unsuitability of the site. In December 1709 they reiterated their concerns to the Treasury: 'opening and airing ... will be attended with great difficulty; [some goods] cannot be landed, opened and aired without great damage, and others not without

41 NA PC 2/82/465–6; *CTB* (1709), p. 418.

42 *Ibid.*

43 NA PC 2/82/486.

44 NA PC 2/82/482, 486; *CTB* (1709), p. 445.

45 NA PC 2/82/486.

46 *CTB* (1709), p. 449.

both and none without danger of infection both to the persons that open them and to the country thereabouts ...⁴⁷

Opposition to Hoo Fort Island came from the Medway towns, led by Rochester. This was an ancient and populous river port, about three miles away; even closer (within two miles) was the important dockyard town of Chatham, while the smaller community of Gillingham was distant by a matter of yards across the main channel of the Medway. The towns more or less acquiesced in the use of Hoo Fort Island for most of 1710. This can be explained by the work under way in the quarantine creek, at a safer distance from the population, and by the assurance of the Privy Council that only non-infected cargoes would be aired at the island. What caused a new Kentish outcry was the Proclamation of 9 November 1710, the first in England to enforce quarantine since 1635, and followed soon afterwards by an Act of Parliament.⁴⁸ In clause five of the Proclamation it was stated that the airing ground for Baltic goods destined for the Thames ‘shall be the Island of Stowfort in the River Medway’. There was, of course, a mistake here as Stowfort did not exist, but it was no more than an error of transcription by an engrossing clerk.⁴⁹ The intention was now publicly announced: Hoo Fort Island was to be the main airing ground in England for cargoes, regardless of their susceptibility to infection. When the Customs Commissioners were told to build airing sheds, the mayor of Rochester reacted with an angry petition, also on behalf of Strood, Chatham and Gillingham.⁵⁰ The very concept of quarantine in the Medway seemed under attack. The mayor was asked what suggestions he had for a better location.⁵¹ He could offer only Stangate Creek as a more suitable airing ground.⁵² This answer at least conceded that quarantine in the Medway was acceptable, and in recognition of this, or because the Council genuinely recognized the risk, airing at Hoo Fort Island was scaled down.⁵³ But with no airing facility elsewhere, quarantine policy was already in disarray.

Encouraged by the resistance of Rochester, it was now the fishermen who returned to the attack. They petitioned in February 1711 that they had received no compensation for the ruined oyster beds, that they were forbidden from entering the creeks, and that 70 families had their livelihood at stake.⁵⁴ Again, they were treated cavalierly, with no recompense until March 1712.⁵⁵ By then an investigation had revealed that the fishermen were, in some respects, understating their grievance. Some 80 families were found to be at risk, and their losses included £300 worth of oyster stock when the quarantine ships first arrived. There were evidently other

47 *CTB* (1709), p. 460.

48 The text of the Proclamation is in PRO PC 2/83/147–9. For the Act, see below.

49 This error had a remarkable longevity, almost as if Stowfort became the accepted nomenclature even in legislation.

50 NA SP 44/245/211–12; *CTB* (1711), p. 137.

51 *CTB* (1711), p. 164.

52 *CTB* (1711), p. 177.

53 But certainly not abandoned. When plague at Marseilles caused the scare beginning in 1720, the airing sheds were again used.

54 *CTB* (1711), pp. 169, 621.

55 *CTB* (1712), pp. 217–18, from which remaining references in this paragraph are taken.

oyster grounds open to them, but they still paid rent for rights in the banned areas and losses were reckoned at £1,000. The Treasury conceded a payment of £250 for damages to Michaelmas 1711, and £100 annually thereafter for as long as quarantine should continue in Stangate Creek.

One reason for such a delay in settling with the fishermen was the preoccupation with other expensive issues, peripheral to quarantine itself. In February 1711 the Treasury were reminded by Mr Hunt, quarantine officer for the Medway, that no watch had been established in adjoining parishes to prevent illicit communication with the shore.⁵⁶ There was now a statutory obligation on local magistrates to provide one, but the expense was not allocated by the Act. The parishes thought the cost should be borne by the hundred, the hundred by the county, and the county by the country.⁵⁷ The Attorney-General was asked whether soldiers could be used. He thought they could and as a company of invalids was stationed at Upnor Castle on the Medway, a detachment of an officer, sergeant, corporal and 18 men was sent to patrol Chetney Marshes, on the eastern (or mainland) side of Stangate Creek.⁵⁸ But even by the middle of March, their further duty was out of the question. The governor of Upnor Castle reported to his superior: 'the places where they keep guard are two or three miles distant from each other, & as far from any house, & they are forc'd to stand in the open Marshes to do their Duty, which is so deep, that they are up to their knees, so that it is impossible for them to live, unless there be some Guard house made, or Tents provided to keep them from the Severity of the Weather'.⁵⁹

