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The British Smuggling Dilemma: 1698-1784

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Abstract:

By the late 17th century, Great Britain had a major smuggling problem, initially in illegally exported wool but later for imported teas and French brandies. The problem grew to its peak in the mid-18th century, and caused enormous financial loss to the government. This paper analyzes, among other contemporary documents, the 1767 account from Sir Stephen T. Janssen to argue that the problem was created by high taxes on teas and by earlier, politically-motivated attempts by the crown to popularize gin. Even during wartime, smuggling between Great Britain and France continued. Adept tactics, aid from local townspeople, and notorious violence from smuggling gangs all exacerbated the problem. Despite parliamentary efforts to stop it as early as the 1740s, smuggling activity was not truly curbed until 1784, when Prime Minister William Pitt the Younger lowered taxes on imported teas.

For most of the 18th century, Great Britain faced an aggressive smuggling problem. While smuggling as an issue had arisen in the previous century, it grew to its peak in the middle of the 18th century. During a time marked by tumultuous international relations, British smugglers thrived trading money and wool for tea and brandy in a massive, damaging business. The British government lost what is today millions of pounds each year to unpaid import duties. The significant economic damage from illegal trade led Parliament to convene committees twice, in 1745 and 1746, specifically for investigating causes and potential solutions. The problem, however, was not new. The British government had struggled since the late 17th century to control illegal trading activity and would continue to struggle for the next century. This paper explores the inception and proliferation of the problem and argues that the smuggling market was created by politically motivated attempts by the government to increase nationalism and was proliferated by advanced smuggling strategies, aid from local people, and violence from smuggling gangs.

Prior to the 18th century, smuggling took place mostly in the form of the illegal exportation of wool. Since wool was one of England's most profitable natural resources, it was of paramount importance to the government that it stayed in the country. E. Keble Chatterton's 1912 book *King Cutters and Smugglers: 1700-1855* is a useful starting point to understanding the entire problem. Chatterton says that wool smuggling had taken hold in Britain as early as the 13th century (12). The practice grew into the late 17th century, by which time it was widespread. The problem was formidable enough to inspire the first significant act of this period; in 1698, Parliament passed legislation that appointed ships to watch for and curb smuggling activity. The wording was specific that it was "for the better preventing the exportation of wool" (Chatterton, 15). Other measures were taken to attempt to stop the illegal wool trade. Chatterton credits the government during William III's reign with passing measures which dictated that residents of coastal areas must buy domestic, inland grown wool. It also dictated that wool producers living near the coast must provide prompt accounts for any wool produced (15-16). Despite the government's efforts, illicit trade would continue to flourish over the next century and would expand well beyond the scope of wool exportation.

As the turn of the 18th century approached, smuggling evolved. Illegal importation of silk and lace gained firm footing alongside wool exportation. The government's past years of experience attempting to curb wool smuggling failed to strengthen its abilities; it still struggled to stay abreast of the problem in the early 18th century. By 1723, more drastic intervention became necessary. To supplement the 1698 appointments, several more ships were commissioned to control smuggling (Chatterton, 17). This apparently was not enough to manage the issue; that same year, the Admiralty asked commanders and captains of the Royal Navy to

assist Customs officers in their endeavors (Chatterton, 18). The necessity of the Navy's involvement demonstrates how formidable a problem smuggling had become, and how difficult it was to curb. Unfortunately for the British government, the 1723 measures were still insufficient. Smuggling remained a problem for the next seventy years.

The smuggling market's most lucrative items changed over the first few decades of the 1700s. Import smuggling still reigned, but tea and brandy were now king instead of lace and silk. Smuggled in massive amounts, both caused severe financial damage to the government. An examination of Sir Stephen T. Janssen's account illustrates this well. While *Smuggling laid open in all its Extensive and Destructive Branches* was published in 1767, it contains the high profile reports of Parliamentary committees in 1745 and 1746. According to Samuel Wilson's testimony in the 1745 report, "for the 3 or 4 years preceding last Midsummer, there were seldom less than three million of pounds weight of tea clandestinely imported every year" (Janssen, 17). Considering the high contemporary import taxes on tea, the government must have lost significant revenue to smuggling. In addition, the majority of the tea consumed in Great Britain each year was smuggled. Richard Slater, a former smuggler, estimated before Parliament that around four million pounds weight of tea were consumed each year at the time, but only eight hundred thousand pounds weight ever paid duty (Janssen, 11). Based on Slater's estimate, the British government received only twenty percent of the expected tea revenue.

