

ART. I.—*Whitehaven Port Records and the Forty-Five.*
By RUPERT C. JARVIS.

IT is a curious fact that whilst almost every other hole and corner, nook and cranny, has been ransacked by the ardent researchers into the history of "the forty-five," in a search for some odd reference or other, direct or indirect, to that last of the Jacobite risings, one field in particular seems to have been almost completely neglected. I refer to the records of the contemporary revenue officers—the only effective local officials of the central government—and in particular, to the records in the Custom Houses in the various ports.* These records often contain a continuous run of instructions from the government of the day, and also a set of reports from the local officials on local occurrences, addressed to the Board of Commissioners. In the Scottish ports, as might be expected, there is often a break at the time of the "forty-five" but in some of the English ports the records are continuous. I propose therefore to recount the story from the Whitehaven books, the bi-centenary of the event providing a suitable opportunity to rescue them from a couple of centuries of oblivion. The archives are in the custody of the Honourable the Commissioners of Customs and Excise,† to whom I am indebted for facilities and authority to make the following extracts. Although the details now published do not involve in any way any amendment to the general outline of the story as hitherto known and understood, they do, I think, furnish a number of interesting local details hitherto unknown, and provide

* A notable exception is *A List of Persons Concerned in the Rebellion, 1745/6*, issued by the Scottish History Society. *Publications viii* (1890).

† See *Report of the Royal Commission on Public Records, App. II, ii* (1914), pp. 240 (iv) and 245. For details of the records cited see note at end of this paper.

additional information with regard to the rising as it played itself out in the north-western counties generally, and in Cumberland and Westmorland in particular.

The Collector of Customs at Whitehaven at the time of the "forty-five" was Joseph Burrow who had been appointed in 1738 in the place of Ferdinand Latus, who had died in harness,* and his Comptroller was George Hall, who appears to have taken over from Charles Shaw in 1743.† Even before the actual outbreak the government in London were of course well aware that there had been a certain amount of recruiting going on in Scotland on behalf of the Scots Regiments in the French service.‡ It might be expected therefore that many of these men—and those also in the service of the States General—would, as soon as they hear of the rising at home, desert their units abroad, and make their way either to Scotland direct, or else to some northern English port, to cross the border and join the muster of the risen clans. As soon therefore as the news of Charles Edward's landing in the West was known as a fact in London the Commissioners of Customs instructed the Collectors in charge of the several ports, to give it in strict charge to the Searcher§ & other proper officers at your Port, that upon the Arrival of any Ship or Vessel there going or coming out either outward or homeward bound, they carefully examine all Passengers on board & give you Notice thereof, & you are to send [the Commissioners] an Account from time to time of all such Passengers, describing as far as in your Powers their Names, Stature, County, Complexion, Occupation &c.||

At the beginning of August, Charles Edward had been in a position to threaten Scotland. At the end of the

* *Calendar of Treasury Books and Papers*, 1735-38, p. 631.

† Chamberlayne's *Magnæ Britannicæ Notitia* shows Charles Shan (? Charles Shaw) as remaining in office as Comptroller at least until 1748. The letter books of the period however bear as Collector's and Comptroller's initials the letters "J.B." and "G.H."

‡ *State Papers, Scotland: ii series*: Bundle 25: Nos. 14, 24 and 36.

§ The Searcher was one of the three principal officers at a port.

|| *Letter Books*, 10th August, 1745.

following month, after the defeat of Cope at Prestonpans (21st September), he was in a position to threaten England. A further letter was therefore addressed to ports stating that there was

great reason to suspect That Persons disaffected to his Majesty's person & Government are at this time carrying on seditious and Traitorous Design in several Parts of this Kingdom.*

The Commissioners therefore called upon the revenue officers "in a particular manner" to exert themselves and "to use their utmost care and diligence in detecting the same," and in

transmitting from time to time the earliest notice of what may come to your Knowledge on the occasion—wherein they Doubt not of your ready Compliance, it being the Duty of every good Subject so to do, but more especially incumbent on those who are employ'd in his Majesty's Service.†

On the 2nd October, Joseph Burrow, the Collector at Whitehaven, replied to the Board of Commissioners, apparently on behalf of his staff at Whitehaven, declaring their support of the present establishment, but not disguising their concern at the very serious turn events had taken.

Honble.

We receiv'd your Directions of the 26th Ultio. to exert ourselves in a particular manner to find out any persons that at this time are carrying on or Contriving any Seditious & Traiteros Designs in these Parts against the Government And We humbly assure your Honrs. That We will use our utmost Care & Diligence therein & that by writing We have likewise exhorted all the Officers within this Port to do the same On the news of Sr. Jno. Cope's defeat & there being no Soldjers here, the Inhabitants met & form'd themselves into Ten Companies of Fifty Men each, for the preservation of the Town, by quelling any disturbances therein & preventing any small party of the Rebels from approaching it; and We and several other Officers now bear Arms & do duty by turns with the Inhabitants.‡

* *Ibid.*, 26th September, 1745.

