

IX.—MEDIEVAL SMUGGLING
IN THE NORTH-EAST:
SOME FOURTEENTH-CENTURY EVIDENCE

J. B. Blake

It has recently been suggested that in the Middle Ages there is "no prima-facie case for regular and extensive smuggling. Nor is there any positive evidence for it".¹ This article is an attempt to examine the evidence for smuggling in the north-east of England, and to throw some light upon one aspect of medieval economic history in that region.

The most important item to be smuggled from Newcastle in the fourteenth century was undoubtedly wool. This would appear surprising because the wool of the northern counties of England was of a much lower quality than that of the rest of the country. Several schedules relating to the value of wool were drawn up in the fourteenth century and they provide evidence for estimates of the different qualities of wool grown in England throughout the country. The first of these schedules to be studied dates from 1337. In that year, the king appointed the merchants of the realm to buy 30,000 sacks of wool for his use at a price which had been determined by the king, his council, and the merchants. The price of wool for the northern counties of Durham, Northumberland, Cumberland and Westmorland was fixed at 5 marks a sack, whereas the wool of Herefordshire was priced at 12 marks, and that of Shropshire at 10 marks.² Northern wool was of such a poor standard that, in 1341, Thomas de

¹ E. M. Carus-Wilson and O. Coleman, *England's Export Trade, 1275-1547* (1963), p. 31.

² *CCR 1337-9*, p. 149; D. MacPherson, *Annals of Commerce* (1805), vol. I, p. 520.

Levesham and Walter Mundy petitioned the king that a sack was hardly worth £2 10. 0, and Thomas Fleming, a prominent Newcastle merchant, made a similar complaint on May 12th of the same year.³ The second schedule dates from the year 1343.⁴ The best wool again came from Shropshire where it was priced at 14 marks and from Oxfordshire and Staffordshire where it was valued at 13 marks. The wool of Northumberland, however, was valued at 8 marks, superior in quality only to the wools of Devon and Cornwall which were not usually exported.⁵ In 1347, when Peter Graper, Robert de Angerton, and Robert de Haliwell received a commission to collect a levy of wool at Newcastle, the wool was again assessed at the low value of 5 marks a sack, as was the wool of Northumberland, Cumberland and Westmorland.⁶ The third schedule dates from the year 1355-6. The wool of Herefordshire was priced at 12½ marks and that of Shropshire at 11 marks, but the wool of Northumberland, Cumberland, and Westmorland was valued at 5 marks and that of Durham at 6 marks.⁷

The wool exported from Newcastle, therefore, was of a coarse nature. A petition, dated in the late fourteenth or early fifteenth century, from native merchants against a Bill to fix the staple for coarse wools at Calais listed the counties producing coarse wool as Northumberland, Westmorland, Norfolk, Kent, Sussex, Devon, Cornwall, Suffolk, Surrey, Essex, Dorset and Wiltshire.⁸ But despite the coarseness of northern wool, there remained a constant demand for it throughout the fourteenth century, and it also remained subject to the same export duties as the higher quality wool of the southern areas of England; the combination of these factors suggests that smuggling of northern wool might be a profitable business.

³ *CCR 1341-3*, p. 45; *CPR 1340-3*, p. 165.

⁴ *Rot. Parl.*, II, p. 138.

⁵ E. Power and M. M. Postan, *Studies in English Trade in the Fifteenth Century* (1933), p. 49.

⁶ *CFR 1347-56*, pp. 4, 11.

⁷ *P.R.O. C67/22*, m. 14.

⁸ *P.R.O. C49/13/1*; E. Power and M. M. Postan, p. 367.

The customs on wool, woolfells, and hides consisted originally of 6s. 8d. on each sack of wool or 300 woolfells, and 13s. 4d. on each last of hides exported from the country.⁹ After 1303, alien merchants, in return for certain privileges, agreed to pay the king an additional 3s. 4d. on each sack of wool or 300 woolfells, and an additional 6s. 8d. on each last of hides. But, during the course of the century it became the practice for additional levies to be made called subsidies. In 1327, an extra mark was levied on each sack of wool or 300 woolfells exported.¹⁰ In 1333, alien and domestic merchants had to pay an extra 10s. on each sack of wool or 300 woolfells, and £1 on each last of hides, because Edward III required funds for the "great and arduous affairs in the defence of the realm against the Scots", but this levy was withdrawn in September, 1334.¹¹ An increased subsidy of £1 a sack was granted by the merchants in 1336, and this subsidy was further increased to £2 in 1338.¹² This increase was the cause of a petition from the merchants of Newcastle who protested that it both damaged and impoverished them.¹³ But the Parliament of 1340 voted the king a subsidy of £2 on each sack of wool exported, and in 1343 this duty was granted for a further three years.¹⁴ These subsidies were to remain for the rest of the century; it has been estimated that these duties were the equivalent to "an *ad valorem* duty of 25% for English merchants and 33% for alien merchants".¹⁵

