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Joe Beveridge

Assess the Political Stance of Bristol
Merchants during the Constitutional
Struggles of the late 1620s

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**Assess the Political Stance of Bristol Merchants
During the Constitutional Struggles of the late 1620s**

Joe Beveridge

Declaration

I declare that the work in this dissertation was carried out in accordance with the Regulations of the University of Bristol. Any views expressed in the dissertation are those of the author, and all quotations and evidence drawn from other sources have been duly acknowledged.

Signed

Date

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Abbreviations

A.P.C. - *Acts of the Privy Council*

App. - Appendix

B.R.O. - Bristol Record Office

C.S.P. - *Calendar of State Papers, Domestic and Venetian*

C.T. - *The Court and Times of Charles I*

P.R.O. Public Record Office

S.P.O. – State Papers Online

Introduction

From the early years of the seventeenth century, the relationship between King and Parliament had been characterised by sharp political conflict. James I's attempts to exact taxes on trade without Parliamentary consent represented the primary source of tension, and understandably so; if the King was able to raise revenue independently, then he might have felt compelled to dispense with Parliament all together. From the moment Charles I ascended the throne in 1625, relations between the Crown and Parliament had greatly deteriorated. The first Parliament called saw the House of Commons refuse to grant the new King the right to extract tonnage and poundage, an act of formality that had been performed at the start of every reign since Edward IV.¹ In spite of this, Charles I continued to levy the disputed duties as well as a number of additional impositions without the consent of Parliament. While the Commons considered this a 'breach of the fundamental liberties of this kingdom', the King understood it as 'a flower of my crown, without which I neither may nor can subsist.'² Customs collection became an issue of principle, dramatically bringing to the surface the most fundamental questions concerning the locus of political authority within the state. The King's blatant disregard for the rule of law sparked resistance among the merchants of London in the late 1620s as the exaction of tonnage and poundage - once a simple economic grievance for these men - rapidly came to represent a potent symbol of prerogative threats to the subjects' civil liberties.³

In May 1628, Richard Chambers, a merchant from the City of London, was sent to the Star Chamber on account of refusing to consent to the payment of customs. While in court, sitting 'in the presence of the Lords and other of his majesty's Privy Council', Chambers made the incredulous claim that 'he had been in *Turkie*, and in other parts

¹ Lockyer, L, *The Early Stuarts: A Political History of England* (New York, 1989) p. 220 –

Tonnage and Poundage – Duties levied on every pound weight of merchandise imported or exported

² Popofsky, L.S, *The Crisis Over Tonnage and Poundage In Parliament In 1629*, Past & Present, No. 126, (1990) p. 58

For arguments of the King in greater depth, see – App. 1, *The King's Speech at Whitehall to the Parliament*, (Document 1)

³ Brenner, R., *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders 1550-1653* (Princeton, 1993) p. 205-22

of the world; but in no parts were Merchants so wrung and screwed, as in *England*'.⁴ To suggest that the merchants of England were more oppressed than under 'Turkish tyranny' was to bring slander against the Government, and as a result, he had 7,060l worth of goods confiscated, as well as a further fine of 2,000l imposed.⁵ Chambers refused to submit to the sentence however, declaring brashly, "put me above or under the ground, in light or in darkness, I will never acknowledge the sentence given against me in the Star Chamber to be just."⁶ His decision to take a stand against the collection of customs, and thus the King's will, provides a striking insight into the grievances that consumed the merchants of London, and from this point on, the law would become more honored in its breach than in its observance.⁷

Emboldened out of a loyalty to the laws of the realm, a crowd of London company merchants soon followed Chambers into the Star Chamber. By 1629, a fully-fledged merchant resistance had developed in the capital, which openly identified itself with Parliaments' constitutional claims and refused to consent to the payment of the contested duties. The King responded by directing customs officers to, "make stay of any such currance as shall bee so landed and endeavoured to be carried away without satisfaccion of the said duty", meaning that any goods confiscated would be impounded 'under locke and key.'⁸ While some merchants took back their goods by force, most simply refused to claim them, declaring they would 'let their goods lie, and pay neither tonnage or poundage until his Majesty do evict it from us by law.'⁹ As a result, trade in the capital was brought to a dramatic halt, and customs revenue slumped from £500 to only £1-2 a day.¹⁰ In rising up so forcibly to challenge the King's authority the merchants of London seemed, for the brief period of 1628/29 at least, to place political ideology well ahead of economic gain. The resistance subsided soon after Charles I wrathfully dispensed with parliament all together in March 1629, marking the onset of a period of 'personal rule' that lasted an unprecedented eleven years, and culminated in a road to bloody Civil War.

⁴ App. 2, *The humble petition of Richard Chambers merchant and alderman of the City of London* (Document 3)

⁵ Cobbett, W, *Cobbett's complete Collection of State Trials* (London, 1809) pp. 375-79

⁶ C.T (19 December, 1630) p. 88

⁷ N. Williams, *Contraband Cargoes: Seven Centuries of Smuggling* (London, 1959) p. 65

⁸ A.P.C (2 April, 1628) p. 98

⁹ C.T (21 November, 1628) p. 434

¹⁰ C.S.P *Venetian* (6 April, 1629) p. 7

The overarching aim of this thesis will be to determine how far the aggressive political stance adopted by the merchants¹¹ of London during 1628/29 was a symptom of the capital only. It is difficult to believe that the greater issues of constitutional principle that so enflamed men like Chambers did not move merchants elsewhere in the realm to oppose the King in a similar fashion; after all, they followed the same laws and witnessed the same unsanctioned extraction of customs duties by officials in their own ports. In broadening its analytical focus beyond the boundaries of London, this study will examine what was then England's second city and foremost provincial port: Bristol.¹² While one would certainly expect the politically active merchants of the West to have met such constitutional threats with a similar ferocity, none have felt it necessary to avert their gaze from the overbearing capital for long enough to find out.

Any attempts to explore the role of English merchants in politics during the late 1620s have invariably been engulfed by London-based narratives of the English Civil War. The likes of Brenner, Pearl and Woolrych, for instance, have studied the actions of Chambers and other company merchants in meticulous detail, seeking to trace early signs of political loyalties that would come to develop into Royalist or Parliamentary leanings.¹³ The link between the late 1620s and the great rebellion a decade later is undoubtedly an important one, as with the simple act of paying customs being thrust into the centre of raging constitutional debates of principle, the decision to consent or refuse among merchants became representative of broader alliances to the King or Parliament. The upheavals of 1628/29 thus offer a unique opportunity to gauge the political stances of the English merchants at this early

¹¹ Although the term 'merchant' could conceivably be used to describe anyone who bought and sold goods for profit, it will be restricted only those persons who were involved in overseas trade in this thesis.

¹² McGrath, G. D, *The Merchant Venturers of Bristol* (The Society of Merchant Venturers of Bristol, 1975) p. 25

¹³ Brenner, R., *Merchants and Revolution*, Woolrych, A, *Britain in Revolution, 1625-1660* (Oxford, 2002) Pearl, V, *London and the Outbreak of the Puritan Revolution: City Government and National Politics, 1625-43* (Oxford, 1964)

Also see - Hirst, D, *England in Conflict, 1603-1660: Kingdom, Community, Commonwealth* (Washington, 1999), Manning, B, *Politics, Religion, and the Civil War* (London, 1974), Jones, J, *Politics and the Bench: The Judges and the Origins of the English Civil War* (London, 1971)

juncture, which in turn can help to inform our understanding of their position during the Civil War. Despite the clear significance of this short period, all related studies have entirely bypassed mercantile communities elsewhere in the realm. While resistance to the King in 1628/29 appeared to be most forcible, and indeed most dramatic, in the capital, current scholarship treats this as the only place in the Kingdom where merchants seemed capable of reacting to the constitutional threats of the age.

The findings of this thesis could therefore have some far reaching implications for those historians, such as McGrath and Reeks, who seek to better comprehend Bristol's position in the midst of Civil War.¹⁴ Primarily, however, I will be seeking to offer an alternative perspective on this very short, but hugely consequential moment in mercantile history. In breaking from the all too common tendency to take the experience of London as that of the nation more broadly, this study will explore the diverse character of political relations between the Charles I and provincial merchants. 'Localist' trends in the historiography of the early Stuart period have often suggested that "local issues or national issues seen in local terms" reigned supreme in towns and cities, and indeed, Bristol has long been cited as one of the most parochial cities in pre-modern England.¹⁵ In the context of 1628/29, therefore, did the merchants of Bristol rise to challenge the King in the same way as the capital? If not, why; and what were the crucial forces dictating such a position?

In exploring any link between merchants and politics a consideration of trade is absolutely inescapable. This is particularly true in the case of Bristol, where merchants have shown themselves to be intensely industrious and occupied by economic gain. For students of Bristol's economy in the pre-modern period, the ports expansive underworld of *illicit* trade has emerged as the subject of much intrigue. The illuminating work of Jones has found smuggling to have represented an unshakeable

¹⁴ McGrath, P, *Bristol and the Civil War* (Bristol, 1981), Reeks, J, *Bristol City Government and the Civil War* (MA dissertation, University of Bristol)

¹⁵ Sacks, D. H, *The Corporate Town and the English State: Bristol's "Little Businesses" 1625-1641*, *Past & Present*, No. 110 (Feb., 1986) p. 71

Also see - Barnes, T.G, *Somerset, 1625 – 1640: A County's Government During the 'Personal Rule'* (Oxford, 1961), Conrad, R, *Parliaments and English Politics, 1621-1629* (Oxford, 1977), Roger Howell, "The Structure of Urban Politics in the English Civil War", *Albion: A Quarterly Journal Concerned with British Studies*, Vol. 11, No. 2 (Summer, 1979), pp. 111-127

facet of Bristol's commercial existence in the sixteenth century, constituting the great bulk of profits achievable for many merchants.¹⁶ As a relatively new subject of study smuggling remains very much the domain of economic historians, like Jones, who primarily seek a more sophisticated understanding of England's commercial development. I will seek to place pre-modern smuggling in the political realm for the first time, considering it as one of a number of forces that may have shaped the stance of Bristol merchants in 1628/29. It is important to note, however, that no effort has yet been made to examine illicit trade under Charles I, and thus all conclusions will have to be derived from the sources themselves.

The strength of this thesis ultimately lies in the diversity of evidence drawn upon, and I have transcribed a wide range of both official and local manuscripts that seek to shed light on the political stance of Bristol merchants in 1628/29 from varying perspectives. Although it is not possible to give a full account here of all the peripheral evidence, it is necessary to briefly divulge into two key sources.

The Society of Merchant Venturers' *Book of Trade* represents one of the few surviving means of penetrating the Bristol's insular mercantile community during our period. Compiled primarily in the reigns of James I and Charles I (1603-1649) as a record of the key correspondence between the Society and the Crown, it has preserved a wide range of letters and petitions.¹⁷ While these documents certainly throw vivid light on the habits, feelings, passions and trials of merchants under Charles I, it is important to note that the Society predominantly contained the city's mercantile elite, and as such, the *Book of Trade* tends only to account for a higher echelon of society. The omission of sources relating to the merchant populous more broadly is by no means purposeful, but rather a result of these men failing to impress themselves upon the pages of history. This will certainly not serve to distort the findings of this study, however, as the Society served as a 'powerful pressure group' that spoke for the city's tight-knit merchant community as a whole. Historians, therefore, have often asserted

¹⁶ Jones, *Illicit Business* p. 30, G. D. Ramsay, 'The Smugglers' Trade: A Neglected Aspect of English Commercial Development', *Transactions of the Royal Historical Society*, II (1952) p. 33

¹⁷ SMV/2/1/1/34 - Society of Merchant Venturers of Bristol, Book of Trade 1598-1693

there to be considerable justification in the seventeenth century for the view that ‘what was good for the Society was good for Bristol.’¹⁸

In attempting to shed light on the world of illicit trade in Bristol under Charles I, the absence of private records means that we must rely on official records of state. Particularly useful are those relating to the Court of Exchequer, which conceived to deal with matters affecting Royal finances such as ‘frauds’, have an advanced value in the reign of Charles I when the government’s concern with finance was particularly acute. In order to gather evidence relating to a certain case of smuggling, royal commissioners were appointed by the Court to examine various witnesses with a list of questions (interrogatories) and record their answers (depositions). These are preserved in the National Archives under E134, and there are two cases relating to butter smuggling in 1630 and 1631 that I will be primarily focusing on.¹⁹ It is important to recognise, however, that the commissions cannot always be trusted to offer an accurate recollection of events, as witnesses were liable to over or under-state events depending on personal allegiances. Furthermore, the Crown appointed local commissioners based on recommendations that it received from Bristol regarding suitable candidates. Jones has noted that with much of the city’s civic elite involved in smuggling, this led to the appointment of commissioners who would work to distort proceedings.²⁰ It seems that under Charles I, however, the Crown had become aware of this practice, as known and trusted agents from London were directly appointed to conduct the commissions.²¹ While this does not discount the inaccuracies that inevitably come with such evidence, the content of the cases can be taken as more reliable than in previous centuries.

