

WINCHELSEA'S  
PLACE  
IN THE  
ANNALS  
OF  
SMUGGLING

*COMPILED BY MN PRATT  
TOWN CLERK TO THE CORPORATION OF WINCHELSEA*

### White Cottage and the Smugglers

Among the Winchelsea archives at East Sussex Record Office is a note dated 4 March 1937 written by William MacLean Homan, Winchelsea's historian at that time.

He had been talking to Mr. R. J. Davis of White Cottage in Friars Road who recalled that when his home was redecorated a preventive officer's diary was found written on the wall.

It recorded where he had been on each day to prevent smuggling and also revealed that the principal smuggling watch was kept from the top of the ruins of the Greyfriars Chapel nearby.

Mr. Davis told Mr. Homan that the diary was found, 'a good many years ago'.



Friars Road with White Cottage on the left.

*The girl in red is Lucy Goldie, W. M. Homan's youngest grandchild*

## Smugglers in Prison

These pages are from the Winchelsea Gaol Book commenced in 1828 where full details about each prisoner are recorded by the gaoler. The first sixteen entries are those of smugglers whose offence is listed as 'Breach of Revenue.' The trial of these men took place in this room with the mayor and jurats sitting as magistrates. Their sentences were served in the cells downstairs. The cells as such no longer exist but if you look to the left of the steps that lead up to the Museum (Upper Court Hall) you will see the best remaining evidence that the lower floor of this building was a prison. Conditions there were extremely uncomfortable and some of these men were detained 'During His Majesty's Pleasure' for as much as eighteen months.

Those who spent all that time in Winchelsea gaol may well, however, have been more fortunate than Nicholas Clark and John Stone, both of Rye, [see foot of first page] who, on 3 September 1830 were 'Removed on Board H.M. Ship'. Conditions there are likely to have been even less comfortable!

No.	Names	Date of Commitment	Crime	Point of Commitment	County & Parish	Trade	Age	Height	Hair	Eyes	Face	Stature	Remarks
1	Waddell Robt	Aug <sup>28</sup>	Breach of Revenue	During His Majesty's Pleasure	Rye Sussex	Seaman	48	5 1/2	Black	Bronzing	Slight		Discharged 18 March 1830.
2	Clark Edward	do	do	do	Ramsgate Kent	Seaman	33	5 1/2	Brown	Gray	do	do	discharged 3 <sup>rd</sup> Sept <sup>r</sup> 1829.
3	Jakes Robt	do	do	do	Ramsgate Kent	Seaman	54	5 1/2	Gray	dark long	Slight		discharged 3 <sup>rd</sup> Sept <sup>r</sup> 1829.
<u>Year Ending Mich<sup>l</sup> 29<sup>th</sup> Sept 1828-</u>													
4	Carter James	Oct <sup>28</sup>	do	do	Mittersham Kent	Labourer	24	5 1/2	Brown	Gray long	Slight		discharged 23 Jan <sup>y</sup> 1830.
5	Gibbs Tho <sup>s</sup>	do	do	do	Sedlescombe Sussex	Labourer	23	5 1/2	Brown	Gray long	Slight	do	23 <sup>rd</sup> Jan <sup>y</sup> 1830.
6	Wheeler Sam <sup>l</sup>	do	do	do	Sedlescombe Sussex	Labourer	50	5 1/2	dark	black long	Slight	do	23 <sup>rd</sup> Jan <sup>y</sup> 1830.
7	Wheeler Jm <sup>s</sup>	do	do	do	Sedlescombe Sussex	Labourer	23	5 1/2	black	black round	Slight	do	23 <sup>rd</sup> Jan <sup>y</sup> 1830.
8	Hayles Edw <sup>d</sup>	do	do	do	Sedlescombe Sussex	Labourer	29	5 1/2	black	Gray round	do	do	23 <sup>rd</sup> Jan <sup>y</sup> 1830.
9	Carley Henry	do	do	do	Sedlescombe Sussex	Labourer	27	5 1/2	Brown	Gray round	Slight	do	23 Jan <sup>y</sup> 1830.
10	Reed David	do	do	do	Shilsham Sussex	Labourer	25	5 1/2	Brown	dark round	do	do	23 <sup>rd</sup> Jan <sup>y</sup> 1830.
<u>Year Ending Mich<sup>l</sup> 29<sup>th</sup> Sept 1829-</u>													
11	Clark Mich <sup>l</sup>	Aug <sup>28</sup>	do	do	Rye Sussex	Barber	47	5 1/2	Brown	Gray long	Slight		Removed on Board H.M. Ship 3 <sup>rd</sup> September, 1830.
12	Stone John	Aug <sup>28</sup>	do	do	Rye Sussex	Seaman	27	5 1/2	dark	Brown round	do	do	Removed on Board H.M. Ship 3 <sup>rd</sup> September, 1830.
<u>Year Ending Mich<sup>l</sup> 29<sup>th</sup> Sept 1830</u>													