† *Ibid.*, same date.

‡ *Ibid.*, 2nd Oct., 1745.

On the 15th of November Carlisle fell—town and castle—and the situation seemed most critical. The Collector was personally responsible for the money in the King's Chest, and was personally answerable for it until it was actually lodged in the hands of the Receiver-General. In order therefore to avoid its falling into the Jacobites' hands, and he personally being liable for the deficit, he hurried with what public money he had, across to Newcastle, and from there reported to London that

on the approach of the Rebels to Cumberland I put all the King's Books & Papers that I thought material into Boxes and sent them on board a Vessel to the Isleman, and the Money & Bonds I brought with me hither under a Guard.*

This letter from Newcastle was dated the 14th November, and Joseph Burrow was not able to return to his duty at Whitehaven until the 27th.† “For the present,” he said, “I dare not return to my Duty The Rebels being between Wthaven & this Place.” [Newcastle].‡ They “had made great enquiry after him in this country” it was reported from Whitehaven.§

He had no sooner returned to duty at Whitehaven however, than he received further instructions with regard to the deserters and others from abroad who designed “to pass into this Kingdom in order to join the Rebels in the North Part of England.” The Secretary of the Treasury transmitted a letter from the Duke of Newcastle (the Secretary of State) to the Commissioners of Customs in England and Scotland|| signifying that

to the Scotch Regiments in the Service of the States General have largely deserted and continue to desert in Considerable Numbers and there being a reason to apprehend that many of them have

* *Ibid.*, 14th Nov., 1745.

† *Ibid.*, 30th Nov., 1745.

‡ *Ibid.*, 14th Nov., 1745.

§ *Ibid.*, 30th Nov., 1745.

Intelligence has been received that the Private Soldjers belonging || *Cal. Treas. Bks. and Pp.*, 1742-45, pp. 733 and 734 (25th and 26th Nov.).

deserted with a design to pass into this Kingdom in order to join the Rebels in the North Part of England . . . his Majesty's Pleasure is that Direction be sent to the officers in the several Ports to stop & search all such Soldjers as shall arrive from Holland whether they have Passes and Discharges from their respective Regiments to which they may have belonged in the Dutch Service or not.*

These men were to be detained in safe custody and the facts reported to London. But it was soon apparent that not only were the Scots deserters from the French and Dutch regiments a danger coming "over to England charged with treasonable letters," but "every particular person on board ships arriving" was a potential danger. The Secretary of State therefore directed the Treasury to issue the necessary instructions to the Custom officers in the several ports to examine such persons, "and if they cannot give a satisfactory account of themselves they are to carry them before the next Justice of the Peace, that by his warrant they may be secured, together with their Papers."† The necessary directions were given to the Commissioners‡ who instructed the ports accordingly.§

It is interesting to note that as regards the Scottish Board's transmission of the instruction to the ports, the Board's Minutes read that the instructions were to be given to "the officers of the several Ports *the Rebels are not in Possession of.*"|| Although Whitehaven could not exactly call itself "possessed" by the rebels, it felt it was not very far from it. Joseph Burrow, the Collector, on his return from Newcastle reported to the Board of Commissioners in London that,

The Rebels having left a Garrison in Carlisle & there being several Virg[ini]a ships in this Harbour now ready for Discharge makes us very Fearful of a Party of them coming here for the Duties, for

* *Ibid.* and *Letter Books*: 26th Nov., 1745.

† *Cal. Treas. Bks. and Pp.*, 1742-45, 736. (2nd Dec.).

‡ *Ibid.*, 737-8.

§ *Letter Books*: 4th Dec., 1745.

|| *Scottish Board Minutes*: vol. vii, ff. 67-8 (10th Dec., 1745).

we have neith^r Sobjers or at present any Town Guard. The Cannon & Small Arms being all shipp'd off to prevent falling into their Hands. Several have deserted since they pass'd Penrith & are daily returning thro this Country towards Scotland.*

This was on the 30th November—St Andrew's Day—The Jacobite force was already as far south as Manchester. Incidentally, the reference to the several ships from Virginia in Whitehaven ready to discharge the tobacco and pay the duty is interesting in view of the congestion in the port at the time.†

On the 4th December the Collector added a post-script to a report he had written to the Board (on the subject of detained ships) saying,

We are well informed that the Rebell Governor of Carlisle said privately that as soon as he cou'd spare Men he wou'd send a Detachment hith^r for the Publick Money, & being oblig'd to keep the Custom ho open, some of the Merch^{ts} insisting on workg, puts us notwithstanding our precautions in great fear of a Surprise.*

* *Letter Books*, 30th Nov., 1745.