During the 1740s, a profitable market for illegal French brandy emerged, in addition to tea. The drink was in high demand, and even worse for coming from a country with which Britain was then at war. Brandy smuggling receives plenty of attention in the Parliamentary

reports. A notable testimony on the extent of its smuggling comes from Captain Joseph Cockburn, another prolific former smuggler. He recounts the scheme of five cutters involved in smuggling. Obtaining goods in Boulogne, France, and bringing them in to Kent and Sussex, he said that this group smuggled in two-thousand half anchors of brandy into the country every week. This group also smuggled in at least six tons of tea (Janssen, 80). While this is just one example, the amounts in discussion are enormous; two thousand half-anchors are equal to around ten thousand gallons. This amount of illegal brandy came into the country every single week, courtesy of only five cutters. Since there were more people than the crew of five cutters involved in smuggling, the amount of illegal goods circulating in Britain at the time must have been vast.

With enormous quantities of tea and brandy bypassing duties every year, the financial damage sustained by the government was severe. Once adjusted for inflation, the operations of just a few people illustrate this point well. They were bringing in tens of millions of monetary pounds worth of goods on which no duties were paid. Captain Cockburn again provides sound evidence. He believed that the five cutters previously mentioned ran around £151,840 worth of goods into the country each year. Adjusted for inflation, this is over £38,000,000, from just a small group. Captain Cockburn further testified that he knew another five cutters who brought tea and brandy from Middleburgh and Flushing (Vlissingen), estimating the worth of their operations at £303,680. Adjusted for inflation, it is around £76,138,000 in today's money (Janssen, 80). Just ten cutters brought in over £100,000,000 worth, in today's money, of smuggled goods every year.ⁱ Far more than ten cutters smuggled, however, and the problem plagued the country for several years. This high economic damage was therefore multiplied and repeated.

Even a single person could operate a lucrative smuggling business. Another former smuggler, Robert Hanning, ran a solo operation. He testified before Parliament about his business out of Dunkirk, and later Flushing. He admitted that while living in Dunkirk, he sold £40,000 of smuggled goods year into Great Britain (Janssen, 73). This is over £10,000,000 in today's money and comes from one person's scheme. Hanning admitted to doing this for eight to nine years, so his business alone accounted for around £340,000 of damage, or £85,245,000 adjusted for inflation. Astronomical amounts of money were bypassing taxation.

If the financial loss sustained was not vexing enough to the British government, consider that the height of this problem occurred during wartime. Two massive-scale, global wars took place during smuggling's zenith: the War of the Austrian Succession and the Seven Years' War. Both wars pitted Great Britain against France, who was a significant partner in the smuggling business. If a global war was not enough to stress a government, then its own people trading with the enemy regularly and causing financial damage in the process was. The Parliamentary smuggling committees convened in 1745 and 1746, in the middle of the War of the Austrian Succession. The 1745 Parliamentary committee report notes "that the Inhabitants in the *Isle of Man* (where no Customs are paid or Duties levied) carry on a constant Trade with *France*; even in time of War" (Janssen, 6). According to the committee reports, over 1.5 million pounds weight of French goods were being smuggled into Great Britain every year. It infuriated Parliament that France funneled goods into the country, but more frustrating was the fact that British people willingly paid for those goods with their own money. Even worse, they occasionally paid for smuggled French goods with wool (Janssen, preface).

Graver than the wounding of national pride was the potential for espionage. British smugglers spent extensive time at French ports, even during wartime. According to Robert Hanning, “the smugglers have always Admittance into the French ports, to purchase tea or other goods, particularly into Boloign (Boulogne) and Dunkirk, which are entirely freeports for carrying on this illicit trade” (Janssen, 74). The Committee reports expressed an anxiety that this frequent time spent at French ports meant that British smugglers could give the French information on the British state of affairs. Not only was the British government finance at stake, but so was national security.

Such a complex and vexing problem was not conceived overnight. The creation of a market for French brandy can be attributed, at least in part, to attempts by William III to popularize gin. After he came to power in 1688, the government took action to facilitate easier production of gin. This makes sense since gin was originally a Dutch drink and William came to power under politically tumultuous circumstances. Some still cheered the overthrown Stuart line, so it could be viewed as an attempt to garner support for William. In 1689, gin production was made available to all British people, upon payment of an excise tax (Maples, 42).

