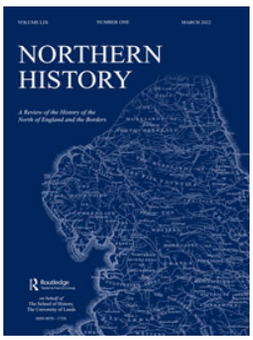

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WOOL SMUGGLING AND THE ROYAL GOVERNMENT IN MID-FOURTEENTH CENTURY NORTHUMBERLAND

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The international wool trade was an important part of Northumberland's economy in the fourteenth century, and participation in it was central to the working lives of many local merchants. However, in the mid-fourteenth century the wool trade was subjected to an unprecedented period of royal regulation and taxation. The reaction of local export merchants to this was smuggling. This article examines both the practice and the prosecution of wool smuggling from Northumberland, primarily by use of legal records, and sets smuggling in a wider commercial, constitutional and judicial context to reveal its wider regional significance. Firstly, it situates Northumberland as a region in which this illicit economy assumed a particularly substantial measure of importance in commercial life. Secondly, it engages with the question of governance. Here, by focusing on the perceived legitimacy of taxation and law enforcement in the North-east, it argues that the conflict which resulted from the crown's attempt to reshape the wool trade led to the blunting of the institutional mechanisms which were supposed to police the export trade in Northumberland. Smuggling therefore reveals some of the limits of royal authority in the far north of England.

Keywords: Medieval; wool trade; taxation; commerce; smuggling; Northumberland

Wool was the most important commercial product exported overseas from England in the Middle Ages. It had international markets, primarily in the Low Countries where English wool was manufactured into textiles which were in high demand throughout Europe, and an international reputation to match. The export trade in wool boomed at the start of the fourteenth century with export totals consistently exceeding 15000 sacks per annum, often by a great deal (Fig. 1).

There was also an important shift in the composition of trade as English merchants began to export most of this wool themselves, rather than selling it in England to foreign merchant exporters. The international wool trade by the start of Edward III's reign in 1327 was, therefore, a vibrant one and the wealth associated

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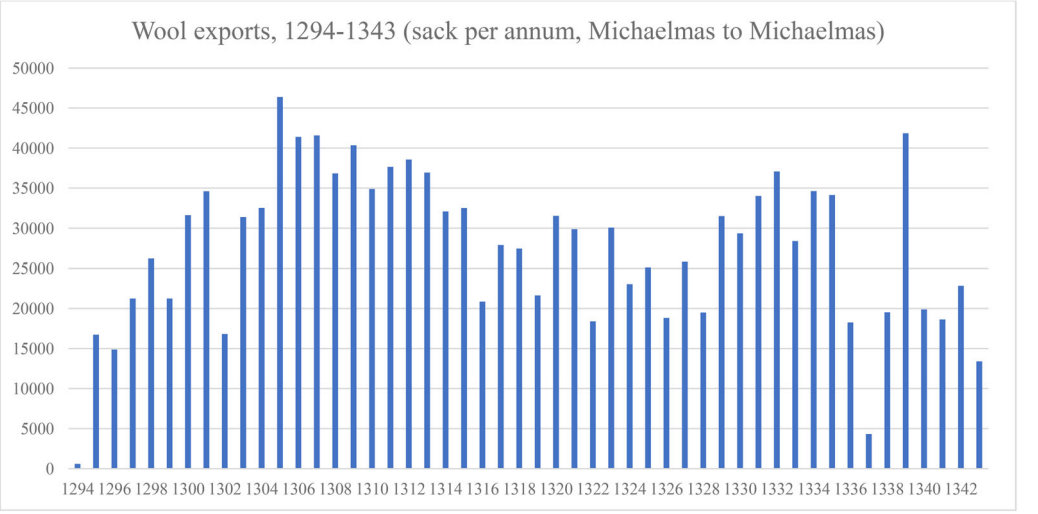

FIGURE 1. English wool exports, sacks per annum (1294–1343).
Source: European State Finance database: \orm\engg034 'Exports of English wool & cloth, 1350-1450, expressed in sacks of wool'. Accessible at https://www.esfdb.org/table.aspx?resourceid=11593.

with it made it an extremely important economic activity. People were evidently aware of wool's economic, political and symbolic importance: to take just one oft–quoted example, wool was described as the 'sovereign merchandise and jewel' of England in a great council in 1353.[1] It was for good reason that the Chancellor's seat in the late medieval House of Lords was styled as a wool sack.

In the late Middle Ages, the wool trade came to provide an extremely important source of revenue to the crown too. From 1275, a custom of 6 s. 8d. was payable on each sack of wool exported, and soon alien merchants were charged additional rates for their business. In the fourteenth century and particularly from 1336, the perennial imposition of additional heavy charges known as subsidies added hugely to the weight of taxation (Table 1; Fig. 2).

At its peak in 1353–54 the English crown brought in over £112,000 by collecting customs and subsidies on wool exports, at a time when an income of £1000 per annum was considered adequate to support the title of earl and of around £40 to support knighthood. This extremely lucrative source of revenue became central to the financing of the royal government in the middle of the century. As the leading historian of English government finance, the late Mark Ormrod, put it '[Edward III's taxation of wool exports] made the customs and subsidies the single most important weapon in the financial armoury of the late medieval state'.[2]

[1] *Parliament Rolls of Medieval England*, gen-ed., C. Given-Wilson, 7 vols. (Woodbridge, 2005), V, p. 70 (henceforth *PROME*). Generally, for the export trade see T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977) and S. Rose, *The Wealth of England: The Medieval Wool Trade and its Political Importance 1100–1600* (Oxford, 2018). For the domestic industry, see now J. Oldland, *The English Woollen Industry, c.1200–c.1560* (Abingdon, 2019), which also cites numerous older works.
[2] W.M. Ormrod, *The Reign of Edward III: Crown and Political Society in England, 1327–1377* (New Haven & London, 1990), p. 182.

Table 1.
Wool Subsidy Rates, 1294–1379 (Both Denizens and Aliens, Unless Stated).

Year(s)	*Rate per sack (shillings & pence)*
November 1294–November 1297	40 s.
July 1317–September 1318 (forced loan)	6s. 8d. (denizens) & 10 s. (aliens)
June 1322–June 1323	6 s. 8d. (denizens) & 13 s. 4d. (aliens)
July 1327–December 1327 (forced loan)	13s. 4d.
May 1333–May 1334	10 s.
September 1336–March 1338	20 s.
March 1338–April 1340	33 s. 4d. (denizens) & 53 s. 4d. (aliens)
April 1340–May 1341	33 s. 4d.
July 1342–October 1362	40 s.
October 1362–September 1365	20 s.
September 1365–September 1368	40 s.
September 1368–September 1369	36 s. 8d.
September 1369–September 1379	43 s. 4d.

Sources: T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), pp. 76–8, 118–19; W.M. Ormrod, *The Reign of Edward III: Crown and Political Society in England*, 1327–77 (New Haven & London, 1990), p. 206.

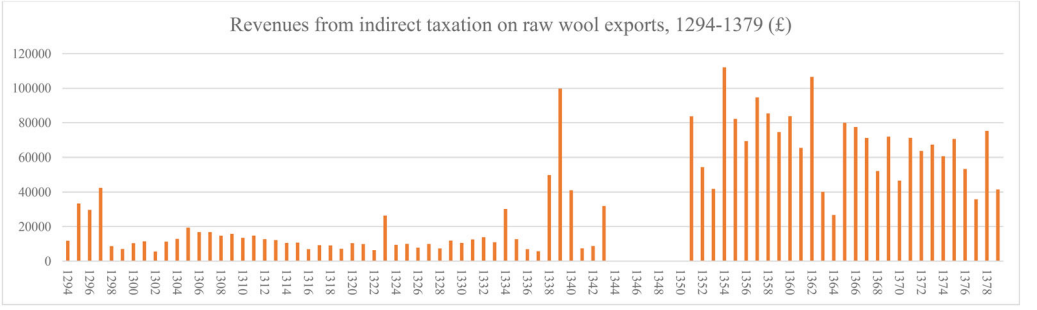

FIGURE 2. Revenues from indirect taxation on raw wool exports, 1294–1379 (£) (Michaelmas to Michaelmas).
Source: European State Finance database: dataset /orm\engm017 'Revenues to the English crown from direct & indirect taxation, 1168–1547'. Accessible at https://www.esfdb.org/table.aspx?resourceid=11334.

The taxation of wool in the Middle Ages was levied at an unusually high rate and a very substantial portion of the profit on the sale of a sack of wool was thus lost to taxation. A subsidy of 33 s. 4d., for instance, meant the combined custom and subsidy payment in effect comprised an *ad valorem* duty exceeding 30 per cent per sack.[3] This tax burden was levied directly at the expense of the wool merchants who paid

[3] J.H. Munro, 'Medieval Woollens: The Western European Woollen Industries and their Struggles for International Markets, *c.* 1000–1500', in *The Cambridge History of Western Textiles*, ed. D. Jenkins, 2 vols. (Cambridge, 2003), I, pp. 228–324, at 299.

the customs and subsidies and indirectly on producers, who were offered lower prices by merchants looking to cut costs. The inevitable response of some exporters to the levying of this sustained and heavy taxation in the fourteenth century was smuggling. Evasion of the customs duties was a risk, since it was prosecuted as a trespass in the royal courts and punishable by a fine, often a heavy one. It was still tempting, however, since the financial benefits of successful smuggling were substantial.

This article will explore the practice of wool smuggling and its significance in Northumberland, the area of the North-east directly subjected to royal administration and taxation on its export trade.[4] In particular, this article explores smuggling in Northumberland as a commercial practice and then expands on this perspective to reveal the reach of, and limits of, state authority in the region as the royal government looked to regulate commerce.

Smuggling was not limited to the North-east. Nonetheless, the nature of the regional economy makes Northumberland a particularly revealing case study of this wider commercial practice. Northumberland was relatively poor and sparsely populated.[5] Campbell and Bartley calculated that Northumberland was lightly settled, with 1.59 vills per ten square miles in 1334.[6] They also demonstrated that Northumberland contained some of England's poorest vills in terms of taxable wealth, with assessed wealth of just £3.08 per mile squared.[7] The region was adversely affected by the onset of perennial conflict with the Scots from the 1290s, although it is difficult to establish precisely the extent of destruction and disruption from raiding.[8]

[4] The liberty of Durham was not subject to royal taxation: G.T. Lapsley, *The County Palatine of Durham: A Study in Constitutional History* (New York, 1900), pp. 116, 271–5. Edward III did, however, apparently hope that Bishop Bury would levy a tax in wool to parallel a royal levy in 1338: M.L. Holford and K.J. Stringer, *Border Liberties and Loyalties: North-east England, c. 1200 to c. 1400* (Edinburgh, 2010), p. 27. For an introduction to the region and the question of a North-eastern identity, see J.A. Tuck, 'Northumbrian Society in the Fourteenth Century', *Northern History*, 6 (1971), pp. 22–39; A.J. Pollard, 'Introduction', in *North-east England in the Later Middle Ages*, ed. C.D. Liddy and R.H. Britnell (Woodbridge, 2005), pp. 1–12; and A. King, 'Best of Enemies: Were the Fourteenth-Century Anglo-Scottish Marches a "Frontier Society"?', in *England and Scotland in the Fourteenth Century: New Perspectives*, ed. A. King and M.A. Penman (Woodbridge, 2007), pp. 116–35. For Northumbrian society in the following centuries, see A.J. Pollard, *North-Eastern England during the Wars of the Roses: Lay Society, War, and Politics 1450–1500* (Oxford, 1990); J. Armstrong, *England's Northern Frontier: Conflict and Local Society in the Fifteenth-Century Scottish Marches* (Cambridge, 2020); C. Etty, 'A Tudor Solution to the "Problem of the North"? Government and the Marches towards Scotland, 1509–1529', *Northern History*, 39 (2002), pp. 209–26; S.G. Ellis, *Defending English Ground: War and Peace in Meath and Northumberland, 1460–1542* (Oxford, 2015).