Chapter 1 will begin by seeking to ascertain if the city witnessed a mass refusal among merchants in the payment of customs as in London in 1628/29, or indeed that any feelings of resentment towards the King came to the fore during these years.

¹⁸ McGrath, *The Merchant Venturers of Bristol* p. 49

Also see - Latimer, J., *The History of the Society of Merchant Venturers of Bristol* (Bristol, 1903)

¹⁹ App. 5, *Miles Lavington v. William Willett, Derrick Popley, William Yeoman, Phillip Dickinson, John Snowe*. (Document 5), App. 5, *William Noy vs. Alexander Heard* (Document 6)

²⁰ Jones, E, *Inside the Illicit Economy* (unpublished draft, University of Bristol, March 2011) – p. 110
Local commissioners were appointed anywhere that lay outside of a ten-mile radius of London,

²¹ App. 6, *Bankes Papers* (Document 9) -

Commissioners investigating the illegal export of butter from the port of Bristol were Robert Heath and Sir Abraham Dawes, both of which were prominent London merchants and stern Royalists

Based on the evidence, however, I will assert that instead of becoming ‘emboldened out of loyalty to the laws of the realm’ to rise in resistance, Bristol’s merchants seemed to regress into a position of political inaction. The following chapters will then attempt to explain this stance. After briefly considering the possibility that this was due to a certain political indifference among Bristol merchants, Chapter 2 will assert a more calculated desire to protect, and expand, trade to have existed in 1628/29. In seeking to fully understand such a position, Chapter 3 will propose the need to consider the existence of *illicit* trade in Bristol, and how a desire to protect it may also have contributed to the political stance of its merchants. Of course, one can never expect to precisely recreate the political stance of Bristol merchants in the late 1620s, and thus inevitably, many of the suggestions put forward in this thesis will be largely speculative.

Chapter 1

Tracing Resistance in Bristol

Following a brief examination of Bristol's mercantile community, this chapter will draw upon a variety of State, local and Parliamentary documents in a bid to trace the political stance of these merchants during 1628/29, and determine if any form of resistance occurred against the King comparable to that of London.

Under Charles I Bristol was, as it always had been, a mercantile city. Its greatness depended almost entirely on trade, and overseas merchants were overwhelmingly the most important group both in wealth and in numbers. Despite never numbering at more than 140 during our period, merchants enjoyed a disproportionate share of the city's highest governmental positions, working together as a relatively cohesive force to dictate the political life of the city.²² We can see that during the course of 1625-1649, seventy five percent of those joining the City's Common Council were described as merchants.²³ Similarly, if one examines the list of Majors that served during this period, we find eighteen out of twenty-four to be merchants.²⁴ While the pre-eminence of mercantile interests can be traced in almost every position of influence on a local level, they were also reflected on a broader political stage. Both of the MPs that represented Bristol in Parliament during the upheavals of 1628/29 – John Barker and John Doughty – were, of course, merchants too. Conclusions drawn from this study regarding the political stance of these men, therefore, will relate very closely to the political position of the city more broadly.

In a letter to Sir Henry Fane at the height of the London's merchant uprising, William Lake certainly seems to suggest that grievances were widespread: 'the ill spirit of obstinacy' he claimed, 'moves in every small vein through the Kingdom.'²⁵ The first and most obvious place to trace such 'obstinacy' among Bristol merchants during 1628-29 is in the *State Papers* - 'domestical' and 'foreign' – and *Acts of Privy*

²² McGrath, P, *Merchants and Merchandise in Seventeenth Century Bristol* (Bristol Records Society, 1955) p. ix

²³ McGrath, *The Merchant Venturers of Bristol* p. 32

²⁴ Latimer, J, *The Annals of Bristol in the Seventeenth Century* (Bristol, 1900) p. 498

²⁵ C.S.P *Domestic*, (20 February – 1629) p. 524

Council. These documents, numbering in the thousands, represent the archives that formed the backbone of King Charles I's Government, and provide an invaluable mix of correspondence between various agents of state and official motions of the Crown. While a great many documents refer to the 'bold refractory courses' of London merchants in resisting the King, no evidence was identified to suggest that Bristol merchants followed a similar course of action, or indeed troubled the Crown at all during this period. The one mention of Bristol during this period comes in a letter in the *Acts of Privy Council*, which sent at the height of the resistance in London early in 1629, is also addressed to a number of other provincial ports. It explains how 'ill affected' merchants in the capital 'forbeare to pay the ordinarie Customses and dueties' and seeks to 'prevent anie such disorder' elsewhere in the Kingdom.²⁶ That Bristol is included in this list of ports being asked to remain loyal to the Crown suggests that merchants were not, to the knowledge of the Privy Council, issuing any kind of comparable political challenge.

To uncover the true role of Bristol merchants in the upheavals of 1628/29, it is necessary to trace any comparable feelings of resentment among local records of the merchants themselves. The Society of Merchant Venturers' *Book of Trade* offers unparalleled opportunities for analysis in this respect. As touched on briefly in the introduction, the Society was an organisation that incorporated the city's mercantile elite, and as well as residing over local positions of civic authority these men were prominent in Parliament; of the thirty-one members who sat for Bristol between 1601 and 1698, for instance, twenty belonged to the Society.²⁷ This impressive list of members even included Barker and Doughty, the two MPs sitting in the House of Commons during 1628-29. Society merchants were effectively responsible for orchestrating the city's political position on a local and national level, and as such, the *Book Of Trade* is vital in any attempt to understand the political stance of these men and the city's mercantile community more generally during the late 1620s.

Society merchants were certainly no strangers to politics, and there is abundant evidence throughout the sixteenth and early seventeenth century of these men challenging the King over issues of constitutional principle. This can be seen as early

²⁶ A.P.C (21 September) p. 154

²⁷ McGrath, *The Merchant Venturers of Bristol* p. 32

as 1614 as King James imposed the arbitrary duty of 13s 4d per ton on wines imported into Bristol from Spain and France against the will of Parliament.²⁸ The cause was taken up in the House of Commons, and while other MPs ‘dared not speak their thoughts’, Bristol MP and Society merchant John Whitson directly challenged the King on the legality of such a maneuver.²⁹ The issue was taken up by the Society again at the onset of Charles I’s reign in 1625, as the new King decided he would continue to exact the duty.³⁰ This conveys early rumblings of resentment over the issue of unparliamentary duties, and a compulsion to enter the political arena in order to challenge the King if the situation necessitated. In the context of the constitutional upheavals of just a few years later therefore, when the threats posed to the subject’s civil liberties were far more potent, one would expect the members of the Society to have been moved by the continued exaction of unsanctioned duties.

Upon an examination of the *Book of Trade* between 1627/29, however, only one entry can be found, and dated in 1629, it concerns a comparatively insignificant dispute between two private individuals regarding the payment of compensation.³¹ In sharp contrast, following Parliaments dissolution and the end of merchant resistance in London, we can see a dramatic increase in correspondence. In 1630 alone a total of thirteen letters exist, most of which seeking to gain the Crown’s favor on a variety of issues. The significance of this will be explored in greater detail in Chapter 2, but for now, it is important to recognise that during the constitutional upheavals of the late 1620s, a glaring gap exists in the records of Bristol’s most important group of merchants, who failed to even voice their concern over issues of such magnitude, let alone take action against the King.

In seeking to detract any feelings of resentment towards the Crown among the merchants of Bristol, an examination of the actions of the city’s two MPs during this period offers a final line of analysis. As mentioned, the MPs serving in the Parliament of 1628/29 were Barker and Doughty, and these men had a duty to represent and enact the will of their constituency. As overseas merchants themselves, their actions were inextricably bound to the interests of Bristol’s mercantile community, and

²⁸ Latimer, *The Annals* p. 53

²⁹ Ibid.

³⁰ SMV/2/1/1/34 – *Book of Trade* (30 May, 1625) p. 157

³¹ SMV/2/1/1/34 – *Book of Trade* (18 October 1629) p. 178

provide a compelling insight into the political stance that merchants ‘back home’ were taking during short period. Any evidence of these men contributing to the “explosive” constitutional debates of the age, or indeed exhibiting any connection or sympathy towards the actions of the London merchants, could prove revealing.³² The duty to reflect the will of Bristol would not have been lost to these men, both of which had served as MPs previously, and must thus have pursued their constituent’s interests with considerable vigor as so to warrant re-election.

In examining the *Commons Debates* of 1628/29 which record the great debates of principle that were raging among fellow MPs in the House of Commons, there is little evidence to suggest that Barker and Doughty showed any sympathy for Parliaments constitutional claims, or indeed made any contribution whatsoever to these fevered discussions.³³ In fact, throughout the two years that they represented Bristol in Parliament, upon a backdrop of almost unimaginable political dislocation, these men hardly made their presence known. Doughty spoke but once, and on the few occasions that Barker addressed the House, it was in relation to the comparatively trivial gripe of the King’s large ships taking up valuable space in Bristol’s harbor.³⁴ This certainly stands in stark contrast to the likes of John Whitson, who as a ‘prominent member’ of Parliament demonstrated a remarkable zeal against such constitutional abuses.³⁵ How, therefore, are we to explain this lack of input among the MPs of Bristol in 1628-29? Bristol was, after all, the second city of the Kingdom at this time, and silence on issues of such political magnitude seems uncharacteristic.

Indeed, the zeitgeist of the late 1620s moved MPs from other smaller and less significant provincial ports to voice the concerns of their constituency, and speak out against the King’s illegal collection of tonnage and poundage. On 28th of January 1629, for instance, we can see Walter Long, one of the MPs for neighboring Bath, actively voice concerns regarding the King’s continued pressure on Parliament to grant him the right to exact these customs: “I cannot but much sorrow to see how we

³² Thrush, A, Ferris, J. P (eds.) *The House of Commons 1604-1629*, Vol. 1 (Oxford, 2010) p. 85

³³ Keeler, M.F, Cole, M.J, Bidwell, W.B, *Commons Debates 1628: 28 May- 26 June*, Volume IV, (Haven & London, 1978)

³⁴ *Ibid.* p. 214

³⁵ *Latimer Annuals* p. 53

Also see - McGrath, P, *John Whitson and the merchant Community of Bristol* (Bristol, 1970) p. 14

are still presses to this point.”³⁶ MPs from all over the realm, heralding from small ports like Romney and landlocked northern towns like Leominster, despite being far removed from London’s influence, felt compelled to stand in Parliament and speak on the issue.³⁷ Thomas Godfrey, who served as MP for the former of these constituencies, resolutely proclaimed on February 12th that ‘Tunnage and pondage is *not* due till it be granted by Act of Parliament.’³⁸ Why MPs from comparatively tiny ports like Romney felt compelled to address the House over such issues of constitutional significance, and Barker and Doughty did not, certainly demands explanation.³⁹

This chapter has attempted to assess the political stance of Bristol merchants during 1628-29 from three different perspectives in the same short period: through official records of events, records of Bristol merchants themselves, and the actions of MPs serving in Parliament. Despite such a wide range of evidence being drawn upon, no show of resistance within the port seemed to have occurred. While these merchants had shown themselves as very much willing to air any grievances concerning the right of the King to exact ‘illegal’ customs previously, under rapidly worsening circumstances, they seemed to recoil. The glaring gap evident in the *Book of Trade* and the silence of MPs in Parliament gives credence to this claim. Based on such findings, it seems that instead of being emboldened ‘out of loyalty to the laws of the realm’ to forcibly involve themselves in politics during the upheavals of 1628-29, Bristol merchants endeavored to isolate themselves from the same, regressing to a state of political inaction.

