

TROZE

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Petates and fish: Cornish Fishermen Smugglers in the late Eighteenth Century

By Tony Pawlyn

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Troze is the journal of the National Maritime Museum Cornwall whose mission is to promote an understanding of small boats and their place in people's lives, and of the maritime history of Cornwall.

'Troze: the sound made by water about the bows of a boat in motion'
From R. Morton Nance, *A Glossary of Cornish Sea Words*

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Born and bred a Cornishman, Tony comes from a line of Cornish fishermen, mariners, shipowners, and fish-merchants. He went to sea on the Newlyn trawlers and later onboard MV *Scillonian II*, he came ashore to join Post Office Telephones in 1964. Actively interested in maritime affairs he was a founder member of the South West Maritime History Society, serving as Secretary and Chairman. Following early retirement in 1992 he has concentrated on Cornish maritime historical research. Appointed a trustee of the Cornwall Maritime Museum in 1996, he became their Chairman in 2002. Recipient of the Royal Institution of Cornwall's Henderson medal in 1998, he has written extensively about the Cornish fisheries, Cornish luggers and other local fishing craft, and the celebrated Falmouth Packets. Appointed a trustee of the National Maritime Museum Cornwall in 2003, he currently heads the team of volunteers who staff the museum's Bartlett Library.

Petates and fish: Cornish Fishermen Smugglers in the late Eighteenth Century

Tony Pawlyn

Introduction A generally accepted belief in Cornish pub yarns on smuggling is that fishing and smuggling went hand in glove in the eighteenth century, but as is usual with colourful folk stories, little evidence has been produced to verify or confound this accepted belief.¹ By drawing on that extensive but scarcely used contemporary primary source, the Custom House Letter-Books for the Port of Penzance,² this article seeks to provide a more factual foundation. The letter books record the correspondence exchanged between the Penzance Custom Officers and the Board of Customs in London. In addition to this official correspondence, copies of many other related documents, reports and returns were also entered in the letter-books. Few of these volumes are indexed, nor are the copies in strict date order, being entered by a copy clerk as and when they passed over their desks. On the basis of this official source the author hopes to look behind these modern myths, while revealing some rattling good yarns along the way. Information on the subjects exposed by this primary evidence is supported or countered by the contemporary letters and accounts of Zephaniah Job,³ smugglers' agent of Polperro; the journals of Christopher Wallis,⁴ attorney of Helston; and some associated court records.

Petates and fish

When, in January 1794, John Pollard and his crew of three sailed from Newlyn for Guernsey in his lugger *Lark*, few would have believed his claim of delivering a cargo of 'petates and fish'. Guernsey probably had little demand for more potatoes and salt fish, but this would not have been a completely bogus voyage. Undoubtedly he had those commodities on board and his 'reason' probably satisfied the authorities. The voyage's real purpose, however, lay in obtaining a potentially profitable return cargo of contraband brandy, rum or Geneva; together, perhaps, with some tea and tobacco. Written records of such voyages are virtually unknown, and this one is only recorded because the *Lark* (Figure 1) was captured by the French frigate *Permone* soon after the outset of their voyage.