[5] E. Miller, 'New Settlement. Northern England', in *The Agrarian History of England and Wales,* II: *1042–1350*, ed. H.E. Hallam (Cambridge, 1988), pp. 245–59, at 258–9.

[6] B.M.S. Campbell and K. Bartley, *England on the Eve of the Black Death: An Atlas of Lay Lordship, Land and Wealth, 1300–1349* (Manchester, 2006), p. 314. See also P. Nightingale, 'The Lay Subsidies and the Distribution of Wealth in Medieval England, 1275–1334', *Economic History Review*, new ser., 57 (2004), pp. 1–32, at 20 (Table 2).

[7] Campbell and Bartley, *England on the Eve of the Black Death*, pp. 323, 324.

[8] Studies include: R. Lomas, 'The Impact of Border Warfare: The Scots and South Tweedside, c.1290–c.1520', *Scottish Historical Review*, 75 (1996), pp. 143–67; A. King, 'War, Politics and Landed Society in Northumberland, c.1296–c.1408', unpublished Ph.D. thesis (University of Durham, 2001), pp. 33–45; C. Briggs, 'Taxation, Warfare, and the Early Fourteenth Century 'Crisis' in the North: Cumberland Lay Subsidies, 1332–1348', *Economic History Review*, new ser., 58 (2005), pp. 639–72; and P. Slavin, 'Warfare and Ecological Destruction in Early Fourteenth-Century British Isles', *Environmental History*, 19 (2014), pp. 528–50. Most recently, see P. Slavin, *Experiencing Famine in Fourteenth-Century Britain* (Turnhout, 2019), esp. pp. 195–217.

Indeed, the residents of Northumberland were exempted from payment of direct taxation between 1313 and 1334 because a communal plea of poverty stemming from the impact of border warfare had been accepted by the crown.[9] After direct taxation of the county was resumed, the proceeds of taxation from Northumberland were sometimes directed to military captains defending the frontier.[10] Despite want of full data, it appears that mid-fourteenth century Northumberland was probably both a relatively poor and relatively unequal region.[11]

It is particularly significant for our purposes that the landscape of substantial areas of the North-east lent itself to pastoral farming and, despite the relative paucity of Inquisition Post Mortem evidence, that Northumberland before the Black Death fits into Campbell and Bartley's classification of husbandry types as 'extensive mixed farming' with a particular emphasis on sheep farming.[12] Edward Miller wrote of the region 'Cattle and sheep … were the livestock *par excellence* and sheep numbers especially were very large'.[13] The largest producers in the region owned huge flocks. Durham Priory owned around 4000 adult sheep on average in the 1340s.[14] Significantly for this article, there was to an extent a move towards an increasing role for pastoral farming from the first quarter of the fourteenth century as the area of cultivated land declined.[15]

Sheep farming and the associated production of wool for domestic consumption and for the market was thus a central part of the local agrarian economy, as it was

[9] J.F. Willard, *Parliamentary Taxes on Personal Property, 1290–1334* (Cambridge, Mass., 1934), pp. 29–30, 122–25.

[10] For instance, revenue from the ninth of corn, wool, and sheep granted in April 1340: The National Archives UK, Kew, E 179/158/14; E179/276/31. All manuscripts cited here are held by The National Archives UK. The county was assessed for knights' fees levies in 1346 and 1428, with the latter instance discussed in A. Brayson, 'Taxing the North-east: Northumberland and the Knights' Fees Subsidy of 1428', *Archaeologia Aeliana*, 5th ser., 45 (2016), pp. 119–31.

[11] G. Alfani and H. García Montero, 'Wealth Inequality in pre-industrial England: A Long-Term View (late thirteenth to sixteenth centuries)', *Economic History Review*, new ser., 75 (2022), pp. 1314–48. Suggestions on the size of peasant holdings in Northumberland before 1348 are given in E. Miller, 'Social Structure. Northern England', in *The Agrarian History of England and Wales*, II, pp. 685–98, at 688–9. See also Campbell and Bartley, *England on the Eve of the Black Death*, p. 348.

[12] Campbell and Bartley, *England on the Eve of the Black Death*, pp. 216–17; B.M.S. Campbell, K. Bartley and J. Power, 'The Demesne-Farming Systems of Post-Black Death England: A Classification', *Agricultural History Review*, 44 (1996), pp. 131–179, at 158–9. See also Armstrong, *England's Northern Frontier*, pp. 96–102.

[13] E. Miller, 'Farming Systems. Northern England', in *The Agrarian History of England and Wales*, II, p. 409. The local importance of trade in wool has often been noted: see e.g. E. Miller and J. Hatcher, *Medieval England: Towns, Commerce and Crafts* (London, 1995), p. 244; P. Nightingale, 'Finance on the Frontier: Money and Credit in Northumberland, Westmorland and Cumberland, in the Later Middle Ages', in *Money, Prices and Wages: Essays in Honour of Professor Nicholas Mayhew*, ed. M. Allen and D. Coffman (London, 2015), pp. 109–28.

[14] N. Morimoto, 'On the Sheep Farming of Durham Cathedral Priory in the Fourteenth Century', *Nagoya Gakuin University Review*, 11 (1974), pp. 293–416, at 313, cited in Miller, 'Farming Systems. Northern England', p. 409.

[15] J.A. Tuck, 'The Occupation of the Land. The Northern Borders', in *The Agrarian History of England and Wales,* III: *1350–1500*, ed. E. Miller (Cambridge, 1991), pp. 34–42, at 39–41; and B. Dodds, *Peasants and Production in the Medieval North-east: The Evidence from Tithes, 1270–1536* (Woodbridge, 2007), pp. 81–4. Support from price data for a late medieval shift to pastoral farming (although arable farming remained prominent) is utilised in P. Schofield, 'Regional Price Differentials and Local Economies in North-east England, c. 1350–c. 1520', in *Agriculture and Rural Society after the Black Death: Common Themes and Regional Variations*, ed. B. Dodds and R.H. Britnell (Woodbridge, 2008), pp. 40–55, at 52–3.

in many other areas of England.[16] Wools of the heaviest weight and the greatest value were usually sourced from the counties adjacent to the March of Wales, the Cotswolds, and Lincolnshire.[17] Fleeces from these regions often weighed well over 2lbs.[18] They were manufactured into luxury textiles in the Low Countries, such as the 'scarlets' coloured with scarlet-kermes dye.[19] The wools of the northern-most counties were of lower quality than those found in the Cotswolds, the Marcher counties, Lincolnshire, and some parts of Yorkshire. Adverse environmental factors and less intensive management of flocks meant that the sheep of the far North produced lighter, less dense fleeces closer to 1.5 lbs in weight.[20] Wool from the northern borders was thus used primarily for the manufacture of middling-quality textiles, often in *nouvelles draperies* which combined wool from different regions to manufacture their products more cheaply.[21] These woollens were, however, still valuable, and even the middling and lower qualities of English wool were accordingly in high demand across the continent and beyond in the middle of the fourteenth century.

The merchants of Northumberland were well integrated into the international wool trade.[22] Most of Northumberland's exports went through Newcastle upon Tyne, which continued to channel a substantial trade in wool into the sixteenth century.[23] In administrative terms, the member ports of Newcastle upon Tyne stretched

[16] The extent of regional market integration at this point in time is difficult to demonstrate precisely. See C. Dyer, 'Trade, Urban Hinterlands and Market Integration, 1300–1600: A Summing Up', in *Trade, Urban Hinterlands and Market Integration c.1300–1600*, ed. J.A. Galloway (London, 2000), pp. 103–9; M. Overton, 'The Integration of Agricultural Markets in England, 1200–1800', in *Fiere e mercati nella integrazione delle economie Europee Secc. XIII–XVIII*, ed. S. Cavaciocchi (Prato, 2001), pp. 299–308. Nonetheless, an indication of regional commercialization is provided by the number and distribution of markets and fairs: *Gazetteer of Markets and Fairs in England and Wales to 1516*, ed. S. Letters with M. Fernandes, D. Keene and O. Myhill, List and Index Society Publications Special Series vols. 32 and 33 (Kew, 2003), *s.v.* 'Northumberland'. See also the apparent similarities in the movement of regional and national wool prices, below.

[17] See J.H. Munro, 'Wool-Price Schedules and the Qualities of English Wools in the Later Middle Ages c.1270–1499', *Textile History*, 9 (1978), pp. 118–169.

[18] J.P. Bischoff, '"I Cannot Do't without Counters": Fleece Weights and Sheep Breeds in Late Thirteenth and Early Fourteenth Century England', *Agricultural History*, 57 (1983), pp. 143–60; M.J. Stephenson, 'Wool Yields in the Medieval Economy', *Economic History Review*, new ser., 41 (1988), pp. 368–91.

[19] J.H. Munro, 'The Anti-Red Shift—To the Dark Side: Colour Changes in Flemish Luxury Woollens, 1300–1550', in *Medieval Clothing and Textiles 3*, ed. R. Netherton and G.R. Owen-Crocker (Woodbridge, 2007), pp. 55–96.

[20] J.H. Munro, 'Medieval Woollens: Textiles, Textile Technology and Industrial Organisation, c. 800–1500', in *The Cambridge History of Western Textiles*, ed. D. Jenkins, 2 vols. (Cambridge, 2003), I, pp. 181–227, at 186–90; B.M.S. Campbell, *English Seigniorial Agriculture*, 1250–1450 (Cambridge, 2000), p. 164. See also M.L. Ryder, 'Medieval Sheep and Wool Types', *Agricultural History Review*, 32 (1984), pp. 14–28.

[21] E. Coornaert, 'Draperies rurales, draperies urbaines. L'évolution de l'industrie flamande au moyen âge et au XVIe siècle', *Revue belge de Philologie et d'Histoire*, 28 (1950), pp. 59–96. For the later rise of Spanish wool as a major competitor, see J.H. Munro, 'Spanish Merino Wools and the Nouvelles Draperies: An Industrial Transformation in the Late Medieval Low Countries', *Economic History Review*, new ser., 58 (2005), pp. 431–84.