³⁶ Notestein, W, F. H. Relf (eds.) *Commons Debates for 1629*, (Research Publications of the University of Minnesota, 1921) p. 22

³⁷ *Ibid.* p. 200 -

Leominster’s MP, Mr. Littleton, addressed the House on in February 12

³⁸ *Ibid.* p. 201

³⁹ Dobson, M.J, *Death and Disease in the Romney Marsh Area in the 17th to 19th Centuries*, *OUCA Monograph*, 46, 1998, p. 168

Chapter 2

The Commercial Character of Politics

Despite the incentives to challenge the King being just as potent in Bristol, the political stance taken by its merchants during 1628/29 was vastly different to that of London. The evidence explored in Chapter 1 points to an unwillingness among these men to openly resist the King. This Chapter will seek to explain this stance, advancing a number of possible explanations for the propensity among merchants to remain isolated from the constitutional upheavals of the late 1620s.

At a glance, the position of Bristol's merchants during 1628/29 seems to reflect a lack of relish for issues of constitutional significance. In relation to the Civil War over a decade later, McGrath has asserted the great constitutional issues which stirred men like John Pym and William Pryne to have 'aroused little enthusiasm' in Bristol.⁴⁰ Of the two hundred or so merchants in the city, he claims less than thirty showed even minimal commitment to one side or another in 1642.⁴¹ Such a view certainly bears a striking relevance to the position of Bristol merchants in 1628/29, but are we to believe that this was dictated merely by political indifference? Aside from the fact that such an explanation would be impossible to test empirically, it fails to account for the Society of Merchant Venturers' history of political involvement explored in the previous Chapter.

I will seek to explore the possibility that something far more calculated lay at the heart of this political inaction in 1628/29, and that rather than being indifferent to issues of such constitutional significance, these merchants chose to restrain any signs of ill disposition towards their monarch in the interests of something that was considered far more important – trade.

For the industrious merchant of Bristol commercial gain was of paramount importance. Merchants showed themselves to be incredibly entrepreneurial, and a

⁴⁰ McGrath, *Bristol and the Civil War* p. 5

⁴¹ *Ibid.* p. 2

hunger for profit was made constantly apparent in attempts to seek out new markets, even as existing ones thrived.⁴² A preference for ‘business as usual’, it would seem, often ensured that economic considerations were placed ahead of the political.⁴³ With the London merchants refusing to consent to the payment of tonnage and poundage in 1628/29, and the King ordering officials to confiscate any goods landed ‘without satisfaction of the said duty’, trade in the capital was brought to a standstill.⁴⁴ That Bristol’s mercantile community, so driven by profit, would have been willing to relinquish their trade in such a way, inflicting upon themselves such ‘notable commercial disadvantage’, is unlikely.⁴⁵ Stone’s recent analysis of Bristol’s Port Books in the early Stuart period reveals that while trade was buoyant under Charles I generally, it suffered a sizeable dip in between 1628/9.⁴⁶ This was most likely a result of both the continued effects of the Great Depression (1620-24), and the pressures of close to half a decade of war with Bristol’s main trading partners - Spain (1625-30) and France (1627-29) - which demanded the continued service of a large portion of the Bristol marine. These merchants were thus more likely to have been looking for means to expand trade, rather than hinder it.

It is also important to consider that as well as abandoning their trade and relinquishing all associated profits, those merchants who refused to pay the King’s customs in such a way would have been subject to the full wrath of the law. In the case of Bristol merchants, this first would have involved a lengthy and expensive trip to London to appear in the King’s Court of Star Chamber, which would have hugely disrupted regular patterns of trade. In the papers of Attorney-General John Bankes, a source that will be returned to in greater detail in the following Chapter, the merchants of Bristol are shown to have been eager to avoid such a fate. In the first letter, which was sent by Bankes to the King in 1635, he writes that those:

whose sole employments livelihoods and dependencies are in and about sea affairs... cannot therefore without the loss of their trade and great providence aswell of their owne affairs, as of others that employe them at

⁴² Jones, *Inside the Illicit Economy* p. 63

⁴³ Little, B *The City and County of Bristol: A study of Atlantic Civilisation* (Bristol. 1967) p. 123

⁴⁴ C.S.P Domestic, (20 April – 1629) p. 524

⁴⁵ C.T (21 November – 1628) p. 434

⁴⁶ Stone, R, *The Overseas Trade of Bristol before the Civil War* (Unpublished Draft, University of Bristol, 2010) p. 13

sea, undergoe the charge or tyme of the due course of justice in our Courts.⁴⁷

In addition to the ‘charge or tyme’ of an appearance in court, the hefty financial penalties imposed on ‘Parliament Rascalls’ like Richard Chambers in the Star Chamber were also public knowledge.⁴⁸ If the ‘loss of their trade’ did not represent a convincing enough deterrent in itself, therefore, then the potential legal repercussions certainly would have done.

As well as allowing for the maintenance of their existing trade, however, I would argue that adopting such a political stance between 1628/29, could also have provided an opportunity for the typically shrewd merchants of Bristol to *expand* trade. By choosing not to side with the constitutional claims of Parliament - something merchants were rumored to have ‘in former tymes bin putt to death for’ - these men were demonstrating a clear loyalty to the King.⁴⁹ Such loyalty, of course, came with a huge fiscal contribution, and with England engaged in two wars the continued exaction of customs in the second part of the realm would have been vital in keeping the Crown’s finances afloat.⁵⁰ It is probable that for the years during and immediately following the merchant resistance in London, Bristol merchants were able to exploit the importance of their position, inviting concessions and favours from the King.⁵¹ Indeed, Bristol’s merchants had a history of currying favour from the Crown in the interests of trade. In the sixteenth century alone, Jones cites numerous examples of Bristol sending up petitions to the Crown in times of hostility, knowing that the naval significance of the ports marine would compel the King or Queen to rule in the city’s favour.⁵²

⁴⁷ App. 6, *Bankes Papers* (Document 7)

⁴⁸ App. 2, *The humble petition of Richard Chambers merchant and alderman of the City of London* (Document 3) –

Chambers was not only forced to pay a fine of 2,000l, but had 7,060l of his goods confiscated and suffered the loss of his Estate, worth ‘above 16,000l.’

C.T (19 December) p. 88 -

John Fowke, another London merchant, had his ‘Currans, Muscadels, Grogram, Mohairs, Raw-Silk’ seized, to his ‘Prejudice of 5,827l’, and was then forced to pay a further 40,000l.

⁴⁹ App. 1, *State Papers* (Document 2)

⁵⁰ Woolrych, *Britain in Revolution* p. 65, Stone, *The Overseas Trade of Bristol* p. 8

⁵¹ EJ Bristol Shipping, p. 18 C. 4

⁵² Jones, E.T, *The Bristol Shipping Industry in the Sixteenth Century* (PHD Thesis, University of Edinburgh, 1998) p. 22 -

One example of Bristol merchants seeking to benefit from their show of loyalty can plausibly be found in January 1629, at the height of London's merchant resistance. This was also a year that coincided with harvest failure throughout the Kingdom, and with the high price of corn threatening with starvation, the Crown was forced to ban all corn exports.⁵³ Following this motion, Bristol's Major sent up a petition to the King suggesting that the city should be exempt from such a prohibition, the reasoning of which is recorded in the *Acts of the Privy Council*:

the scarcitie of Corne in the Realme of Ireland is such at this presente as the poore people of the said Realme are enforced for the avoyding of famine to come over into this Kingdome, and are now verie offensive in all the Western parts, especiallie in the said Cittie of Bristoll, the number of the said poore (as they conceive) being dayly to encrease if speedie order be not taken for their relief.⁵⁴

Essentially, Bristol merchants were seeking the reopening of trade with Ireland on account of Irish vagrancy, which had become 'verie offensive' in the city as a result of the famine. It is important to note, however, that Irish beggars had troubled the Corporation for some time, and indeed, disastrous harvests had hit Bristol previously in the century, but dealing with this 'peculiarly unhappy class' had always remained the concern of the city, and private enterprise therein.⁵⁵ Petitioning to the Crown for the reopening of trade seemed to represent an elaborate solution to a problem that the Corporation itself was well equipped to deal with, and is thus somewhat suspicious.⁵⁶

I would argue that the problem of vagrancy was used to mask an objective within Bristol that was wholly economic. The ban on corn exports meant that many merchants could not engage in the typically lucrative Irish trade, which relied heavily

The best and clearest example of their ability to promote their collectively exploiting the ports naval significance concerns the banning of Bristol's Candlemas Fair in 1543.

⁵³ Sharpe, K. *The Personal Rule of Charles I* (Yale, 1992) pp. 463-64 - Corn taken in its broadest sense to include wheat, malt, hops and beans

⁵⁴ A.P.C (14 January – 1629) p. 297

⁵⁵ Latimer *Annals* p. 34, 85 –

Serious harvest failures occurred in 1601, 1607 & 1623

⁵⁶ Latimer *Annals* p. 13, Jordan, W.K, '*Philanthropy in England, 1480 – 1660*', (London, 1959) p. 28, 241

on such agricultural commodities. According to the research of Stone, Irish exports had come to represent a crucial arm of the ports commercial activity, constituting over twenty five per cent of Bristol's total trade by 1625/26, having accounted for just three percent at the turn of the century.⁵⁷ Its effective cessation by the King, therefore, must have been the subject of significant grievance among the merchants of Bristol who, as we have found above, were already suffering from a drop in trade. Thus while the influx of Irish beggars was almost certainly an issue at this time, it is possible that the petition may have exaggerated its severity. The inclusion of "(as they conceive)" in the document suggests that the Crown itself was unaware of the true scale of the problem. Nevertheless, the King was quick to grant Bristol the *sole* right to 'carrie the same into Ireland and not elsewhere,' demonstrating a readiness to concede to the demands of Bristol merchants.⁵⁸

As noted in the previous chapter, the Society of Merchant Venturers' *Book of Trade* also records a marked increase in the amount of petitions and letters advanced to the Crown in 1630 seeking to gain preferential treatment.⁵⁹ In June, for instance, the Society laid a petition before the Privy Council that complained of a troublesome landowner named Mr Richard Morgan, who resided on Crockerne Pill just off the Bristol Channel. As well as committing general 'malpractices', the location of his house was greatly hindering the mooring of ships, much to the 'damadge and prejudice' of trade in the port.⁶⁰ The Morgan family had been a nuisance to the Corporation since as early as 1604, yet the Crown previously seemed unwilling to grant the issue any significant attention, as very little prior action was taken despite the city's ongoing complaints.⁶¹ However, Latimer's *Annals* record the Council to have responded immediately following the petition in 1630, denouncing Morgan's conduct on vigorous terms and ordering him to demolish the house, with magistrates being empowered on his refusal to commit him to prison until he submitted.⁶² While the circumstances surrounding this case are not divulged in any great detail, the timing of this sudden display of energetic royal support is certainly suggestive.