Smugglers in Prison continued

Despite his misspelling of 'breach', the entries made by the gaoler of the day are in a clear and educated hand.

Elsewhere in the volume he takes an interest in the education of his prisoners.

Of the sixteen smugglers, four could neither read nor write, three could read only, one could write only, and the remaining eight could 'read and write imperfectly'.

Probably very imperfectly!

Of the smugglers convicted,

only one, George

Buttenshaw (No. 16) came from Winchelsea.

Elsewhere in this display you will see that if any smuggling went on in the town the Buttenshaws (also spelt Buttonshaw) were suspected of it, and they were probably guilty!

No	Name	Date	Count	Prison	County	Parish	Trade	Age	Height	Hair	Eyes	Face	Stature	Remarks
13	Rachford	Dec 11	14	Receiv. ducery	Rye	Sussex	Fisherman	57	5/6	dark	gray	long	slight	Discharged 5 April 1831
14	Clark Rich	do	do	do	Rye	Sussex	Boysman	48	5/4	Brown	gray	long	slight	do 10 <sup>th</sup> Feb - 1832
15	Gelston Edm <sup>d</sup>	do	do	do	Rye	Sussex	Fisherman	60	5/8	gray	dark	long	stout	do 31 Dec <sup>r</sup>
16	Buttenshaw Geo	July 16	0	0	Winchelsea	Sussex	Labourer	26	5/6	Brown	dark	round	slight	do 11 <sup>th</sup> Oct <sup>r</sup>
Year Ending Mich <sup>l</sup> 29 <sup>th</sup> Sept <sup>r</sup> 1831														
17	Huggitt Wm	Jan 26	1	Receiv. ducery	Winchelsea	Sussex	Shoemaker	"	"	"	"	"	"	Removed to Lowest Feb <sup>r</sup> to take his trial
18	Vin Thos	April 8	2	Receiv. ducery	Winchelsea	Sussex	Labourer	24	5/7	Brown	black	round	slight	discharged 9 April
Year Ending Mich <sup>l</sup> 29 <sup>th</sup> Sept <sup>r</sup> 1832														
19	Barnden Edw	Nov 11	1	Receiv. ducery	Rye	Sussex	Labourer	27	5/7	Black	Black	round	stout	discharged 16 Nov <sup>r</sup>
20	Kilbey John	Nov 27	1	Receiv. ducery	Rye	Sussex	Seaman	43	5/9	Brown	gray	long	stout	do Aug 30 <sup>r</sup>
21	Edwards Rich	March 25	1	Receiv. ducery	Winchelsea	Sussex	Labourer	25	5/8	Brown	gray	round	slight	Removed to Batta Gate for Punishment
22	Hall Thos	Sept 21	1	Receiv. ducery	Winchelsea	Sussex	Labourer	19	5/4	Black	Black	round	stout	discharged 31 Oct <sup>r</sup>
23	Milford Henry	Sept 28	1	Receiv. ducery	Winchelsea	Sussex	Labourer	20	5/8	Light	dark	round	stout	do 11 <sup>th</sup> Oct <sup>r</sup>
Year Ending Mich <sup>l</sup> 29 <sup>th</sup> Sept <sup>r</sup> 1833														
24	Amos Wm	April 4	1	Receiv. ducery	Winchelsea	Sussex	"	50	5/3	dark	dark	long	stout	do 7 April
25	Agents Geo	May 21	1	Receiv. ducery	"	"	"	"	"	"	"	"	"	do 27 May
26	do Geo	June 24	1	Receiv. ducery	"	"	"	"	"	"	"	"	"	do 25 June
Year Ending Mich <sup>l</sup> 29 <sup>th</sup> Sept <sup>r</sup> 1834														



## Suicides of Excise Officers

The copied text as taken from a report compiled by His Majesty's Commissioners in 1835 into the affairs of Winchelsea Corporation.