The smuggling of wool may also have been encouraged by a number of embargoes placed on its export in this century. The shipment of wool from Newcastle was forbidden in August, 1336; the coket seal of the port was ordered to be kept in a safe place under lock and under the

⁹ *CFR 1272-1307*, p. 47; for this paragraph see N.S.B. Gras, *The Early English Customs System* (1918), pp. 59-72; A. Beardwood, *Alien Merchants in England 1350-77* (1931), pp. 41-46.

¹⁰ *CFR 1327-37*, p. 55.

¹¹ *CCR 1333-7*, p. 257; *CFR 1327-37*, p. 365.

¹² *CCR 1337-9*, p. 195; *CFR 1337-47*, p. 106.

¹³ P.R.O. Ancient Petition 14915.

¹⁴ *Statutes of the Realm*, I, p. 289; *Rot. Parl.*, II, p. 138; *CFR 1337-47*, pp. 355, 403.

¹⁵ E. M. Carus-Wilson and O. Coleman, p. 23.

seal of the mayor and four of the just and upright men of the town.¹⁶ The export of wool was again prohibited for several months in 1337, 1338, 1339, and 1341.¹⁷ Edward III placed further embargoes on wool exports in 1352 because of his belief that Flemish sailors were preparing to attack English merchant shipping.¹⁸ Embargoes on wool were also imposed in the reign of Richard II. In 1378, no wool was allowed to pass to the staple, then at Calais, or to other foreign ports; no merchants were allowed to cross the seas in 1383 and again in 1387 because of the attacks of the French, and exports of wool were again forbidden in 1390.¹⁹

The introduction of compulsory staples in the reign of Edward II was, perhaps, a further reason why wool was smuggled from Newcastle in this century. The first compulsory staple originated in 1313, when it was decided that all wool shipped overseas to Artois, Brabant or Flanders had to go through a staple port; St. Omer was chosen as this staple port in 1314. The staple remained on the continent either at Antwerp, Bruges or St. Omer until 1326 when it was replaced by 14 home staples of which Newcastle was one. Free trade was not re-established until 1328.²⁰ The home staples were abolished in that year, but in 1332 they were restored, Newcastle again being one of them.²¹ Home staples were again established in 1353.²² The effect of these compulsory staples may have been to encourage merchants to load their goods in other ports, or to attempt to unload their goods elsewhere than at the staple port. It has recently been suggested, also, that the introduction of compulsory staples

¹⁶ *Foedera*, vol. II, pt. II, p. 943; R. Welford, *History of Newcastle and Gateshead*, vol. I, p. 97.

¹⁷ *Statutes of the Realm*, I, p. 280; *Rot. Parl.*, II, p. 131; *CCR 1337-9*, p. 393; *1339-41*, p. 329; *1341-3*, p. 142.

¹⁸ *CCR 1349-54*, p. 506.

¹⁹ *CCR 1377-81*, p. 217; *1381-5*, p. 281; *1385-9*, p. 453; *1389-92*, p. 45.

²⁰ *CPR 1307-13*, p. 591; *1324-7*, p. 269; they were confirmed by Edward III in 1327. (*CPR 1327-30*, p. 98.)

²¹ *Statutes of the Realm*, I, p. 259; *CCR 1330-3*, p. 525; *CPR 1330-4*, p. 362.

²² *Statutes of the Realm*, I, 332.

increased the pressure on the collectors of customs not to give honest service.²³

It seems apparent, therefore, that smuggling could become a profitable business particularly in years when subsidies on wool and woollens were high, or when embargoes were placed on the free export of wool.

The port of Newcastle was not a difficult port to operate from for the potential smuggler. The member ports stretched from Scarborough in the south, through Whitby and Hartlepool to Berwick in the north, while the main port itself was several miles from the mouth of the river Tyne at Tynemouth. Commissions were issued in 1331 to prevent wool being loaded in "divers places by the sea-coast" in Northumberland without paying custom, and in 1392 to Thomas Etton and John de Mitford to check the loading and unloading of goods between the sea and the port of Newcastle, and to cause proclamation to be made that no merchant should load or unload except at the quay of the port.²⁴ But little success appears to have been achieved by these commissions. In 1340, Thomas Fleming was accused of loading 10 sacks of uncustomed wool into a ship at "Le Spredyng" in Gateshead, and then transporting the cargo across the Tyne to Byker. Fleming was found guilty and fined £100.²⁵ In the reign of Henry VI, the searcher for the port of Newcastle, William Harop, captured two bundles of wool belonging to Henry Kellowe and Robert Renington which were apparently loaded at North Shields and which were uncustomed. The goods were later sold by the collectors of the customs, Roger de Thornton and William Chauncellor.²⁶ This method of avoiding the customs was not confined to the main port; the account of Thomas Percy

²³ R. L. Baker, *The English Customs Service, 1307-43; A Study of Medieval Administration* (1961), p. 20.