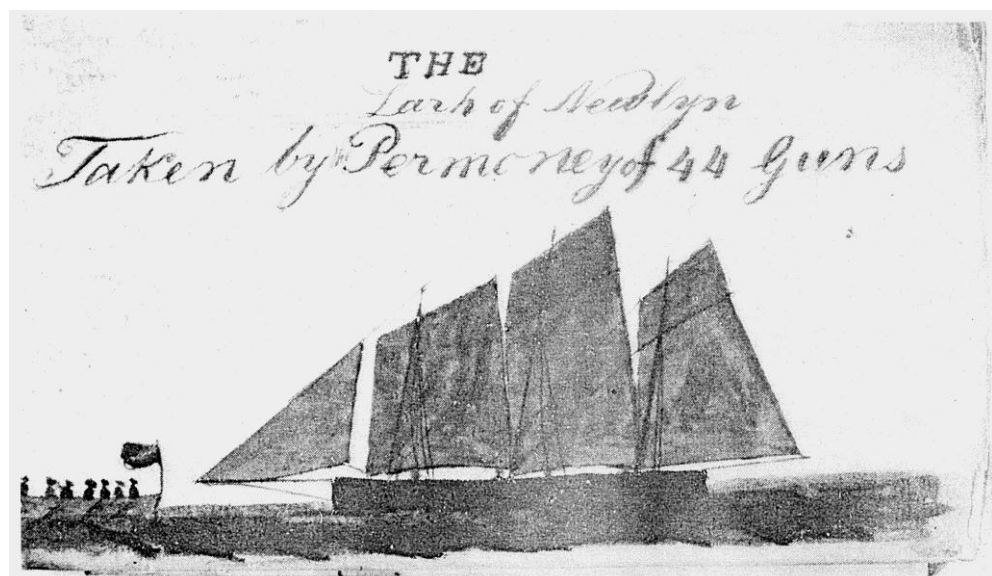


Figure 1: The lugger *Lark*
Source: Dr E. Richards

Pollard and his crew were held prisoners of war for nearly two years, during which time Pollard kept a journal.⁵ It opens with the commencement of their fateful trading voyage, and unsurprisingly makes no mention of smuggling. Mount's Bay fishermen, like many other Cornishmen, had smuggling in their veins. There was nothing novel in Pollard's venture. In February 1751, 'Four Vessels of about ten Tons each' were reported arriving at Falmouth laden 'with Mackerel, for Guernzey'.⁶ Most probably these were Mount's Bay luggers - mackerel drivers. Relatively small, handy craft of about 15 to 20 tons burthen, they were large enough to carry a modest cargo and seaworthy enough to make the cross channel passage in comparative safety. Fishing was a valid reason for being at sea. Cruising for pleasure was a virtually unknown concept. Smuggling was a routine occupation.

Sea trade, throughout this era, was heavily regulated. As well as 'charter parties' and cargo 'manifests', there was a system of 'cockets', 'sufferances' and 'coastal dispatches', backed by bonds, providing checks and balances to ensure the lawful compliance with all the regulations by merchants, masters and crew alike. Within a certain distance of the land 'hovering', defined as loitering with intent at sea, was specifically proscribed by statute.⁷ The everyday occupation of fishing offered the perfect alibi. By its very nature, fishing, and especially drift-net fishing, meant putting to sea with no specific destination to spend hours drifting around with no discernable intent or purpose.

However, two caveats need to be observed in this paper regarding smugglers and fishermen, particularly those of Mount's Bay. Firstly, not all fishermen were smugglers. In considering this it must be realised that whilst seafarers were perfectly aware that smuggling was unlawful, and detection could carry dire consequences, smuggling was not considered in any way reprehensible. Smuggling carried no social stigma in coastal communities. Secondly, it must not be imagined that because this paper tends to focus on fishermen smugglers of Mount's Bay, that they were any more active or more ruthless or gentlemanly than any others on the Cornish coast. They were not.

The fact that some fishermen were incorrigible smugglers is fully borne out by the correspondence exchanged between Penzance and London. These letter-books reveal an almost constant flow of incidents involving fishermen and others, but, not wishing to appear ineffective in the eyes of their employers (and thereby render themselves liable to summary dismissal) the Penzance Customs Officers were ever guarded about admitting the full extent of smuggling within their Port limits. When pressed by headquarters (as in the summer of 1786), they conjectured that during the past year 'there has been not less than Two hundred Tons of Foreign Spirits imported by the Smugglers in this extensive Port' - about 48,000 gallons.⁸ Having also been pressed on what types of vessels were employed in this illicit trade, they found this task beyond them simply stating that it 'appears to us impracticable as there are none belonging to this port professedly in that Trade.'⁹ However, they conceded that while the bulk of the contraband was carried by large armed cutters and luggers, 'we apprehend some of our fishing Boats do some times make Trips over to France on this ruinous Trade.'¹⁰

Reliable information about the running of contraband cargoes was quite rare, but seizures (or attempted seizures) made on shore after a discrete tip-off were quite common – albeit that many were almost immediately 'rescued' by the smugglers. The surviving reports of these incidents are usually in the form of depositions or affidavits sworn by the officers concerned before a commissioner of the appropriate court, usually King's Bench, or Exchequer.

Fishermen Smugglers

While smuggling was endemic in Cornwall throughout the eighteenth century, evidence for the specific involvement of fishermen is not readily apparent until the latter part of the century. Hitherto commercially and economically damaging smuggling had primarily been carried on by ‘gangs of force’, as the Penzance officers reported in June 1749:

... the Smugglers Carry on here a great trade and more openly run Goods than ever and how that the officers here durst not do their duty without being knocked in the head such are the Vast number of Smugglers that assemble together and that without an armed force its but in vain to attempt them as we have frequently acquainted your Hon.ble Board ...¹¹

Overt smuggling runs by such impudent gangs were all too common, as in December 1755 when the *Sherborne Mercury* reported a skirmish between the ‘Officers of Excise and Customs and a Gang of Smugglers’. Several were dangerously wounded on both sides, but eventually ‘the Smugglers went off in Triumph enough to ring the Chapel Bell on their way through Marazion’ as they had also done a fortnight earlier.¹²

To some degree gangs of smugglers continued to be active in the trade well beyond this period, but from the 1760s, as the coastal patrols of the Revenue cruisers became more effective, more covert means of smuggling became increasingly necessary. Covert in this context did not mean that all aspects of smuggling were kept highly secret; many small vessels sailed openly on smuggling voyages. It was just the key information regarding the place of running their cargoes ashore that was kept a close secret. Indeed, as late as 1789 the *Exeter Journal* was openly listing the sailing and arrivals of smuggling craft in their weekly Shipping Lists, albeit a week or so after the event as in this entry, ‘Last week the *Happy-Go-Lucky*, *Bee*, and *Trial*, smuggling cutters, arrived at Cawsand, from Guernsey, and safely landed three very valuable cargoes, consisting of tobacco, tea, British Salt, and spirits.’¹³