[22] Generally, see W. Childs, 'England's Maritime and Commercial Networks in the Late Middle Ages', in *Reti Marittime come fattori dell'integrazione Europea: Selezione di Ricerche = Maritime Networks as a factor in European integration: Selection of Essays*, ed. E. Aerts (Florence, 2019), pp. 89–115.

[23] D.L. Farmer, 'Marketing the Produce of the Countryside, 1200–1500', in *The Agrarian History of England and Wales*, III, pp. 324–430, at 396; C.M. Fraser, 'The Economic Growth of Newcastle upon Tyne, 1150–1536', in *Newcastle and Gateshead before 1700*, ed. D. Newton and A.J. Pollard (Chichester, 2009), pp. 41–64, at 51–7; J.F. Wade, 'The Overseas Trade of Newcastle Upon Tyne in the Late Middle Ages', *Northern History*, 30 (1994), pp. 31–48, at 38–9.

from Scarborough in the south through to Whitby and sometimes Hartlepool in the north, in addition to the main port itself, which was close to the mouth of the River Tyne. It was not a port of the first order of importance on the national scale like London, Boston or Kingston upon Hull: Miller and Hatcher estimated that it handled between 3 and 5 per cent of England's export trade in the early fourteenth century.[24] Nonetheless, Newcastle upon Tyne's prominence in the regional wool trade, among other trades such as coal, doubtless contributed to the fact it was assessed as the fourth wealthiest town in England in 1334.[25] There was clearly a strong market for Northumbrian wool. Exports through the ports of the North-east rose substantially in the first decade of the fourteenth century, and again in the early 1330s.[26] County targets for export in the 1337 Dordrecht wool fleet show how the county punched above its weight in terms of population and wealth when it came to wool production. 600 sacks were to be levied from Northumberland and 500 from Durham, whereas Norfolk and Suffolk combined were to yield 400 sacks, as were Essex and Hertfordshire.[27]

It is unsurprising, given the regional importance of the wool trade in the Middle Ages, that several useful studies of the legitimate trade have previously been published, in addition to the landmark compilation of annual export figures published by Carus-Wilson and Coleman.[28] These utilize the accounts drawn up for the audit of the customs officials at the royal exchequer.[29] When we turn to the illicit trade in wool, however, the coverage is more sparse. Most notable is a well-researched article by J.B. Blake published in 1965, which collected information on numerous instances of smuggling.[30]

There is more to say on smuggling in the North-east and its wider place in our understanding of the region in the late medieval period. Since Blake wrote, a huge literature on economic growth has developed. A prominent part of this literature, exemplified in the work of Douglass North, seeks to place economic institutions at the heart of our understanding of the chronology and pattern of global economic

[24] Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, p. 214. See also B.M.S. Campbell, 'North–South Dichotomies, 1066–1550', in *Geographies of England: The North-South Divide, Material and Imagined*, ed. A. Baker and M. Billinge (Cambridge, 2004), pp. 145–74, at 159–61.

[25] A. Dyer, 'Appendix: Ranking Lists of English Medieval Towns', in *The Cambridge Urban History of Britain*, I: *600–1540*, ed. D. Palliser (Cambridge, 2000), pp. 747–70, at 755.

[26] Dodds, *Peasants and Production*, pp. 49–50.

[27] Lloyd, *The English Wool Trade*, p. 177 (Table 14).

[28] The export trade in wool from Newcastle for an earlier period drew detailed attention from J.C. Davies, 'The Wool Customs Accounts for Newcastle upon Tyne for the Reign of Edward I', *Archaeologia Aeliana*, 4th series, 32 (1954), pp. 220–308. The most relevant works on the legitimate wool trade from the North-east in the mid-fourteenth century are C.M. Fraser, 'The Pattern of Trade in the North-east of England, 1265–1350', *Northern History*, 4 (1969), pp. 44–66, esp. 55–56; Fraser, 'The Economic Growth of Newcastle upon Tyne', 51–7; and Dodds, *Peasants and Production*, pp. 49–50. Wade, 'The Overseas Trade of Newcastle Upon Tyne' is a valuable study focusing on the period 1454–1509. See also B. Waites, 'The Medieval Ports and Trade of North-east Yorkshire', *Mariner's Mirror*, 63 (1977), pp. 137–49. For Carus-Wilson and Coleman's work, see E.M. Carus-Wilson and O. Coleman, *England's Export Trade 1275–1547* (Oxford, 1963).

[29] For the auditing process and its records, see *The London Customs Accounts: 24 Henry VI (1445–46)*, ed. S. Jenks (Cologne, 2018), pp. xxii–iii, xlv–lviii.

[30] J.B. Blake, 'Medieval Smuggling in the North-east: Some Fourteenth-century Evidence', *Archaeologia Aeliana*, 4th ser., 43 (1965), pp. 243–60. Wool smuggling is noted in passing in N. McCord and R. Thompson, *The Northern Counties from A.D. 1000* (Harlow, 1998), p. 135.

history.[31] This 'New Institutional Economics' argued that durable economic institutions lower transaction costs and reduce risk, thereby improving efficiency. Furthermore, the NIE often argued that states which fostered the most efficient and stable economic institutions, particularly those which secured property rights, experienced the highest levels of economic development.[32] This approach underplayed the role of conflict over the workings of economic institutions, as demonstrated by Sheilagh Ogilvie in a seminal series of publications.[33] Ogilvie has resisted the argument that economic institutions inherently work towards greater overall efficiency, and pointed towards the tendency for economic institutions to be 'particularised'– to restrict the right to participate in trade to certain groups and to distribute economic gain towards these groups and other powerful individuals. Such processes of particularisation result in the creation of shadow economies – of which smuggling is one – which need to be factored into our understanding of economic growth and the role of institutions in economic history. We can see these processes at work in the governance of the fourteenth-century wool trade, which was taxed and regulated by the crown and favoured mercantile syndicates to a greater extent than ever before.[34] These perspectives on the role of institutions and the role of distributive conflicts in economic history are highly relevant to the study of the wool trade in the medieval North. By studying smuggling in Northumberland at a time when royal regulation and taxation was massively increased because the crown attempted to particularise trade and channel its benefits to itself and certain select merchants, we can see how local merchants strove to adapt to these new pressures by participating in a shadow economy which played an important part in maintaining the flow of trade.

Furthermore, the study of medieval smuggling utilises records produced by the crown as it attempted to detect and prosecute smugglers. This provides detailed, though partial, governmental perspectives on the illicit economy in Northumberland, and gives evidence about the law enforcement process as it was implemented on the ground. In turn, this offers the chance to explore how the royal government fared in its attempt to prosecute smuggling. Given the fact that the royal legal system depended in large part on the participation of local people to work, exploring the law enforcement effort against wool smuggling in Northumberland provides

[31] In addition to numerous articles, see D.C. North and R.P. Thomas, *The Rise of the Western World: A New Economic History* (Cambridge, 1973) and D.C. North, *Institutions, Institutional Change and Economic Performance* (Cambridge, 1990). For North's work in particular, see M. Krul, *The New Institutionalist Economic History of Douglass C. North: A Critical Interpretation* (London, 2018). More generally, see *Handbook of New Institutional Economics*, ed. C. Ménard and M.M. Shirley (New York, 2005).

[32] For recent examples adopting a broadly NIE perspective, see D. Acemoglu and J.A. Robinson, *Why Nations Fail: The Origins of Power, Prosperity and Poverty* (New York, 2012); A. Grief and J. Mokyr, 'Cognitive Rules, Institutions, and Economic Growth: Douglass North and Beyond', *Journal of Institutional Economics*, 13 (2017), pp. 25–52; J. Wallis, 'An Alternative Institutional Approach to Rules, Organizations, and Development', *Journal of Economic History*, 82 (2022), pp. 335–67.

[33] A landmark paper was published as S. Ogilvie, '"Whatever Is, Is Right"? Economic Institutions in Pre-industrial Europe', *Economic History Review*, new ser., 60 (2007), pp. 649–84. See also S. Ogilvie, *Institutions and European Trade: Merchant Guilds, 1000–1800* (Cambridge, 2011) and S. Ogilvie, *The European Guilds: An Economic Analysis* (Princeton, NJ, 2019). For an earlier emphasis on power asymmetries, see J. Knight, *Institutions and Social Conflict* (Cambridge, 1992).

[34] An authoritative overview of the trade and its governance is provided in Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, pp. 210–54.

important insights into the governance of the region. In particular, this engages the idea that this governance was lighter and more malleable than in other parts of shired England, which were closer to the central institutions at Westminster.[35]

The Commercial Practice of Smuggling

This investigation of smuggling is based on a range of administrative and judicial records. It is worth stressing that these provide a picture of smuggling which is far from complete. They offer information on appointments to commissions on smuggling, evidence of the legal process levelled against those charged with smuggling, and fines levied on those found guilty of smuggling. It is probable that only the first of these areas is represented with anything like full coverage in the extant records. Significantly, none of the plea rolls recording the proceedings of judicial inquiries into smuggling in Northumberland have survived in their full, finished form. Instead, information on smuggling in Northumberland is taken from the records of other courts, including the King's Bench and the exchequer, which drew in Northumberland cases at a later stage.[36]

The legal evidence is more often concerned with establishing the quantity of wool smuggled than with the practicalities of the act itself. Nonetheless, what remains indicates how smuggling often took place in the North-east.[37] Wool was heavy and bulky. The weight of medieval sacks could vary, but modern historians generally reckon them at 364 lbs.[38] Smaller scale smuggling usually involved a few sacks of wool or less, which could feasibly be concealed among other cargoes. The local prominence of the coal trade offered merchants the chance to combine cargoes secretly. From detail provided in a royal commission in 1341, it emerges that a ship called *The Trinity* owned by John Frismarsh, a Newcastle upon Tyne merchant, had

[35] On the governance of the region generally, see C.M. Fraser and K. Emsley, 'Law and Society in Northumberland and Durham, 1290 to 1350', *Archaeologia Aeliana*, 4th ser., 47 (1969), 47–70; C.M. Fraser and K. Emsley, 'Justice in North East England, 1256–1356', *American Journal of Legal History*, 15 (1971), pp. 163–85; C.J. Neville, *Violence, Custom and Law: The Anglo-Scottish Border Lands in the Later Middle Ages* (Edinburgh, 1998); A. King, 'Bandits, Robbers and Schavaldours: War and Disorder in Northumberland in the Reign of Edward II', in *Thirteenth Century England IX*, ed. R. Britnell, R. Frame and M. Prestwich (Woodbridge, 2003), pp. 116–29; P.L. Larson, 'Local Law Courts in Late Medieval Durham', in *North-east England in the Later Middle Ages*, ed. Liddy and Britnell, pp. 97–110; H. Summerson, 'Peacekeepers and Lawbreakers in Medieval Northumberland, c.1200–c.1500', in *Liberties and Identities in the Medieval British Isles*, ed. M. Prestwich (Woodbridge, 2008), pp. 56–76; Holford and Stringer, *Border Liberties and Loyalties*. An excellent overview of various interpretations of society and government in the far North and paths for future research is provided in Armstrong, *England's Northern Frontier*, pp. 1–44.