⁵⁷ Stone, *The Overseas Trade of Bristol* pp. 16-17

⁵⁸ A.P.C (14 January – 1629) p. 297

⁵⁹ SMV/2/1/1/34 – *Book of Trade* pp. 180-93 –

A mix of thirteen letters and petitions were sent to the Crown in 1630

⁶⁰ SMV/2/1/1/34 – *Book of Trade* (11 June – 1630) p. 180

⁶¹ Latimer *Annals* p. 111

⁶² *Ibid.*

Furthermore, the report compiled by the Archbishop of York on the case survives, and serves as a ‘glowing eulogium’ of Bristol, offering strict condemnation of Morgan and particularly praising the city’s ‘orderly government’ and ‘advancement of the King’s customs’.⁶³

While by no means conclusive, the amount of successful petitions during this immediate period certainly gives weight to the possibility that Bristol merchants were engineering their political stance in order to advance trade during 1628/29.

In seeking to explain the political stance of Bristol’s merchants in the constitutional upheavals of the late 1620s, therefore, I have proposed an understanding of the city’s commercial character to be key. Engaging in any kind of resistance comparable to that of London would have entailed substantial financial risks that these industrious merchants, already struggling to recover from a drop in trade, would have been keen to avoid. I have proposed that the upheavals of 1628/29 may have offered an opportunity to exploit the collective importance of their fiscal contribution, thus inviting royal largess on issues concerning trade. The findings of this chapter seem, therefore, to undermine the arguments of McGrath, which assert Bristol to have existed in some kind of ‘sub-political’ world. Instead, I would argue that these merchants demonstrated considerable political ingenuity in maintaining, and potentially expanding, the trade in the port amidst great constitutional upheaval, restraining any overt display of resistance in the interests of commercial gain.

Given the apparent importance of trade in shaping the political stance of Bristol merchants in 1628/29, there is a clear need to fully comprehend the commercial incentives that may have driven these merchants.

⁶³ Ibid. p. 112

Chapter 3

Illicit Trade and 1628/29: A Smugglers Perspective

As we have seen, it was highly likely that a desire to protect (and expand) licit trade factored into the decision among Bristol merchants to remain loyal to the King in 1628/29. Recent historical trends however, have demonstrated any examination of Bristol's mercantile economy in the pre-modern period to be incomplete without a consideration of the thriving underworld of *illicit* trade. Far from a sideline or peripheral activity, the likes of Jones have shown that smuggling represented an integral component of the city's commerce, constituting the great bulk of profits for many Bristol merchants.⁶⁴ The smuggling that Jones is referring to in Bristol is not to be confused with the refusal of London merchants to consent to the payment of tonnage and poundage, as while this was technically smuggling – landing goods without paying the necessary customs – it bore little resemblance to the frauds conducted by Bristol merchants since at least the turn of the sixteenth century, and carried none of the same economic or illicit connotations. As we shall see, by engaging in any kind of politically charged resistance against the Crown in 1628/29, the ports illicit trade and the profits it yielded would have been placed in serious jeopardy. This final chapter will consider the extent to which a desire among merchants to protect illicit trade might have helped in shaping Bristol's political stance during the constitutional upheavals of the late 1620s.

In considering the threat posed to this closely guarded illicit underworld, it is important to recognise that Bristol smugglers fostered an intricate and carefully balanced system of corruption. Any political stand against the King over the 'illegal' exaction of duties would have lead to increased royal intervention in the port, with the Crown publicly affirming that any 'great abuse in this kind' would be subject to 'strict examination.'⁶⁵ Indeed, London suffered a high military presence, with the Admiralty sent in to 'take special care' in preventing any fraudulent behavior and help in the

⁶⁴ Jones, *Illicit Business* p. 30 -

⁶⁵ A.P.C (5 January – 1629) p. 292 -

Also states that the Crown will utilise all of the man power that it had at its disposal to investigate the merchant's crimes: 'Mayours, Sheriffs, Justices of the Peace, Serjents at the Mace, Constables and all others whom it may concerne'

‘arrest of all Lighters, Barges and other Boates.’⁶⁶ Such intrusions would have severely compromised smuggling in Bristol, which had previously enjoyed a distinct lack of interference and observation in and around the ports jurisdiction.⁶⁷

In addition, such a show of open resistance would have led to the retraction of goodwill within the Crown. While we have already found this to have been of vital importance in the preservation and expansion of licit trade, the need to retain the good graces of his Majesty was also of central importance to Bristol’s illicit trade. The port was typically able to exert a considerable amount of influence in the appointment of customs officials as the Lord Treasurers decision was, on top of a healthy bribe of course, driven by advice he received from Bristol’s civic elite about the suitability of individual candidates.⁶⁸ If Bristol merchants came to be associated with ‘Long-gown’d Rascalls’ like Chambers, who were no better than ‘Dogs’ and the ‘archestest Rebels of the Kingdom’, then the Crown may have been less inclined to grant the freedoms on which the vitality of illicit trade so greatly depended.⁶⁹ From a smugglers perspective, the resistance against tonnage and poundage that was occurring in London embodied everything that they worked so hard to avoid.

In the face of such disruptions, it is highly likely that Bristol’s merchant-smugglers would have sought to instill silence in the port, and restrain any honest merchants who may have felt compelled to take a stand against the King from doing so. The problem with such an assertion, however, is that smuggling has yet to be studied in the context of Charles I’s reign. We do not know, therefore, if it continued to exist as an essential construct of the ports commerce during this period, and thus to assert that it helped to steer the direction of politics in Bristol so dramatically in the late 1620s would be mere conjecture at this point. I will endeavor to briefly shed light on this underworld that existed in Bristol during 1628/29, drawing important conclusions regarding the scale of frauds in Bristol at this time, the prevalence of corruption, and also the intense desire among the city’s merchants to defend their illicit businesses at all costs.

⁶⁶ A.P.C (21 September – 1628) p. 154

⁶⁷ Spencer Dimmock, ‘Urban and Commercial networks in the later middle ages: Chepstow, Severnside and the ports of southern Wales’, *Archaeologia Cambrensis*, 152 (2003) - p. 12, Jones, *Inside the Illicit Economy* p. 51-55

⁶⁸ Jones, *Inside the Illicit Economy* p. 101

⁶⁹ App. 2, *The humble petition of Richard Chambers merchant and alderman of the City of London* (Document 3)

In seeking to determine the scale of smuggling in Bristol under Charles I, three letters that feature in the papers of John Bankes prove particularly useful. The first, which was sent by the Attorney General to the King in 1635, requests approval for a royal commission to be sent to the Bristol Channel on account of butter smuggling. The following two letters seem to report the findings of this commission, and outline smuggling in the port of Bristol specifically to be rife, containing a ‘viry many greate offenders in that kinde.’ One of the reports states that:

soe much mony unlawfully rayseyd by the Delinquents uppon strangers
and the Inhabitants of the said Cittie to Smother the said offences that a
speedy persecucion in Law cannot be had against them.⁷⁰

Such claims seem to suggest that corruption was so endemic in Bristol, that ‘Inhabitants of the said Cittie’ sought to collectively shield, or ‘Smother’, their illicit dealings, rendering any actions of the law useless. While the findings of just one commission cannot be taken alone as conclusive, it is worth noting that this was one of six Royal Commissions sent to investigate smuggling in Bristol during the personal rule (1629-1640). That the Crown felt it necessary to fund so many Commissions - which were incredibly expensive undertakings - at a time when finances were so unstable, certainly suggests illicit trade in Bristol to have represented considerable cause for concern. Indeed, such high levels of intrusion was wholly unprecedented, as throughout the entire course of Elizabeth I’s twenty-five year reign, the port suffered just three Commissions into smuggling.⁷¹

One must be careful, however, in correlating this dramatic rise in royal interest with a similarly dramatic rise in smuggling. With the King chronically short of revenue in the absence of Parliament, customs evasion was elevated to a chief financial concern in the personal rule. The rising levels of royal intrusion that we can see was most likely to have represented a symptom of this, rather than a rise in Bristol’s illicit activity. At the very least however, the Crown’s concern shows smuggling to have continued to exist on a sizable scale during our period.

⁷⁰ App. 6, *Bankes Papers* (Document 8)

⁷¹ Based on an examination of the P.R.O collections

Such an assumption is bolstered by the fact that the essential economic incentives needed to justify engaging in illicit trade were still very much prevalent in our period of focus. The work of Jones has outlined two crucial reasons to smuggle: to evade duties and circumvent official restrictions on trade.⁷² With the Crown in dire financial straits, we can see the fiscal and regulatory environment in which these merchant-smugglers were operating in become markedly stringent between 1625-40. Over half of its ordinary revenue was derived from exactions on overseas trade and thus every possible device with which money could be obtained was pursued.⁷³ A barrage of high duties and impositions were enforced, as well as the extension of official restrictions in the form of prohibition, monopolies and embargoes.⁷⁴ The overall cost of complying with official policy during this period, therefore, was extremely high, and ensured the essential incentives to smuggle in Bristol remained very much intact during our period of focus. By taking this in conjunction with the tiresome interference of Royal Commissions, we can infer that smuggling continued to constitute an important part of the city's economy under Charles I.

As was typical in Bristol in previous centuries, it is possible to show merchants in positions of local and national political influence as being involved in smuggling. Derrick Popley, for instance, who was sheriff for Bristol in 1630, is detailed in a commission as assisting merchant William Yeoman in the illicit lading of butter and bribery of customs officers that very same year.⁷⁵ The fact that a sheriff would personally engage in illicit trade while in office demonstrates how deeply ingrained smuggling must have been among local figures of political authority. The *Book of Trade* also lists fourteen Society merchants that were sent to the Star Chamber in 1619 on account of, 'transporting p[ro]hibited goods out of Wales', the majority of whom then rose to assume prominent positions in local politics under Charles I, including John Langton, the mayor of Bristol in 1628.⁷⁶

⁷² Jones, *Inside the Illicit Economy* p. 19

⁷³ Dietz, F.C. *English Public Finance, 1558-1641* (New York, 1964) p. 262

⁷⁴ *Ibid.* pp. 214-48

⁷⁵ App. 5, *Miles Lavington v. William Willett, Derrick Popley, William Yeoman, Phillip Dickinson, John Snowe.* (Document 5)

⁷⁶ App. 4, *Book of Trade* (Document 4)

Also listed as involved: John Gonning served as Mayor of Bristol in 1627, John Tomilson in 1630 and William Jones in 1637.

The list of merchants tried in the Star Chamber for ‘frauds’ in 1619 also implicates John Barker, who was one of two members of the Society representing Bristol in Parliament during 1628/29. The MP’s prior involvement in smuggling is corroborated in the complaints made about the alleged malpractices of John Dowle, who was responsible for the collection of inbound customs in the later 1590s. These allegations, made in 1598 and 1600 by an estranged clerk named Thomas Watkins, detail Barker offering Dowle a bribe to avoid the payment of customs on a shipment of ‘Flemish goods.’⁷⁷ The Exchequer Commissions reveal that Dowle continued to serve as a customs official in Bristol under Charles I, but whether any form of illicit relationship continued to be fostered between him and Barker is unclear.⁷⁸ We can note with absolute certainty, however, that John Barker was one of a strong contingent of prominent Bristol merchants, all with a history of illicit involvement, that resided over positions of political influence in the late 1620s. It is unlikely that any of these men would have wished to expose fellow merchants and former accomplices to censure, or indeed draw any attention to the illicit means by which much of their great wealth was likely to have been procured. That Barker’s silence in the House of Commons was employed in protection of both the city’s licit and *illicit* interests, therefore, is certainly a reasonable hypothesis.