† By 1745 the tobacco trade in Whitehaven was considerable both by way of importation from the Plantations and re-export, Whitehaven being deemed for tobacco "the 3rd, if not the 2nd Port in the Kingdom." (*Letter Book*, 4th Oct., 1745, cf. also 3rd August, 1744). The considerable volume of Plantation trade is evidenced chiefly by the entries relating to the discrepancies between the Virginia manifest quantities and the Whitehaven "out-turn" accounts, and in the various accounts of wreck. As regards re-exportation, even in the time of war with France licences were frequently granted authorising shipments of tobacco from Whitehaven to France, the vessel being placed under bond not to convey any passengers on the return voyage. It sometimes occurred that the arrival together of a number of vessels from Virginia caused congestion in the port of Whitehaven. For instance, the Collector stated in a report in 1745 that on the evening of the 19th October "the *Vernon* from this Port arrived from Virginia, and the tides being low, she run aground in the Mouth of the Harbour. In less than half an hour after, the *Brothers* from Virginia arrived and fetched within her, which the *Brothers* Crew perceiving, they left work and the ship, and run to hide themselves from pressing, so that she backed astern, turned her bowsprit against the *Vernon*, and beat very hard without her The next night arrived the *Richmond*, *Olive*, *Happy*, and *Bayton*, all from Virginia, and the above two Ships, being in their way and wanting water, they could none of them get into safety, and the last, to avoid running foul of them, was put to the Northward of the Harbour near the Sugar House Bulwark where she lay in great Danger . . ." (*Letter Books*, 26th Oct., 1745).

‡ *Letter Books*, 4th Dec., 1745. As regards such depredations from Carlisle see *Lonsdale MSS.* (*Hist. MSS. Com.* 13th R. *App.* vii), p. 126.

Although then they were "oblig'd to keep the Custom ho open" there were certain official duties they could not perform, for George Hall the Comptroller had perforce to excuse himself from rendering his various abstracts, accounts and returns for the month of November, for he was rendered incapable of preparing and forwarding them, "the Kings Books & Papers being all on board a vessel now lying in the Isleman."*

But apart altogether from the matter of the custody of the official records, bonds, and other securities, there was the matter of securing the actual cash, of which the Jacobites stood in such serious need. On the government side the matter of the subsistence of the troops had exercised the mind of General Cope, the Commander-in-Chief in Scotland.† It might be anticipated that bills of exchange on London would be difficult to buy as no one locally would, in time of civil disturbance, care to hold the specie.

The matter of how exactly the Collectors of Customs in the Outports could best remit cash to London was a difficult problem even in normal times. The ordinary method was to buy a bill of exchange on London from some local merchant or man of substance. But often the bills were not to be had. In the previous June for instance the Collector reports he is still unable to procure any bill in the neighbourhood. He finds however that bills on London could be obtained in Manchester, and therefore he intends to go thence and carry the money with him "with a Guard." It had, as a matter of fact, been the practice to send the official bags from Whitehaven to Kendal by carrier, where they were handed over to the driver of the London waggon, one Wilson by name, on his written undertaking to pay them in to the Collector's account in London. An impression of the seal used, and

* *Ibid.*, 30th Nov., 1745.

† *S.P. Scot. ii series*, Bun. 25, No. 77.

an account of the weight of the bag, was taken in the carrier's presence at Kendal, and sent to the Receiver-General in London. The London waggon took about fifteen days to reach London, where it arrived at the Castle Inn, Wood Street. Here the Receiver-General was requested to send his "bill-man" (or armed beadle) at "about four in the afternoon" on the day advertised for arrival. The Collector's advise refers to "one hundred broad pieces of gold called Caroluss in a bag or Purse seal'd," the coins weighing 28 ozs. 7 dwts., 3 grns., which at £4. 1s. per ounce gives £114. 16s. 9d. value.*

But to return after this digression to the matter of what could be done to secure the safety of the cash during the course of the rising, it might be anticipated that the troops, operating at a distance from the capital would need actual cash to subsist them. Obviously the civil arm should hand their cash over to the forces and take bills from the Paymaster-General in exchange.† When later the Rising looked like involving England also, the scheme availed of in Scotland by Cope was extended to the northern parts of England for Wade and Cumberland. The Treasury gave authority to the Commissioners of Customs to supply the forces "with all such public money as they have in their hands."‡ The Board therefore directed the Collectors of the northern ports to

Supply the Commander-in-Chief of his Majesty's Forces there, or Mr. Abbott, the Deputy Paymaster of the said Forces for the use thereof, with all such sums of money as they or any of them have in their hands of publick Revenues, take Bills from the said Commander-in-Chief or Mr. Abbott, for the sum that shall be so supplied.§

But shortly after this, considerable inconvenience was being experienced at Newcastle, by reason of the dearth of

* *Letter Books*, 1st June, 1745, 24th Jan., 1732[3] and 28th Nov., 1733.