The reality of the situation was now becoming apparent: however useful for quarantine the Medway creeks might be, the adjacent Chetney Marshes were patently unsuitable for any purpose whatsoever. But in a few decades' time the corporate memory would again fail, and the mud would suck down the money as it did a soldier's boot.

Legal framework

The Proclamation of November 1710 began with a preamble lamenting that quarantine was being broken; some people 'have Presumed to come on Shoar, and have Appeared in the Publick Streets, and Mingled Themselves wth Our Subjects', while others had been going aboard and offloading goods.⁶⁰ To remedy these evils, the Proclamation sought to integrate the piecemeal measures accomplished by the many Orders of the preceding 14 months. It did not, however, supersede those Orders; the hope was that, now they were brought to people's notice, no one could 'Pretend Ignorance' of their existence. It also embodied policy formulated empirically as procedural questions arrived from north of the border. It was no accident that Scotland, in the aftermath of the Act of Union, should grasp the pertinent issues; Scottish magistrates had long been implementing quarantine laws in their own land and it was probably with some

⁵⁶ *Calendar of Treasury Papers [CTP]* (1708–14), p. 248.

⁵⁷ *Ibid.*

⁵⁸ NA SP 41/3.

⁵⁹ *Ibid.*

⁶⁰ NA PC 2/83/147–9.

smugness that they give the Privy Council something to think about. For instance, it was a Scotsman who asked from what date quarantine should commence.⁶¹ The answer was when the ship came to anchor in the quarantine harbour: no part of the voyage, even if the ship had earlier arrived at some British landfall, would be deducted from the reckoning.⁶² Thus the policy of 1692, which must have puzzled and bothered the Scots, was corrected. Likewise, it was the magistrates at Edinburgh who wondered if non-enumerated cargo, at the expiration of quarantine, could be removed from a ship's hold when that hold contained also susceptible goods; and, if so, whether the labourers had to undergo a new quarantine when they had finished.⁶³ The answer to both parts of that question was yes.

There were nine numbered provisions in the Proclamation. The first clarified when quarantine should begin, as mentioned above, but did not confirm the duration. The second named the quarantine creeks for ships bound to the Thames and Medway; for the outports, quarantine was to be at such places as the Customs officers should appoint. The third forbade persons or goods to leave a ship during quarantine. The fourth provision was more complicated: if, after quarantine had been performed, the Customs officers were satisfied that the ship was healthy and the master had sworn to that effect before a magistrate, then people could come on shore. But the cargo had to be landed, opened and aired for a week; and if the cargo contained the enumerated goods mentioned in the Order of 16 September 1709, it had to stay on board until the Privy Council should decide otherwise. Although this provision did no more than reiterate existing policy, it would have greatly disappointed many merchants and shipowners who, as will be seen, were finding the law unworkable.

The fifth provision has already been dealt with: it clarified the airing ground for the Thames as 'the Island of Stowfort'. The sixth placed under quarantine any ship or person who should receive men or goods from any vessel itself in quarantine. This had already happened in the (probably innocent) context of a man-of-war from Hamburg;⁶⁴ more significantly, it seems to have been a warning to the navy not to impress seamen from temptingly inactive merchant ships. The seventh provision imposed quarantine on men who separated iron, tar, pipestaves and timber from susceptible goods, as enumerated in the Order of 16 September, in a ship's hold. The eighth provision enjoined naval captains to prevent goods or people coming ashore before a ship was under the direction of Customs officers; and the ninth urged the Customs officers to do their work diligently. The Proclamation ended as it began, with reference to the lawbreakers: it encouraged people to obey the rules 'upon Pain of being Proceeded against wth the utmost Severity that the Law will Allow ...'

The problem with the Proclamation was that the law entailed no such severity. The breaking of quarantine was not an offence in the statute book, which is why in some ports the rules were still being flouted as they had been in the seventeenth century. Jonathan Swift, for one, was very aware of this. In his *Journal to Stella*, he wrote in December 1710: 'We are terribly afraid of the plague; they say it is

61 *CTB* (1709), p. 416; NA PC 2/82/458.