One final thing to note from the Exchequer Commissions of the period, is the extreme lengths that merchant-smugglers in Bristol were willing to go in order to protect their illicit dealings. A commission in 1631, for instance, details customs officers Miles Lavington and Samuel Grigson seizing a ship then lying on the King’s Road full of ‘Butter, Tanned hides, Gunn Mettal, shroffe mettall or other prohabled commodities.’ Upon hearing of the seizure, the ship owner Alexander Heard and ‘other merchants freighters’, who were then in the port of Bristol, set at ‘great hast’ to the ship, and boarded with ‘weapons’ and ‘evill language.’ Heard then:

weight anchor, and carried away with him the said officers with the Shipp and goods and entreated them in the way, not only in harsh words, but denyinge them sustenance and succor which they had

⁷⁷ Dunn ‘*The Petitions of Thomas Watkins against Customer John Dowle 1598-1600*’ (BA Thesis: University of Bristol, 2006) p. 13

⁷⁸ P.R.O - E134/ 17CHAS/ MICH29 (1637) – John Dowle detailed as still being ‘customer inward’

nowe wanted about two daies and a night, for that the said Mr. Lavington and Grigson were benumbed in there lymes and neere famished.⁷⁹

After kidnapping Lavington and Grigson for ‘two dais and a night’, Heard allegedly landed them by ‘Kettles Wood’, which was said to be a great distance from the port of Bristol.⁸⁰ While it is important to be aware of the inaccuracies that often plague these commissions, extraordinary stories of merchants intercepting customs officers in such a ‘fearfull manner and with many oathes threateyning’ are commonplace in this period.⁸¹ This is even corroborated by John Bankes, who reports that ‘your highnes officers of the said Port’ are ‘shamefully beaten of which armes in doing their services.’⁸² In placing such a fearsome desire to protect Bristol’s illicit trade in the context of 1628/29, one can only assume that smugglers would have met any threat posed to their profits with a similar ferocity.

This chapter has made three crucial observations regarding smuggling under Charles I: firstly, that it seemed to exist on a sizable scale, secondly, that corruption permeated through the higher echelons of society and that, finally, merchant-smugglers were intensely protective of their illicit dealings and the profits that they yielded. In 1628/29 therefore, when any open defiance against the King threatening the vitality of smuggling in Bristol, honest merchants who may have felt compelled to mirror the actions of London merchants could have faced resistance on two fronts; from the smugglers themselves, like Heard, who may have employed tactics of violence and intimidation to directly prevent such a course of action, or alternatively, from those merchants in positions of political influence, such as Mayor Langton or MP Barker, who may have endeavored to conceal any such outbursts, continuing to affirm Bristol’s loyalty to the Crown through letters of correspondence and silence in the Commons.

⁷⁹ App. 5, *William Noy vs. Alexander Heard* (Document 6) Folio 2

‘Succor’ - Assistance or aid

‘Lymes’ - Most likely referring to a kind of fever

⁸⁰ *Ibid.*, Folio 3

⁸¹ App. 5, *Miles Lavington v. William Willett, Derrick Popley, William Yeoman, Phillip Dickinson, John Snowe*. (Document 5), Folio 1

⁸² App. 6, *Bankes Letters* (Document 8)

A somewhat ironic process was perhaps occurring, therefore, whereby the continued payment of tonnage and poundage served as the necessary cost for certain merchants to more proficiently evade other comparatively greater taxes. This is, of course, largely speculation, and while a desire to protect illicit trade would certainly not have served as the pivotal factor in shaping the political stance of Bristol merchants during 1628/29, I have hopefully demonstrated it as worthy of consideration.

Conclusion

This analysis has found the political stance of Bristol merchants during the constitutional upheavals of the late 1620s to be vastly different to that of London. While merchants in the capital abandoned their trade in order to take a principled stand against their King during the constitutional upheavals of 1628/29, those in Bristol did precisely the opposite.

With any overt display of defiance threatening to place the city's trade – both licit and *illicit* - in jeopardy, they seemed to project an image of unwavering loyalty. Commerce, therefore, has come to be revealed as central in dictating the political stance of these men in the late 1620s, and what was very much an outburst of revolutionary sentiment among merchants in London, became a story of 'economic pragmatism' in Bristol.

Primarily, this serves as a compelling illustration of the diverse fabric of mercantile society under Charles I, showing the character of political relations between the Crown and its provincial merchants to have often differed greatly from the capital. Similarly, it has demonstrated that issues of greater constitutional significance were not always embraced with the same vigor, as Bristol merchants revealed themselves to have been driven by a very different set of motivations than the metropolis. For historians seeking to better comprehend the political character of a certain port, or indeed the construction of English mercantile society during the seventeenth century more broadly, the years of 1628/29 have demonstrated themselves as worthy of considerable analytical attention.

As indicated in the introduction, comprehending the political stance of Bristol merchants in 1628/29 offers a useful point for comparison for those historians interested in the city's position in the Civil War over a decade later. McGrath's view, that asserted a certain political indifference to have existed in Bristol that dictated a position of neutrality in the great rebellion, has proved wholly insufficient in relation

to the upheavals of the late 1620s.⁸³ Despite demonstrating a clear comprehension and concern for the constitutional abuses of the King previously, I have argued Bristol merchants to have engineered the political upheavals of the period to secure commercial ends. What came across as some kind of passive ‘neutralism’ or ‘political indifference’ on the surface, therefore, in fact cloaked an approach from Bristol merchants that was far more pragmatic. Indeed, the conduct of Bristol in 1628/29 demonstrated a great measure of political ingenuity. This chimes with the recent research of Reeks, who argues that while the city was very much in tune with national politics, it was able to carefully balance the demands of Parliament and the King to ensure that it continued to exercise an unprecedented degree of autonomy in a time of crisis.⁸⁴ This again shows Bristol to have adopted a wholly pragmatic approach, manipulating a situation of political dislocation to benefit the city.

It is also worth noting that the formative force of trade in Bristol has yet to be explored in any great detail during the Civil War. If these merchants employed a similar policy of economic pragmatism amidst the great rebellion, then this could have plausibly impacted on the complex relations that developed between the city and conflicting Royalists and Parliamentarian factions, the intricacies of which have long perplexed historians.

Word count: 9,894

⁸³ McGrath P, *Bristol and the Civil War* p. 4

⁸⁴ Reeks, J, *Bristol City Government and the Civil War*

Appendix overview

I adopt the following conventions in transcription of these documents:

- Punctuation is as in the text
- Line Breaks and Paragraphs are as in the text.
- Spelling is as in the text.
- Capitalisation is as in the text.
- Where necessary original document page/ folio numbers are given
- Suspensions and abbreviations are bracketed – [e.g.]
- For words that are either incomprehensible or that I am unsure of, are marked with a question mark - (?)

In dealing with the Exchequer Commissions, it is important to note that the depositions are not featured in full. The witness statements are as expansive as they are repetitive, and as such, the depositions featured in Appendix 5 have been selected as the most relevant. The numbers in the depositions correlate to those in the interrogatories.

Transcriptions by Joe Beveridge

Appendix 1: State Papers

Document 1

The King's Speech at Whitehall to the Parliament, that he claimed tannage and poundage, not as his right, but only as of *bene Esse*, January, 1628

Ref: Lansdowne Vol/93 f.140 (Microfilm)

My lords and gentlemen the case of howe to remove those obstacles that may hinder the good correspondency betwixt mee and this parliament, is the cause and have called y[ou] hither at this tyme, the paticular occasion being a complaynt latelye made in the Lower house. And for y[ou] (any lorde) and I glad to take this, and all other occasions wherby you may clearly under[stand] both why worde and advice for y[ou] and nearest in degree, soe you are the fittest witnesses for kinges. The complaynt and speake of, is, for staying mens goodes that denied Tonnage and Poundage, this may have an easye and short conclusion (if my wordes and actions bee rightly understood) for by passing the bill (as my Ancestors have had it) my bypast actions willee be included, and my future actions authorized, w[hich] certainly would not have soon stuck upon, if men had not imagined that I have taken these dutyes as appertaining to my heerdytary prerogatives in w[hich] they and much deceived; for it ever was and still is my meaninge (by the gift of my people) to enjoy it; And my intention in my speech at the ending of the last Session concerning this po[ynt] was not to challenge Tonnage and Poundage as of right, But of *Bene esse*, showing y[ou]: the necessity, not the right, by which I was to take it, until y[ou] had granted it to mee, assuring my selfe according to y[our] generall professions that yet wanted tyme not will to give it mee, wherefore now having opportunitie I expect that wit[hout] loss of tyme, yee make good y[our] professions, and soe by passinge the bill, to putt an end to all the questions arysing from the subject, especially since I have cleared the only scruple that can trouble y[ou] in this business.

To conclude lett us not bee jealous of one anothers actions, for if I had been easily moved at everye occasion, the orders made on Wednesday last might have made mee startle, there being some show to susp[ect] that you had given your selves that libertye to bee enquirers after complayntes (the worde of y[our] order being somewhat largely penned) But looking into y[our] actions, I find only heare complayners, not seeking complayntes for I am certain your neither intend nor desire the liberty to bee inquirers after mens actions, before particular complaints bee made.

This I have spoken to show y[ou] how slow I am to believe harshly of y[our] proccedinges; likewise to assure you that the houses resolutions, not particular mens speeches shall make mee judge well or ill; not doubtinge but according to my example y[ou] willee be deafe to ill reports concerning me, till my wordes or actions speake for themselves; so that this session beginninge which confidence one towards another, it may end with a perfect, goode understandinge between us; which god grant. Amen

Document 2

Report [addressed to Lord President Conway] concerning the present stoppage of trade both in exports and imports, April, 1629

Ref: SP 16/530 f.80 (Microfilm)

[p. 95]

Right hono[rable]

Being required by y[our] Lordship to deliver my opinion concerning the present stoppage of trade in the exportation and importation thereof, I have endeavored herein to give y[our] Lord[ship] the best satisfaction I can and to showe my willingness to serve his Maj[esty] and the State if I were further able.

The occasions of the said stoppage of trade so farre as I can collect from the generale discourse of the Merchants, I take to be the following. Vis

- i. An universale opinion spread and continueing stile amongst them that by those paying of Tonnage and Poundage whiche is now conceived to bee in the nature of an imposition, together with those other impositions, Lincences, pretermitted Customes, [&c]. formerly laid, they shall endanger the right and liberty of the subject.
- ii. An opinion arising from the former that his Ma[jesties] publique occasions may henceforthe bee perpetually supplied by the way of imposition upon commodities exported and imported, and soo Parliaments grow out of use.
- iii. A general mistake not yet rectified is, that our religion is in danger, and Arminianism and Popery too much countenanced, which I conceive to have bin occasioned by some speeches in Parliament, since divulged in writing, and not executing the priest lately condemned at Newgate, and the imprisoning of a Minister much esteemed in the Citte, wherein the matter of fact is generally known, but not the true cause thereof, and both these last since His Ma[jestys] declaration (of the causes which moved him to dissolve the last Parliament). All which make men more peremptory in those ways, which they conceive may draw on a parliament.

[p. 96]

- iv. A conceigt wherewith the minds of many are possessed that if they should now pay Tonnage and Poundage (the Bill not being passed in Parliament) they may hereafter bee punished by the parliament as Enemies of the Comonwealth, and voluntary breakers of the Petition of Right; it being rumored that such a protestation was made in the House of Commons, and that some merchants have in former tymes bin putt to death (which though a fable) for the like infringing of the Liberty of the Comonwealth contrary to the declaration of Parliament.
For remedy whereof, and for the means to open Trade I conceive the most important and cheife motive will bee to find[e] some way to satisfy the minds of the merchants in the particulars above specified, which is proper to your Lordship and the most Hon[orable] Council Board. As for that which concerns Trade simply considered I conceive these considerations may arise:

1. Whether setting of Trade free by dissolving of such Companies as shall detest from trade may condu[ce] to the ends desired?
2. Whether the raising of a stock amongst gentlemen and others may in probability give a beginning to a new course of trade?
3. Whether the dissolving of the company of Merchants Adventurers in particular may effect the same; being fittest to be dealt with the first, in regard the proceeding of that trade doth most import the good of the State.