²⁴ *CCR 1330-3*, p. 318; *1392-6*, p. 102.

²⁵ P.R.O. *Coram Rege* Roll 344, m. 30. His payments of the fine are contained in the account of John Thyngden. P.R.O. E 101/23/15.

²⁶ P.R.O. E 364/61, m. C; E 122/185/5; E 122/106/7. An account has also survived of the expenses of the various men engaged in the arrest of the goods. P.R.O. E 122/107/9.

for 1392 reveals the arrest of $1\frac{1}{2}$ sacks of wool which had been loaded on the sands near Scarborough and which had been carried overseas without payment of custom.²⁷ William Harop also accounted for two pokes of uncustomed madder belonging to Dederykson of Nieuport which had been shipped from Whitby.²⁸ He was responsible for the arrest of John Gerardsen's ship, the *Maryknight* of Campen, which was loaded with 45 sacks of wool, 60 chalders of coal, and 4 grindstones, but the reason for the arrest is not clear. The ship was subsequently handed over to Thomas, count of Arundel, the Treasurer.²⁹

Perhaps the greatest obstacle to the conscientious customs official in the north-east was the proximity of the Scottish border and the port of Berwick with its lower customs duties; the combination of these two factors was a constant source of temptation to the potential smuggler. In the reign of Edward III, John Denton and Richard de Galeway, collectors of the customs of Newcastle, had complained to the king that much of the wool of Durham and Northumberland was carried to Berwick, and also all the wool near Morpeth.³⁰ Commissions were issued in 1341, 1343, and 1345, because the men and merchants of Northumberland were taking wool and woolfells from Newcastle to Berwick where it could be exported after the payment of only half a mark compared to the subsidy of £2 levied at Newcastle.³¹ In 1344, the sheriff of Northumberland was ordered to make proclamation against the carriage of wool from England to Berwick and Scotland.³² In 1356, an inquiry, headed by John de Grey and John de Charleton, was ordered to be held in Northumberland concerning those malefactors who had

²⁷ P.R.O. E 364/26, m. B.

²⁸ P.R.O. E 364/61, m. C; E 122/185/5.

²⁹ P.R.O. E 101/513/23; E 122/16/2.

³⁰ P.R.O. C 47/22/10/44; printed in *Calendar of Documents relating to Scotland*, ed. J. Bain, III, p. 843.

³¹ *CPR 1340-3*, pp. 105, 320; *1343-5*, pp. 174, 575. For a fuller discussion of this, see C. M. Fraser, "Medieval Trading Restrictions in the North-East", *A.A.A.*, xxxix, pp. 141-2.

³² *CCR 1343-6*, p. 374.

taken uncustomed wool and other things from the county to Scotland against the Ordinance of the Staple. Many Newcastle merchants are referred to in the inquisition, including Walran de Lomley, Robert de Angerton, Gilbert de Duxfeld, and Robert de Penreth.³³

Little appears to have been achieved by these commissions. In 1358, the sheriff was again ordered to prevent the traffic of wool across the border.³⁴ A new method was adopted in 1361 when the collectors of the customs at Berwick were ordered to increase the custom on each sack of wool exported from that port to £1 and to allow no wools of English growth to be exported from there because the greater part of the English wool produced in the northern counties was being brought to Berwick where the custom was only half a mark.³⁵ Again little was achieved. In August 1374, John de Mitford and others had a commission to prevent the smuggling of wool from the three northern counties to Scotland.³⁶ In 1379, the Commons petitioned the king that much of the wool of Yorkshire, Durham, Westmorland, Cumberland and Northumberland was taken into Scotland so defrauding the king of the custom due to him at Newcastle, and in the same year merchants and burgesses of Newcastle were exhorted to do their utmost to prevent English-grown wool from being fraudulently exported into Scotland.³⁷ But the smuggling continued; the account of John de Irby, Robert de Karlell, and Robert de Sandford in 1393 reveals the arrest of 12 cloths, belonging to two merchants in Cumberland, which were being carried to Scotland.³⁸

Smuggling appeared in various forms in the fourteenth century. Woolfells, were, on occasions, apparently coketted by estimate rather than by correct accounting, or they were

³³ P.R.O. E 122/189/35; *CPR 1354-8*, p. 332.