Some time previously, during March 1763, at what should have been the opening of the main mackerel season, it was common knowledge in the vicinity of Penzance that many fishermen were absent on smuggling voyages. When William Veale, one of the joint lay Rectors of Paul, was trying to get the fishermen of Mousehole to agree to assist in the re-construction of Mousehole Quay, he had to report that:

... between 20 & 30 of the fishermen were now abroad i.e. gone to France. Trucking is grown to a surprising Height at Newlyn & Mousehole: no less than 6 or 7 Boats now over the water from these two Villages...¹⁴

In many respects economic necessity drove the fishermen to smuggling. When the fishing was good there was less incentive to risk all in a smuggling gambit. But, when the fishing was poor, and the shore-side facilities were in disrepair, the temptation for a venture with a quick profit was often too great. In the autumn of 1765, the Rev. Thomas Carlyon, the other lay Rector of Paul, having a vested interest in the success of the pilchard fishery wrote, ‘Y.^e great Success of y.^e Mount and Penzance Seyners may have greater weight with y.^e Paul Fishermen to induce them to mind y.^e Fishery instead of smuggling, than a thousand Arguments.’¹⁵

Many Mount’s Bay fishermen were active smugglers. The seasonal fisheries, accompanied as they then were with fairly long slack periods during the winter, left them with time on their hands. The winter months with their long dark nights and short overcast days also favoured smuggling. Despite the increased risk from storms, the better odds of avoiding detection by the Revenue cruisers seem to have been a deciding factor coupled with the build-up towards the festive season of Christmas and the New Year when the spirit market was most buoyant. In October

1765, with the repairs to Mousehole Quay still behind schedule, Carlyon expressed himself not at all surprised as ‘ye spirit of Smuggling and Feasting continues...’ Carlyon clearly had a strong work ethic, at least in so far as the lower orders of his society were concerned.¹⁶

One of the earlier accounts of Mount’s Bay fishermen being directly involved in smuggling relates to the seizure of the *Mousehole Shallop*, by HM Sloop *Wolf* at the end of 1771. Having seized the shallop, Captain William Williams, *Wolf’s* commander, seems to have misappropriated her to his own use. Ignoring the niceties of legal condemnation, he employed her as an unofficial tender to increase smuggler arrests – mainly because the sailing qualities of the *Wolf* were so poor he had little chance of overhauling any smugglers in a sea chase. Eventually some form of due process was followed, when the *Mousehole Shallop* was represented as being owned by John Cornwall. She was then valued at £47. 13s. 3¾d; her crew at her seizure comprised ‘Rich.^d Pentreath otherwise Doga, R.^d Pentreath otherwise Dowla, John Wright & Thomas Mann.’¹⁷ One suspects that Richard Pentreath was in fact both her true owner and master. However, when the Penzance Custom House officers were asked to determine if these men were worth prosecuting, they replied that:

... R.^d Pentreath otherwise Doga is a Fisherman of very little Value to appearance he having nothing visible that we can learn except a small part in the Fishing Craft. He bears the Character of an Honest Man in his dealings. He is a reputed Smugler as the greatest part of the Fishermen are in this Port, whether he is able to pay the Penalties or composition in case a Prosecution should be Commenced it is impossible for us to know as we cannot by any means tell what Cash he has by him ...¹⁸

The others concerned were similarly characterised, though John Wright was ‘reputed to be of more Value’.¹⁹ Normally, minor offenders were prosecuted in the local magistrate’s court at the expense of the seizing officers, who could only recover their costs if the defendants were firstly found guilty and secondly had the ability to pay any fines. As Pentreath and his co-defendants were unlikely to have been able to pay substantial fines Captain Williams requested that if they were to be prosecuted it should be at the Crown’s expense. No evidence has yet been found to indicate that these men were then prosecuted, but the Pentreaths proved persistent offenders over the years.

Wider Smuggling in Cornwall

Of course it was not just Newlyn and Mousehole fishermen who were involved in smuggling. The whole of the south coast of Cornwall was a hotbed of smuggling, with occasional pockets on the north coast. In economic terms fishing craft tended to be one step removed from mainstream maritime trades. Fishing itself was generally a subsistence living rather than an industry. Apart from the Cornish Seine Fishery, fishing attracted little capital investment. The maritime capital that existed in Cornwall was primarily concentrated in and around the main trading ports. This capital investment was spread between port infrastructure and shore-side facilities, trading vessels, trade goods and marketing and distribution systems. The main ports of Falmouth, Fowey, Looe, Padstow, Penryn, Penzance, St. Ives and Truro, were all designated as Custom House out-ports. A partial exception to this pattern was the Port of Gweek, which was not a port-town - just a village at the head of a tidal river serving the nearby inland town of Helston and its hinterland. The official port limits for most of these out-ports and creeks extended some way along the coast on either side, and it was here, away from the main port activity, that fishing was mainly centred. By the very nature of these places, quiet creeks, porths and backwater havens, the secretive business of smuggling could take hold and flourish.