As for taking advantage of those merchants who import perishable commodities to enter bonds to export the like values, or of th[ose] who export native commodities

[p. 96]

to enter bond to import as much and to pay the demanded duties; I hold not these considerations worthy of y[our] Lord[ship]

For answer to all which I do not in my private opinion con[ceive] that any of those courses will produce the effect aymed at, in respect they are likely to alienate the minds of Merchants more, rather than to compose them, neither will the Trade be restored untile the same men shalle be some way induced to return to their former course.

But concerning the Company of Merchant Adventurers, (w[hich] it most within my experience) I think they may well bee required by the State to ship their cloth (as they usually do) at this season of the yeare.

For that although there bee some good qu[antity] of Cloth remaining and solde in their Market townes beyond the seas, if I will it bee better for them to have their cloth lye there near[er] to bee preferred to sale and fitter to sort their old remainders then heard, and more convenient for their State to have trade by their example sett on going again. And if at the next general court or meeting they shale by plurality of voyc[es] make an order against the appointing of any shippe at the present I think that order may fitly by an act of State which may authorize such particular persons of that Company as are willing or may be induced to trade (thereof noo doubt but the Alderman and some others will be found) to ship their goods, which will in lik[ely]hood seemeon the rest rather than they will bee prevented and loose the benefite of their trade.

[p. 97]

This company being by this meanes once drawn to trade, and [s]o other companys shall alsoe conforme themselves, these prohibitions which now lie upon this company, whereupon they forbear to bring in the commodity of the growth of Turkey, the Straights, and Eastlands, I conceive (if it shale seem fitt in the wisdom of the State) to take them of for the present it may encourage and increase their trade, and being used as an inducement to the Company, it may become a spur to those other companies if they shall not readily conform themselves.

Lastly for the generality of trade I consider it the best policy to cherish the exportation by all means which can be invented, although it should bee by suspending for a

season his Ma[jestys] profits by taking bonds to pay such duties as shall bee usually paid at such times to come. As in the wisdom of the board shall be thought fittest, or by such other means of the farmers to your Lor[dship] for importation that will follow of its owne naturall cause, the owner of the goods and merchandise beeing the center onto which it will rest. Importation needing for itself but not other fav[our]but such as may serve to encourage the merchant to export.

This my poore ma[jesty] I humbly offer unto the treasurer of your Lor[dship]'s Council to testify my readiness to serve his Ma[jesty], and well wishing to the peace and quietness of his days; concerning that these and the like milde courses (which wiser men can advise) will bee the best way for his Majesty and for his honor, rather than any more violent proceedings.

All the recompense which I ayme at or expect being only to bee concealed, and not exposed and made odious to those of my calling for my thus expressing my goodwill and duty.

April, 1629

Appendix 2: The humble petition of Richard Chambers

Document 3

The humble petition of Richard Chambers merchant and alderman of the City of London, 1646

Ref: Thomason / 669.f.10[65]

Now Right Honourable, see what remarkable Passages God through his Providence hath brought about concerning your Petitioner; which the world taking notice of, he was earnestly pressed not to hide, for example to future ages.

- I. That your Petitioner being sentenced in Star Chamber 6 maii, 1628, and kept prisoner in the Fleet for six yeares after 6 maii, 1635. He was discharged by the kings command without submission, [& c.]
- II. That shortly after, your petitioner being assessed 40 shillings for the illegal Ship-money, hee refusing to pay it, was sent for to the then Lord Major Sir Edward Bremfield, who sent your Petitioner to Newgate forcibly in his Coach at ten o cloack at night, where he lay, using all humble and legall wayes for his freedome, without effect; but had all the injustice and hinderance that could be offered, untill speech and hope of a blessed Parliament.
- III. Upon which your petitioner sued the said Sir Edward in the Kings bench for his false imprisonment, and had a Verdict and Judgement for 1500l damage; but for non-payment, and his fraudulency, your petitioner was forced to take out a commission upon the Statute, and proclaime him Bankrupt; and thereupon got possession of his House (where he kept his Majoralty) in part of satisfaction.
- IV. After which, the Ward of Walbroke chose your petitioner Alderman of the fame Ward Sir Edward was Alderman of; and being presented to the court of Alderman, they confirmed and swore him alderman ; since which he was chosen Sheriffe of London, and kept his sheriffalty last yeare, 1644. in that House from whence he was sent to Newgate as aforesaid
- V. That the said Sir Edward for Malignancy, [&c.] lay Prisoner in the fleet, and now is in the Kings bench, being two of the Prisons to which your petitioner was committed in his first troubles
- VI. That by the honourable favour of both Houses of parliament you Petitioner did fit a commissioner for the parliament in the customes house London, and received the Customes of England two yeares, two monthes, where youre Petitioners first sufferings did arise.
- VII. The certain Cabinets and Glasses of the Lord Treasurer Weston, your Petitioners mortall Enemy in the Exchequer and Star Chamber, were committed to your petitioner to be sold for the Parliament
- VIII. That the Archbishop of Cantebury, William Laud your petitioners mortall enemies in all places; who, with the reft, sentenced your Petitioner without proof; and at that time further declared, That if their Lordships concurred in a higher Fine and Punishment, he would do so too; for that this Chambers would take away the bread from the King by his Customs; and if the King had more such Chambers, he would have never a chamber to put his head in. That by the hand of Providence, your petitioner in the time

- of his sheriffalty did bring this Archbishop to execution of death, after a legall Tryall of Parliament, for his illegall Courtes and Treasons
- IX. That the Lord Keeper Coventry, in the Star Chamber, cleared your Petitioner of the Crime laid to his charge, being not proved by any witness, and protested upon his Conscience, that he conceived your petitioner had no ill meaning in the words he spake at the Councill Board; but yet concluded, that as the Lords has sentenced him, hee must do so too; and with Sir Humphrey May, Fined your Petitioner. and Imprisonmed him at the Kings pleasure, to acknowledge his offence at the Councill Board, Star-Chamber, and Exchange London. So with – he washed his hands of him, and with the multitude condemned your Petitioner, to the ruine of him and his.
- X. That your Petitioner being Sheriffe of London, went to the Tower to acquaint the Archbishop with the time of his execution, according to a Warrant received, and then desiring him to tell your Petitioner who had his Goods, or the proceed of them; he answered, he knew not whereupon your petitioner told him of his bitter sentence against him without any proof of Crime, as also of the Lord Keepers sentence, which in charity might have qualified him for the future and repeating both their sentences to him; and at the expression of the Lord Keepers complying, and washing his hands with Pilate, he turned about and laughed hearrily , being the night before he suffered, and never expressed any sorrow for your Petitioner, or desire to pardon him, &c. so your Petitioner departed from him.
- XI. That the Earl of Dorset sent for your petitioner from the Fleet, who coming to him, used all perswasions for him to submit and pay Customes, offering punishment, [&c.] and to bring your Petitioner to the King; but he no way yielding, after many passages, his Lordship most fearfully cursed, and swore God damne him, your Petitioner was the archeest Rebell of the Kingdom, and deserved better to bee hanged then the Gun powder Traitors; and swore God refuse him, if they were living, he would sooner intercede his Majesty for a pardon for them, then your Petitioner, who told him he needed no such pardon; then his Lordship said your Petitioner might imbrue his hands in blood one day; who answered, he hoped God would keep him from that crying sin: then his lordship called him Prince Chambers, and said, That another Redeemer was come into the world to redeem the Subjects Liberties; and that he had wicked Councill, and would know them; for they were Parliament Rascalls , and other Long-gown'd Rascalls, and Puritanicall white-robed Rascalls, such as preach two houres in a Pulpit, of Conscience, which have no more than a Dog; with much other blasphemous speches. After which he asked your Petitioner againe, if hee would submit to the King, who answered, he did in his Laws, which was the greatest obedience; his Lordship told your Petitioner hee was his friend in the sentence; but if he were to doe it again, he swore God damn him, he would sentence your Petitioner 100000l. who told his Lordship, the word he spake he would maintain; whereupon his Lordship willed your Petitioner to give him his hand, which hee did, and kiss't it; hoping of better proceedings; but he swore and cursed, and said God damn him, if he or the Lords had conceived or thought your Petitioner had meant the words spoken at the Councill Board, by the King, the Lords of Government; hee, and they would have cut your Petitioner in pieces

alive: So he there also directly and freely cleared you Petitioner of the crime laid against him, both for himself, and the other Lords, &c. whereupon your Petitioner humbly desired of his Lordship to know for what he was so sentenced. Upon which his Lordship fearfully cursed, and willed him to goe to the Exchange and tell all the Merchants there, that if all the Gunpowder Traytors were living, your Petitioner deserved better to be hanged than all they; with other curses, &c. and your Petitioner desiring his Lordship to have a better opinion of him, said he, of the Devil first; and that your Petitioner and his Race would be damned for thisact: So he departed to the Fleet again.

- XII. That your Petitioner being sentenced 6 May, 1628, to ruine and disgrace, was by the godnesse of God in the time of his Sherriffalry of London the 6 May, 1645. againe happily married to a second Wife 16 yeares after.

O how righteous art thou O God, and just in all thy judgements, in humbling and exalting, and in mercy, bringing strange things to passe by weak means, according to thy blessed Word, for example of thy children to feare thee, and guide their ways according to thy holy Word: as followeth,

Richard Chambers.

Appendix 3: Society of Merchant Venturers of Bristol, Book of Trade

Document 4

List of Society merchants sent to the Star Chamber, (9 October, 1619)

Ref: SMV/2/1/1/34 p. 68

The discharge out of the Starre Chamber

In Camera Stellata XXII Due Octobris

Anno XVIY Jacobi Regis

Whereas process of (?) hath byne taken out at Mr Attorney Generall his suite against William Hughes Phillipp Hughes George Langley Derricke Popley Roger Williams William Howell Jo[hn] Barker John Langton Humfry Browne Jo[hn] Gonning William Jones John Tomlinson Thomas Slocinns and Will[iam] Griffith [& co.] return XV whichis nowe last past Mr Attorney y[our] pleased to discharge every of them of any further attendance thereabout

Hark hr

Exp underwood

Appendix 4: The Exchequer Commissions

Document 5

Miles Lavington vs. William Willett, Derrick Popley, William Yeoman, Phillip Dickinson, John Snow: Port of Bristol (August, 1630)

Ref: E134/10CHAS1/TRIN15

Interrogatories:

[Folio 1]

Interrogatories to bee administered to witnesses produced and questioned and examined on the parte and behalfe of Miles Lavington gent Plaintiff against William Willet, Derrick Popley William Yeamans Phillip Dickinson and John Snowe de[fendents]