† S.P. Scot ii series Bun. 25 No. 67.

‡ *Cal. Treas. Bks. and Pp.*, 1742-45, p. 717 (26th Sept., 1745).

§ *Letter Books*, 26th Sept., 1745.

specie. For Newcastle had been called upon not only to furnish money on account of the troops quartered at Newcastle itself, but also to furnish it in respect of the garrison at Berwick, and in addition, to ship further quantities together with military stores, etc. to subsist the troops under the Earl of Loudoun now being raised in Inverness. These contingencies resulted in a very grave dearth of money in Newcastle so much so in fact as to interrupt the transaction of ordinary business. The Mayor was "apprehensive of a want of current cash to answer the necessary demands of the workmen in the several manufactures in their parts." My lords of the Treasury expressed themselves "greatly concerned," especially as "Mr. Abbott the Deputy Paymaster carried a considerable sum in specie with him." My Lords were "the more uneasy at the hearing it since this misfortune has arisen from their goodwill to the public service." Arrangements however would be made—this was in the middle of October—with the Receiver-General and the Collectors of Customs "of the several Counties the Troops shall march through."*

In the meantime some of the ships from Virginia had paid up their duties at Whitehaven, and on the 14th November, Burrow was able to report that he had travelled from Whitehaven to Newcastle with no less than £2100 "under a Guard."

By direction of Marshal Wade I have paid the [money] to Mr. Abbott amounting to £2100 and have taken his bill for the same on Mr. Winnington, Paymaster-Genl of the Forces^{wh} I have forwarded fm hence to ye Receiver-Gen of ye Customs.†

Wade's failure to relieve Carlisle was of course serious at the time, but by the middle of December the situation from the government's point of view had considerably improved. It is true that the retreat from Derby would

* *Cal. Treas. Bks. and Pp.*, 1742-45, p. 723. (15th Oct.).

† *Letter Books*, 14th Nov., 1745.

bring the clans twice through Cumberland and Westmorland, but this time the Duke would be at their heels. It was in this changed situation then that the Treasury directed, as regards certain of the public money, that there would no longer be any need to hold it to the order of Paymaster of the Forces "as in all probability there will not for the future be any demand for money for the service of the said troops."*

Although this instruction of the Lords of the Treasury, dated the 24th December, may reflect accurately enough the general situation, the position in the north-west was exceptional. The Collector and the Comptroller of Whitehaven in making up their quarterly accounts to December 25th—they had by now recovered their books from the Isle of Man—explained to the Board that they were sending "the Ballance due to the Crown" as at the Christmas quarter day, together with whatever had been received in the last few days of the month, to the Duke of Cumberland's army before Carlisle "for his Royal Highness Service." The Collector had returned from Newcastle, and the Comptroller "fm escorting the heavy Cannon fm hence to his Royal Highness Camp before Carlisle."† The Comptroller had recently attended "his Highness the Duke at Blackhall with Stores."‡ and there was a postscript to a letter written on Christmas Day which said that "since last Saturday at Noon [the 21st.] we have been busy in forwarding Cannon, Powder, Ball etc. to ye Army before Carlisle, and have now receiv'd Orders to send all ye large Cannon and what Powder and Ball can be met with or found in the Town."§ On the more civil side the arrears of abstracts of duties received, schedules of bonds awaiting maturity and held in the King's Chest, list of bonds "due and in the Process,"

* *Cal. Treas. Bks. and Pp.*, 1742-45, p. 743 (24th Dec.).

† *Letter Books*, 1st Jan., 1745[6].

‡ *Ibid.*, 25th Dec., 1745.

§ *Ibid.*, Same date.

account of bonds "reduc'd into Money," schedules of seizures of goods and of goods condemned before the magistrates, and similar returns of a routine nature, could now all be prepared and rendered, and things were beginning to return to normal.

So far as the customs revenue was concerned—as distinct from certain other public funds, e.g. the land tax—it was still found necessary, even after the last of the Jacobites had recrossed the Border—or suffered capture at Carlisle—to subsist the troops on money from Customs sources. As late as the 11th February a letter was addressed by the Board to certain northern ports, including Whitehaven, to the effect

That the sev^l Collectors of ye Customs in ye Northern Ports of England are to pay out of Publick Moneys in their hands such sums of Money for the Service of his Majesty's Forces in the North as shall be required of them by the Person or Persons authorised for that Purpose by the Paymast^r Gen^l of his Majesty's Forces, and will discharge such Bills as shall be drawn upon him for such Sums by the Persons so authorized by him You are to take particular care that all due Regards be had and Obedience paid to the above Direction of ye Lords of ye Treasury, & acquaint us fm Time to Time with Particular Sums you shall advance on this Account.*