This section notes that smuggling activity in the area had increased the number of inquests which had to be held by the Mayor of Winchelsea who was ex-officio coroner for the Liberty of Winchelsea. The Liberty covered an area including not only the present town but also what we know as Rye Harbour, Camber, Winchelsea Beach and the coastline from Jury's Gap to Pett.

The commissioners noted that some inquests, like that of Thomas Monk three years later, arose from 'smugglers being occasionally shot by Government force'. It also noted that conditions for those in The Blockade Service (responsible at that time for preventing smuggling) were so bad that men serving in it had been driven to suicide. This resulted from the poor quality of recruits who were compulsorily retained within the service and the very severe punishments meted out to them in case of misdemeanour.

Somewhat complacently, at the end of that section, the commissioners state: "The system seems to have undergone a thorough change in this respect". Let us hope that they were right!

**C** inquests is greater than what might be expected. This arises partly from smugglers being occasionally shot by Gov<sup>t</sup> force. Several instances also have occurred of persons employed by the Gov<sup>t</sup> in the blockade service having destroyed themselves. It was stated that until within about three years ago the class of persons employed in that service was of a very low description; that the continuance in it was compulsory; and that the punishments inflicted on the members of it was very severe. To these causes was attributed the frequency of suicides. The system seems to have undergone a thorough change in these respects. The extent of the jurisdiction of the corp<sup>s</sup> along the sea coast adds them a large proportion of the bodies washed on shore from wrecks.

There are  
wreck is visible & there are survivors to identify the body or that the cause of death seems manifest no inquest is held. There have been at least nine or ten inquests within the last eight years. The town clerk always attends the inquests with the mayor or deputy mayor & conducts the proceed<sup>s</sup>. The coroner always makes summons the jury: he usually selects such tradespeople or farmers, as are taken for grand jury jurors at the sessions. The coroner's jury are allowed one guinea out of the town rate. The Mayor or deputy mayor receives £1. with the usual allowance of 8 a mile for every inquest this is paid out of the town rate.

12 The Mayor has no salary nor any other emoluments

13 The duties of the jurors are confined to in these with devolve upon them as Justices of the Peace for the Town & Liberties. They have no emoluments

There have been ten inquests held in the last 6 years.

## Smugglers out of Prison!

The Winchelsea gaol was clearly not very secure and the present garden walls which bounded the inadequate exercise yard could be scaled without too much difficulty. This resulted in the escape of Pierre Joseph Masier, a Frenchman committed under the revenue laws'. There was something of a scandal, particularly as he was French (!), and Messrs. William Watson and William Proctor of the Custom House, Rye were ordered by the Board of Customs to conduct an inquiry (*see large report*). They found, among other things, that the dilapidated state of the wall was a contributory factor in making an insufficient 'Barrier to the approach of Persons from without'.

Clearly Masier had been helped! Whatever remedial action was taken and reported to the Board, it was not successful for long. In 1822 (*see letter on the right*) the gaoler, Thomas Sylvester Keene, had to report to the examining magistrate, George Stace, the escape of another smuggler, Thomas Warden. Quite apart from the damage to his reputation, Keene would have suffered financially as well - he was paid sixpence a day for each prisoner confined.

Thomas Sylvester Gaoler of Winchelsea  
in the County of Sussex Kisses of His  
Majesty's Last will and testament and faith  
that Thomas Warden  
did on the 8<sup>th</sup> day of April now last  
past unlawfully escape out of the  
said Gaol - at the said Thomas Warden  
having been lawfully committed  
for an offence against the revenue  
Laws.