Thus for the Port of Falmouth most of the smuggling occurred over at St. Mawes, Percuil, and Gerrans. Polperro flourished in a sort of no-man’s-land

between the Ports of Looe and Fowey, while Fowey also embraced Charlestown, Par and Mevagissey. The Port of Gweek included the Helford river estuary along with Cadgwith and Coverack, while Penzance covered Newlyn, Mousehole and Porthleven, and the many porths and coves from the Lizard to Cape Cornwall. In each of these the population was largely sustained by fishing, with some degree of smuggling activity.

Owners in Ignorance

Invariably, owners of fishing craft seized for smuggling claimed their boats were being misused without their knowledge and against their 'express command'. Petitions to recover seized property without financial penalty abound. Sorting out such claims was a tricky process. A case in 1789 centred on the Newlyn fishing boat *William*. Taken with contraband by the Revenue Cutter *Dolphin* when coming out of Scilly, the incident emerged sometime later when her owner petitioned the Commissioners of Customs for the restoration of 'thirty Pilchard Nets.' The *William's* principal owner, Richard Hichens of Newlyn, claimed that his servants had:

... when at Sea on their Business of Fishing, most unwarrantly and without your Petitioner's Knowledge and even Contrary to his express command, Instead of attending to their proper duty of Catching Fish, took into the Boat several ankers of Foreign Spirits.²⁰

Despite Richard Hichens' protestation, Captain John, the seizing officer and *Dolphin's* commander, felt that he was involved together with John Blewett, the master of the boat, but that William Hichens (another part owner) 'was not privy to this Transaction'. Richard Hichens' claim failed, the *William* being condemned.²¹ In February the following year five Penzance officers seized the *Endeavour* of Newlyn, owned by John and James Dunkin 'noted smugglers' and carrying 244 empty ankers.²² *Endeavour's* crew John Hichens, John Sampson, and John and Charles Symons, all Newlyn fishermen, immediately petitioned for her release, explaining that they had:

... in November last, agreed with one Joseph Hichens Sen.^r of Newlyn aforesaid Fisherman, for the use of a fishing Boat, in order to catch Hook Fish ... Joseph Hichens being rendered, by age incapable of Fishing in the Winter Season.²³

When approached by a merchant's agent, after a bad season, they agreed to convey some 'empty Casks from Penzance to a Fishing Cove in this port,' for 13 shillings, thinking it an innocent request. They had not the least 'Idea that Casks were prohibited.' Once the casks were loaded at the 'Publick pier,' they immediately put out for Prussia Cove, intending to land them before proceeding to the fishing grounds. But, just clear of Penzance pier head they were surprised and boarded by Custom Officers, who 'seized both the Casks and Boat ...' thus depriving the petitioners of the means of earning a livelihood, particularly 'Joseph Hichens who is 70 years of Age, and this Boat his only Support of himself and 7 Children.'²⁴ The ensuing legal process leading to condemnation was rarely speedy. Four months later *Endeavour* and her materials were still under detention when old Joseph Hichens petitioned for the restoration of his property - some 'Trouling Tackle.' When asked for their observations the Collector and Comptroller at Penzance opined that Hichens '... is a very poor old Man and we believe at present in great distress, as he gets his Living entirely by Fishing, the Trouling Tackle are Lodged in the Kings Warehouse as sat forth.'²⁵ In the Indenture of Appraisement, part of the legal process towards condemnation, these two particular boats were described as: *William*, length 24 feet 2 inches, depth 7 feet 3 inches, value £7 10s and the *Endeavour*, length 35 feet 6 inches, depth 10 feet 6 inches, value £3.²⁶ Even for well-used fishing boats these appraised values were low, possibly to put the restoration cost within the owner's means; in this case the outcome is unknown.

Christopher Wallis - A Smugglers' Attorney

Christopher Wallis was a very successful Helston attorney who regularly looked after the affairs of local smugglers and privateers, as well as acting for the salvors in many wreck cases. In some respects his activities mirrored those of Zephaniah Job. The story of Job and his smuggling records is well told by Jeremy Rowett Johns in his fascinating book *The Smugglers' Banker*.²⁷ Job's surviving material gives a unique insight into Cornish smuggling, going into considerable detail, providing the extent, value, and nature of smuggling at Polperro in particular; they expose fully the true trading relationships with the Guernsey merchant houses. In Wallis' case the singular difference is that he was a qualified lawyer. Even so, he was once prosecuted for a smuggling related offence, and he too acted as the local agent for many of the Guernsey merchant houses.²⁸

He took up professional duties at Helston in 1764, and in later years professed to have regularly kept a journal ever since. Unfortunately those covering his first 17 years have long since disappeared. Like many of his standing he liked the finer elements of life, living well if unostentatiously. He entertained well, and as a member of the Helston gentry, he frequently ran with the hares and hunted with the hounds:

October 10th, 1781 - At Bochym, & there dined with Messrs. Glynn, Grenfell, Wills, Mr. Sandys, Mr. Collector Johns, Isaac Head, Messrs Pasmore, Farnham, Cove, & Hellings, Mr. S. Sandys, Mr. H. Sandys, Mr. Wills Jun.^r Mr. Michell, Mr. Wm. Tremayne, Mr. Scobell, my brother John & others - drank freely.²⁹

Johns, Head, Pasmore and Scobell were Collectors of Customs for Falmouth, Gweek, Scilly, and Penzance respectively, while others were magistrates, merchants, agents and bankers not completely divorced from smuggling. Wallis regularly bought wine and spirits from the Coverack and Cadgwith smugglers; some months before the above dinner party Wallis had bought:

... at Cadgwith 2 Quarter Casks Port at 5 G.^s just then come onshore - p.^d J. Randle 5 G.ⁿ - And again in September 1795 - 'Rec'd p-Thos Richards from Edw'd Richards Ruan Minor, an anker of Brandy and an anker of Geneva - the price at Cadgwith Cove said now to be £3 11s 0d.³⁰

Along with Pasmore and others Wallis outfitted at least two private Revenue cruisers for hire to the Board of Customs, the *Hind* and *Tamar*. Wallis also part owned the lugger *Gweek*, granted letters of marque against the French in May 1781 (and which was in all probability an active smuggling vessel), as well as several other privateers.

Throughout, Wallis regularly represented the Carters of Prussia Cove, although his journals reveal little of the nature of their smuggling business. Indeed, Wallis' entries in his earlier journals are guarded about smuggling affairs, but they became more candid in later years:

April, 1805, Friday 13th - Attended William Julian Jun.^r Master of the sloop *Unity* belonging to the Port of Penzance, laden with about 300 Ankers of Spirituous Liquors, 50 bags of Salt &c. taken 11th April 1805 by his Majesty's hired armed Ship *Humber* Commander John Hill, Lieutenant John Turner, Merchants master Jn.^o Telly when seized 13 Leagues from shore and the Lizard bore NW B N, taking instructions to claim in the Exchequer - *Unity* and Cargo carried into Port Plymouth.³¹

The *Unity* was not entered in the Penzance Shipping Register, so she must have been an open boat. Christopher Wallis was particularly successful in securing the restoration of smuggling craft to their owners; in one period during 1800-01 he had more than six such cases current. While some of these were undoubtedly dedicated smugglers, several were ostensibly fishing craft.

Arrests, Assaults and Obstructions

On 24 January 1801 William Betty, Surveyor of Excise at Plymouth, and John Thorne and William Trewolla, Excise Officers of Plymouth Dock, severally made oath and swore a joint affidavit in the King's Bench about events arising from a warrant issued. The three Excise men, assisted by John Martin and James Welch (officers of the Customs), raided a house at Cawsand then in the joint occupation of John Phillips and Benjamin Melhuish (fisherman). Phillips occupying two rooms (one below stairs and one above), while Melhuish occupied three rooms (one below stairs and two above), with a shared staircase.

Melhuish was not at home when the officers entered, but as Thorne and Trewolla climbed the stairs, Melhuish and two others burst in and dashed up the stairs after the officers. Thorne was grabbed and thrown violently down the stairs. Meanwhile Trewolla had entered one of the apartments above 'the door whereof was not fastened,' and seized and tasted one anker of spirits. No sooner had he done so than Melhuish and another man burst in, Melhuish brandishing 'a drawn bayonet in his hand uplifted towards this Deponent threatened to kill this Deponent instantly if he did not go down stairs' In fear of his life Trewolla rejoined his colleagues below, with Melhuish posted in the stairway 'where he continued with the said bayonet in his hand and threatened in the most violent language that he would murder every Man who should attempt to approach the said Stairs.' The Officers 'fearing that Murder would be the consequence' of continuing their search, 'retired from the house without searching the upper part and without seizing the Spirits so tasted by this Deponent William Trewolla.'³²

Assaults and obstructions of the above nature were common, and this account bears distinct similarities to a raid on Trewavas's Mousehole home on 21 June 1786. Having first obtained a search warrant, six officers went to Mousehole to search the houses of Benjamin Harvey, John Jacka and William Trewavas the Elder. Arriving first at Trewavas's house, the search warrant was produced to fierce vocal protest from Trewavas. When the officers then tried to force the issue violent blows were exchanged, and William Trewavas the Younger and John Trewavas blocked the stairway 'Armed each with a Pistol, and a Club declaring in the most violent Terms, that they Would blow out the Brains of the first Person, who sho'd move . . . and, at the Same time Cocked the Pistols.' The pistols' firing state was not put to the test, but in a graphic demonstration young Trewavas drew the ramrod and tamped it down 'into the Muzzle' of the pistol, making it appear 'to have been loaded three fingers deep.' Convinced that it was fully charged, and of his resolve, the officers 'were Greatly intimidated,' and were 'Prevented from executing their Duty, and from Seizing the Goods of which they had the Information.'³³