Some quite interesting side-lights may be obtained by a glance at even the routine duties falling to be performed by the revenue officers of the day. As an example of this we might take what we should now call export control, shipping control, and the trading with the enemy technique. It was obviously most desirable from the government's point of view that powder, or even food and other articles, should not be allowed to be shipped from England to Scottish ports, or that Scottish or even English ships should not be permitted to clear (i.e. depart) for Scottish ports, or even to Irish ports from whence it would be possible for them to clear direct

* *Ibid.*, 11th Feb., 1745[6].

for Scotland. It was on this account therefore that the Commissioners of Customs, fully alive to the situation, sought authority from the Lords of the Treasury to "control" (as we should say in our modern jargon) the arrival of ships from Scotland.* My Lords authorised the Commissioners to place under detention the vessels they had already listed, and to stop and examine all ships whose "cocquets" (i.e. clearance papers) showed they had arrived from, or were outward bound to, any port in Scotland.† A letter therefore came down to Whitehaven dated the 10th October, directing the Collector

to give orders to the proper officers of your Port for stopping and examining all ships coming from or going to Scotland untill you have given the Comm^{rs} an Account thereof, with a particular of their Ladings.‡

As might be expected, the first vessels that arrived from Scotland within the limits of the port of Whitehaven were all regular colliers to and from certain of the lowland ports. On being informed that they could not be allowed to load for Scottish ports, the respective masters blandly informed the customs officers that they would proceed in those circumstances to Ireland. The Collector reported the facts to the Board.

Honble.

We receiv'd your Directions of the 10th In Obedience to which We immediately communicated the same to the Tide surveyors & other officers of the Waterguard here, and at other Harbours at this Port strictly enjoining them duly to observe the same: Since which the *Warrington* of [the port of] Wigtoun, Robert Crosbie [master]; The *Two Brothers* of Port Patrick, Oughty Cash, [master]: The *Nathan & William* of Do., Nathl Whithers [master]: are arrived at Ellenfoot within this District §

* *Cal. Treas. Bks. and Pp.*, 1742-45, p. 719 (3rd Oct.).

† *Ibid.*, 721 (8th Oct.).

‡ *Letter Books*, 10th Oct., 1745.

§ The port of Whitehaven as laid out in the Exchequer Commission, 33 Car. II (24th Oct., 1681), embraced the coast "from mid-stream of the River Dudden South-East to ten fathoms water seawards all along the Coast to the North-East side of the River Alne alias Elne."

from Kirkudbright in Ballast, and no Passenger. They came for Coals from Scotland, having followed that Trade, but being informed by the officer they wou'd not be permitted to sail; when the mast^s came hither they all entered* coals for Ireland. We told them they cou'd not be clear'd† till We receive Directions therein.‡

Whitehaven received a reply from the Secretary to the Board, "In the Absence of the Commrs" to the effect that the ships were not to be permitted to clear for either Scotland or Ireland "till further order fm the Board." Incidentally, there was a post-script. "I shall be glad to know by the return of the Post if these Ships brought any and what Despatches.§ When any Ships or Vessels arrive for the Future at your Port fm Scotland, Pray omitt not to send us Copies of ye Coquets|| and other Clearances they may bring."¶ Here the poor Secretary to the Board ("In the Absence of the Commrs.") was leaving the Board's wicket clean open, for if, as Whitehaven had said, the Vessels had arrived *in ballast*, i.e. empty, they could not produce any despatches to show the details of the cargo carried. Whitehaven's reply therefore was rather more curt than the usual run of letters to the Board. The Collector replied absolutely "by return of the Post."

In answer to your of the 29th ulto, none of the Ships herein mentioned brought any Despatches, they came in ballast, as we acquainted the Board in our of the 23rd said month.**

It is interesting to note with regard to the delay to shipping necessarily occasioned by the observation of

Ellenfoot was therefore described as "a creek within the limits of Whitehaven" (and the description continues, "with a flourishing export coal trade to Ireland and the Islemen.") (For the Act for "repairing, enlarging & preserving the harbour at Maryport," see 22 Geo. II, cap. 6).

* i.e. declared.

† i.e. be permitted to depart.

‡ *Letter Books*, 23rd Oct., 1745.

§ i.e. documents showing details of cargo carried.

|| i.e. certificates, attested by the customs, as to the cargo cleared.

¶ *Letter Book*, 29th Oct., 1745.