Given at Winchelsea aforesaid  
the 13<sup>th</sup> day of May 1822 } T. Keene  
before me }  
G. Stace

To the Foremen and Gentlemen of  
the Grand Jury for the Town of Winchelsea  
Gentlemen

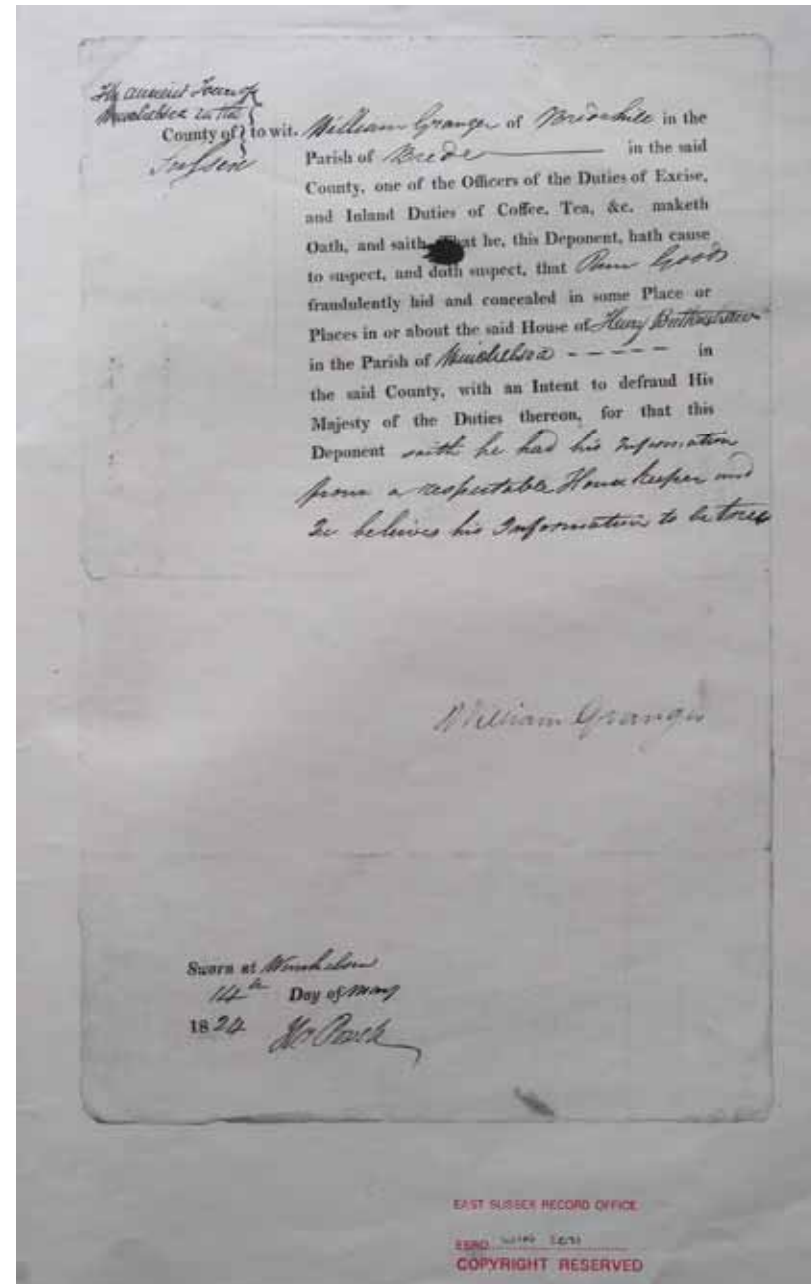
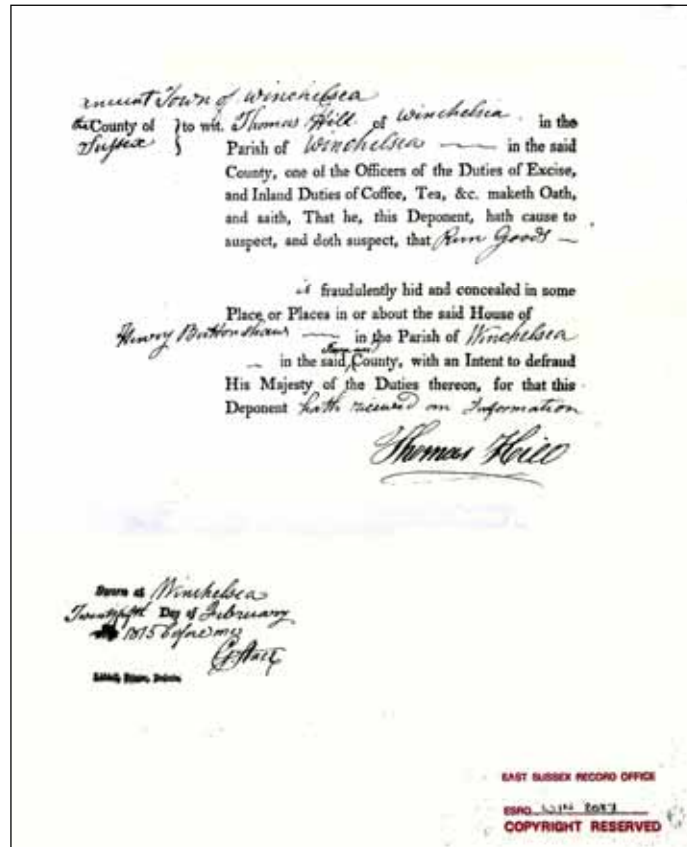
Having in conformity with  
the Hon<sup>ble</sup> Board's directions examined  
the Gaol of Winchelsea from whence Pierre  
Joseph Masier a Frenchman committed  
under the Revenue Laws recently made  
his escape. We beg to inform you that  
in our opinion the said Gaol was  
increased inasmuch as the Catcher  
to the back of the Prison doors are out  
of Town, and the Gaol Walls (in its  
present dilapidated state) and the  
buildings contiguous to the entrance  
of the Prison do not form a sufficient  
Barrier to the approach of Persons  
from without