[36] Most importantly, this article draws on the following plea rolls: The National Archives UK, KB 27/307–401, *Rex* sides (covering Hilary term 1337 to Trinity term 1360); E 159/114–136, *Recorda* sections (covering Michaelmas term 1337 to Trinity term 1360) with inaccessible rolls supplemented by E 368/121 and E 368/122. The exchequer plea rolls covering 1336–1360 in E 13/64–E 13/82B are of more limited use since cases where the king appeared as plaintiff were generally enrolled in the memoranda rolls (E 159; E 368). All are accessible on the Anglo-American Legal Tradition website created by R.C. Palmer, E.K. Palmer and S. Jenks: http://aalt.law.uh.edu/AALT.html. The four figure numbers in parentheses after citations to records accessed via the Anglo-American Legal Tradition refer to the image number(s) ascribed to them there.

[37] More detail is provided in Blake, 'Medieval Smuggling in the North-east'.

[38] T.H. Lloyd, 'The Medieval Wool-sack: A Study in Economic History', *Textile History*, 3 (1972), pp. 92–99.

been wrecked near Great Yarmouth.[39] It was then found to contain one sack of uncustomed wool which had been hidden among a cargo of coal. To take another example, Robert Penrith, as collector of the custom at Newcastle upon Tyne, reported in the exchequer that he had seized a ship containing uncustomed wool concealed under a load of coal in 1357.[40] The ship was seized as forfeit and valued at £20. However, the owner, Thomas Dardres of Scotland, attempted to flee by taking the ship out to sea at night, where it sank in a storm and both Thomas and his ship were lost. In 1393, a ship called *The Christopher* left Newcastle upon Tyne with a cargo of coal and grindstones.[41] The ship master, John Soteson, had paid all the relevant fees but one of his crew members, John Whiteham, had stowed two bundles (*fardels*) of uncustomed wool among the cargo, allegedly without Soteson's knowledge. When the ship was wrecked on the Tyne, this wool was discovered by the customs collectors and Soteson was imprisoned for fraud.

Smuggling could, of course, take place from any suitable stretch of coastline. But if local merchants already involved in the legitimate export trade chose to participate in smuggling, they could use its existing infrastructure and their familiarity with particular ports and networks to do so. Thomas Fleming, for instance, a notable export merchant and office holder in Newcastle upon Tyne, loaded ten sacks of uncustomed wool at a place called Spreading in Gateshead, opposite Byker and near the main port of Newcastle upon Tyne itself, which were then taken overseas for sale via Tynemouth.[42] The proximity of the palatinate liberty of Durham, where the king's writ did not run and where local officers were those of bishop rather than king, offered further opportunities for those seeking to evade royal customs officers. Robert Coxhide, a local merchant, and Robert Ferry, for example, took thirty sacks of wool through the liberty on their way to the port of Newcastle upon Tyne before trying to export it without payment of the custom.[43] They were ultimately unsuccessful, and their wool was seized by the king's ministers shortly before it was shipped.

After 1333, the port of Berwick offered an attractive potential route for those seeking to evade payment of the full custom and subsidy at the port of Newcastle upon Tyne.[44] The export duty there was fixed at the traditional half a mark (6 s. 8d.) irrespective of the subsidies imposed at English ports from 1336, because of an

[39] *Calendar of Patent Rolls preserved in the Public Record Office*: *Edward III (1327–1377)*, 16 vols. (London, 1898–1913) [henceforth: *CPR*, with dates]: *1340–1343*, p. 108.
[40] For this and the following sentences, E 13/85, rot. 11 (0024–0025).
[41] For this and the following sentences, see E 159/170, *Recorda*, Michaelmas term, rot. 2 (0217–0218). Part of this entry is edited in *Bronnen Tot de Geschiedenis van den Handel met Engeland, Schotland, en Ierland, 1156–1485*, ed. H.J. Smit, 2 vols., (The Hague, 1928–50), I, no. 743 (pp. 436–7).
[42] KB 27/344, Rex side, rot. 30 (8805–8806). For more information on Fleming, see Blake, 'Medieval Smuggling in the North-east', p. 259.
[43] For this and the following sentence, see KB 27/340, Rex side, rot. 40 (0320).
[44] This has been noted in C. M. Fraser, 'Medieval Trading Restrictions in the North East', *Archaelogia Aeliana*, 4th ser., 39 (1961), pp. 135–50, at 141–2; A. Tuck, 'A Medieval Tax Haven: Berwick upon Tweed and the English Crown, 1333–1461', in *Progress and Problems in Medieval England: Essays in Honour of Edward Miller*, ed. R. Britnell and J. Hatcher (Cambridge, 1996), pp. 148–67, at 153–8; J. Donnelly, 'An Open Port: The Berwick Export Trade, 1311–1373', *Scottish Historical Review*, 78 (1999), pp. 145–69, at 150–1; M. Rorke, 'English and Scottish Overseas Trade, 1300–1600', *Economic History Review*, new ser., 59 (2006), pp. 265–88, at 271–2. Most recently, see M. Raven, 'Wool Smuggling from England's Eastern Seaboard, c.1337–43: An Illicit Economy in the Late Middle Ages', *Economic History Review*, 75 (2022), pp. 1182–1213, at 1197–8.

agreement made after the fall of the town to Edward III which guaranteed that the customs hitherto enjoyed by the town's burgesses would remain unchanged under English rule. This was a concession made by Edward III in order to convince Berwick's existing merchant community to continue to reside and trade in the town despite its fall to the English. Berwick was the most important commercial centre in the region and, even after the imposition of heavy subsidies at other ports from 1338, the need to retain local mercantile support in this strategically important town was sufficient to induce Edward III to hold good to his charter of 1333 and permit export from Berwick to be charged at the traditional, customary rate.

Export through Berwick rather than Newcastle upon Tyne therefore usually offered merchants the chance to reduce their taxation costs by some 80 per cent as compared to export through the custom at Newcastle upon Tyne. The fiscal threat posed by Berwick to the king's coffers was raised by the customs collectors of Newcastle upon Tyne in 1340.[45] Numerous orders appointing royal commissioners to investigate the suspicion that English wool was being taken from Northumberland to Berwick for export in contravention of the king's prohibitions were issued throughout the period. The fragmentary evidence which remains shows that this anxiety was not unfounded, as numerous people were prosecuted for taking Northumbrian wool to Berwick for export.[46]

The evidence relating to the export of Northumbrian wool through Berwick reveals a widespread desire to cut transaction costs and the consequent anxiety of the government to regulate commerce in the region. As well as in the very act of smuggling itself, the need to reduce the costs imposed by the wool subsidies is evidenced in supplications to the crown. Contemporary awareness of Berwick's commercial advantage is indicated by a petition presented to Edward III and his council by the commons of Northumberland, which begged the king's leave to ship wool from Newcastle upon Tyne in the same way as the men of Berwick export it, without the greater burden (*plus charge*) of the wool subsidy.[47]

Nor was the proximity of Northumberland to a medieval 'tax haven' the only incentive to evade the customs duties in an effort to reduce costs. In the 1380s, the merchants of Newcastle upon Tyne petitioned for an extension of a licence they had recently been granted to export a set number of sacks to markets of their choosing, rather than to the Calais staple.[48] This petition usefully illustrates a set of challenges. These included the costs associated with royal taxation, the risk of disruption from piracy, the cost of hiring men to guard against it, the cost of transport, and the relatively low regional quality of wool.[49] All of these challenges were greater for the

[45] C 47/22/10/44. This is translated in *Calendar of Documents Relating to Scotland*, ed. J. Bain, G.G. Simpson and J.D. Galbraith, 5 vols., (Edinburgh, 1884–1987), III, no. 843. Bain dated it to Edward II's reign, but internal evidence sets the date securely at 1340.

[46] See cases enrolled on KB 27/338, Rex side, rots. 9 (0402), 9d (0371), 34 (0451); KB 27/340, Rex side, rot. 40d (0305).

[47] SC 8/130/6483, printed in *Ancient Petitions Relating to Northumberland*, ed. C.M. Fraser, Surtees Society Publications, vol. 171 (1961), pp. 256–7 (no. 229). For a petition raising the same point dating to 1388, see SC 8/216/10768, printed in *Ancient Petitions*, ed. Fraser, pp. 225–6 (no. 202).

[48] SC 8/225/11248, printed in Fraser, ed., *Ancient Petitions*, pp. 223–5 (no. 201).

[49] For the costs required to guard against attacks on shipping, see Fraser, 'The Pattern of Trade', pp. 59–60.

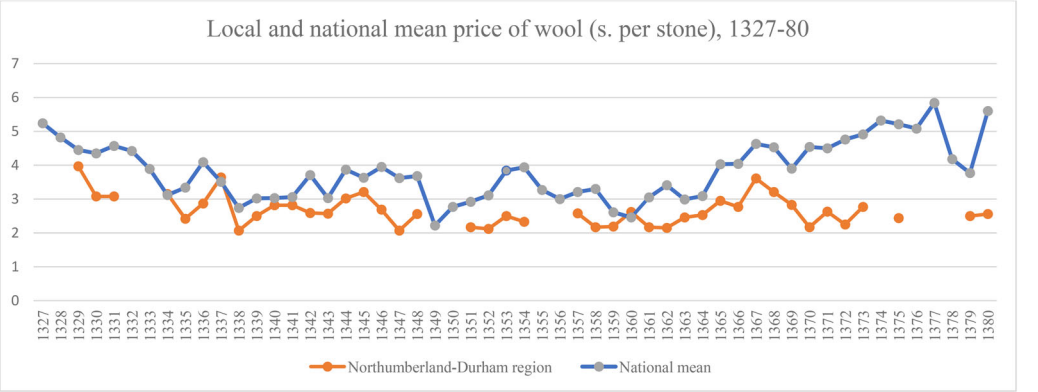

FIGURE 3. Regional and national domestic prices of wool in shillings per stone, 1322–80 (Michaelmas to Michaelmas).
Source: T.H. Lloyd, *The Movement of Wool Prices in Medieval England* (Cambridge, 1973), pp. 40–41 (Table 1).

merchants of Northumberland than they were for their counterparts in almost any other area of England.

The related issue of wool prices and the relative burden of taxation can be investigated further. The veracity of the petitioners' claim noted above is suggested by two schedules of wool prices, dating to 1337 and 1343 respectively. The first set prices for a royal purveyance of wool in numerous English counties.[50] Northumberland was placed in the lowest grouping of counties along with Durham, Westmorland and Cumberland, with a price for its wool set at £3 6s. 8d. per sack.[51] By way of contrast, the highest prices reached £8 per sack for Herefordshire wool. In 1343, a parliamentary ordinance setting minimum purchase prices for wool was issued. On this occasion, Northumberland was grouped on the fifth from bottom rung of the price ladder with a minimum price of £5 6s. 8d. per sack. The best wools were priced at £9 6s. 8d.

Thanks to the research of T.H. Lloyd and others into the movement of wool prices, we know that, although not precisely accurate, these schedule valuations did reflect the relative value of Northumbrian wool.