³⁴ *CCR 1354-60*, p. 466.

³⁵ *CFR 1356-68*, p. 153.

³⁶ *CPR 1374-7*, p. 53.

³⁷ *Rot. Parl.*, III, p. 63a; *CPR 1377-81*, p. 378.

³⁸ P.R.O. E 364/43, m. C; E 122/39/10; *CPR 1391-6*, p. 233.

exported in sarplars instead of openly in bundles where they could be accurately counted.³⁹ A favourite method of smuggling wool was to hide the uncustomed wool beneath a cargo of coal or grindstones. In 1340, the *Trinite* of Newcastle left its home port for Flanders with a cargo of coal. The ship was wrecked at St. Nicholas Rode at Great Yarmouth; there the customs officials found two pockets of uncustomed wool apparently belonging to the master of the ship, Hugh de Sadelyngstanes.⁴⁰ Commissions were issued to investigate the loading of uncustomed wool under coals and grindstones to Robert de Penreth and John de Northburgh in 1357, to John Gauger and John Hauden in 1362, and to John Gauger and Thomas Soras in 1363,⁴¹ but the illegal traffic continued. In 1367, a ship of Flanders loaded with coal was wrecked at Filey near Scarborough on the Yorkshire coast; beneath the coal were two sacks and a pocket of uncustomed wool worth 10 marks.⁴² In 1393, the *Christopher* of Caumfer left Newcastle with a cargo of 30 chalders of coal and 23 grindstones. The master of the ship, John Soteson, had received the letters of coket and had paid the customs and subsidies, but apparently one John Whitwham placed two fardells of wool in the ship without the master's knowledge. The ship was wrecked in the river Tyne on the 17th April and only then was the cargo of uncustomed wool discovered by the collectors of the customs. John Soteson was captured and placed in prison; the wool was sold for £1. 10. 0. and the proceeds handed over to the Exchequer.⁴³

A more blatant method of smuggling can be seen in 1364. A group of merchants including John, son of Henry de Selby, William de Wele of Pontefract, and Thomas Goldman, chartered the *Katherine* to take coal from Newcastle but then

³⁹ CCR 1346-9, p. 122; 1349-54, p. 252.

⁴⁰ CIMisc., II, no. 1769; CCR 1339-41, p. 649; CPR 1340-3, p. 108.

⁴¹ CPR 1354-8, p. 651; 1361-4, pp. 213, 452.

⁴² CIMisc., III, no. 659.

⁴³ P.R.O. E 159/170; printed in H. J. Smit, *Bronnen Tot de Geschiedenis van den Handel met Engeland, Schotland, en Ierland, 1156-1485* (1928), doc. 731.

loaded the ship with 16 sacks of wool valued at 6 marks a sack and 600 woolfells valued at £1. 10. 0. per hundred, for export to Zeeland without payment of the custom.⁴⁴ Two other methods of escaping the customs organisation were commonly used in this century. Merchants who were exporting wool would bring their cargo to the wharf at Newcastle to be weighed. The custom was then paid and the collectors would enter the amount of the shipment and the payment of the custom on their rolls. The wool would then be put on board the ship and the collectors would hand over to the master the receipts for the payment of the customs; this receipt was called the coket.⁴⁵ To leave the port without the receipt of this seal, even through misfortune, could lead to trouble with the authorities. In 1348, John Slaver, a merchant of Darlington, loaded 10 sacks and 5 pockets of wool in the *Cuthbert* of Newcastle, but the letters of coket were left behind through the negligence of one of the crew, William Yolde Golding. When the ship reached Bruges in Flanders, it was arrested by the echevins.⁴⁶

Complaints arose that merchants leaving the port of Newcastle, after they had received the letters of coket, were causing a quantity of wool to be placed on board their ships, so defrauding the king.⁴⁷ Merchants were also accused of avoiding the staple towns and taking their cargoes elsewhere. An order was given by the king in 1379 which stated that no aliens were to be allowed to ship wool to Calais except in ships which were loaded with goods of English merchants because the aliens were suspected of taking wool to places outside the staple.⁴⁸ But the order ignored the fact that English merchants were just as likely to avoid the staple if they could. In 1336, Nicholas de Louthre, a merchant of Newcastle, had loaded a ship with wool and coal for Flanders. The ship was driven by a storm to Great Yar-

⁴⁴ P.R.O. E 159/144; H. J. Smit, doc. 523.

⁴⁵ For a fuller discussion, see R. L. Baker, p. 6.

⁴⁶ CCR 1346-9, p. 514.

⁴⁷ CCR 1346-9, p. 28.