and therefore in furtherance  
of the before mentioned directions,  
We have to request you will present  
the same to the Justices in Session, -  
and that we may be made acquainted  
with the result of your presentation,  
for their Honors information

We are  
Gentlemen  
Custom House Rye 7<sup>th</sup> Octr 1820. Your Obedt Servants  
Wm Watson & Wm Proctor

## The Smuggling Butte(o)nshaws

These statements, dated nine years apart, illustrate customs officials' (justified!) suspicion of the Buttonshaws. In both cases Henry is thought to be hiding 'run (smuggled) goods', at his home. Presumably these were applications for some form of search warrant but the outcome of the cases is not known.



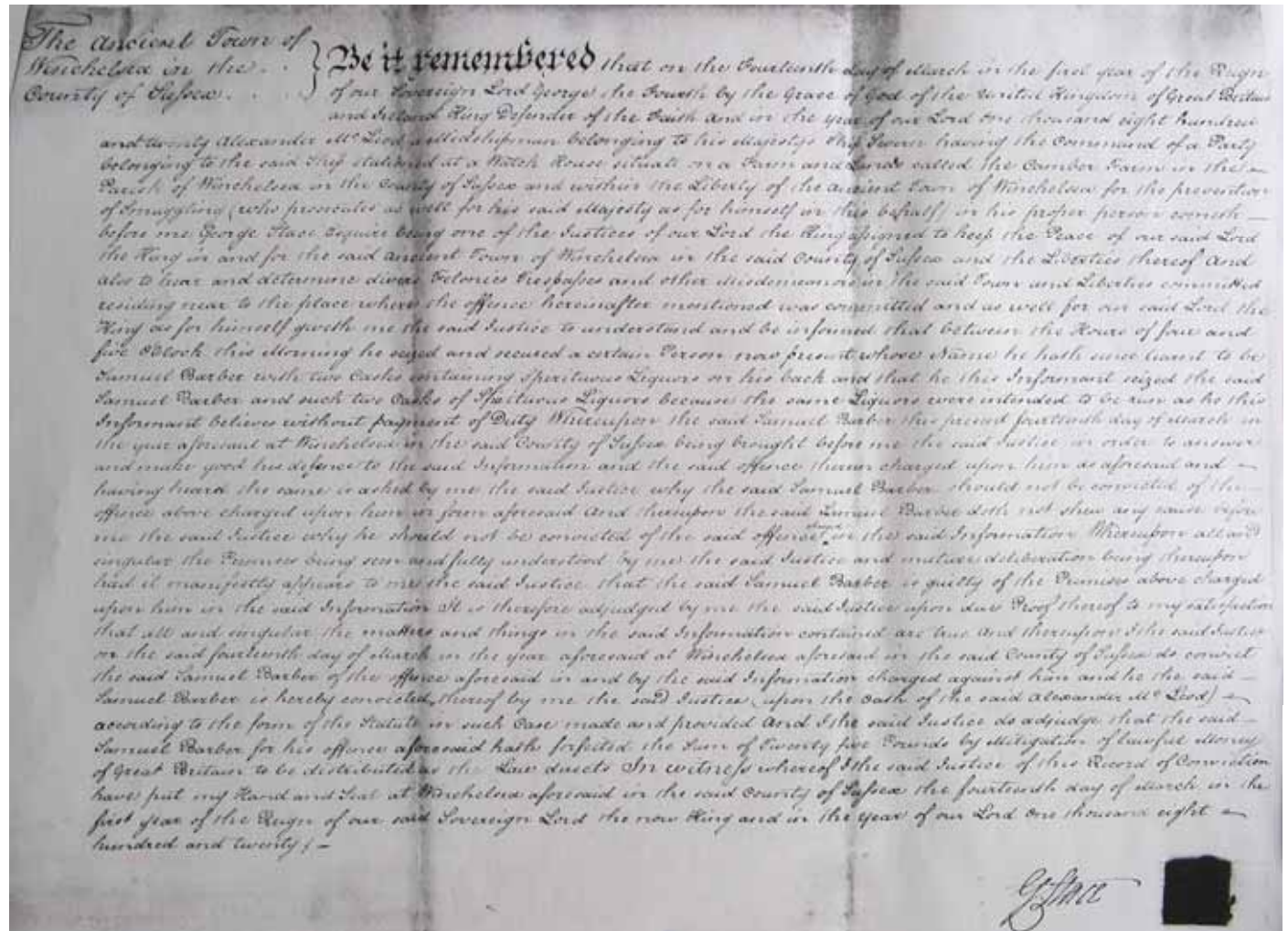


### The Conviction of Samuel Barber

This document details a smuggling conviction of Samuel Barber of Ivychurch in Kent. The trial took place in the Upper Court Hall on 14<sup>th</sup> March 1820. Barber had been 'seized and secured' at Camber Farm that same morning 'with two casks of spiritous liquors on his back.' The arrest was made by Midshipman Alexander McLeod who was commanding a detachment of men from H.M.S. Severn, temporarily stationed at the Camber Watch House. The magistrate, George Stace, found Barber guilty. The circumstances permitted no other verdict!

He was ordered to pay the sum of £25 'by mitigation'. Other related documents show this to mean that it was a conditional sentence. The original fine was one hundred pounds and if Barber was caught smuggling within the next three years, he would have to pay the remaining £75 as well as taking any punishment resulting from the new offence. Twenty-five pounds was a considerable sum in those days; it would be obtained by confiscation of his 'Goods and Chattels, Lands and Tenements' to that value. If he ever had to pay the rest he and his family would almost certainly have been left destitute.

Nevertheless it seems a lenient sentence compared with that of John Eagles who left Winchelsea for London in the year Barber was convicted and, seven years later, was hanged at Newgate for the theft of a pound.





*The sad tale of how a Winchelsea man died while smuggling and his fellow smugglers infiltrated the inquest jury!*