1. Doe you knowe the parties plantiff and de[fendents] or any and which of them, And howe longe have you knowne them or any of them declare the par[ticular] names of such of them as you doe knowe
2. Doe you knowe or hath you heard that his Ma[jestie] that nowe is or his p[re]decessors Kinges and Queens of this realme have usullie had divers, or any, and what officers, - attending or belonging to the port to Bristoll for the collecting and receveing of heire or any of their customs and duties within the port of all such goodes as should bee permitted to bee traded to or from the parts beyond the seas, and imported and exported into and from this Relame, And [?] are not such officers to watch and take care that noe goode of what kind soever (prohibited by the lawes of the the Realme to bee exported or imported) should bee traded exported or imported out of or into the Port of Bristoll; And have longe hathe have you Knowne such officers to belonge unto the said Port of Bristoll declare your knowledge
3. Do you knowe or have you heard that in or about the month of August in the fifth yeare of his Ma[jesties] Raigne, upon complaints made concernine the exportation and importation of prohibited Merchandise out of and into the port of Bristoll the nowe Lord Treasurer directed his letters or warrant to the officers of the said port of Bristoll to search for stay arrest and seize corne butter cheese and all of the prohibited commodities as should bee laded or putt to board in any ship or vessel to bee transported beyond the seas from the port of Bristoll or any the members harbours or Creeke belonginge to the same; whether was the same letters or warrant delivered publycly or made knowne unto any and which of the officers or ministers belonginge to the said port, and to the merchants trading to and from the same and unto and of them; was it not published and made knowne unto William Willet customer outwarde of the said port, Phillip Dickenson searcher, Dirrick Popley and William Yeoman merchants of the said port and to John Snow the deputie and to howe much and howe many of them was it soe published and made knowne unto, declare your knowledge to everie p[ar]ticular of this Interrogatory
4. Doe you knoweth believe or have credibly heard that the defendant Derrick Popley and William Yeoman or either of them did putt abroad and ship or caused to be shipped (in the fifth yeare of his Ma[jesties] reign that nowe is) in

a certaine vessel or ship called the Red Lion of [?] then lying in Kingroade a harbor belonging to the said port of Britoll or any other ship belonging to the said port (or unto any bote to be shipped) a hundred Kilerkins and six firkins of butter or thereabouts and howe many Kilerkins and firkins (prohibited to be transported and for the conceal[ment] and (?) theriat) did then the said Derrick Popley and Wiliam Yeaoman or one of them, or some other by there or either of there order give unto William Willet, Phillip Dickenson and John Snow the other defendents or some other officer or minister of the said Port, And what officer any gratuities or rewards in money to the use of all or some of the said def[endente] not to discrye and publish the unlawfull shipping of the said butter, declare the p[ar]ticulars t[he]rof to the butter utmost of y[our] knowledge

5. Doe you knowe believe or have yo[u] credibly heard that the said pl[antiff] Miles Lavington being then one of his Ma[jesties] waiters or officers of the said port hearing of the said hydes corne butter and other commodities p[ro]hibited to be transported to be laden or putt aboard the shipp or a vessel riding in King Roade is for and of his Ma[jestys] half and as an officer to his Ma[jesties] and his own use arrest and seize the said kilderkins of butter or other prohibited commodities, that is to saie about the quantitie of one hundred kilderkins and six firkins of butter or some such or the like quantitie and howe many declare your knowledge.
6. Doe you know, have you heard or doe you believe that the plaintiff Miles Lavington did putt the said one hundred kilderkins and six firkins of butter or thereabouts or any other commodities seized as aforesaid into a leigeter to be carried to the cittie of Bristol, wh[ether] the said leighter arrived or came to the cittie of Bristol or was the same hindered by the de[fendant] William Yeoman or some other, was it not by or with the comanadinent & consent of the de[fendant] Derrick Popley William Willet Phillip Dickenson and John Snow or some of them, did not the said defendant or some of them and which of them come aboard the ship with swords or such like weapons in his hande, and in a fearfull manner and with many oathes threateyning to make the plaintiff Miles Lavington to take a peece thereof or hazard his life if he should offer to carrie awaie the said butter beinge one hundred kilderkins and six firkins on neere therea[bouts] by him seized; and what other threatninge speches and ill language passed at that pl[antiff] declare y[our] knowledge and belief to everie particular and the reasons thereof
7. Did not the plaintiff Miles Lavington in or about the eighth daie of januarie in the fifth yeares of his Ma[jesties] raigne cause the butter which was in the said Leighter and other commodities therein to bee brangst to a celler upon the (?) of Bristoll wh[ich] hee had afore hired of the de[fendants] nowe; whether did he cause the same commodities to bee taken out of the Leigster and putt into the cellar for his Majesties use, yea or noe, declare y[our] knowledge

Depositions:

[Folio 3]

George Moore gent and surveyor of the port of Bristol aged fiftir eight yeare or thereabouts sworne and examined

To the fourth and fifth Interr this depo[nent] saith that hee hath credibly heard that there was one hundred Kilderkins and six firkins of butter or thereabouts laden aboard and shipped in a ship then riding in Kingrode for the attempt of Derrick Popley and William Yeoman of the Defendant And doth beleve the same to bee true because hee hath heard the pl[antiff] Miles Lavington did sende the said butter on the (?) followinge next after the same was saide, which was at or aboute the tyme of the difference between the pl[antiff] learning the de[ponent] Phillip Dickenson touchinge the seizinge of butter, And saith that hee this de[ponent] was the daye before desired by the pl[antiff] to soe aboard a Shipp to assist him in the seisinge of the butter And further saith that hee doth knowe that the butter soe seized by the p[lantiff] was brought upp the eveninge of he same daie it was seized by the said pl[antiff] and one Mr William Brice to the Key of Bristoll and it was then dulle exported.

[folio 5]

Henry Jones of the Cittie of Bristol porter aged fiftie yeares and upwards sworne and examined

To the fourth and fifth Interr he saith that in the yeare when Derrick Popley one of the def[endant] deceased was sherif of the Cittie of Bristoll w[hich] was between three and foure yeares last paste (?); hee this deponent wi[th] others by order from the said de[endant] Popley and the opinion of William Yeoman and others of the def[endants] did lade into the boates nearabout the number of Kilderkins and Kilkins of butter.

William Hall of the Cittie of Bristol tunner aged fortie and upwards yeares thereabouts sworne and examined

To the forth Interr he sayth that betweene there at foure yeares last past or thereabouts hee nowe remembereth hee doth knowe there was a certane quantitie of butter out of a celler of Dirrick Popley and of the de[endant] nowe deceased to bee laden in boates or boate at the Ray of Bristoll wh[ich] butter as hee beleeveeth was carryd by the said boate to some Shipp or Shippes, but what Shipp or Shippes he knoweth not. And sente that hee this de[ponent] and help to carrye divers of [&] Kilkins of Butter out of the said cellar to be laden in the saide boates or boate, And that further that hee [&] others that carried the saide butter were sett on worke to carry the same by William Yeomans and George Bulmes servant to the def[fendent] Derrick Popley deceased and that de[endant] Yeomens [&] Bulmes or one of them paid them.

Document 6

William Noy vs. Alexander Heard (January, 1631)

Ref: E134/8&9CHAS1/HIL10

Interrogatories:

[Folio 1]

Articles and Intergutories for Examination of witnesses one the behaulfe of William Noy his ma[ies]ties Attorney generall Comp[licit?] in the Court of Excheq[uer] against Alexander Heard Defen[dant]

Ex p[ar]te grent

1. Doe you knowe the Complaynant and Defen[dant] and howe longe have you knowne him or either of them.
2. Doe you knowe or have heard of a Shipp sometimes usinge and being in the port of Bristoll and libertie thereof called the Hoope for Grace if soe then howe longe the said shippe hath frequented and traded to and from the same, and by whome hired freighted and imployed and of what burden or tonnage shee was knowne or reputed to bee declare the whole truth and what you have knowne, heard or believe therein.
3. Doe you knowe or have heard the such shipp called the Hoope for Grace betweene the first daie of Julie and the first daie of November in the yeare of our Lord God 1631 was within the libertie of the port of Bristoll in an open road called kinge roade? Howe many milles broad is the said roade betweene the welsh and English shores and howe farr distance from the Cittie of Bristoll declare yo[ur] knowledge with the reasons thereof.
4. Doe you knowe have heard or believe that any quantities of Butter, Tanned hides, Gunn Mettal, shroffe mettall or other p[ro]habited commodities were put into the said shipp called the Hoope for Grace or bound therein within the time forementioned within the libertie of the port of Bristoll, if soe, what and whose such goods weere what quantities and by whome found out and discovered thereof to be soe loaden put aboard and by whose consente or connivance declare yo[ur] knowledge with the reasons and what you have heard or believe therein.
5. Doe you knowe or have heard that one Alexander Heard (?) was owner and master of the foresaid Shipp and howe longe hee was soe knowne and reputed to bee declare the reasons of such yo[ur] knowledge and how you have knowne, heard or believe the same to bee true.
6. Doe you knowe or have heard that within the tyme aforesaid vizt. the first daie of Julie and the first daie of November 1631 One John Ham Controller of the Custome house of the port of Bristoll and miles Lavington one of his ma[ies]ties waiters of the said port together with one Robert Johnson a messenger of his highnes chamber with one Samuell Grigson the Comptrollers servant came with some difficultie and danger aboard the said ship riding in kinge roade aforesaid in the daie tyme to search for prohibited Com[m]odities Loaded and reported to have beene Loaden and put aboard the same: what goodes and merchandise found they out and discovered to bee in the said shipp, and whoe neare the owners thereof did they or any of them at that tyme

- of there beinge aforesaid serve the said ship and goodes, declare what you knowe concerninge the same or have heard and the reasons thereof.
7. Doe yo[u] knowe or have heard that the said Mr Ham and Mr Johnson after seizure of the said ship, did appoint Miles Lavington and Samuell Grigson to keepe possession of the said ship and goodes until they should prepaire to Bristol aforesaid and procure aid for reducinge and securing of the said shippe and goods in the port aforesaid or liberties therefore, howe they weere in the meane tyme (?) by the said Heard and his companie, and what the said Ham and Johnson did therein declare your knowledge and what you have heard thereof and the meanes and reasons of the same
 8. Do you know or have heard that after the departure of the said Mr Ham and Johnson. Alexander Heard aforesaid owner and [Mr.] of the said shippe siezed as aforesaid being [&] imprisoned at that tyme in Bristoll at the sute of one Derrick Popley, the said Popley and other merchants freighteres hearinge of the seizure of the said shipp was thereupon sett at libertie and in great hast that might followinge sente downe into Kings Roade with one George Bulmer a servant of the said Popley aboard the said Shipp with expresse orders and commandes to abuse [&] entreat, and carrie awaie to sea the said ship goods officers, and parties left to maintayne the possession for his Majesty declare your knowledge and what you have heard touchinge the same and the abuse then offered, and

[Folio 2]

- the manner and fashion thereof, with what weapons, evill language, or otherwise, and by whose order and appointment the same was soe done.
9. Did the said Alexander Heard the next morninge as you know or have heard verie earlie (though the winde was not good to sett saile) and before the said Mr Ham and companie could come to the releife of the said Mr. Lavington and Grigson, weight anchor, and carried away with him the said officers with the Shipp and goods and entreated them in the way, not only in harsh words, but denyinge them sustenance and succor⁸⁵ which they had nowe wanted about two daies and a night, for that the said Mr. Lavington and Grigson were benumbed in there lymes⁸⁶ and neere famished, declare your knowledge, and what you have heard, and believe therein.
 10. Howe farr did the said Heard carrie the said Mr. Lavington and Grigson by water; where did hee put them on shore, and in what manor, howe came they afterwards to Bristoll aforesaid, and howe farr distant from that cittie were they landed; howe longe weere the said officers Lavington and Grigson kept upon the said water in the said Alexander Heard's ship before they were sente on shore, and whether the butter, hides and other prohibited commodities, howe much and what were the quantities and qualities of the goodes so (landed)? declared the whole truth have you knowne have heard or believe the to bee true.
 11. Doe you know or have heard who before the abuse offered and done, the said Mr. Ham, Lavington and Grigson did abett or encourage the said Heard and his companie soe to in- and reproachfully disgrace the said Mr. Ham,

⁸⁵ Assistance or aid

⁸⁶ Most likely referring to a kind of fever

Lavington and Grigson, what letters were sente the said Heard to encourage him thereunto and by whom, who since have by letters or otherwise promised and undertaken the protection and defence of the said Alexander Heard for soe doeing and beinge questioned by proceedings in law or otherwise, declare your knowing what you have heard or believe touchinge the same.