⁴⁸ CCR 1377-81, p. 191.

mouth where the collectors arrested the wool because the king had prohibited wool exports to Flanders.⁴⁹ In 1389, John Lewyn of Durham loaded a ship of Middelburgh at Newcastle with 18 sacks of wool, 69 woolfells, and 8 dickers of hides for the staple at Calais. The ship went adrift in a storm near Middelburgh, and John was accused of attempting to evade the staple. His ship was arrested and the wool was granted to Henry de Percy.⁵⁰

Often, however, the records fail to reveal the methods used by the smugglers; for example, in 1412, the king's son, Humphrey, received the grant of a balinger, with all the wools which had not been customed, which had been forfeited to the king in Newcastle, and which was in the hands of the customs officials,⁵¹ and William Catton had the grant of the *St. Marieknight* which had been forfeited to the king at Newcastle because the people in it wished to take a cargo of wool secretly out of the port without paying custom.⁵² In neither case are the methods of the smugglers revealed.

But the records do show that it was Newcastle merchants who were particularly active in the smuggling trade. They often included the wealthiest merchants of the period who appeared to be respectable burgesses. In 1341-2, Walran de Lomley was fined 400 marks for exporting four and a half sacks of uncustomed wool from Newcastle, and he was also pardoned for succouring the Scots with armour and victuals contrary to the king's order. William de Acton received a fine of 200 marks for exporting 14 sacks of uncustomed wool, John Frismareys and John de Denton 250 marks for four sacks of wool and 22 stone; other merchants to receive fines included Thomas Fleming for 10 sacks of wool, John de Denton for four sacks of wool, one sack of refuse, six sacks of wool for which he had licence but which were not customed, and two sacks not customed, Hugh de Appleby for 20 stone of wool, John del Castell for 28 stone of wool and

⁴⁹ *CFR* 1327-37, p. 501.

⁵⁰ P.R.O. E 159/168; H. J. Smit, doc. 719; *CPR* 1388-92, p. 255.

⁵¹ *CPR* 1408-13, p. 448.

⁵² *CPR* 1413-16, p. 201.

80 woolfells, Richard de Galeway for two tons of wine and one sack and 22 stone of wool, and John de Galeway for seven pockets of wool and 30 chalders of coal.⁵³ Many of these merchants held municipal office in the town or were customs officials.

Another local merchant involved in smuggling was Richard de Hessewell. In 1378, he placed 35 stone of wool and four woolfells, valued at £2. 0. 8, in a ship belonging to Peter Joneson of Zeeland without having it customed or weighed.⁵⁴ A local ship, the *Laurence* of Newcastle, was arrested in 1365-6 by Richard de Stanhope and William de Acton because it contained 15 stone of wool which had not been customed or troned and which was being shipped to Sluys in Flanders. The ship was subsequently granted to Thomas de Kelshowe, a burgess of Newcastle.⁵⁵ The same two also arrested a ship of Gueronde which was carrying two pipes of "mongowe".⁵⁶

Wool, therefore, was the principal commodity to be smuggled from Newcastle. Cloth was occasionally smuggled but never on a large scale, apparently because of the comparatively low duty on cloth. Alien merchants, whether importing or exporting cloth, paid a custom varying from 1/- to 2/- in the years from 1303 to 1347. After 1347, both alien and domestic merchants were subject to a new cloth custom levied in that year; the English merchant was required to pay from 2s. 4d. to 1s. 2d. a cloth, and the foreign merchant from 3s. 6d. to 1s. 9d. a cloth. This was equivalent to an *ad valorem* duty of some 2% to 3% for English merchants, and 4½% to 6% for aliens.⁵⁷ Consequently, there are few examples of the smuggling of cloth. In 1378, however, William del Halle, the deputy of the Newcastle searcher, William Redmarshall, arrested a ship and its cargo of cloth

⁵³ P.R.O. E 159/119/91; cited in C. M. Fraser, *A.A.*⁴, xxxvii, p. 318; *CPR 1340-3*, p. 528; *1343-5*, pp. 44, 474. The payment of the fines was received by John de Thyngden, P.R.O. E 101/23/15.

⁵⁴ P.R.O. E 364/15, m. E; *CFR 1377-83*, p. 172.

⁵⁵ P.R.O. E 372/211, m. 48; *CFR 1356-68*, p. 311; *CPR 1364-7*, p. 12.

⁵⁶ P.R.O. E 372/211, m. 48; *CFR 1356-68*, p. 310.