### **The Death of Thomas Monk**

While Winchelsea may not have been quite the hotbed of smuggling which its reputation suggests (so many of its cellars have obvious entrances from the street and it was the local headquarters of revenue officers) it certainly holds one unique place in the history of the trade'. A Winchelsea man, Thomas Monk, 'a poor fiddler' was the last person to be shot in an affray between smugglers and excisemen. This happened near the mouth of the River Rother on Sunday 1 April 1838. Monk's family lived in German Street and he was related to the Buttonshaws but whether, on that night, he was involved through the financial reward, the excitement of danger, or threats of what would happen if he did not help we shall never know. At a quarter to three in the morning a boat landed a cargo of spirits. All but a few of the barrels were being taken from the scene when the vessel, for some reason unknown, ran aground near an officer from the Camber Coastguard Station who was on guard. He was Henry Hyde, a young man petrified by the prospect of violent confrontation. He walked to the end of his beat, keeping the boat in sight, but failed to raise the alarm. His colleagues, 'observing a great number of smugglers and among them several armed men', hurried to the scene and started firing. At about the same time Hyde was joined by his superior officer, Mr. Wren, who, according to the newspaper account, was already wounded. They made their way across the shingle to easier walking on the sand. Hyde recalled when giving evidence to the inquest next day that he heard whistling and shouts before the men went by, saw three or four flashes, and heard gunshots. When he approached the party of about fifteen smugglers he began firing his musket. The firing was intense. The smugglers, supremely confident in the face of their enemy, gave a good account of themselves. One cried, 'Load and fire away, if a hundred come we are their match.' Hyde's relief when the men made off across the beach and the firing ceased can well be imagined. Conscientiously persisting in his duty he went to the boat and pulled it ashore. There was just one tub left aboard. Then he noticed something floating in the water nearby - the body of Thomas Monk.