As Figure 3 shows, the North-east suffered wool prices which were below the national average almost all of the time. While prices were naturally regionalised, however, the rate of taxation on exports was imposed uniformly across most of the ports through which export was legally permitted. A sack of Northumbrian wool taken through Newcastle upon Tyne in July 1342, for example, paid the same 40s. subsidy as a sack of Cotswold wool taken through the port of London.

[50] Further information on this schedule is given in T.H. Lloyd, *The Movement of Wool Prices in Medieval England* (Cambridge, 1973), p. 10; and Munro, 'Wool-Price Schedules', 135–6.
[51] For this and for the figures from the 1343 ordinance discussed below, see Lloyd, *Movement of Wool Prices*, p. 70 (Figures 6 and 7); Munro, 'Wool Price Schedules', pp. 140–1 (Table 7).

Ideally, this disadvantage would be quantified by analysis of sale prices for Northumbrian wools in the Low Countries, the primary market for overseas export, to show exactly how much, or how little, profit was made by local merchants at this point in time.[52] Unfortunately, such sale prices are not extant. However, the scale of difference in the relative burden of taxation is crudely suggested with reference to domestic prices. As per the domestic price of 2.59 s. per stone for North-eastern wool in 1342 given by Lloyd, the 40 s. subsidy would have equated to an *ad valorem* duty of some 60 per cent on a 364 lb sack of North-eastern wool. In contrast, this subsidy would have equated to an *ad valorem* duty of some 36 per cent on a 364 lb sack of Cotswolds wool.

It is worth emphasising that these calculations reflect domestic purchase prices rather than overseas sales prices, which would have been higher, and is intended simply to provide a rough indication of how taxation affected Northumbrian merchants more than some of their counterparts. Using actual Low Countries sale price figures dating to the late 1330s and early 1340s for wool from other regions of England, Edmund Fryde suggested that 'the normal profits of the wool trade were not high enough to allow it to bear easily the high wartime rate of custom and subsidy … [which] was likely to take away most of the normal profits of the English merchants'.[53] Along these lines, what the above calculations on the weight of taxation do confirm is that the relatively low value of North-eastern wool meant that this weighed particularly heavily on North-eastern merchants who paid the same customs for the right to export a less valuable product. Fryde's conclusions, in essence, are particularly relevant for the merchants of the North-east. Participation in the legitimate export trade therefore offered North-eastern merchants significantly lower returns than those received by their counterparts dealing in superior wools. This made smuggling an especially attractive proposition for a merchant looking to export a cargo of Northumbrian wool, and in turn this suggests that the economy of wool smuggling was especially prominent there.

Carus-Wilson and Coleman, however, suggested that smuggling was commercially and economically insignificant because it was usually limited to small quantities of wool hidden away on ships.[54] There is no doubt that small quantities were often smuggled overseas. Nonetheless, adopting a regional perspective, even the fragmentary legal evidence which survives suggests smuggling was more prominent and more extensive than they were prepared to allow. We know, for example, that at least forty-seven people were charged with smuggling offences before Thomas Surtees, a local knight and landowner, and his fellow justices appointed to investigate smuggling in 1341.[55] This is despite the fact that the roll of proceedings compiled in the

[52] Naturally, indictments relating to wool smuggling focus on the international export trade as conducted through coastal ports: see Raven, 'Wool Smuggling from England's Eastern Seaboard', p. 1190. This means that the indictments offer an incomplete picture of the wool trade in the North-east as they neglect wool sent to Scotland for domestic use there. They do, however, have the great benefit of focusing on export to the Low countries, by far the most important market for the international export of northern wool.

[53] E.B. Fryde, *Studies in Medieval Trade and Finance* (London, 1983), IX, pp. 14–15.

[54] Carus-Wilson and Coleman, *England's Export Trade*, esp. p. 31.

[55] For the commission to Surtees and his companions, see *CPR 1340–43*, pp. 320–1. For more information on the Surtees family, see R. Surtees, *The History and Antiquities of the County Palatine of Durham*, III: *Stockton and Darlington Wards* (London, 1823), pp. 230–35.

course of this commission has been lost, so its business can only be reconstructed in an incomplete form from the records of other courts.

Furthermore, it is particularly notable that more substantial quantities, as well as a few sacks stowed away, were taken overseas illegally. We have seen how Robert Coxhide and William Ferry were thwarted in their effort to smuggle a substantial load of thirty sacks of wool through Newcastle upon Tyne. A jury accused Laurence Dalton of successfully evading the custom on the same number of sacks, in addition to other, unknown amounts, in 1345.[56] This would equate to around 780 stones of wool, not much below five tonnes. Much more substantial is the example of Hildebrand Bereswerd, an 'Easterling' merchant, who in 1344 was found to have smuggled a total of 100 sacks of wool along with 10,000 wool fells (equivalent to just under forty-two sacks).[57] Another example of large-scale evasion is that of William of Durham. Durham was a Darlington wool merchant active in the export trade in the 1330s, who bought much of his wool from Durham Priory.[58] In the late 1330s, he participated in both the licit and illicit sides of the wool trade as costs rose. In 1348, he was fined for evading the custom on a load of sixty-nine sarplars of wool (equivalent to around 140 sacks) in 1337.[59] Durham was also found to have smuggled thirty sacks through the port of Hartlepool in 1339.[60] Eight weeks after this latter offence had taken place, Durham was appointed as one of the customs collectors there.[61]

Nor, furthermore, was Durham alone in being a customs official found to have been involved in the business of customs evasion. In his work on the customs administration in the first half of the fourteenth century, R.L. Baker noted 'there was scarcely a wool port, and no major one, where charges of misconduct were not brought against customs officers'.[62] Newcastle upon Tyne was no exception and numerous town customs officials, who were often also wool merchants, were accused of involvement in the smugglers' trade. The controller of the customs from November 1338 to May 1339, John Frismarsh, was found guilty of customs evasion, as was Thomas Fleming, tronager (weigher) of wool from May 1340 to May 1341.[63] The customs collectors of the port in the early 1340s were John Denton (collector from March 1340 to May 1341), Richard Galloway (collector from March 1340 to

[56] KB 27/340, Rex side, rot. 40 (0320).

[57] *CPR 1343–45*, p. 222. 'Easterling' 'often denoted people from the Hanseatic cities, whether in Germany or in other parts of the Baltic shore': W.M. Ormrod, B. Lambert and J. Mackman, *Immigrant England, 1300–1550* (Manchester, 2019), p. 102. The conversion of wool fells into sacks is based on the rate of 240 fells per sack adopted in Carus-Wilson and Coleman, *England's Export Trade*, pp. 13–14.

[58] For more information on William of Durham, see Fraser, 'The Pattern of Trade', p. 51; and Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts,* p. 246, citing N. Morimoto, *Durham Cathedral Priory: The Economic History of an Ecclesiastical Estate in the Later Middle Ages* (Kyoto, 1977), pp. 230, 237–8, 267; N. Morimoto, *Monastic Economy and Medieval Markets: The Case of Durham Cathedral Priory* (Seto, 1983), pp. 92, 96–8, 126, 195, 200–10, 218, 295, 373.

[59] E 159/125, rot. 196 (2566).

[60] KB 27/330, Rex side, rot. 54 (0483).

[61] The known Hartlepool collectors and their terms of office are listed in R.L. Baker, 'The English Customs Service, 1307–1343: A Study of Medieval Administration', *Transactions of the American Philosophical Society*, new ser., 51 (1961), pp. 3–76, at 60.

[62] Baker, 'The English Customs Service', p. 42.

[63] Frismarsh and Fleming are both discussed above. Details of office-holding are taken from Baker, 'The English Customs Service', p. 60.

May 1341), John Galloway (collector from May 1341 to January 1342), and Richard Shilvington (collector from May 1341 to July 1343). Each was accused of participating in illegal export, or aiding others to participate in it.[64] Other local notables were also involved in the illicit economy. Waleran Lumley, for example, who was a bailiff of Newcastle upon Tyne in 1330, 1331, 1333 and 1334, mayor in 1339, and bailiff of Gateshead in 1348, was charged with illegal export.[65] Significantly, collusion between local merchants who doubled as officeholders could have enabled large quantities of wool to be exported illegally.

In turn, this raises the question of the aggregate level of smuggling. Unfortunately, this is an impossible one to answer by the provision of precise figures, primarily because successful smuggling left no trace and it is thus impossible to quantify how much smuggling there may have been at any one point in time. Nonetheless, it is worth examining the export figures for the legitimate wool trade across Edward III's reign with these examples of the potential for larger scale smuggling in mind. These cover the port of Hartlepool, which operated independently until 1342, and the port of Newcastle upon Tyne.

The figures provided in the customs accounts are sometimes imperfect, and there is a gap in the Newcastle upon Tyne evidence between 1343 and 1351 when the administration of the customs rested with a series of mercantile syndicates, rather than the royal exchequer. Figures 4 and 5 do, however, show a notable fall in the volume of exports from the north-eastern ports in the late 1330s and early 1340s after a period of strong performance in the early and mid-1330s. This was broadly in line with national trends and clearly correlates to the period which saw the onset of sustained wool subsidies. Several reasons for the national fall in export figures have been suggested. Lloyd pointed to diplomatic disruptions to the flow of trade and monetary shortages, as well as the weight of taxation.[66] Campbell suggested that the heavy taxation of international trade diverted an increasing proportion of wool to a growing domestic woollen industry, and Slavin has pointed to the desire to minimise risk by selling to the domestic market and therefore avoiding the perils of piracy.[67] These are all explanations applicable to export from Newcastle upon Tyne and Hartlepool. Additionally, raids into Northumberland organised by David Bruce, king of Scots, in the early 1340s probably affected international wool exports, although the presence of substantial numbers of Scots engaged in martial pursuits also provided new opportunities to merchants trading in other commodities, such as victuals and armour.[68] The level of smuggling should also, however, be considered a

[64] John Galloway, John Denton and Thomas Fleming are discussed above and below. See also Blake, 'Medieval Smuggling in the North-east', pp. 258–60. For Shilvington, see KB 27/338, Rex side, rot. 34 (0451).
[65] E 159/119, rot. 191d (1078). For his officeholding, see R.H. Britnell, 'Medieval Gateshead', in *Newcastle and Gateshead before 1700*, ed. Newton and Pollard, pp. 137–70, at 155.
[66] Lloyd, *English Wool Trade*, pp. 181–92, 193.
[67] B.M.S. Campbell, *The Great Transition: Climate, Disease and Society in the Late-Medieval World* (Cambridge, 2016), p. 179; P. Slavin, 'Mites and Merchants: The Crisis of English Wool and Textile Trade Revisited, c. 1275–1330', *Economic History Review*, new ser., 73 (2020), pp. 885–913, at 902, 907–8.
[68] Nightingale, 'Finance on the Frontier', p. 121. For these raids, see I.A. MacInnes, *Scotland's Second War of Independence, 1332–1357* (Woodbridge, 2016), pp. 41–2; and for trade between English merchants and the Scottish forces, see e.g. *Calendar of Close Rolls: 1341–1343* (London, 1902), p. 496. My thanks to an anonymous referee for this reference and for prompting me to think about the point more generally.