⁵⁷ E. M. Carus-Wilson and O. Coleman, pp. 22-3.

dyed of bluet because the master, William Wilke, had no coket for his goods.⁵⁸

Coal had a comparatively low duty but royal intervention in the industry may have stimulated the smuggling of this product. The export of coal was forbidden in 1362 and in 1367⁵⁹ so the burgesses of Newcastle petitioned the king that they would be unable to pay the farm of their town for they claimed to have no other common merchandise.⁶⁰ Their petition was apparently successful for, in 1365, the town received licence to export coal provided supplies were not taken to the king's enemies.⁶¹ Another possible reason to explain the smuggling of coal was given in 1378 when the merchants of Newcastle petitioned the king that they might have the freedom to export coals direct from Newcastle because they could find no one to buy their coals at Calais or even unload them from the ships.⁶² Increasing duties may also have tempted smugglers although the increases were usually slight. In 1343, a half-penny was imposed on each chalder of coal shipped from Newcastle in aid of enclosing the town, and, in 1373, a penny was to be levied for five years on the sellers of coal for export in aid of the repairs of the walls and towers of Newcastle. In 1379, a tax of six pence per ton was to be collected four times a year on ships which carried coal from Newcastle and the proceeds were to be used for the defence of Scarborough.⁶³

In 1357, Robert de Penreth and John de Northburgh received a commission to investigate all ships loaded with coals and other goods and to arrest all uncustomed goods.⁶⁴ In 1396, a commission was appointed to enquire into the rumour that uncustomed sea-coal was being sold in Newcastle and elsewhere in Northumberland.⁶⁵ But the customary method

⁵⁸ *CCR 1377-81*, p. 143.

⁵⁹ *CCR 1360-4*, p. 436; *1364-8*, p. 376.

⁶⁰ *P.R.O. Ancient Petition 6448*; C. M. Fraser, *A.A.*⁴, xxxix, p. 146.

⁶¹ *CPR 1364-7*, p. 90.

⁶² *P.R.O. Ancient Petition 3210*; C. M. Fraser, *A.A.*⁴, xxxix, p. 146.

⁶³ *CCR 1343-6*, p. 50; *1370-4*, p. 326; *1377-81*, p. 326; *Rot. Parl.*, III, p. 63.

⁶⁴ *CPR 1354-8*, p. 657.

⁶⁵ *CPR 1396-9*, p. 52.

of avoiding the customs duties was apparently connected with the keel, the vessel used to transport the coal from the wharves near the mines down the river Tyne to Newcastle. By custom, these keels carried twenty chalders of coal but, later in the fourteenth century, it appears that these were being loaded above this customary measure to avoid payment of custom. Commissions were appointed in 1367, in 1384, and in 1389 to investigate and to destroy those keels not of the customary size.⁶⁶

The smuggling of coal continued, however, despite these efforts to prevent it. John de Galeway was fined for shipping thirty chalders of uncustomed coal in 1342.⁶⁷ The account of Alexander Turk and John de Frismareys, collectors of the customs at Newcastle in 1347-8, reveals that Robert Scoyt of Grimsby had 68 quarters of coal in his ship which had not been customed.⁶⁸

Like wool, leather was subject to high customs duties in the fourteenth century and it became one of the most frequent commodities to be smuggled from Newcastle. In 1346, the collectors at Newcastle found eight dickers of hides in a ship called the *Jonette* which had not been customed. The king ordered that the ship was to be given to John de Wyndesore, king's yeoman, and the goods and chattels to William de Wode, king's sergeant.⁶⁹ In the following year, the collectors were ordered to search all ships leaving the port because certain merchants had dressed and tanned their hides and made them into rolls, and then placed them in pipes as corn and exported them from the country, so avoiding the heavy export duties.⁷⁰

But not all the king's suspicions were justified. In 1382, a ship of Nieuhaven, loaded at Newcastle for Flanders, was driven by a storm to the coast of France near Calais. It was

⁶⁶ *CPR* 1364-7, p. 441; 1381-5, p. 499; 1389-92, p. 30; *Rot. Parl.*, IV, p. 448.

⁶⁷ P.R.O. E 159/119/91.

⁶⁸ P.R.O. E 372/199, m. 2.

⁶⁹ *CCR* 1346-9, p. 2.