HC 784160

CERTIFIED COPY of an  
Pursuant to the Births and

ENTRY OF DEATH  
Deaths Registration Act 1953

Registration District **Rye**

1838 Death in the Sub-district of **Beckley** in the County of **Sussex**

No.	When and where died	Name and surname	Sex	Age	Occupation	Cause of death	Signature, description, and residence of informant	When registered	Signature of registrars
103	The First of April 1838 Three o'clock in the morning Rye Bay Parish of Winchelsea	Thomas Monk	Male	28 years	habourer + Smuggler	Found dead on Rye Bay shot dead by a Musket Ball by some person unknown	John Beaumont Coroner High Street Winchelsea	Third of April 1838.	James Richardson  Registrar.

Certified to be a true copy of an entry in a register in my custody.

\_\_\_\_\_  
Superintendent Registrar

17-12-01 Date

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WARNING: A CERTIFICATE IS NOT EVIDENCE OF IDENTITY.

As was customary at the time a jury was gathered the following day and sat with the Mayor of Winchelsea as coroner. The impartial nature of the jury is, however, thrown into some doubt by some remarks made during the proceedings.

One juror commented, 'He had no firearms, he wasn't dead when I left him.' Another interjected, 'They were carrying and firing at the same time.' The jury having heard (and given!) evidence, viewed the body. After a short consultation they returned the verdict that 'Thomas Monk was on 1st April found lying on the seashore and having received a gunshot wound there languished and died but how and by whom the shot was fired the jury have no evidence to show.

Perhaps not so biased verdict as it might have been in the circumstances. Thomas Monk was laid to rest in Winchelsea churchyard on 9 April.

This account is based on an article published in the Sussex Express on 7 April 1838

On the previous page can be seen Thomas Monk's death certificate and on the right the Parish Register entry recording his death.

Page 62.

BURIALS in the Parish of <u>Winchelsea</u> in the County of <u>Sussex</u> in the Year 1837 <u>1838</u>				
Name	Abode	When buried	Age	By whom the Ceremony was performed.
Elizabeth widow of No. 439. <u>Stephen Brant</u>	<u>This Parish</u>	Dec: 16	81. years	<u>J. S. West</u> <u>A. A.</u> Rector
Mary widow of No. 490. <u>John Mustoe</u>	<u>This Parish</u>	Dec: 30	84. years	<u>J. S. West</u> <u>A. A.</u> Rector
<u>1838.</u> Maria daughter of <u>Charles &amp; Mary</u> No. 491. <u>Skinner</u>	<u>1838.</u> <u>Rye</u>	<u>Jan: 8</u>	<u>Infant</u>	<u>J. S. West</u> <u>A. A.</u> Rector
William Bailey No. 492.	<u>This Parish</u>	March 13	69. years	<u>J. S. West</u> <u>A. A.</u> Rector
John Seaman (alias <u>James Best</u> ) No. 493.	<u>Barcombe</u> <u>Parish</u>	March 23	27. years	<u>J. S. West</u> <u>A. A.</u> Rector
Amey daughter of <u>William &amp; Martha</u> No. 494. <u>Ed better</u>	<u>This Parish</u>	April 7	Infant	<u>J. S. West</u> <u>A. A.</u> Rector
Thomas Monk No. 495.	<u>This Parish</u>	April 9 <sup>th</sup>	28	<u>J. A. Smith</u> <u>Min: of Religion</u>
Mary Whitman No. 496.	<u>This Parish</u>	May 17 <sup>th</sup>	1 <sup>st</sup>	<u>J. A. Smith</u> <u>Off: Min:.</u>