** *Ibid.*, 2nd Nov., 1745.

these orders, that it was directed on the 8th October that no arms or military stores on board any ship was to be permitted to go to any port in Great Britain without a specific order from the Commissioners of Customs.* But a couple of weeks later the Board wrote to the Collector at Whitehaven,

The Board of Ordnance, having by their Secretary's Letter of the 25th [Oct] desired that Directions may be given to the officers where such Vessels are laden with Iron Ordnance, Round Shott, Trucks, &c consign'd to the respective Storekeepers belonging to the Office of the Ordnance at Woolwich from the Foundry of Mr. Rich'd Ford at Giezdale near Kendal may be detain'd as little as possible. I am directed to acquaint you and all other officers at your Port are to take the necessary Care accordingly.†

But to return to vessels arriving, a further vessel had reported in the meantime, the *Agness*, Andrew Colhoun master, at Workington from Dumfries with timber. It was detained accordingly.‡ The timber was allowed to be landed, but the ship not permitted "to return to any Port in Scotland till further Orders."‡ By the beginning of December still further vessels had arrived, namely the *Endeavour* of Lancaster (James Alderan master), with corn from Dumfries, for discharge at Whitehaven and to proceed thence to Lancaster. Of this vessel more anon; and another ship, likewise named the *Endeavour* (— Drape, master), with iron from Dumfries, for discharge at Whitehaven, and thence to Carlisle.* At the same time as reporting these to the Board, the Collector had a serious breach to report. The three other vessels that had arrived in the port from Scotland had, as we have seen, loaded coal and requested clearance for Ireland. They were detained, but

* *Cal. Treas. Bks. and Pp.*, 1742-45, p. 721 (8th Oct.).

† *Letter Books*, 26th Oct., 1745.

‡ *Ibid.*, 2nd Nov., 1745.

§ *Ibid.*, 9th Nov., 1745.

|| *Ibid.*, 4th Dec., 1745.

'finding they Could not be permitted to clear out[wards] till We receiv'd your Hon^{rs} Leave for so doing, after waiting for some time for the same, they all stole away with their Vessels in the Night without Despatches, and We hear they are got to Ireland,*

or as he said rather more vaguely a day or two later, " to Ireland, Isleman, or the English Coast, for We cannot hear that any of them return'd to Scotland."† On the 7th December the *Bee* of Whitehaven (Thomas Dawson, master), arrived from Dumfries with corn,‡ which she discharged, but was stopped from returning to Scotland,§ and later the *Thomas* (William McCoomb, master), which was likewise placed under stop.||

To revert to the vessel *Endeavour* of Lancaster (James Alderan, master) which arrived from Dumfries at the beginning of December with corn, it will be recalled that the master declared that after discharging at Whitehaven it was his intention to sail for Lancaster. In the new year however he arrived again at Whitehaven—and what is more, *from a Scottish port again*. The local " control " of shipping does not seem to have been very effective then. The Collector at Whitehaven reported to the Board as follows,

Honble,

On the 4th. Ulto We acquainted your Hon^{rs} of the Arrival of the Endeavour of Lancaster Jas. Alderan [master] fm Dumfries with Corn, and of his intention when discharg'd to go to Lancaster where he belongs, but instead thereof he took in Deals & Lime-stone for Carlisle, and is now again come in with Corn from Scotland as you will perceive from Copy of his Despatches inclos'd, we blame him for this, having caution'd him on no pretence to go back hith^r. He alledges that being in the River at Bowness that parts the two Kingdoms the Scotch Merch^{ts} having their Corn ready and being fearful of having it taken fm them by the Rebels, prevailed with him to go in to Scotland to Seafield the North side

* *Ibid.*, Same date.

† *Ibid.*, 6th Dec., 1745.

‡ *Ibid.*, 13th Dec., 1745.

§ *Ibid.*, 24th Dec., 1745.

|| *Ibid.*, 1st Jan. 1745[6].

of the River & Port of Dumfries* to take it in & bring it to Whitehaven.†

The *Endeavour* of Lancaster was again placed under detention, and this time remained detained at least for five or six weeks,‡ but the remaining vessels in the port, except the *Thomas* (William McCoomb, master) “finding that they could not be permitted to clear out [wards] for Scotland, sail’d hence in the Night Time for Carlisle.”§ That is to say, “control” completely broke down.

The failure to interrupt entirely the traffic between the north-western ports and Scotland had some interesting little repercussions. For instance, the Surveyor-General|| at Dumfries wrote to the Collector at Whitehaven craving his assistance in the matter of coals for his own purely personal wants. Anxious to oblige his Scottish colleague, Joseph Burrow wrote to the Board as follows,

Honble,

The Collector has receiv’d from Mr. Craik, survey^r of the Customs in the Port of Dumfries That by the Disturbances there on account of the Rebels he was hinder’d of lying in his winter Coals fm hence & that when they enter’d that part of the Country in Nov^r last he had not 5 Bushels left & that having been since hinder’d fm getting any Coals by a Stop put on all Vessels going from this Port hith^r & having no Peat or Turff his Family now is under great Distress for want of Fuel & therefore desires to know if he send his Gabbart¶ to this place for 5 or 6 Chaldr** wheth^r she may

* The Port of Dumfries as laid out by the Exchequer Commission of 9 Anne, (26th July, 1710) embraced the creek of Seafield.