A Seizure Examined

In 1809 there was another flurry of correspondence between Penzance and the Board of Customs concerning a Spanish trading lugger and a Mount's Bay fishing lugger, caught in the act of transferring contraband cargo. Although not named in the main correspondence, the fishing lugger appears to have been called *Nancy*. This little episode opened at St Ives during the afternoon of 29 May 1809, when Mousehole man Alfred Wright, was engaged to pilot a Spanish lugger to Guernsey - although he was not one of those pilots recently licensed by Trinity House. For his services Wright was to receive 30 Guineas, a most handsome sum for less than a week's work, and one which clearly entailed more than normal pilotage services.³⁴

Having sailed from St Ives about 2pm, Wright declared in a later statement, 'about midnight being then about two miles from the Rundle Stone a large Mount's Bay fishing Boat came alongside'. This can have been no chance meeting. 'At the request of the Crew of the said Boat (neither of whom came on board the lugger)', Wright duly bargained with the supercargo of the Spanish lugger on their behalf, and finally 'bought two pieces Brandy for account of the Crew of the said Boat for the Sum of £62. 16. 6.'; the two 'pieces' being pipes of brandy, or half-ton casks.³⁵

Throughout the bargaining the master of the Mount's Bay boat had appeared completely disinterested, allowing Wright to haggle without interruption. Once a price was agreed, negotiations were concluded through another third party, possibly a Portuguese passenger; it was to this third party that the purchase money was paid. The only reason for which must have been (should the occasion ever arise), to allow him to be able to 'swear under oath' that he 'Never gave the Spaniard any money!', or that 'He never bought anything from him.' Shortly afterwards the brandy was transhipped into the Mount's Bay lugger.³⁶

This transaction completed the supercargo then tried to interest the Mount's Bay men in some parcels of Spanish wool which was declined, as they had no knowledge of its true value. Scarcely had the two pipes of brandy been lowered into the smaller boat than Wright 'discovered a long-boat rowing towards them which considerably alarmed him and he quitted the Lugger and jumped into the Boat that had the Brandy on board and attempted to get on Shore.'³⁷

The long-boat belonged to the Revenue Cutter *Dolphin*, under charge of the Mate, Mr. Stevens. Captain John, the *Dolphin's* commander, had become highly suspicious of the Spanish vessel when she had previously 'put into St Ives loaded with Spanish Wool Shumack & Brandy bound to Guernsey.' This was such an unlikely route for a vessel from Spain that Captain John resolved to keep an eye open for her as she later rounded Land's End from St. Ives. Waiting in the cutter in Mount's Bay, during the evening of Friday 29 May, Captain John had dispatched Mr Stevens to the westward to observe her movements; about one o'clock the next morning, Stevens had 'discovered the said Spanish Lugger and a large Mountsbay Fishing Boat with all Sails down'. They appeared to him to be alongside each other, but drew apart as he approached.³⁸

From first sighting it had only taken Stevens and his boat's crew about five minutes to come up with the nearest of the two boats, which proved to be the Mount's Bay lugger. He boarded her, but found her abandoned. In his zeal to capture the lugger with contraband on board, he hadn't noticed her crew abandoning her in their small boat. However, the initial objective was achieved. The boat was seized, and in her were 'two Casks of Brandy about 120 or 130 Gallons each.'

After taking possession of the lugger, Stevens cast off his boat (to be picked up later), and made sail in the seized lugger in pursuit of the Spaniard, 'which was then about one Mile a Head'. After a lengthy chase they ran alongside their quarry, 'about five O'Clock the same Morning ... when he lowered his Foresail and Mailsail and M.¹ Stevens boarded him and run'd for Mountsbay'. Later that afternoon the *Dolphin* fell in with them, and after first boarding the lugger, Captain John then:

... boarded the Boat, where I found the Spanish Captain, a Supercargo, and a Passenger. I challenged them with having Smuggled the Brandy seized on board the Boat and demanded the Money which they had received for the Same, which one of them delivered me amounting to £62. 16. 6 all in English Guineas half Guineas & seven Shilling Pieces.³⁹

Wright, the acting pilot, later offered to make a statement to try and clear his name. Whatever his protestations of innocence, Wright must have had been aware of the clandestine intent of the Spanish vessel before she sailed from St Ives. Either way he was an active party in the transaction made between the Mount's Bay fishermen and the Spaniards, and now wished to 'clear his yardarm.' In his deposition Wright confirmed the main sequence of events as outlined above, but stated that on his first seeing the long-boat approaching, he jumped into the Mount's Bay lugger which then tried to escape. There must have been almost windless conditions, as the rowing boat was able to overhaul them quite easily. However, seeing the long-boat still:

... fast coming up, this Deponent and Crew quitted her in her small Boat, the Boat in Chase soon fell alongside which proved to be the *Dolphin's* Boat and this Deponent got on board her and returned to the large Boat that had the Brandy on board the Officer of the *Dolphin* soon dropped his own Boat and made more Sail on the large Boat and pursued the Lugger which he lay alongside and boarded after a Chase of about 4 or 5 Hours.⁴⁰

The Spanish lugger (which remains unnamed throughout), was not a large craft. Perhaps about twice the size of the Mount's Bay lugger involved, she was later declared to be only 28 tons and at the time of her seizure had on board 20 packs of Spanish wool, and 29 bails of Shumac which is a vegetable product, dried and reduced to a very fine powder for use by the cloth dyeing industry.