62 *Ibid.*

63 NA PC 2/82/540.

64 NA PC 2/82/458.

at Newcastle. I begged Mr. Harley for the love of God to take some care about it, or we are all ruined. There have been orders for all ships from the Baltick to pass their quarantine before they land; but they neglect it.'⁶⁵ In fact, the plague was not at Newcastle after all, but as Swift claimed to be 'daily conversant with the persons then in power', his statement is one to be reckoned with.⁶⁶ As he was reporting the conversation of a dinner *à trois* at which Robert Harley and Matthew Prior were the other diners, presumably his use of 'We' means the others shared his fear. This has implications for a later discussion on quarantine policy at Cabinet level, but at this stage it serves to confirm that the Orders had not been successful. What Swift must have known, but failed to tell Stella, was that a new way of bringing the country to order was about to be tried. This was an Act of Parliament.

The *Act to oblige Ships coming from Places infected more effectually to perform their Quarantine* had a remarkably rapid progress through Parliament.⁶⁷ In an age when Whig and Tory differences reduced most questions to the infighting of party politics, and when the Crown would not expect an issue concerning the royal prerogative to be received by the Commons without opposition, the Quarantine Bill was a model of what could be achieved when the threat to parliamentarians was personal, mortal and indiscriminate. The passage through both Houses took only eight days.⁶⁸ On 15 December 1710 leave was given to bring in the Bill; on the 20th William Lowndes, MP for Seaford and Secretary to the Treasury, presented it, and on that same day it received its first and second readings. On the 21st, at 8 o'clock in the morning, it entered committee stage and received 'several' amendments to which the House agreed, although one was itself amended. The following day the engrossed Bill was read the third time, and received a new section (dealing with airing) and some further minor amendments. Later that day the Bill was carried to the Lords who agreed it almost instantly, and without amendment, despite the further requirement for three readings and a committee stage. On 23 December the Bill received royal assent, and was in force from the 25th. Copies of the Act were dispatched over the next three days, mostly by 'Common Post', to all ports in England, Wales and Scotland.⁶⁹

There were a number of advantages in getting parliamentary sanction for quarantine while not disturbing the royal prerogative, which the preamble to the Act expressly protected.⁷⁰ Proclamation was to continue as the notifying instrument of the future. But the measures now carried more weight and demonstrated to the public that the Establishment was united. As Parliament was backing the Crown, the situation was manifestly serious; this, in theory, concentrated the minds of those

65 J. Swift, *Journal to Stella*, ed. H. Williams (2 vols, Oxford, 1948), vol. 1, pp. 115–16.

66 S. Biddle, *Bolingbroke and Harley* (London, 1975), pp. 4–5, quoting other work by Swift.

67 9 Anne, c.2.

68 *Journal of the House of Commons [JHC]*, vol. 16, pp. xvi, 436, 439–41, 443–4; *Journal of the House of Lords [JHL]*, vol. 19, pp. 179, 180; cf. P. Russell, *A Treatise of the Plague* (London, 1791), p. 441.

69 NA SP 44/109.

70 Quarantine was to be 'in such ... places for such time and in such manner as hath been or as shall from time to time be directed ... by Her Majesty or her successors'.

at risk of spreading or receiving infection. Another advantage of parliamentary involvement was that it prepared the way for an estimate of supply if the expenses of quarantine became significant. But most important of all at this worrying juncture, it enabled specific penalties to be introduced 'in a more expeditious manner' to punish those who wilfully neglected or ignored the measures.

To appreciate just how toothless the system of Order and Proclamation had been, it is necessary to revert once again to the seventeenth century. The enforcement of quarantine had been characterized by bluster and threat, disguising an impotence by Crown and Privy Council to take positive and effective action. Whenever possible the consequences of infringement were left to others, or simply ducked. For instance, in the alarm year of 1635 a group of French gentry were allowed ashore in Yarmouth as long as they remained in an appointed house.⁷¹ But somebody gave them 'horses and means', and they reached London.⁷² The Corporation was ordered to find out who did it, but any punishment was left to them.⁷³ In the following year the same Corporation let a man land from Rotterdam, an infected port, and the Privy Council sent a sharp letter stating 'we doe not a little marvell' at the decision.⁷⁴ The culprit was ordered to be apprehended, kept in solitary custody for a month, and then to appear before the Privy Council 'according to his Bond'.⁷⁵ But nothing further seems to have happened. In May 1664, when a sailor and his family jumped ship at Topsham to escape quarantine, they were roundly accused by the Privy Council of 'insolent obstinancie'.⁷⁶ But the infringement itself was not punished; the transgressors had simply to complete their 40 days. In July 1664, also at Topsham, the master of the *Saphir* broke quarantine.⁷⁷ This resulted in a letter to the mayor and justices of Exeter, and to the county justices, with another indication of extreme displeasure. But once more, the offender had simply to complete his quarantine, although any house harbouring him was to be shut up, as if with plague.⁷⁸