Smuggling’s appeal may seem unclear if domestically created gin was so accessible. However, at the same time the government made it easier to produce gin, it also outlawed the importation of any foreign liquor. This was later retracted to a heavy import duty. Regardless, the purpose was to limit alcoholic options for British people to ones from non-French sources. After the Glorious Revolution, relations with France were tense, so this restriction could have been an

attempt to boost nationalism. Daniel Defoe wrote in 1727 of gin production and the foreign liquor ban:

Distilling, a new Trade in England, is increased to a prodigious degree, by an accident in our Commerce, which was the Prohibition of Brandy from France; not that our drinking of Brandy and Spirits is so much increas'd: But upon the raising the price of foreign Brandy, first by an absolute prohibition, and then by a Duty of two and fifty pound per Ton upon the Importation, the dearness occasion'd the stop of the Consumption, and this encourag'd the Distilling Trade at home (89).

For anyone who disliked gin, options for spirits were slim. Foreign brandy would have been very expensive because of the high import duties. Smuggling became a more appealing option for anyone with a taste for the drink.

The government soon came to regret its decision to popularize gin. By the 1720s, gin drinking was rampant. Millions of gallons were consumed each year in London alone (Maples, 42). It was blamed for infanticide, murder, and the rise of other violent crimes in the capital (Maples, 45). William Hogarth's famous *Gin Lane* painting portrays societal concerns with the drink: it depicts London streets with crowds in a stupor, and a mother too drunk to notice her baby slipping out of her arms. To some, gin posed an immediate threat to social order. Parliament acted accordingly; in 1729 and 1736 two acts were passed designed to curb gin consumption. The first imposed an annual license fee for gin sellers and recurring tax on gin sold. The second was stricter, outlawing any gin sales without a license. From the 1729 to the 1736 act, the cost of the license increased from £20 to £50, and the duty for sales from two

shillings a gallon to twenty (Maples, 45). Now not only were foreign spirits difficult and expensive to legally obtain, so was domestic gin. With the government making legal options so narrow, smuggling made more sense than ever.

Still, this does not explain why smuggling thrived for such a long period of time. It was in full swing by the 1720s, as evidenced by the Navy's need to step in and assist Customs officers in their duties in 1723. A major decrease in activity did not occur until 1784, when William Pitt the Younger finally lowered the import tax on tea. Smuggling was able to thrive for over sixty years for many reasons.

Smugglers were difficult to catch. Their strategies allowed them to regularly escape Customs officials. Captain Joseph Cockburn testified about techniques he himself had used during his days as a smuggler. The House of Lords summarizes his words as follows in the second committee report as quoted in in Janssen's book:

He said, that the Cutters and Smacks commonly proceed to Sea from London, Dover, Rye, Folkstone, and divers other Ports, with a small Number of Hands, under Pretence of Fishing, and in the Night, they take on Board great many Men, as also Merchandise and Money, and proceed to some of the Dutch or French ports, and purchase the Goods with which they return (82).

Smugglers could, as the quote illustrates, pretend a ship they intended to use for smuggling was for fishing to deter suspicion. This was used for both leaving and returning to British ports. Upon return, they would again stay out during the day under the guise of fishing. At night, smaller craft would approach the ship and quickly unload the goods. Sometimes,

smaller craft were used for the entire task so they could be beached immediately and goods promptly unloaded. Captain Cockburn also told Parliament that if goods could not be taken inland right away, smugglers would sink brandy offshore and retrieve it when it needed to be sold (Janssen, 82). Smugglers already had firm footing for the proliferation of their craft with such techniques that allowed them to avoid detection. However, this was just the beginning. The Board of Customs' struggle with the illicit business was not just because of sly strategies; the multiple-decade endeavor persisted thanks to several other powerful factors.

Assistance from local townspeople helped smugglers evade arrest, too. Locals would warn them when arrests or seizure of goods were imminent. If their techniques failed and suspicion was aroused, smugglers could flee before arrested. Samuel Wilson testified before Parliament, "Smugglers commonly escape the Custom-House sloops, by Means of Intelligence sent from the Inhabitants of the Coast...the Generality of the People, on the Coast, are better Friends to the Smugglers, than to the Custom-House Officers" (Janssen, 16). Having entire towns in their back pockets gave smugglers a significant advantage over Customs. Even if Customs officers detected smugglers' activities despite their attempts at stealth, seizure and arrest rates were infrequent because smugglers were long gone before they could occur.