⁷⁰ *CCR* 1346-9, p. 180.

alleged that uncustomed goods were found on board this ship and the whole of the cargo was detained. The merchants involved included Robert Hebburn who had 25 dickers of hides on board, John de Horton, 12 hides, Henry del Grene, 15 dickers of hides, William Johnson, one last and seven hides, Stephen de Muston, 13 dickers, and Robert de Raynton, five dickers, together with cargoes of wool.⁷¹ The customs account for that year, however, shows that these merchants had paid the customs on their cargoes at Newcastle.⁷²

The main source of evidence for the importance of smuggling should be the accounts of the customs officials, the collectors of the customs, the searcher, or the mayor of the staple. These officials were active on occasion especially, it would appear, when the merchant involved was either an alien or came from some other English port. In their account for 1347-8, the collectors at Newcastle, Alexander Turk and John de Frismareys, arrested in the ship of Robert Scoyt of Grimsby six stone of a mixture of cobwool and lambswool, two stone of wool and 31 woolfells valued at 8/6.⁷³ From Michaelmas 1361 to May 1362, Robert de Penreth and John de Northburgh accounted for twenty stone of wool from a certain Thomas de Dendres.⁷⁴ In 1393-4, Thomas de Etton and John Mitford arrested 38 stone of wool and a further 30 stone of wool on the *Christopher* of Caumfer valued at £4. 10. 0, and nine stone of wool in 1394-5.⁷⁵ At Berwick, in 1363, John Dunker and Robert de Clifford arrested 17 hides and 80 woolfells which they subsequently sold for £1. 17. 4.⁷⁶

The mayors of the staple were also active in the pursuit of smuggling. In 1353-4, John del Chaumbre and his two constables, Nicholas de Rothom and John de Emeldon,

⁷¹ CCR 1381-5, p. 56.

⁷² P.R.O. E 122/106/5.

⁷³ P.R.O. E 372/193, m. 23; E 372/199, m. 2.

⁷⁴ P.R.O. E 372/206, m. 46.

⁷⁵ P.R.O. E 364/28, m. G; E 364/29, m. H.

⁷⁶ P.R.O. E 372/209, m. 41.

arrested three stone of wool, and a further two stone of wool and five stone of refuse.⁷⁷ Royal officials also investigated reports of smuggling. In 1343, Saier Lorymer, king's clerk, arrested a ship, loaded at Newcastle with wheat by Henry Speke and Haukyn Suderman, near Great Yarmouth, because uncustomed wool had been found in the ship.⁷⁸ John de Langetofte, king's clerk, found on board the *Seighalese* of Flanders 200 woolfells and 120 quarters of wheat belonging to Roger Spicer and Stephen de Hexham, merchants of Newcastle, which had been customed together with nine cloves of wool in two pockets and 340 woolfells belonging to the master of the ship, Peter de Nieuport, which had not been coketted.⁷⁹

The principal customs official was the searcher. He had the authority to search all ships freighted with customable goods and if he found evidence of smuggling he could arrest the goods and the ships concerned.⁸⁰ But evidence of smuggling in their accounts is disappointing for few arrests were made. From 1347-9, Robert de Penreth and Robert de Missok arrested only two stone of uncustomed wool and two woolfells, the property of Gilbert Spenser, which had been bought in Northumberland.⁸¹ Often, however, their accounts are blank; for example, the account of Robert Palston from 8th December 1391 to 19th November 1392.⁸²

The evidence of the accounts of the customs officials would suggest that the majority of cases concerning smuggling relate only to a few sacks of wool or a few woolfells, a very small fraction of the total export of these goods in this century. But there are two pieces of evidence which suggest that smuggling was more important than these accounts would reveal. The first is the accidental nature of the discovery of so many of the cases of smuggling which

⁷⁷ P.R.O. E 372/201, m. 35; E 122/192/22.

⁷⁸ CCR 1343-6, p. 77.

⁷⁹ CCR 1337-9, p. 590; CPR 1338-40, p. 187.

⁸⁰ CPR 1343-5, p. 174; 1345-8, p. 231; 1348-50, p. 161; 1361-4, pp. 213, 452.

⁸¹ P.R.O. E 356/7, m. 7; E 122/190/6.

⁸² P.R.O. E 364/29, m. F.

have come to light. Most of these cases were detected only because the ship containing the smuggled goods was shipwrecked or because it was driven into another port through bad weather and arrested there; for example, in 1409, a ship at sea was driven by a storm to Berwick. Only then was it discovered that certain merchants had loaded this ship at Newcastle with wool for export, but they had neither coketted nor customed the cargo.⁸³ This and other examples would suggest that many other ships carrying smuggled goods must have evaded the customs organisation at Newcastle and reached their destination safely.

Secondly, it does seem possible that the customs officials were, on occasion, negligent in the performance of their duties.⁸⁴ Several of them were connected intimately with the smuggling trade. John de Galeway was appointed collector of the customs on May 14th 1341.⁸⁵ He was a prominent burgess of Newcastle; he had been bailiff of the town in 1335 and 1340, and a collector of murage in 1334.⁸⁶ Galeway, a leading merchant of the town, exported 500 woolfells from Newcastle in 1332, two and a half lasts of leather on the *Littillaidberd* of Newcastle, 14 sacks of wool on the *Peter* of Sluys, 10 sacks of wool on the *James* of Yarmouth, and 19 sacks 10 stone of wool on the *Cuthbert* of Newcastle in the following year.⁸⁷ Apparently he had the knowledge of trade and the municipal standing to make an efficient customs official. But in 1343, he was fined 100 marks for shipping wool and other merchandise without payment of custom, and also for giving licence to a fellow merchant, John Plummer, to take six sacks of wool to Dunstanburgh uncustomed.⁸⁸

Another customs official involved in smuggling was Thomas Fleming. He was appointed tronager and pesager

⁸³ *CPR 1408-13*, p. 176.