When the Act of Parliament was mooted, the Attorney-General evidently wished that breaking quarantine should be a capital offence.⁷⁹ This, after all, would be nothing more than the penalty required and exacted in the main Mediterranean ports. But the Privy Council backed away, on the grounds that the penalty was so severe that nobody would be prosecuted. They favoured fines for those who could afford them, and a harsh detention for those who could not.⁸⁰ This is basically what the Act provided, but it also dabbled in how quarantine was conducted. There were nine sections, the first being also the preamble, setting the scene, and confirming the general constraints which the Orders and Proclamation had set out to establish. The second section allowed for a ship to be forfeited to the Crown if a master allowed

71 NA PC 2/45/287.

72 Ibid.

73 Ibid.; more precisely, they were to 'punish them as they think fit'.

74 NA PC 2/45/401–2.

75 Ibid.

76 NA PC 2/57/104.

77 NA PC 2/57/186.

78 Ibid.

79 *CTP* (1708–14), pp. 230–31.

80 Ibid.

anyone to go ashore, or on any other vessel, during quarantine. The third section allowed for those who jumped ship to be returned to quarantine, after which they would be prosecuted. The maximum fine was £20, with up to one-third going to any informer, or hard labour for no more than a month.

The fourth section targeted those who presumed to go on board and then leave a ship during its quarantine. They were to be forcibly returned for the full 40 days, but curiously no further punishment was exacted. The fifth section punished any Customs officer who wilfully let anyone leave a quarantined ship, by a fine of £100, with up to half going to any informer. It was from this point that the Act interfered in practical issues: the same clause empowered Customs officers to seize a ship's boats. By the sixth section, magistrates were to set up 24-hour watches in the parishes around the quarantine harbours; as noticed above, the costs of that responsibility were not allocated. Arrangements for concluding quarantine were dealt with in section seven: in this respect, unusually, the Act trespassed on a provision already covered by the Proclamation. Quarantine was to be lifted automatically when the time had expired, once a master and two other persons had sworn before a Customs officer or magistrate that the ship was healthy. A certificate would be granted to that effect. Section eight merely allowed the official who heard the oath to charge one shilling, over and above stamp duty. At that point the Act might well have ended but, as already mentioned, a ninth section was formulated during the third reading, when the Bill was already engrossed.⁸¹ This required that goods, after quarantine, should be opened and aired in such places and for such time as required by Proclamation.

The importance of this first quarantine Act is simply that it existed at all. As a piece of legislation it bore all the hallmarks of the panic which engendered it, and its sections suffered from the almost unseemly speed with which it rampaged through the parliamentary process. There was no coherent message as to what the few, brief and diverse provisions were trying to achieve. Certainly, there were now statutory punishments for infringement, but the penalties, when seen in the judicial context of the era, were not such as to strike fear into the mind of a would-be transgressor. Also, the Act tinkered in a minor way with procedural matters best left to the Proclamation. Enabling Customs officers to seize a ship's boats is one minor example; of more significance was section seven, which more or less paraphrased clause four of the Proclamation in the matter of oaths. But it also added that the official who received the oath could issue a certificate, in effect pratique, after which the ship 'shall be liable to no further restraint during that voyage ...'. This had not been part of the Proclamation, which it contradicted, effectively removing from Privy Council scrutiny any ship, with whatever susceptible cargo, which happened to have lain in Stangate Creek for 40 days. At the eleventh hour the error was realized, and provision was added by section nine for airing all cargoes according to the Proclamation in force. This implicitly cancelled half of section seven, and the Privy Council was tacitly reintroduced (*pace* the Proclamation) as the controlling authority for pratique. A clumsier piece of legislation could scarcely have been imagined.

⁸¹ *Statutes at Large* has a footnote to section 9 stating it was 'annexed to the Original Act in a separate Schedule'; cf. Russell, p. 441.