Wilson goes on later to attribute smugglers' evasion of arrest predominantly to warnings from local people. In addition, townspeople often turned a blind eye to smuggling or even took a more active role in it. Assistance from locals came in various forms: lending animals for the transport of goods, moving the goods themselves, or even hiding goods on personal properties. In Cornwall, for example, fifty-five tubs of smuggled alcohol were found hidden in a local

townspeople's well. This well was even further concealed by a haystack (Chatterton, 51). The lengths to which local townspeople went to aid smugglers' cause were extraordinary. Some were clearly willing to become much more involved than warning illegal traders of forthcoming arrests. Those who did help in such ways can be thanked, in part, for the problem's longevity. They added another advantage to smugglers' arsenal; they were not only aided by their own stealth and warnings of seizures, but also by locals who ensured goods were distributed before Customs could know what was happening.

Sometimes, however, the Board of Customs and those with connections to it did know what was happening and turned a blind eye. It was not only everyday townspeople that helped smugglers. A former clerk to the Solicitor of the Customs named Norton helped smugglers avoid arrest. Samuel Wilson's testimony implies that Norton likely used his former position as clerk to the Solicitor to gather information. He watched for when arrests or seizures were imminent and warned smugglers to disappear before they could happen. Wilson attributes Norton's help and potential corruption in the Customs with nineteen out of every twenty pounds of tea evading seizure (Janssen, 20). The odds continued to stack in smugglers' favor. They were already capable at their craft; locals helped them avoid penalization from Customs; and sometimes even parts of the Board of Customs itself aided their cause. All these factors make smuggling's "golden age" in the 18th century seem inevitable. However, two of the most significant factors still must be discussed: intimidation and violence.

Smuggling gangs had brutal reputations. To them, smuggling was a serious business and violence was acceptable to ensure its success. They were unafraid to use it against anyone who

obstructed their path, Customs officers included. Even if they were lucky enough to make a seizure or arrest, it was often stopped by violence. A report from the Commissioner of the Customs to the Lord of the Treasury in July of 1748 held in the British National Archives illustrates an instance of this. It describes a failed seizure at a port near Dover. A mate on the sloop appointed to patrol the area saw a famous smuggler in the process of unloading goods. He and his crew approached the beach, but the smugglers shot at them and attempted to physically assault them as well (“An Account of what Representations”).

An earlier incident from July of 1736 also illustrates the violence smugglers were willing to use against Customs officers. An indictment from King George II against George Fellows, also from the British National Archives, describes the occurrence near the port of Rye. Several Mariners from a sloop commissioned to patrol the area were sent on a smaller boat to inspect the shore closely. The men on the rowboat spotted another boat; there were several men on it depositing smuggled goods. They announced to the smugglers that they were Customs officers, and told them that if they surrendered peacefully, they would be treated fairly by Customs. The smugglers were unwilling to comply. According to the indictment, they “threw into the Custom house boat large bowlder Stones which exceedingly bruised and wounded the men and one of the Smugglers fired a Pistol into the boat loaded with Small shot and one of the Shot corns went through Levereau’s hat” (“An indictment from the King”). Despite this attack, the Customs officers on board the rowboat pushed forward and managed to get on the smugglers’ craft. The smugglers were determined, however, to deter them by whatever means necessary: “Three of the gang seized upon Longley and by violence threw him over board into the Sea and afterward attempted to strike him in the sea water with handspikes or long staves upon which Levereau

begged that they would forbear such barbarous usage” (“An indictment from the King”). The other Customs officers were attacked as well; a smuggler beat another officer in the head and threw rocks at him, until he was in danger of bleeding to death. The smugglers were successful in intimidating the Customs men. They gave up any seizure or arrest and retreated: “The Custom Officers on this violent opposition fired Several blunderbusses into the Vessel but being overpowered by numbers were obliged to quit and return to their own Vessel” (An indictment from the King”). Violence was not only acceptable to smugglers but was also successful at stopping arrests.

Smugglers’ brutality could halt the efforts of Customs officers who experienced it directly, but it also undoubtedly influenced others through word of mouth. Stories of these cruel attacks would have certainly reached other Customs officials not present and deterred them from attempting arrests or seizures. Smugglers would have killed the Customs men in the above examples if necessary. A reputation of cruelty furthered their cause. The problem therefore proliferated because many were afraid to even attempt to arrest them.