† *Letter Books*, 11th Jany., 1745[6].

‡ *Ibid.*, 19th Feby., 1745[6].

§ *Ibid.*, Same date.

|| The Collector’s report says “Surveyor,” but William Craik was Surveyor-General there. In point of fact he was appointed by a warrant dated the 14th June, 1733 (*vice* Duncan Lamont, deceased) and appears to have continued to fill the post that is, unless he was succeeded at some time by someone of the same name, for no less than 65 years, that is, until his death on 25th Feb., 1798 (*North Britain, Customs: Estab. Books*). In 1798 he was struck off the establishment without a successor, and without his vacancy being reported (*Minutes Scottish Board*, vol. 30, f. 4).

¶ i.e. a sailing barge.

** 12 Anne stat. 2 cap. xvii. sec 9 directed that all water-borne coal was to be

be permitted to clear with them under proper Security, That the Rebels are now so far North* & the King's Forces betwixt them and Dumfries & the Passes all carefully guarded, that 'tis not possible in any wise they can reap any advantage by such permission.

We humbly pray your Directions herein.†

To this petition the Board of Commissioners made prompt reply,

Gentlemen,

Sr Jas Johnston‡ member for Dumfries, Kirkcudbright & Annan, having made application for sending Coals from your Port for the use of the Inhabitants of these Places . . . and having read your Letter of the 26th. Ult^o representing that Mr. Craik, Gen^l Survey^r of the Customs at Dumfries desiring Leave to send Vessels to load 5 or 6 Chald. Coal for the use of his Family, I am directed to acquaint you That you may permitt Coals to be shipp'd and carried to Dumfries, Kirkcudbright & Annan up on the Vessels being reglarly clear'd out[wards]§ & Security given that they shall proceed & deliver their Coals at no oth^r places.||

From a later report of vessels departing with cargo we find the record:—

The Charles, Jn^o Craik master, clear'd out for Dumfries on ye 15th [March] with 3 chaldron Coals & gave Bond in the penalty of 3l to Discharge them eith^r at Dumfries or Kirkcudbright.¶

But by now—after the ambiguous Battle of Falkirk—the Duke of Cumberland had raised the siege of Stirling,

measured in terms of chalder or chaldrons each of 36 "Winchester" bushels, the "Winchester" bushel being one bushel and one quart. The Collector stated to the Board in 1731 that the local method of accounting coals exported was for the proprietors of the pits to sell their coals to the shipmasters at a stated price per ton. Eight sacks go to the ton, and each sack holds 3 "Winchester" bushels "streaked." All coal ships are "gauged" (or measured) by the Customs, and their dimensions recorded. The men who carry the coals from the pits to the ships are the makers of the sacks, and therefore it is in their own interest that the measure is not exceeded. (*Letter Books*, 15th Sept., 1731).

* At about this time the main force of the Jacobites was at Inverness, and Cumberland was at about Aberdeen.

† *Letter Books*, 26th Feb., 1745[6].

‡ Sir James Johnstone of Westerhall, Provost of Lochmaben, 3rd baronet (1697-1772), M.P. for Dumfries Burghs, 1743-54.

§ To "clear outwards" is to proceed regularly with authorising papers.

|| *Letter Books*, 4th March, 1745[6].

¶ *Ibid.*, 19th March, 1745[6].

had advanced and established himself as far north as Aberdeen, and was preparing to cross the Spey.* It was within a few days therefore of furnishing the above report that the Collector of Whitehaven received the instruction from the Lords Commissioners of the Treasury directing "that all ships laden with provisions and merchandise (Army and Military Stores excepted) be permitted to proceed to the Port of Aberdeen or any Port Southward of that Town; and also to the Ports of Glasgow, Greenock, Campbeltown, Air, Irvine, and all Ports to the Southward thereof . . ."† provided bond or other security were given, and the goods and the ship duly attested at the proper Custom House.

One might think that so far as the port of Whitehaven was concerned the "forty-five" was over. But the rising left a legacy to the revenue officers in the ports and creeks of the north-western counties, that seems to have been completely overlooked by the historians of the period. Notwithstanding that the scenes of most of the stories of mid-eighteenth century smuggling are laid in the south coast creeks and coves facing France, it is well known that at this period the north-west coast also was doing a fairly substantial illicit trade. Such outpost letter books as have survived, of Whitehaven, Lancaster, and so on, testify as much. The particular form that smuggling commonly took in the north-west was to ship high-duty or prohibited goods, such as brandy, silks, and so on, from France to Ireland—or better still to the Isle of Man—and then to "run" them in to some part of the English coast as opportunity offered. Another method was to import perfectly regularly, and to pay the duty on the produce of the Plantations, principally high-duty goods such as rum and tobacco, which by the Navigation Acts were required to be brought to a British port:‡

* S.P. Scot. ii ser. Bun. 28, Nos. 4, 12 and 34.