For better or worse, this mishmash of Orders, Proclamation and Act of Parliament controlled the practice of quarantine for much of 1711. There was not the least hope that the whole messy business could be cancelled. The progress of plague around the Baltic was being monitored with unease. Useful sources of knowledge were Robert Jackson at Stockholm and Daniel Pulteney, envoy to Denmark, both in distinctly unhealthy surroundings. As early as 3 October 1710 the Duke of Queensberry, as Secretary of State for Scotland, had given Jackson permission, pending Anne's agreement, to leave the capital if he felt in danger.⁸² Jackson stayed on, despite further anxiety in London for his safety, and kept the Queen abreast of developments. In this time of war, all news from Sweden was vital, but the recipients became increasingly jittery about the letters themselves; Jackson was asked to ensure they did not pass through infected hands as 'we have not yet taken any Extraordinary Precaution in airing, or opening, them'.⁸³ In January 1711, Under Secretary Rowe congratulated Jackson on 'being still in this World' and renewed the request for letters 'thro[ugh] hands that are Sound as well as Safe'.⁸⁴ The point about 'Safe' was that Denmark had been interrupting the normal mail route to and from Sweden. Ostensibly this was on health grounds, but of course the war had a lot to do with it. A makeshift postal route out of Sweden had been arranged from Ystad to Stralsund, with a connection to Hamburg for London, but it was a constant source of frustration to Rowe that letters to and from Sweden seemed to miscarry, or were inordinately detained.⁸⁵

By the end of 1710 the plague had reached Stralsund.⁸⁶ Its course thereafter was erratic and gave rise to conflicting reports. The Prussian Resident in London, in February 1711, hoped that his country and England could now trade normally as the infection in Prussia was allegedly over.⁸⁷ But the Commissioners of Customs felt otherwise and quarantine remained. Later came rumours of the plague having attacked the German North Sea coast. On 1 August, Secretary St John of the Northern Department asked Lord Dartmouth, his colleague of the Southern, to inform the Privy Council that plague was spreading around Hamburg; a regiment marching through Holstein was infected, and precautions should be taken to stop the disease reaching Britain.⁸⁸ The result was a new Proclamation of 6 September 1711 extending the quarantine measures to Hamburg and other towns on the estuary of the Elbe, as well as to Bremen on the Weser and Emden on the Ems.⁸⁹ This time the Proclamation preceded the Order, which was dated the following day, but it did nothing to change the substance of what had gone before. It was still necessary for all cargoes to be aired for one week after quarantine (at Hoo Fort Island in the case of the Thames and Medway) and for enumerated goods to be reported to the Privy Council. Whereas the restrictions so far had upset only the Eastland Company and merchants trading

82 NA SP 104/154/122–3.

83 NA SP 104/154/132–3.

84 NA SP 104/154/133–4.

85 NA CO 388/13/62; for Rowe's frustration, see SP 104/154/*passim*.

86 *Journal of the Commissioners for Trade and Plantations [JCTP]*, vol. 2, p. 194.

87 *JCTP*, vol. 2, pp. 238, 242.

88 NA SP 34/16/34/52–3.

89 NA PC 2/83/302–5.

with Sweden, they now threatened the Merchant Adventurers who enjoyed Hamburg as their staple. After some months of frustration, they petitioned for the lifting of quarantine on the grounds that Hamburg and adjacent places 'are not nor have been infected', and that Holland had lifted restrictions.⁹⁰ On 3 April 1712 the petition was referred by the Privy Council to the Treasury, the principal Secretaries of State, and the Commissioners of Trade and Plantations.⁹¹

This was not the first time that the Board of Trade (to use the Commissioners' more convenient title) had been asked for a view. This body, the successor to several committees of the Privy Council, had been established in 1696 to study and review the state of trade, to devise means of making the poor productive, and to familiarize themselves with the governance and business of the plantations.⁹² Their role was always advisory, never executive, and in later years the Board became largely nominal. At this period, however, members took their responsibilities (at least, the first and the third) seriously and responded conscientiously to referrals, mainly from the Secretaries of State.⁹³ In quarantine matters they were being groomed, albeit gradually, as the main source of advice for the Privy Council. This was logical as quarantine was inherently linked to trade, and indeed some members of the Board were merchants and likely to be familiar with procedures abroad. But in response to ad hoc issues, as distinct from general policy, the Board could only seek a view from parties whom they considered to be more knowledgeable than themselves; and if those parties needed to consult others, a substantive reply to the Secretary of State could be delayed by some weeks. When Secretary St John referred to the Board the letter of February 1711 from the Prussian Resident, it was 17 days before he got a reply.⁹⁴ In that time alone the plague could have waxed or waned significantly.