While it was never stated in the reports and depositions, it seems improbable that the crew of the Mount's Bay lugger were not seized in the lugger's punt at the same time as Wright although there is no indication of this. They were not then named, and it was later implied that their names were at first unknown. When first questioned on this Wright was very unwilling to name them. Captain John later declared he had used his:

... utmost endeavours to discover the name of the Boat (which is called the *Nancy* of Penzance) who were the persons in the said Boat for which the Brandy was purchased by the said Pilot, but cannot ascertain, yet there can be no doubt of Alfred Wright knowing who they were, altho' he seems averse to give this Information to me, I find from enquiring the boat belongs to Rich.^d Pentreath of Mousehole.⁴¹

Those Mousehole Pentreath's again. Wright, as a near neighbour of Pentreath, would naturally have been very reluctant to name him in his deposition.

Although there is no answer here, the question has to be asked: Did Stevens deliberately allow Pentreath and his crew to slip away, when he went in pursuit of the Spanish lugger? This point does not seem to have been raised at the time, and no further correspondence has been discovered to suggest that either Pentreath or his crew were ever charged - nor yet what actually happened to the Spanish lugger and her crew. The Penzance officers should at least have been able to identify the owners of the lugger *Nancy*. Though not formally registered, by all the current regulations she must have been licensed to enable her to go fishing. Bonds for her crew's 'good behaviour' would have been posted and were liable to forfeiture. But on this we also hear nothing more. So the final chapter of this episode has yet to be told.

The Decline of Fishermen Smugglers

As the nineteenth century progressed, several factors seem to have influenced the fishermen to forego the temptations of smuggling. Methodism was now deep seated, and embryo temperance movements soon found a strong foothold in Cornwall. Between them they helped implant in the minds of the independent fishing community a sense of dignity of living in decent poverty. After 1806, the more effective closure of the Channel Islands as a gateway for smugglers made the trade more expensive and complicated, when the anti smuggling laws were at last extended to include the islands.⁴² Within two or three years the Channel Islands 'free-trade' was virtually extinguished. The French 'free-port' of Roscoff was favoured for a time although this entailed a much longer passage between market and customers. This factor, coupled with the relatively close blockade of the French ports by Royal Navy squadrons, rendered Roscoff much less attractive than the Channel Islands.

After 1815, the great demobilization of naval seamen which quickly followed the close of the Napoleonic Wars had a number of effects. It released a large number of more or less law abiding citizens onto the labour market, or, if not

actually law abiding, then certainly men who were accustomed to obeying orders. This flush of young seamen on the labour market brought with them some modest amounts of capital when they were paid off from the navy. This was partially absorbed by an expansion of the drift fisheries in Mount's Bay, where it largely accounted for the twenty new fishing boats registered at Penzance between 1815 and 1823. During this same period twelve older fishing boats were also re-furbished and added to the register.⁴³ These younger fishermen had a much greater degree of self assurance and self confidence, which nurtured their sense of independence and social justice. So much so that within a decade they were challenging the rights of the lay tithe proprietors to tax their fishing efforts, and within that same decade they were venturing in new mackerel and herring fisheries in the Irish Sea.

With the long period of peace that ran from 1815, taxes were gradually eased and much of the financial incentive to smuggle was removed. Concurrently, while greatly reduced in size, the peace time navy found much needed employment in mounting anti-smuggling patrols, and now kept a fairly close blockade on the English coast, and a more aggressive preventive service was established on and along shore.

A further stimulus to the fisheries came from the demand for cheap food arising from the new centres of population created by the industrial revolution. This demand grew steadily with the century, and species of fish which were formerly unacceptable to members of fine society, were welcomed by the new industrial workers. One such was the late season mackerel, a highly perishable fish whose transport inland suffered with the advance of summer and warmer weather. Mackerel had first become commercially viable in West Cornwall in the 1790s. As coastal transport improved, employing swift ex-smuggling cum fishing luggers, trawl sloops and pilot cutters, the mackerel fishery expanded from a short spring fishery, just feeding the people of Cornwall, into one which supplied many of our cities and industrial towns.

By the 1850s coastal steam packets linking with the new railways opened up even more inland markets. As the nineteenth century advanced, and the railway network expanded, there was a progressive move towards faster and larger, decked luggers, with larger sail plans and better cut sails. These design developments enabled the spring mackerel season to be extended well into the summer, by following the fish further and further off the coast into deeper waters well beyond the Isles of Scilly.

Thus the new stability of peace gave a greater incentive to the fishermen to attend to the fisheries, and by mid-century wholesale smuggling was a thing of the past and fishing was a booming industry.