Victims of smugglers’ violence were not always lucky enough to escape alive. Smuggling gangs were ruthless. The Hawkhurst Gang was one of the most notorious and terrorized the counties of Kent and Sussex. In 1748, it retaliated mercilessly against two men who threatened their success. The incident began when some of their smuggled goods were seized in September of 1747. Captain William Johnson was commissioned to patrol the area off Poole. One day, he spotted one of the gang’s boats sailing and pursued it for six hours. After this pursuit, he gained access to the boat and discovered two tons of tea, several casks of brandy, and

a few bags of coffee on board. The gang members had escaped on another boat, but Captain Johnson seized the goods and stored them at the Customs House in Poole (Chatterton, 53).

The gang was unhappy and decided to reclaim its illegal goods. A group of thirty men banded together and went to the Customs House at night. They broke in without issue to the Customs House and recovered nearly all their smuggled items. Teas were loaded onto horses and when morning came, they rode out unopposed. As they left, they passed through a nearby town, Fordingbridge. A large group of residents had gathered there and witnessed them leaving. For one particular man in the crowd, Daniel Chater, witnessing them would turn out to be unfortunate. He was a shoemaker and knew one of the gang members riding by from working with him during harvest season. This gang member threw Chater a bag of tea as he rode by, which seems insignificant but later would prove fatal for him (Chatterton, 53-54).

The raid had become public knowledge and eventually a reward was issued by the King for the arrest of those involved. The gang member who had thrown the bag of tea to Chater was arrested. His name was Diamond, and local chatter in the town was that Chater knew him and had seen him ride by the night of the raid. The local Customs office learned of Chater's knowledge. It asked him to travel to Sussex with a Customs officer, William Galley, to identify Diamond. In February of 1748, the men began their journey (Chatterton, 54). On the way to identify Diamond, they stopped to rest at an inn in Rowland's Castle. The inn they chose was a frequent stop of Hawkhurst Gang members, and the landlady was familiar with them. When Chater and Galley stopped, she was suspicious of them and retrieved two of the gang members. They decided to investigate Chater and Galley, starting a conversation with them and supplying

them with alcohol until both were intoxicated. Chater and Galley eventually revealed the purpose of their journey. The gang members let them go to bed drunk, but the peace would be short-lived.

A short time after, those two gang members woke Chater and Galley. They whipped both men and dragged them out of the inn. Once outside, Chater and Galley were forced onto one horse. It was set off on a fifteen-mile journey, the gang members whipping Chater and Galley the entire way (Chatterton, 55). They finally stopped for rest at an inn in Rake, at which point they believed Galley to be dead. Outside the inn, they dug a hole for his body and entombed him there. Their assumptions about his death were incorrect, so Galley had suffered being buried alive (Chatterton, 56). Meanwhile, Chater was tied up in a nearby barn. He had been beaten intermittently over the course of several days while the men decided how he would die. They settled upon cutting his face, dragging him to a well, and pushing him down it. This death was not quick enough for the gang members, however. Rocks followed soon after Chater down the well to ensure a faster death (Chatterton, 57).

While the Hawkhurst Gang example is extreme, it demonstrates that no length was too extreme for smugglers to protect their business. They were willing to do whatever was necessary, even if that meant torturing and murdering a witness. Such draconian measures contributed to their brutal reputation and inspired fear in others. Challenging the authority of smuggling gangs was a dangerous, and sometimes deadly endeavor. They were comfortable using violence against Customs officers and normal citizens who were perceived threats. Customs officers were afraid to make arrests and everyday citizens feared testifying or otherwise exposing the schemes of smugglers. If they did, their lives were in danger.

Fortunately for the British government, the problem was not without a resolution. Smuggling's decline finally came in 1784, when Parliament passed the Commutation Act under William Pitt the Younger. It reduced the duty on tea from 119% to 12.5%. The act is viewed by many as ending the smuggling practice (Cheung and Mui, 464). This is not to say it never occurred again, but smuggling's "golden era" had finally come to an end.

Smugglers truly had nearly every possible advantage. All bases were covered in ensuring their practice could live on. If their own techniques did not sustain them, help from local people did. Arrests and seizures were infrequent because local townspeople warned them in advance. Even if one was attempted, violence from the smugglers was typically enough to stop it. This spread fear to other Customs officers. Even if arrests were made, violent retaliation measures like those of the Hawkhurst Gang likely meant witnesses were afraid to testify. When the British government took measures to heavily tax foreign liquor under William III, it surely did not envision the creation of a nearly seven-decade smuggling problem. Unfortunately for them, these actions in combination with all the smugglers' advantages formed a perfect storm that created the frustrating, financially damaging "golden age" of smuggling for most of the 18th century.

Notes

ⁱ All inflation estimates were made using the Bank of England's online inflation calculator, found at <https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>.

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