In the case of the Merchant Adventurers' petition, the delay was exceptionally long. It will be recalled that the petition was referred by the Privy Council to the Board of Trade on 3 April 1712. The Board eventually asked the Eastland Company for a view, but there were other Baltic matters exercising the latter's judgement, and the Board seemed reluctant to bother them.⁹⁵ It was not until 6 May that Thomas Phelp, their Deputy Governor, appeared before the Board to clarify the position.⁹⁶ What he said did nothing to inspire in the Board any sense of their own importance. The Eastland Company had already laid before the Customs Commissioners several letters from Elsinore, dated between mid-October 1711 and mid-March 1712, about the prevalence of the plague, and was under the mistaken impression that

90 NA PC 2/83/410.

91 Ibid.

92 A.H. Basye, *The Lords Commissioners of Trade and Plantations Commonly Known as the Board of Trade, 1748–1782* (New Haven & London, 1925), pp. 1–5.

93 C. Wilson, in *England's Apprenticeship, 1603–1763*, 2nd edn (London, 1984), p. 167, regards them as 'a "Third Force" between dynasticism and vested economic interests'.

94 *JCTP*, vol. 2, pp. 238, 239, 242.

95 The Board and the company were engaged in discussing an earlier referral about British ships being taken as prizes by the Danes and Swedes.

96 *JCTP*, vol. 2, p. 361.

the Commissioners had passed them on. In the event, they had forgotten or just not bothered.⁹⁷

While Phelps promised further copies, the Board wrote hurriedly to the Customs Commissioners asking for whatever information they might have specifically relating to Hamburg.⁹⁸ On 8 May the Commissioners replied by sending the Board a copy of the material they had already sent their superior, the Lord High Treasurer, in response to a direct referral.⁹⁹ To complete the Board's humiliation, the secretary of the Hamburg Company (that is, the Merchant Adventurers) had appeared before them on the previous day and produced a copy of this same report which had thus bypassed the Board completely.¹⁰⁰ The Board had one last chance of recovering some dignity and making a meaningful submission to the Privy Council – by quoting correspondence between Hamburg and London which only the Hamburg Company could produce.¹⁰¹ As this production would take further time, the Board sent a temporizing reply to the Privy Council.¹⁰² On 9 May 1712 a Mr Van Heymaert appeared before the Board and showed letters which indicated the healthiness of the Prussian Baltic coast, and that this was recognized in Holland.¹⁰³ The Board were now in a quandary: should they respond again to the Privy Council? They had already half answered the original referral of 3 April and the new information, although encouraging, was geographically wide of the mark. Eventually, from one source or another, the Council got the gist of the position: on 24 June 1712 quarantine was lifted from places outside The Sound, that is to say outside the Baltic.¹⁰⁴

The Merchant Adventurers had only a few weeks in which to enjoy the restoration of their trade, which had taken 82 days to achieve. On 28 July 1712, in response to a report of plague at Glückstadt, the quarantine restrictions were summarily reimposed.¹⁰⁵ A committee of the Privy Council had recently been set up to consider the state of health in foreign parts and 'what might be most properly done for Preventing any Infection'.¹⁰⁶ This committee reported on 27 August on the basis of letters received only from the Secretaries of State and the Admiralty.¹⁰⁷ There is no indication that the Customs Commissioners (by way of the Treasury) or the Board of Trade were in any way involved or consulted. As regards the Board of Admiralty, their one letter seems to have been fortuitous; the Board decided to write to Lord Dartmouth on 22 August with information that fishing boats going to Heligoland for lobsters were in constant communication with diseased Glückstadt.¹⁰⁸ This hearsay was relayed to the ad hoc committee, whose report of 27 August was a dismal

97 Ibid.

98 *JCTP*, vol. 2, p. 362.

99 *JCTP*, vol. 2, p. 363.

100 *JCTP*, vol. 2, p. 362.

101 *JCTP*, vol. 2, p. 364.