† *Letter Books*, 20th March, 1745[6].

‡ 12 Car. II, cap. 18 (1660) as modified by 4 Geo. II, cap. 15 (1730).

then to ship the goods outwards, declaring them to be exported, say to Ireland; to claim a "drawback" of duty (or refund that is to say, upon such "exportation"), but to re-land them at some convenient place in the Isle of Man, and to "run" the goods back on to the mainland without paying the duty.† As the Isle of Man was at this time "part of the Crown but not of the Realm of England," and as neither the preventive officers nor indeed the Crown exercised any revenue jurisdiction on the Island, the nefarious trade was extremely difficult to suppress. In point of historical fact of course the illicit trade was not put down until after the "revesting" of the Island in the Crown,* and the object of this "revesting" was precisely the suppression of this illegal traffic.†

During the "forty-five" and the consequential partial breakdown of local administration in the north-west, the smugglers became bold enough to "travel at Noon Day." There is little doubt that after the rising had proved a failure all sorts of accusations well-founded and ill, were levelled at the unsuccessful party. But one of these accusations was that the Jacobites had arms to distribute—and wanted goods—while the smugglers had goods to get rid of—and were not above accepting arms. They did a deal then, much to the chagrin of the revenue officers, who would have to deal now not only with desperate ruffians, but with ruffians with arms in their hands. A suggestion from Whitehaven early on in the racket is not without interest:—

Honble,

Mr. Chas. Lutwidge§ supervisor of the Preventive officers in this

* C.f. the prohibition contained in 12 Geo. I, cap. 28 (1725).

† 5 Geo. III, cap. 26 (1765).

‡ The estimated loss in revenue at the time of the revesting was no less than one-third of a million pounds per annum.

§ Charles Lutwidge was appointed on 3rd April, 1744, an additional supervisor of the coast of Lancashire, Westmorland and Cumberland, on the Carlisle establishment, to act in conjunction with Thomas Briggs, Surveyor of the Riding and Preventive Officers of the coasts. (*Cal. Treas. Bks. & Pp.*, 1742-45, p. 646). He had earlier been the Collector's Clerk at Whitehaven.

county having acquainted us with a Seizure he has lately made in the Borders, and of the great resistance he met with therein to the manifest hazard of his & the oth^r officers lives that were with him, the Collector took his Affidavit of the Fact & also a Copy of Jas. Mackobens Information relatg thereto, both of wch We take leave to enclose for your Hon^{rs} Directions herein and ye Collector & comptroller of Carlisle, the Seizure & the Action being both in that District* and We cannot but Observe That since the Rebels came first to Carlisle the Smuggling Trade fm the Isleman to ye Borders has been vastly increased by their Encouragement & open protection, for whilst their Garrison remain'd in that City they not only granted the Smugglers Pass ports for themselves & Goods to travel at Noon Day but gave them Broad Swords & Pistols in Exchange for their Brandy so that now the Runners in Each Border are well supplied with Arms to the great Terror of his Majesty's Officers & Subjects.

The Invalids† that were in Carlisle when it surrendered to the Rebels gave their Parols not to serve against them for a year, and are now, as We are told, Quartered to Wigtoun, 8 Miles on this side of it & subsisted by the Government, as these men have nothing to do, it is much to be wish'd that they might be arm'd, such as are able, & station'd in Parties at Convenient Places on the English Borders for the Encouragement & assistance of the Preventive officers there till such time as they can resume their form^r Condition, allowg them to share in the Seizures, all w^h is humbly submitted.‡

* The relation at the time between the port of Carlisle and the port of Whitehaven was that of Head-Port to Member-Port (H. Crouch, *A Complete View of the British Customs* (4th ed. 1745), p. 372), an arrangement that dated back to the "farming" days, before management by the Commissioners, (1671). (*Index Vectigalium* (1671), p. 50). This meant that the principal officers of the Head-Port of Carlisle held their posts by letters patent, while those at the Member-Port of Whitehaven acted only as deputies of the patentees at Carlisle. Even before the end of the "farming" of the revenue however Whitehaven was one of those ports that "Accompt immediately to the Farmers of his Majesty's Customs at London" (*The Acts of Tonnage & Poundage . . . & the Book of Rates* (1671), p. 264).

† i.e. soldiers disabled from active service in campaigns and hence employed on garrison duty only.

‡ *Letter Books*, 29th Jan., 1745[6].

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