⁸⁴ It is hoped to examine the customs officials of Newcastle in greater detail in a future article.

⁸⁵ *CFR 1337-47*, p. 222.

⁸⁶ *CPR 1330-4*, p. 548; *Surtees Society*, vol. 137, p. 213.

⁸⁷ P.R.O. E 122/70/1; E 122/105/14.

⁸⁸ P.R.O. E 159/119/191; *CPR 1343-5*, p. 44.

at Newcastle on May 12th, 1339.⁸⁹ Fleming was bailiff of the town in 1342 and 1343 and was assigned with three others to collect and levy wool and the ninth in Newcastle in 1343.⁹⁰ He was a substantial wool merchant; in 1333 he exported six and a half sacks of wool in the *Cuthbert* of Newcastle; in 1340, he, Richard de Galeway, and William Fitzdieu bought 500 sacks of wool from the king at 4 marks a sack and were allowed to ship them to Flanders; in 1342, he was one of a group of Newcastle merchants who bought 200 sacks of wool from Henry de Percy and Ralph Nevill and they received licence to ship them to Flanders.⁹¹ It is not surprising, therefore, that Fleming became one of the Newcastle members of Walter de Chiriton's company in 1349, a group of merchants who were to farm the customs and subsidies of the realm in return for loans to the king.⁹² Yet even this substantial merchant took advantage of his position as tronager to load 10 sacks of uncustomed wool into a ship at Gateshead and then transported the cargo across the river to Byker for export.⁹³

But perhaps the most significant case of smuggling involving a customs official is concerned with that controversial Newcastle character of the fourteenth century, John de Denton. He was appointed collector of the customs on May 18th, 1328, and apparently held the position until 1335.⁹⁴ In 1331, Richard de Emeldon and Robert de Pocklington received a commission to investigate a report that a ship loaded with 80 sacks of uncustomed wool had left the port of Newcastle. The ship was the *Nicholas* of Sluys and on it John de Denton had loaded 16 sarplars containing 18 sacks of wool "for himself and his friends". Other merchants involved included John de Chilton, John Frismareys, and William Appilgarth. The blame for the illegal ship-

⁸⁹ *CPR 1338-40*, p. 384.

⁹⁰ *CCR 1343-6*, p. 195; *Surtees Society*, vol. 137, p. 214.

⁹¹ P.R.O. E 122/105/14; *CCR 1339-41*, pp. 520, 618; *1341-3*, p. 431.

⁹² *CCR 1349-54*, p. 98.

⁹³ P.R.O. Coram Rege Roll 344, m. 30.

⁹⁴ *CFR 1327-37*, pp. 94, 451.

ment was laid on the collectors of the customs, John de Denton and Robert de Tughale, yet surprisingly Denton remained in office afterwards.⁹⁵

There is evidence, therefore, that at least three customs officials were guilty of conniving with smugglers or smuggling themselves during their term of office. Other merchants found guilty of smuggling in 1341-2 include Walran de Lomley,⁹⁶ collector of the customs in 1338 and 1339, John Frismareys, controller in 1338 and collector in 1346 and 1347, Robert de Haliwell, collector in 1339, Richard de Galeway, collector in 1341 and 1343, and Robert de Angerton, collector in 1345. It would seem possible that when these merchants were in office, smuggling may have increased.

The fact that the majority of smuggling cases were detected accidentally and that many of the customs officials were engaged in the illegal trade themselves would suggest that uncustomed shipments from the port of Newcastle may have been larger than is commonly thought. Certainly it would appear that the Newcastle merchants were interested in smuggling, even such bulky goods as wool and coal, and that they often attempted to avoid the customs organisation of the port. It is impossible to ascertain how deeply they were engaged or how widespread this illegal trade was, but, if the customs officials were friendly or indifferent to their attempts, the actual amount of smuggled goods from Newcastle may have been considerable.

⁹⁵ E 159/107, ms 10, 350, 352. For a study of this document see R. L. Baker, pp. 14, 23.

⁹⁶ He was pardoned in the same year for assisting the Scots by carrying armour and victuals to them. (Durham M.C. 5498; *CPR 1340-3*, p. 533.)