102 Ibid.

103 *JCTP*, vol. 2, p. 365

104 NA PC 2/83/434–5; *CTB* (1712), p. 338.

105 NA PC 2/83/450–51; *CTB* (1712), p. 387.

106 NA PC 1/2/225; PC 2/83/426; 2/84/7.

107 NA PC 2/84/8.

108 NA ADM 3/27.

litany of infection based on the weakest of evidence. The committee reckoned that Hamburg ‘and the whole Circle’ were dreadfully worried.¹⁰⁹ Contagion was raging at Glückstadt and on the Danish side of the Elbe; on the German side it was nearing Bremen and had infected two guard posts of soldiers positioned to exclude it.¹¹⁰ As for Heligoland, the lobster boats communicating with the infected mainland warranted inclusion in a new Proclamation.¹¹¹ On 31 August 1712 this, the third Proclamation in England in the subsisting crisis, duly appeared, repeating the measures in force and adding Heligoland to the places from where quarantine was due.¹¹² In ironic testimony to this haste and confusion, the Council’s minuting clerk contrived yet another bizarre variant, ‘Stowford’, for dysphonic Hoo Fort Island.

The problem with the Heligoland embargo was that the lobster boats were English. In fact, they were owned by interests in London, which threatened the *entente*, so necessary for quarantine to work, between the Crown and the City. The practice was for London boats to stay offshore and collect the lobsters from local fishermen about half a mile from the island’s cliffs.¹¹³ Perhaps for seasonal reasons, or because they thought the restrictions would not last, the fishmongers were slow to react. Not until February 1713 did one of them, George Wensley, petition the Privy Council; his case was referred to the Customs Commissioners, who supported him.¹¹⁴ It was established that Heligoland was unaffected by plague, and indeed that there was no communication allowed with the German mainland. The Council had no difficulty in deciding that Wensley’s two boats could be exempt from quarantine whenever they returned to London.¹¹⁵ The problem with that decision, however, was that it did not offer exemption for all fishing vessels trading with Heligoland, and Wensley was by no means the only practitioner. Later in 1713, at least eight other City parties sought the same favour as had been granted to Wensley, and from the tenor of their petition they found the privilege quite elusive.¹¹⁶

While the Hamburg Company, to all appearances, had now resigned themselves to the inevitability of quarantine restrictions, the Eastland Company were less quiescent. They petitioned the Privy Council in June 1713, claiming that Danzig, Königsberg, Riga and Memel had been in perfect health for at least three years, and requesting that quarantine from those ports be lifted.¹¹⁷ This was clearly a collusive action with certain Members of Parliament for Scotland, whose petition was received the same

109 NA PC 2/84/8.

110 Ibid.

111 Ibid. The Customs Commissioners had been asked to comment on the Admiralty’s letter, but there was scarcely time for them to have investigated and responded by 27 August (CTB (1712), p. 427).

112 NA PC 2/84/9–12; CTB (1712), p. 433. The Order was dated the same day.

113 CTB (1713), p. 172.

114 NA PC 2/84/81, 85

115 Ibid.; CTB (1713), p. 172.

116 NA SP 34/22/12/23–4. The petition, to ‘his Lordship’, never arrived at the Privy Council. In October 1713 two lobster vessels, possibly from Heligoland, were made exempt from quarantine but the petitioners, Edward and William Watson, were not among those who signed the petition above (CTB (1713), p. 381).

117 NA PC 2/84/193–4.

day, seeking freedom for quarantine on the same grounds for all ships coming to Scotland from Danzig, Riga, Stockholm ‘and places within the Baltick’.¹¹⁸ These petitions were referred to the committee of Council which had been monitoring the situation abroad for at least a year. A letter was immediately sent to the Board of Trade, who responded with equal dispatch, but the substance of their comments was not revealed in their minutes.¹¹⁹ In any event, the committee were not impressed with the petitioners’ case. In fact, Secretary of State Lord Bolingbroke (as Henry St John had now become) was inclined to even harsher measures. On 18 August he wrote to the Queen about his concern for mid-Europe, where plague was still so rife that the King of Prussia had forbidden trade with Austria, Moravia, Bohemia, Silesia and Ratisbon.¹²⁰ At Vienna, plague had reportedly reached the Emperor’s household. As for Hamburg, Bolingbroke reported ‘but too much reason to believe, that this town is at last infected, notwithstanding all the care which has been taken ... to prevent it’.¹²¹ That choice of words amounted to a tacit admission that the Hamburg Company had been right all along.