## H.M.S. ENCHANTRESS

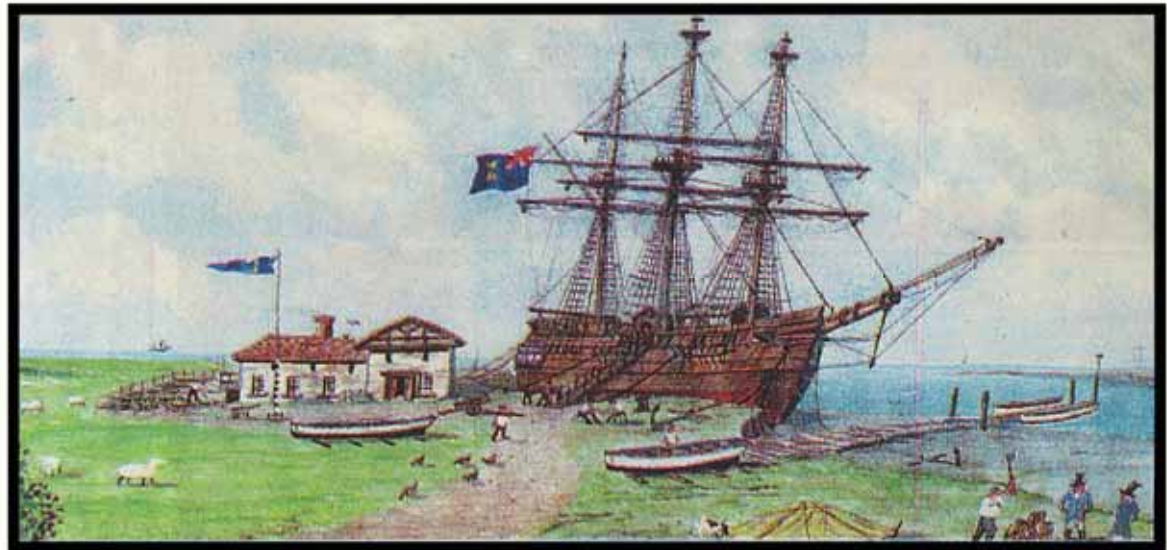
By far the most successful period of anti-smuggling activity on the Kent and Sussex coasts was the Coastal Blockade which operated between 1817 and 1831.

The local headquarters of this organisation was at *H.M.S. Enchantress* which was berthed at Rye Harbour within the Liberty of Winchelsea. *Enchantress* was formerly the French *Recontre* which ran aground on the Sussex coast and, converted for this anti-smuggling role, began service at Rye Harbour in 1819.

The men stationed on *Enchantress* met with varying degrees of success. Sometimes they received local information which enabled them, for example, to arrest smuggling vessels with false bottoms and recover large quantities of contraband. Sometimes, through over-zealousness they appeared rather ridiculous. On one occasion they pursued up the River Rother the Rye packet (the cross-channel ferry of the time) which was arriving from Boulogne with twenty passengers including 'eleven respectable ladies.' Despite the fact that she already had on board a customs officer who was supposed to be carrying out checks, a shot was fired through the packet's rigging, she was boarded and run aground, whereupon three of the ladies fainted! The excuse for all this was that a passenger who had earlier disembarked at Rye Harbour had been found to be attempting to smuggle goods. Widespread recriminations and profuse apologies ensued.

Life on the *Enchantress* was hard. Full naval discipline applied and it is reported that in 1821 twenty-six men of the Blockade Service were taken to *Enchantress* and there so severely flogged that, 'their piercing cries reached Rye'. It was this kind of treatment which led to suicides and was referred to in 1835 by His Majesty's Commissioners investigating the Mayor of Winchelsea's activities as coroner (See "Suicides of Excise Officersd").

This account is largely based on information included in *The Coast Blockade - The Royal Navy's War on Smuggling in Kent and Sussex 1817-31* by Roy Philppub. Compton Press.



*This artist's impression of H.M.S. Enchantress on station at Rye Harbour was published in the Rye and Battle Observer on 17 January 2003*