Notes

¹ H. Doe, 'The Smugglers' Shipbuilder', *Mariner's Mirror*, Vol.92, No.4 (November, 2006), 427-442; A. Jamieson, 'The Channel Islands and Smuggling, 1680-1850' in A. Jamieson (ed.), *A People of the Sea : The Maritime History of the Channel Islands* (London: Methuen, 1986), pp. 195-219; J. Rowett Johns, *The Smuggler's Banker* (Polperro: Heritage Press, 1997); C.H. Ward-Jackson, *Ships and Shipbuilders of a Westcountry Seaport: Fowey 1786-1939*, (Truro: Twelveheads, 1986).

² National Archives (NA) CUST 68/1 to 183; c.1722 to 1914.

³ Royal Institution of Cornwall, Courtney Library, [RIC], Truro - ZJ/1 to 52; c.1751 to 1823.

⁴ RIC. DJW 1/1 to 11; 1781 to 1826.

⁵ 'The Journal of John Pollard of Newlyn, 1794-5', Peter Pool (ed.), *Journal of the Royal Institution of Cornwall [JRIC]* 1992, p.194.

⁶ *Sherborne Mercury*, February 25 1751.

- ⁷ For smuggling legislation see A.G. Jamieson, 'Devon and Smuggling' in Duffy, M. et al (eds), *A New Maritime History of Devon, Vol. I: From Early Times to the Late Eighteenth Century* (London, 1992), pp. 244-250.
- ⁸ NA. CUST 68/13; Letter No. 68 in 1786, dated 20 August.
- ⁹ NA. CUST 68/13; Letter No. 68 in 1786, dated 20 August.
- ¹⁰ NA. CUST 68/13; Report of 20 August 1786, No.67.
- ¹¹ Cornwall Record Office [CRO]. ARD 1; abstracts from the Penzance Custom House Letter-books.
- ¹² *Sherborne Mercury*, 25 December 1755.
- ¹³ *Exeter Journal*, 24 December 1789
- ¹⁴ CRO. DML [Malone] 757, Veale to Carlyon.
- ¹⁵ CRO. DML 770, Carlyon to Veale.
- ¹⁶ CRO. DML 774, Carlyon to Veale.
- ¹⁷ NA. CUST 68/8; Report of the Collector and Comptroller of Penzance to the Board of Customs, dated 19 December 1791.
- ¹⁸ NA. CUST 68/8; Report of the Collector and Comptroller of Penzance to the Board of Customs, dated 19 December 1791.
- ¹⁹ NA. CUST 68/8; Report of the Collector and Comptroller of Penzance to the Board of Customs, dated 19 December 1791.
- ²⁰ NA. CUST 68/14; Petition dated 30 October 1789.
- ²¹ NA. CUST 68/14; Petition dated 30 October 1789.
- ²² NA. CUST 68/14; Report, 11 February 1790.
- ²³ NA. CUST 68/14; Petition referred to the Penzance Officers for their report, 22 February 1790.
- ²⁴ NA. CUST 68/14; Petition referred to the Penzance Officers for their report, 22 February 1790.
- ²⁵ NA. CUST 68/14; Report 24 June 1790.
- ²⁶ NA. CUST 68/14; Return 28 June 1790.
- ²⁷ Rowett Johns, *The Smugglers' Banker*
- ²⁸ RIC. DJW 1/1.
- ²⁹ RIC. DJW 1/1.
- ³⁰ RIC. DJW 1/3.
- ³¹ RIC. DJW 1/7.
- ³² NA. KB 32/3 Excise 3; Hilary 1801; Cornwall; Affidavit sworn at Plymouth 24 January 1800.
- ³³ NA. CUST 68/13; Exchequer affidavit, sworn at Penzance 29 June 1786.
- ³⁴ Guineas – gold coins with a face value of 21 shillings, or £1. 1s. [£1.05 decimal currency] Making 30 Guineas equal to £31. 10s. [£31.05 dc.]
- ³⁵ NA. CUST 68/19; Deposition sworn at Penzance 1 June 1809.
- ³⁶ NA. CUST 68/19; Deposition sworn at Penzance 1 June 1809.
- ³⁷ NA. CUST 68/19; Deposition sworn at Penzance 1 June 1809.
- ³⁸ NA. CUST 68/19; Report of Captain Johns, 31 May 1809.
- ³⁹ NA. CUST 68/19; Report of Captain Johns, 31 May 1809.
- ⁴⁰ NA. CUST 68/19; Deposition sworn at Penzance 1 June 1809.
- ⁴¹ NA. CUST 68/19; further report of Captain Johns, 29 July 1809.
- ⁴² Jamieson, 'The Channel Islands and Smuggling', pp. 213-17.
- ⁴³ T. Pawlyn, 'Shipping of the Port of Penzance, 1786-1823' in H.E.S. Fisher, ed., *British Shipping and Seamen, 1630-1960* (Exeter Papers in Economic History, 16, 1984), 34-48.