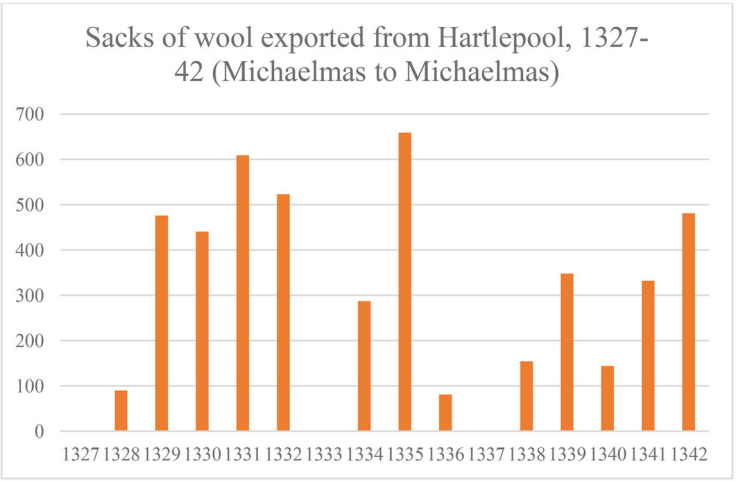

FIGURE 4. Wool exports from Hartlepool, 1327–1342 (sacks per annum, Michaelmas to Michaelmas).
Source: E.M. Carus-Wilson and O. Coleman, *England's Export Trade 1275–1547* (Oxford, 1963).

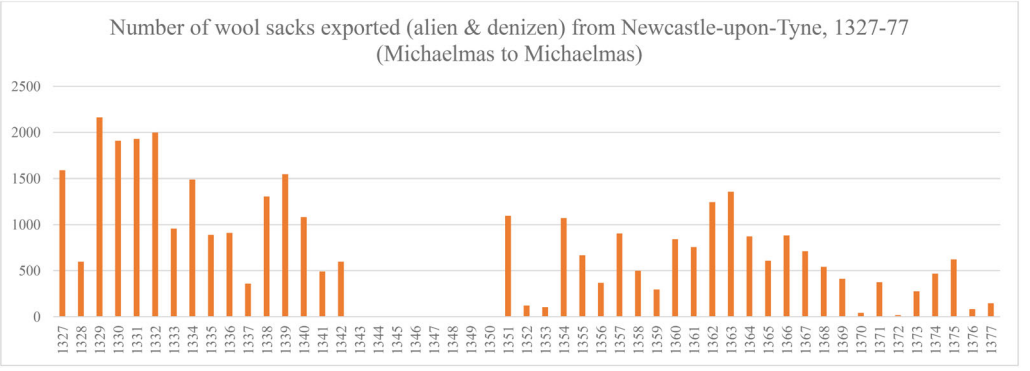

FIGURE 5. Number of wool sacks exported through Newcastle-upon-Tyne, 1327–77 (Michaelmas to Michaelmas).
Source: E.M. Carus-Wilson and O. Coleman, *England's Export Trade 1275–1547* (Oxford, 1963).

factor here.[69] As explored above, the merchants of the North-east had good economic reason to evade the increased levies on exports and ample opportunities to attempt to do so. Indeed, this fall in the volume of exports was more pronounced in

[69] This builds on a suggestion which was made but not followed up in Blake, 'Medieval Smuggling in the North-east', p. 260.

Newcastle upon Tyne and Hartlepool than in most other English ports. Table 2 and Figure 6 provide an indexed regression analysis of regional and national export levels over time, using the export totals for 1332 (a year without subsidy payments or

TABLE 2.
Indexed Regional and National Wool Exports, 1327–42 (1332 = 100).

Year	*Newcastle export totals, 1327–42*	*Newcastle Indexed value 1332 = 100*	*National export totals, English ports 1327–42*	*National export totals, Indexed value 1332 = 100*
1327	1591	79.7	25815	69.6
1328	597	29.9	19498	52.6
1329	2164	108.4	31509	85.0
1330	1909	95.6	29342	79.1
1331	1931	96.7	34015	91.7
1332	1997	100.0	37079	100.0
1333	956	47.9	28377	76.5
1334	1491	74.7	34623	93.4
1335	889	44.5	34134	92.1
1336	911	45.6	18257	49.2
1337	359	18.0	4310	11.6
1338	1305	65.3	19533	52.7
1339	1547	77.5	41846	112.9
1340	1081	54.1	19879	53.6
1341	491	24.6	18633	50.3
1342	597	29.9	22844	61.6

Source: O. Carus-Wilson and O. Coleman, *England's Export Trade 1275–1547* (Oxford, 1963).

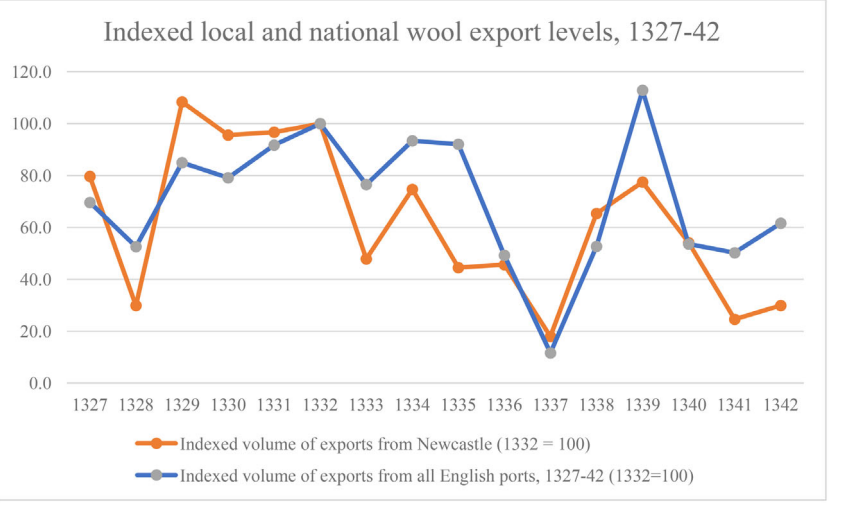

FIGURE 6. Indexed local and national wool export levels, 1327–42 (1332 = 100).
Source: Table 2.

full–scale warfare between Edward III, the Scots, or the French) as a benchmark figure.[70]

This above-average fall may reflect the fact that the merchants of the North-east had more reason to participate in smuggling than merchants based in some other areas with easier access to more valuable wool and with lower transport and security costs. The operation of a flourishing illicit trade in wool in the North-east as merchants sought to cut costs may well have removed a fairly significant proportion of the regional export trade from the view of the royal government and hence from the totals for legitimate exports recorded by the exchequer. If we accept the presentment jury's allegation that William of Durham smuggled thirty sacks through Hartlepool in 1339, for example, this equates to 8.6 per cent of Hartlepool's total legitimate exports for that fiscal year.

Smuggling and the Moral Economy in the North-East

This article has argued that smuggling was a prominent shadow economy in the mid-fourteenth century, and that it represented a genuine threat to the customs revenues on which the crown was coming to rely. This opens the issue of how the crown attempted to regulate customs evasion and how this was perceived by local society. Accordingly, this section turns to the subject of governance and the related question of what the law enforcement process levelled against smuggling can tell us about royal authority in Northumberland.

It is helpful to view communal attitudes to the governance of the wool trade from a 'moral economy' perspective. This stresses the economic obligations different sections of society were supposed to have towards one another, and offers a useful tool for focusing attention on contemporary notions of economic justice and the perceived legitimacy of royal fiscal policies.[71] Generally speaking, the king was thought to have a paternalistic role which revolved around securing the economic prosperity of his people.[72] But it is evident that both the governance of the wool trade and the centralised methods of law enforcement which policed it were thought to contradict this paternalistic role for kingship.

Edward III's policies towards the wool trade benefitted some merchants at the expense of others. In a contentious move, a mercantile consortium with a monopoly on exports was created in 1337 and granted the power to purchase wool from producers for lower-than-market prices.[73] Even after this monopoly collapsed early in 1338, open

[70] The Battle of Dupplin Moor (August 1332) was ostensibly between John Balliol and supporters of David Bruce, although it featured English nobles and was probably conducted with Edward III's tacit approval.

[71] For the work of some of the scholars who pioneered this approach, see T. Rogan, *The Moral Economists: R. H. Tawney, Karl Polanyi, E. P. Thompson, and the Critique of Capitalism* (Princeton, NJ, 2017). For a recent conceptual study analysing the influence and prospect of 'moral economies' in scholarship, see J.G. Carrier, "Moral Economy: What's in a Name," *Anthropological Theory*, 18 (2018), pp. 18–35.

[72] W.M. Ormrod, '"Common Profit" and "The Profit of the King and Kingdom": Parliament and the Development of Political Language in England, 1250–1450', *Viator*, 46 (2015), pp. 219–52.

[73] E.B. Fryde, 'Edward III's Wool Monopoly of 1337: A Fourteenth-Century Royal Trading Venture', in Fryde, *Studies in Medieval Trade and Finance*, VI.

export was periodically banned and merchants who wished to export legally had to obtain a licence to do so. Edward III thus 'particularised' the wool trade, to use Ogilvie's terminology as discussed in the introduction, by restricting who could participate in it. And, more generally, the wool trade was viewed as something which was subject to oppressive taxation and manipulation. The chronicler Adam Murimuth, for example, described a direct tax in wool levied in 1338 as being made to the grievous burden of the people.[74] A literature of complaint lamenting the burden imposed on the poor by taxation and royal avarice grew up around Edward III's fiscal demands.[75] The author of the 'Song against the King's Taxes', for example, identified taxes in wool as particularly arbitrary and oppressive.[76] Contemporary complaints about the role of the wool subsidies in lowering prices to the detriment of producers were articulated in parliament.[77] As Gerald Harriss put it, 'The wool schemes had yielded little but a harvest of hatred and recrimination'.[78]

The centralised commissions which prosecuted smuggling, meanwhile, were unpopular in their own right. As indicated above, smuggling was prosecuted in the royal courts. Specifically, it was prosecuted by centrally appointed judicial commissions empowered to hear and determine felonies and trespasses, and by the courts of King's Bench and the exchequer. These efforts fitted into a traditional mode of law enforcement involving large, centralised judicial commissions staffed by royal judges which had its most notable expression in the general eyres of the thirteenth century.[79] Such commissions had become increasingly unpopular because they were seen as financially oppressive. During an acrimonious and public political dispute between Edward III and John Stratford, archbishop of Canterbury, in 1341, Stratford told his king how his people had been burdened with taxes and tallages. The archbishop made specific reference to the kind of judicial commissions which prosecuted smuggling, telling the king that 'your people are also, at this time, governed by arbitrary and strange laws, so that their possessions hardly suffice to maintain them and will at last, unless God avert it, be reduced to great poverty to your reproach'.[80] In the middle of the century, the parliamentary Commons began to press for the replacement of this type of commission by commissions of the peace, which featured more local aristocratic representation alongside professional justices.[81] The prosecution of smuggling,