None of Bolingbroke’s information related specifically to the Baltic, but on 23 August 1713, the Privy Council moved to tighten the restrictions by issuing a new Order.¹²² The vagueness of the threat was acknowledged in the words chosen to justify their decision: the Queen had ‘certain Information that the Plague Encreases and Spreads in many places abroad’. There was not even a pretence that the Baltic was at risk, or that its goods posed a danger to England. Nor was there any attempt to widen the quarantine barrier, perhaps to include countries more directly in line between England and the known areas of infection. The thrust of the new Order was not to increase the restrictions but to insist on the letter of the law. That is to say the requirement laid down by the Proclamation of 31 August 1712, that all goods had to be opened and aired for a week after quarantine was over, was to be strictly adhered to. This requirement had long been nominal. Also, enumerated goods had now to stay on board until further advice as to the health of the place whence they came. The excuse for this decision, which would lead to weeks and weeks of delay beyond the 40 days of quarantine, was a sudden fear (of unexplained origin) that opening and airing might not be enough to remove latent infection.

Such reactionary moves could not be sustained. Whether or not by collusion with merchants, the Customs Commissioners began to adopt new formulae in their reports to Council on ships of the Eastland Company carrying enumerated goods. It was conceded that the ships had come from the Baltic, but claimed that timber had been taken to the place of shipment in rafts, whereby the water automatically cleansed infection.¹²³ Also, it became usual to state that a ship had not sailed within 30 leagues of Hamburg, or any other German port, or any place known to

118 NA PC 2/84/194.

119 *JCTP*, vol. 2, p. 440.

120 Parke, vol. 4, pp. 237–8.

121 *Ibid.*

122 NA PC 2/84/227–8; *CTB* (1713), p. 364.

123 NA PC 2/84/191–2, 21 June 1713: ‘Wood passes thro’ water – by Floots [floats] to Gottenburgh’.

be infected.¹²⁴ With some occasional variation (60, even 200 leagues), this formula was presented time after time as a reason why the enumerated goods should not be subject to the extra formalities. And the Privy Council, as if ashamed of their earlier over-reaction, seemed comfortable accepting the Commissioners' recommendations. In such a bizarre situation, the end of all quarantine from the Baltic was already in merchants' sights. The consequence, however, of pinpointing Hamburg as the location of danger was that ships from there could hardly avoid the full rigour of quarantine and airing.

A boost to the Eastland Company's prospects came in February 1714 with a memorial to the Privy Council from Count Gyllenborg, the Swedish minister in London. He claimed there had been no 'contagious distemper' in Sweden for the last year and requested the removal, without specifically mentioning quarantine, of 'any hindrance or Molestation' to trade.¹²⁵ The Council, as if relieved to have this excuse to retreat from an uncomfortable position, agreed immediately to lift all quarantine constraints against Sweden.¹²⁶ This did not in itself benefit the Eastland Company, whose privileges in Sweden had been lost many years ago, but it encouraged them to seek further testimonies from the eastern shore of the Baltic that all was well, and had been so for years. These facts were presented by petition to the Queen, who was also receiving letters and certificates from Prussia, Hamburg and Bremen.¹²⁷ The evidence was incontrovertible that the German and Baltic seaboard had returned to good health. By Order in Council of 21 April 1714, after the best part of five years, all quarantine restrictions were lifted.¹²⁸

Machinery of state

In discussing quarantine under Anne, it is necessary first to determine how far the Queen herself was the source of policy. The traditional view of Anne saw her inhibited by her sex, endowed 'with rather dull wits', and reliant on the judgement and initiative of her Ministers of State, two of whom, Harley (Lord Oxford) and St John (Lord Bolingbroke), were fiercely at loggerheads.¹²⁹ This appraisal would suggest that the royal prerogative, under Anne, was manipulated to a greater or lesser degree by her advisers; in other words, that she acquiesced in a quarantine policy which one or more of her ministers took under his wing. Such a conclusion, however, is unlikely to be correct. For one thing, Anne was naturally motivated to take the threat of plague very seriously; and for another it is impossible to bestow on Harley the credit for definitive thinking about quarantine, which his pre-eminence and influence might suggest. Indeed, the lack of a clear policy in this national emergency was a hallmark of the administration.

124 First used NA PC 2/84/239–40, 27 Sept. 1713.

125 NA PC 2/84/332; *CTB* (1714), p. 160.

126 *Ibid.*

127 NA PC 2/84/356–7; *CTB* (1714), p. 234.

128 *Ibid.*

129 M.A. Thomson, *The Secretaries of State, 1681–1782* (Oxford, 1932), pp. 12–16.