12. Doe you knowe, have heard or believe that the merchants and mariners of other shippes then and shortly after ridinge in Kings Roade report to be loaden with prohibited goodes and commodities, did by this ill example afterwards shamefullie entreat and abuse the said Mr Ham Lavington & Grigson and others endeavoring to search for prohibited goods and commodities and to make staie thereof, declare the thruth, and what you have heard or believe therein. Justlie you shall declare and make knowne to us whatsoever matter or circumstance yo[u] knowe or have heard of concerninge the said Heards misdemenores in the said ship, within the tyme aforesaid against his Majesties laws, or the said officers with the reasone thereof

Depositions:

[Folio 3]

John Doswell of the Cittye of Bristoll marriner aged thirte yeares or thereabouts sworne and examined saith as followeth.

1. To the first Intere hee saith hee doth not knowe the (?) hath knowne the defend[ant] over since hee was intertayned to goe in a voyadge to Calles with him which is a yeare and a haulfe since or thereabouts.
2. To the second he saith that hee doeth knowe a shipp called the Hoope for Grace in the Interr mentioned and that shee doeth frequent the port of the cittie of Bristoll and was hired by Dirricke Popley of the Cittie of Bristoll marchant deceased and others whose names hee remembreth not and that the said shipp was reputed to bee ab[outs] sixe or seaven score Tonns.
3. To the third Interr he saith that hee doeth knowe the shipp called the Hoope for Grace was in the kinge road in betweene the tymes mentioned in this Interr and that it is as hee conceiveth two legues betweene the English and Welsh Shore and that the said road called kinge road is destant from the Cittie of Bristoll five milles or or neare thereabouts.
4. To the fourth Interr he saith that hee doeth knowe that there was div[er]se caskes of Butter and bundells of Tanned hydes by waie of merchandies in the said shipp called the Hoope of Grace but what quantities hee remembreth not neither the owners of the same.
5. To the fifthe Interr this deponent saith as hee conceiveth Alexander Heard in the Interr mentioned was owner of the Shipp called the Hoope of Grace and was soe reputed because hee soe affirmed himselfe to bee and paies waiges to the men of the said Shipp.
6. To the sixth Interr this Deponent saith that he was not aboard the said shipp aforesaid when the p[ar]ties menc[i]oned in this Interr entered into the shipp called the Hoope for grace but heard that one Mr Ham and another whose name he knoweth not was aboard the said shipp and at his com[m]inge aboard found Miles Lavington and one Pievegon in the said Shipp and further Saith that hee conceiveth that they came aboard to search for prohibited

commodities and as hee hath likewise heard seayed the said shipp and com[m]odities.

13. To the thirteenth Interr this deponent saith that the said Alexander Heard and others in the said Shipp called the Hoope of Grace by his direction (the said Miles Lavington and Grigson being aboard) and desiring to come on shore were not w[ith]standing kept aboard and carried awaie in the said Shipp as farr as a place called Kettles Wood where they were sett a shore in the cockboate

Henry Addames of the citty of Bristol Marriner aged twentie four (?) yeares or thereabouts sworne and examined saith as followeth.

1. To the first Interr he saith hee doth not know the Attorney General (?) and hath knowne the defendant a yeere and halfe or thereabouts
4. To the fourth Interr hee saith hee dothe knowe that there was certaine caskes of the warfh band (?) to the number of fiftie aboard the said Shipp called the Hoope of Grace but what was contained in the same hee knoweth not.
5. To the fifth interr hee saith, hee knoweth the said Shipp and that Alexander Heard was owner and master of the said Shippe for the voyage, but for how long before hee was owner or master of the same hee knoweth not
6. To the sixth Interr this deponent saith that hee knoweth that Mr. Lavington Samuell Grigeon together with two others whose names hee knoweth not came ab[oar]d the said Shipp called the Hoope of Grace, but hath heard that one was the Kings messenger and believeth hee was soe because hee had a silver scutchin⁸⁷ one his brest and conceiveth the p[ar]ties aforesaid came aboard the said ship to search for prohibited commodities and to seize the said ship
7. To the eighth Interr this dep[onen]t saith hee doth knoweth that captaine Alexander Heard in the inter mentioned and another in his companie whose name this deponent knowethe not came aboard the said Shippe the same night when Miles Lavington and Grigson were soe left to keepe possession of the same, soe that hee this deponent came upp with the boate of the said shippe from Kings Road to the pill to fetch the said Alexander Heard aboard who wished this component to make haste to the said Shippe, and furthur saith that the said Heard and this deponent came aboard the said Shippe about nyne or ten in the night and that the said Alexander Heard gave this deponent and others in the said Shippe (?) to weigh the anchor

⁸⁷ Shield shaped object

Appendix 5: Bankes Papers

Document 7

Papers relating to the illegal export of butter, 1636-7

Ref: 37896: MS. Bankes 55, (pp. 134-5)

[p. 134]

Charles [King]

Justice and well loved, wee greete y[ou] well

Wherens in the severall yeares since the beginning of y[our] reign to the fifteenth daye of September last past, divers of [our] subjects and others have engrossed and gotten into their hands, and have allsoe transported and convoyed into sundry parts beyond the sea, and have likewise put a board divers Shippes and other vessels of strangers and aliens, aswell upon the borders [and] coasts of this [our] Realm of England and Dominion of Wales, as when they are off at sea, great quantities of Barrilles, Killderkins, firkins and other vessels of salted butter, [with]out lawfull authoritie soe to do, contrary to the lawes and statute of this Realm, and in manifest contempt of sundry [our] proclamacions and other orders of our Privy Council in that behalf made declared and publicized, whereby the prices of Butter in divers parts of this Realm of England and Domain of Wales (where the same hath bene usually plentifull and cheape) have bene much enhanced to the grievances of [our] subjects, and wee have alsoe thereby bene deceived of the Customs and other duties, which should have bene paid and answered unto us, if the same had been duly collected and compounded for according the limitacon of two severall licences granted in that behalfe, for some of which offences informacions have bene exhibited into [our] Courts of Star Chamber and Exchequer in your name, Nevertheless we are credible informed, and it likewise appearith upon divers examinations taken upon oath, that the said abuses doe daylie increase, And to the end the Delinquents in the parishes maye nott any longer escape unpunished, Our pleasure is that [you] grant A Commission fitt for Royal signature; to appoint and authorize Oliver Loyde and Berrington Webb, gent, to prosecute all offenders [which] at any tyme or tymes, [with]in the tyme aforesaid, have offended in all or any of the – by engrossing or transporting or conveying Butter from any Porte, Creeks, Havens, Roads or other place upon the Coasts of this [our] Realm of England or Dominion of Wales, or being off at sea as aforesaid, And because many of the said offenders [which] are Shipmast[ers], Mariners and others whose sole employments livelihoods and dependencies are in and about sea affairs, and cannot therefore without the loss of their trade and great providice aswell of their owne affairs, as of others that employe them at sea, undergoe the charge or tyme of the due course of justice in [our] Courts. Wee off[er] gracious pleasure and Clemencie unto such of [our] subjects as shall desire the same, and for the mittigacon of such punishments, whereby the strict cause of [our] Lawes, Satutes, proclamacons and orders as aforesaid they are liable unto doe further require [you] that in the forsaid Comission your nominates [Sir] Henry Spiller and [Sir] Abraham David, Lawrence Whitacers, John Denny, Challoner Chute, Robert Long, William Watkins [&] John Dowell esquire Robert Powlett and Charles Foe, gent, thereby giving them or any three of them full power [and] authorities [with] the

approbacon of one of the Barrons of o[ur] Exchequer to compound with all or any the offend[ers] in the promises for such somes of money to be paid to o[ur] use, as they shall thinke fitt, and shalbe in some sorte anwearable to the qualities of thiere said offences, and uppon payment of the monies w[hich] shalbe soe compounded for unto the said Abraham Davis [knight] whom wee authorize and appoint receive thereof by the said Commission

[p.135]

(saving unto Doctes Chambers and Edward Brawne the full benefit of a former grant from us together which the receipt of such part of the parishes as shalbe grounded upon the penal Lawes and Common Lawes of this realme, or thereby arising by virture of the said Comission. Y[ou] are also hereby to inhable the said Commissioners or any three of them fullie to release the parties soe compounding, And if uppon payment of the monies compounded for as aforesaid any of the said offend[ers] shall desirous to have pardons or other discharges under o[ur] great seale of England of for any of the offences of the nature aforesaid, then o[ur] pleasure is that uppon certication of o[ur] said Comisioners yo[ur] Attorney General be inhabled to [a]pppeare severall pardons and discharges with power to the Lord Keeper to pass the same under o[ur] great seal, And that you alsoe insert in o[ur] said commission all such other clauses as you in your judgement finde fitting for the service, And because the said Oliver Loyde and berrington well have allreadie taken, and must hereafter take paines and case, and be at charges in the persecucon of this service, Will of o[ur] bounty are further pleased to grant unto them and their assignes one full fourth part (the whole into four parts to be devided) of all such fines Composicons or somes of money as shall any waye arise or be leavyed to our use from the offend our aforesaid by vertue of this Comission or their prosecucon by censure of any our Court wherein Doctes Chambers, Edward Brawne and Sir Abraham Dawes are to be inhabled respectively to make payment of the same according, And for doing this shalbe your warrant

1635

John Bankes

Document 8

Papers relating to the illegal export of butter, 1636-7

Ref: 37896: MS. Bankes 55, (p. 155)

To the Kings Most Excellent Ma[jesty]

The Humble petition of Lord Goring [&] [Sir] Henry Hungate [Knight]

Sheweth that y[our] petitioner have by virtue of y[our] highness Letters Pattents under the greate state of England yssued many Comissions out of the ho[norable] Court of Exchequer for discovery of abuses in the unlawfull transporting of butter out of this Kingdom, and at their greate charge and travayle have found out viry many greate offenders in that kinde in the Port of Bristol & in Wales, And that the Comissioners have byn much disgraced and hindered there by them in the execucion of the said Comissions, your highnes officers of the said Port shamefully beaten of which armes in doing their services, and soe much mony unlawfully raysted by the Delinquents uppon strangers and the Inhabitants of the said Cittie to Smother the said offences that a speedy persecucion in Law cannot be had against them. Soe as instead of reforming the said misdemeanors, the said offences have run into a excessive height, to the discourragment of all good service hereafter.

It is therefore humbly prayed that y[our] Ma[jesty] would be graciously pleased to order the examination of the said offences by some of y[our] Ma[jesties] most ho[norable] privie Councell, calling into Comissioners before them same such offenders, as they shall nominate and to certifie y[our] highness the true stake of the business, whereby there may be speedy course taken to suppress wills of soe greate a consequence

Document 9

Papers relating to the illegal export of butter, 1636-7

Ref: 37896: MS. Bankes 55, (p. 159)

May it please your lo[r]dship,

According to Lo[r]dships] directions, wee have taken into o[ur] consideration the nature of y[our] offences, complained of in the unlawfull transportation of Butter, [&] wee conceive y[our] same will be sufficiently proved against some of the transport[es] [&] likewise against some of y[our] officers, who should have hindered such unlawfull transportation, whom we find to give assistance therein. The particulars wherof wee have caused to bee expressed in two sheets of paper hereunto annexed, for y[our] Lo[r]dships] better information, wee have not heard any of y[our] parties complained of, because wee were informed ther were none of them in town, [&] if they had beene wee conceive it would have given us but little satisfaction, because wee beleeve they would hardly have confessed their faults [&] their denyall would move us but little; where wee find soe much evident proof against them. Wee humbly concieve their persons to deserve an exemplary punishment because it much concerneth your Kings service [&] yet it, being a prohibited commoditie, will be fitt that they be proceeded against in a round way, rather in y[our] Exch[quer] chamber or in y[our] Star Chamber; at y[our] Kings owne suit, as his M[ajesty] shall think fittest: But wee humbly submit to y[our] lo[r]dships] great wisdom [&] judgment
R[obert] Heath⁸⁸
Abraha[m] Dawes⁸⁹

⁸⁸ His Majesties sergeant

⁸⁹ Farmer of his Majesties customs (A Royalist, and one of the wealthiest men of his age)

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