[74] A. Murimuth, *Continuatio Chronicarum*, ed. E.M. Thompson (London, 1889), p. 85.
[75] J.R. Maddicott, 'Poems of Social Protest in Early Fourteenth-Century England', in *England in the Fourteenth Century*, ed. W.M. Ormrod (Woodbridge, 1986), pp. 330–44; C. Revard, 'Political Poems in MS Harley 2253 and the English National Crisis of 1339–41', *Chaucer Review*, 53 (2018), pp. 60–81.
[76] *Anglo–Norman Political Songs*, ed. I.T. Aspin, Anglo-Norman Text Society, vol. 11 (Oxford, 1953), pp. 110–15
[77] G.L. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), pp. 434–5.
[78] Harriss, *King, Parliament, and Public Finance*, p. 240.
[79] A valuable guide to these is *Records of the General Eyre*, ed. D. Crook, Public Record Office Handbooks, vol. 20 (London, 1982). For the decline of the eyre, see D. Crook, 'The Later Eyres', *English Historical Review*, 97 (1982), pp. 241–68; C. Burt, 'The Demise of the General Eyre in the Reign of Edward I', *English Historical Review*, 120 (2005), pp. 1–14.
[80] *Anglia Sacra*, ed. H. Wharton, 2 vols., (London, 1691), I, p. 34: 'Novis etiam legibus non voluntariis et inusitatis sic populus vester regitur his diebus quod ipsius substantia vix ad victum sufficiens ad ultimam (nifi Deus avertat) paupertatem in vestrum opprobrium deducetur'.
[81] There is a great deal of value in A. Verduyn, 'The Attitude of the Parliamentary Commons to Law and Order under Edward III' unpublished D.Phil thesis (University of Oxford, 1991).

however, remained highly centralised in the traditional manner. The type of law enforcement measures which prosecuted smuggling were often therefore conceived as unjust and arbitrary instruments of revenue collection rather than justice dispensation.[82]

Royal taxation of the export trade was thus considered in moral, as well as purely economic, terms and communal attitudes linked the law enforcement process against smuggling with a morally contentious mode of royal governance. Indeed, the morality of the government's regulation and taxation of the wool trade was presumably particularly disputatious in a relatively poor part of the realm, previously exempted from payment of direct taxation, in which wool was relatively poor in quality but also relatively important economically and commercially. The inhabitants of Newcastle upon Tyne complained over the weight of their assessment in the triennial fifteenths and tenths granted in September 1337.[83] They must have been equally resentful when this was followed the next year by the direct tax in wool decried by Murimuth, which was levied at a uniform, and therefore regionally disadvantageous, national rate.[84] Tellingly, the merchants of the town seemingly refused to pay the next direct tax levied on them, a fifteenth granted in 1340.[85]

In fact, regional discontent with both the tax burden and the commissions which policed smuggling was expressed more directly in two petitions both probably dating to the early 1340s, when discontent with Edward III's fiscal and judicial policies was at its peak. In one, the 'poor commonalty' of Newcastle upon Tyne complained about the many charges levied in taxation upon the town in support of the king's wars, including the heavy ransoms exacted by William Kilsby.[86] Kilsby was Keeper of the Privy Seal and one of the king's closest advisors. He had become increasingly unpopular because he was seen as a driving force behind the recent bout of onerous taxation, as well as one of Stratford's main political opponents.[87] Kilsby had, it was claimed, impoverished the commonalty of Northumberland by the scale of the exactions he levied in the king's name. In the second, the commonalty of Newcastle upon Tyne complained that they 'have suffered greatly from the great sums demanded of them by William de Kilsby, and from the heavy taxes imposed upon them despite the great destruction and losses inflicted upon them by the Scots'.[88] They also, pertinently, asked that the record and process held before

[82] For the commissions of the 1340s, see W.R. Jones, 'Keeping the Peace: English Society, Local Government, and the Commissions of 1341–44', *American Journal of Legal History*, 18 (1974), pp. 307–20; S.L. Waugh, 'Success and Failure of the Medieval Constitution in 1341', in *Law, Governance, and Justice: New Views on Medieval Constitutionalism*, ed. R.W. Kaeuper (Leiden, 2013), pp. 121–60.

[83] *Lay Taxes in England and Wales, 1188–1688*, ed. M. Jurkowski, C.L. Smith and D. Crook, Public Record Office Handbooks, vol. 31 (London, 1998), p. 42.

[84] For the Northumberland returns of the tax of 1338, see E 179/158/13.

[85] E 179/158/14, m. 3.

[86] SC 8/65/3209. This is printed in *Ancient Petitions*, ed. Fraser, p. 217 (no.194). Fraser dates it to 1341–2, whereas Ormrod (*PROME*, IV, p. 435) dates it to 1348. The earlier date is preferred here, as this places the petition closer in time to the commissions it references.

[87] For a summary of 'his highly visible role in the controversial finances and policy making of the initial stages of what would become the Hundred Years' War', see S.L. Waugh, 'Kilsby, William (d. 1346), administrator', *Oxford Dictionary of National Biography*, online edn., (Oxford, 2004). Accessible at https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb–9780198614128–e–50146. Last accessed 27/06/22.

[88] SC 8/261/13003. This is printed in *Ancient Petitions*, ed. Fraser, pp. 218–19 (no. 195).

Thomas Surtees and his companions might be examined, and that the onerous fines associated with this commission might be reduced.

Notably, Kilsby had acted alongside Surtees to prosecute smuggling in the region. The plea roll evidence allows more detail to be added to the grievances referenced in these petitions. In particular, it is clear that fines for evasion of the customs by Northumberland exporters were made directly with Kilsby. The wool merchant Thomas Fleming, for instance, made fine of £100 in order to secure a royal pardon for smuggling. This fine was made 'before William Kilsby'.[89] Sometimes the record adds that such instances were done in the presence of Thomas Surtees. Geoffrey Wansford was another man found guilty of wool smuggling. He was indicted before the judicial commission led by Surtees for evading the proper customs duties on a total of 75 sacks of wool.[90] Like Fleming, Wansford eventually secured a royal pardon, which he produced before the King's Bench at Ipswich in 1344 to end the legal process against him.[91] This too had required a fine of £100. This fine was made with Kilsby and William Edington, in the presence of Thomas Surtees and the other justices. As noted above, Kilsby was an important royal counsellor. William Edington, one of the most important administrators of the age and later Treasurer and Chancellor, was at this point Keeper of the Royal Wardrobe.[92] Local notables, such as Thomas Surtees, certainly made significant contributions to the royal effort to prosecute smuggling. But the involvement of Edington and Kilsby meant that, in effect, Northumberland cases of customs evasion were being handled by the inner sanctum of the royal council as well as the local gentry, at a time when the direction of royal policy was opening up a political gulf between the king and his councillors and large sections of the people they governed.

Nonetheless, despite the much-heralded strength of the medieval English state, the prosecution of smuggling points to the limits of royal governance as much as it points to its reach. The prosecution of crime, of course, depended to a large extent on a system of presentment and trial juries. This meant that the enforcement of royal law worked through the actions of local jurors, and that the legal process involved a great many ordinary people at virtually every stage.[93] Jurors thus exercised a great deal of influence over both the prosecution of criminal acts and the outcome of criminal cases. The tendency for homicide prosecutions to be shaped by juror nullification, for example, has been explored in works which show how jurors made some allegations of homicide pardonable by returning verdicts of self-defence.[94] The influence of trial juries in this way is shown most dramatically regarding crimes punishable by death, but the general point

[89] KB 27/344, Rex side, rot. 30 (8805–8806); *CPR 1343–45*, p. 475. For other examples, see *Calendar of Close Rolls*: *1343–46* (London, 1904), pp. 213, 558.
[90] KB 27/338, Rex side, rot. 57d (0465).
[91] *CPR 1340–43*, p. 432–3.
[92] For his career, see R. G. Davies, 'Edington, William (d. 1366), administrator and bishop of Winchester', *Oxford Dictionary of National Biography*, online edn., (Oxford, 2004): https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb–9780198614128–e–8481. Last accessed: 01/07/2022.
[93] This is stressed in J. Masschaele, *Jury, State, and Society in Medieval England* (Basingstoke, 2008).
[94] A foundational study was T. A. Green, 'Societal Concepts of Criminal Liability for Homicide in Medieval England', *Speculum*, 47 (1972), pp. 669–94. Recently, see H. Summerson, 'Hanging Matters: Petty Theft, Sentence of Death, and a Lost Statute of Edward I', *Law and History Review*, 40 (2022), pp. 149–64.

that communal attitudes as well as royal or official prescriptions shaped the outcome of criminal cases is of wider applicability. This is what traditionally associated the jury system with freedom from autocracy for many commentators – what made it, in the words of the great legal historian F.W. Maitland, writing in the late nineteenth century, so 'highly prized by Englishmen'.[95]

It has, furthermore, often been suggested that royal authority had to work more closely with the grain of local society in borderlands or marcher regions than in Midland or southern areas of the country, where the royal will could be exercised more directly if required. A simple equation correlating governability with proximity to Westminster would be an oversimplification.[96] It does seem, however, that certain aspects of royal authority were particularly liable to be moulded by local society in the far North. Examining Cumberland in particular, Chris Briggs suggested that the crown struggled to impose its authority in the imposition and collection of lay subsidies in the county.[97] Andy King suggested that the military service owed to the crown by the residents of Northumberland was well observed when it was perceived to match genuine local needs and much less well observed when it was not.[98] Recently, Jackson Armstrong has studied local legal norms in the far North in the fifteenth century which operated alongside the common law. Armstrong points 'towards a pluralist – even polyfocal – polity, a far more heterogeneous, agglomerated and sometimes tentative kingdom than the unitary and centralised realm of conventional understanding' and contests 'the view of [a] precocious medieval English state' which dictated what crime was and how it should be punished.[99] In a particularly relevant discussion, Henry Summerson argued that the effective royal prosecution of crime in Northumberland depended to a significant extent on harnessing local support for law enforcement by aligning royal and communal conceptions of what constituted a felony or a trespass and what an appropriate punishment for it should be.[100] This was done most effectively when breaches of the king's peace were also viewed as affronts to social morality by the local people involved in the legal process. When royal and societal attitudes of what constituted a wrong and how to punish it diverged, there could be a clash 'of legal and social values, between those

[95] F. Pollock and F.W. Maitland, *The History of English Law before the Time of Edward I*, 2nd edn., 2 vols., (Cambridge, 1898), I, p. 140.

[96] See the very useful discussion in K.J. Stringer, 'States, Liberties and Communities in Medieval Britain and Ireland (c.1100–1400)', in *Liberties and Identities*, ed. Prestwich, pp. 5–36. See also the challenge to notions of a centre:periphery or centre:locality model of royal authority mounted throughout Armstrong, *England's Northern Frontier*, and explicitly in J.W. Armstrong, 'Centre, Periphery, Locality, Province: England and Its Far North in the Fifteenth Century', in *The Plantagenet Empire, 1259–1453: Proceedings of the 2014 Harlaxton Symposium*, ed. P. Crooks, D. Green and W.M. Ormrod (Donington, 2016), pp. 248–72.

[97] C. Briggs, 'Taxation, Warfare, and the Early Fourteenth Century 'Crisis' in the North: Cumberland Lay Subsidies, 1332–1348', *Economic History Review*, new ser., 58 (2005), pp. 639–72.

[98] A. King, ''Pur Salvation du Roiaume': Military Service and Obligation in Fourteenth-Century Northumberland', in *Fourteenth Century England II*, ed. C. Given-Wilson (Woodbridge, 2002), pp. 13–32; A. King, 'A Good Chance for the Scots? The Recruitment of English Armies for Scotland and the Marches, 1337–1347', in *England and Scotland at War, c. 1296–c. 1513*, ed. A. King and D. Simpkin (Leiden, 2012), pp. 119–156, at 148–9.

[99] Armstrong, *England's Northern Frontier*, p. 44.

[100] Summerson, 'Peacekeepers and Lawbreakers'.

upheld by the king's justices and those of the communities whose juries pronounced on the suspects who appeared in those justices' courts'.[101]

The prosecution of smuggling in Northumberland provides a case study of these dynamics in action and thus has wider implications for our understanding of royal authority in the far north of England. Smuggling, of course, unlike most crimes prosecuted in the royal courts (and beyond), was not a wrong which damaged ordinary people in Northumberland. It adversely affected only the king and his government. It is impossible to demonstrate empirically because of the nature of legal evidence, but it seems probable that a substantial amount of smuggling was never brought to the attention of the royal courts by Northumbrian juries who, if they were aware of instances of evasion, preferred to spend their time offering up cases which affected them, their neighbours, and their communities.[102] The cases juries preferred to see prosecuted ranged from commercial offences, such as forestalling, to violent felonies, but were all underpinned by a dynamic of local grievance which was absent from the prosecution of smuggling. Indeed, juror attitudes should be placed within the economic difficulties faced by the people of Northumberland, the importance of sheep farming and the wool trade to the region, the contentious nature of the taxation on wool and the pursuit of smugglers in the royal courts charted above, and contemporary awareness that royal regulation of trade was increasing mercantile costs and lowering wool prices. All this meant that smuggling was probably viewed with ambivalence by people cognisant of the increased mercantile costs and lower prices brought about by royal interference in the wool trade. In fact, it may have been seen as a legitimate act. It is therefore unsurprising to see that most Northumberland pleas alleging smuggling do not seem to have reached a recorded judgement.[103] Generally, it is probable that the governmental anxiety expressed in a continued stream of commissions and orders to detect and prosecute smuggling in Northumberland reflected its own awareness of its inability to eliminate the shadow economy. The crown simply lacked the local support required to enforce its will which it enjoyed in other areas of law enforcement because smuggling held a position in the moral economy which it could not fully prescribe or control.

In turn, this leads into the question of why smuggling was prosecuted in Northumberland *at all* by local juries who may have viewed smuggling in very different moral terms to the royal government which tried to promote the view that customs evasions was a grievous crime committed against the king himself. It is here that an appreciation of conflict within local society, as well as conflict between localities and regnal government, can add to our understanding of smuggling in the North-east. In particular, we can focus on participants in a serious and violent struggle between two civic factions for control of the town council of Newcastle in the early 1340s. The events which made up this struggle have been charted before, and

[101] Summerson, 'Peacekeepers and Lawbreakers', p. 63

[102] The amount of business directed from Northumberland into the royal courts by litigants when they thought it might benefit them has recently been demonstrated and stressed in Armstrong, *England's Northern Frontier*, pp. 167–241.

[103] For instance, cases enrolled on KB 27/338, Rex side, rot. 1 (0386); KB 27/344, Rex side, rot. 30 (8805–8806); KB 27/349, Rex side, rot. 22d (3430).

do not need detailed reconstruction here.[104] In essence, one side, headed by several times mayor John Denton, battled another, headed by Richard Acton, part of a prominent local family, for control of the mayoralty.[105] The re-election of Denton in 1342 was disputed: in an interpretation favourable to him, it was stated strife had arisen 'where the older and better men have duly and according to custom elected John de Denton as mayor of the town and some of the younger men in like manner of their own will and contrary to custom have elected one Richard Acton as mayor'.[106] A commission headed by Surtees was thus empowered to investigate after news 'that there are in the said town alliances and confederacies so that one confederacy strives to elect one man as mayor and another, whereby grievous dissensions have arisen over the election'.[107] Some of those most heavily involved in the disturbance were then fined large sums by the crown, with payment secured by powerful members of the Northumberland gentry. Waleran Lumley was fined 400 marks (£266 13 s. 4d.) by security of no fewer than eight mainpernors, including Sir William Heron, William's brother John, and Sir Robert Bertram, all of whom had impressive administrative and military careers.[108] Richard Acton was fined a total of £160 by security of the Heron brothers and Sir Gerard Widdrington and his brother, Roger.[109] Presumably, trusted members of such locally-prominent aristocratic families were named as securities to try and ensure these fines were paid and, it was doubtless hoped, to promote peace in the town.[110]

However, despite the crown's best efforts, this feud simmered for several years. In 1344, John Denton was arrested by Richard Galloway, another rival of Denton's, whose role as a collector of the custom has been noted above and who had also been mayor of the town from October 1343 into 1344. By October 1344, Denton was dead, an event which prompted Edward III to confiscate the liberties of the town into royal hands.[111] Both of these factions were heavily involved in the wool trade. Significantly, several of the most notable participants in these civic disturbances were indicted for customs evasion. These included John Denton himself, who was charged with the illegal export of four sacks by a presentment jury in Michaelmas term 1342.[112] On the Acton side, Matilda, wife of the late Richard Acton (d. 1342), was

[104] T. Hodgkin, 'Municipal Contests in Newcastle, 1342–1345', *Archaeologia Aeliana*, 3rd ser., 5 (1909), pp. 1–15; C.M. Fraser, 'The Life and Death of John Denton', *Archaeologia Aeliana*, 4th ser., 37 (1959), pp. 303–25. For more recent comment, see C.D. Liddy, *Contesting the City: The Politics of Citizenship in English Towns, 1250–1530* (Oxford, 2017), pp. 203–5.

[105] For the Acton family, see E. Bateson, A.B. Hinds, J.C. Hodgson et al., *A History of Northumberland. Issued under the Direction of the Northumberland County History Committee*, 15 vols (Newcastle upon Tyne, 1893–1940), VII, pp. 366–9.

[106] *CPR 1340–43*, p. 327.

[107] *CPR 1340–43*, pp. 320–1, 452–3.

[108] E 159/119, rot. 191 (0423). For the Heron family, see King, 'War, Politics and Landed Society', p. 74 and n. 147; W. Percy Hedley, *Northumberland Families*, 2 vols. (Newcastle upon Tyne, 1968–70), ii, pp. 41–3, and the corrected family pedigree in T. Ingram and C. Phillips, 'Additions and Corrections to the Complete Peerage', *Foundations*, 1 (2003), pp. 132–5.

[109] E 159/119, rot. 191 (0423). For the Widdringtons, see King, 'War, Politics and Landed Society', pp. 72, 74; W.P. Hedley, 'The Early Widdringtons of Widdrington', *Archaeologia Aeliana* 4th ser., 35 (1957), pp. 1–6.

[110] E 159/119, rot. 191 (0423).

[111] See Fraser, 'The Life and Death of John Denton', pp. 322–3.

[112] E 159/119, rot. 191d (1079). This continues proceedings from E 159/119, rot. 191 (0423).

accused of evasion at the same time.[113] Richard Galloway was charged with smuggling four bags of wool.[114] His brother, John, a burgess of the town, was accused of evading the custom on six sacks, and later paid a fine of 100 marks (£66 13 s. 4d.).[115] And Thomas Fleming, whose willingness to participate in the shadow economy has been noted above, was a prominent opponent of Denton, and was present in the court which heard charges levelled at him after his arrest on Richard Galloway's orders. These presentments for smuggling appear to have been made by favourable juries as weapons in part of a local mercantile conflict. Significantly, therefore, these charges were probably not heard because the crown had managed to create a shared interest in the prosecution of customs evasion by convincing local society that smuggling was a serious offence committed against the royal dignity. Rather, it seems these cases were heard more because it suited certain people involved in their own disputes to bring forward an allegation of smuggling for their own ends.

Conclusion

By using what evidence of smuggling remains, some light can be shone onto the shadow economy of wool smuggling in Northumberland at a crucial time in the history of the late medieval tax state and of the medieval wool trade. This perspective takes the regional importance of wool production and international trade to the region into account and offers an indication of how participation in the economy of wool smuggling helped exporters who needed to cut costs to maintain their operations in an era of taxation and particularisation. It is worth emphasising that this illicit economy operated along the eastern seaboard. Nonetheless, the North-east was one of the areas most disadvantaged by the institutional arrangements put into place by the crown in the mid-fourteenth century because of its relative reliance on sheep farming and wool production, the lower quality of its wool, and its geographical position. Consequently, it was one of the areas in which the illicit economy seems to have assumed a substantial measure of importance in commercial life. This is revealing as an index of relative commercial hardship and of the difficulties of trading from the North-east. To frame this point with reference to some of the themes raised in the introduction, the particularisation of the wool trade in the fourteenth century presented particular problems to the people of Northumberland. In fiscal terms, the government successfully increased the revenues it collected from the customs collectors of the Northumberland ports. But royal policies also stimulated the creation of a higher risk shadow economy which had a disruptive effect on aggregate economic performance and must have encouraged diversification away from the international wool trade, possibly into the industries of mining, metal working and textile production that were of such economic importance to the region from the late Middle Ages

[113] E 159/119, rot. 191d (1078).
[114] E 159/119, rot. 191d (1078).
[115] E 159/119, rot. 191d (1078); *CPR 1343–45*, p. 44. John was named as a burgess in 1340 and 1341: C 241/115/391; C 241/112/228.

onwards.[116] This needs to be factored into our understanding of the economic history of the region relative to other parts of Britain.[117]

The impact of royal policies, however, does not tell the whole story of wool smuggling in Northumberland. The conflict which resulted from the crown's effort to reshape the distribution of profits from the wool trade to its own advantage actually led to the blunting of the institutional mechanisms which were supposed to enforce its governance of the export trade in Northumberland. In turn, this helps us to understand how the delegative and responsive dynamic which characterised the medieval English state despite all of its apparent bureaucratic and coercive might was particularly prominent in places such as the far North, where the king's will needed a substantial measure of local support as well as the king's writ to be enforced.

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[116] See, for example, Campbell, 'North-South Dichotomies', p. 172: '… for historical reasons, the region's agrarian institutions nurtured enterprise and the growth of proto-industry. The seeds of the North's later manufacturing success were mostly sown in the later Middle Ages'.

[117] The need to be aware of regional variations is stressed throughout P. Larson, *Rethinking the Great Transition: Community and Economic Growth in County Durham, 1349–1660* (Oxford, 2022).