

# OPPRESSIONS & CRUELTIES

OF

## IRISH REVENUE OFFICERS.

BEING THE

SUBSTANCE OF A LETTER

TO A

BRITISH MEMBER OF PARLIAMENT.

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BY THE

Rev. EDWARD CHICHESTER, A.M.

RECTOR OF THE PARISHES OF CLONCHA AND CULDAFF,  
IN THE COUNTY OF DONEGALL,  
AND JUSTICE OF THE PEACE FOR THAT COUNTY.

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Hoc fonte derivata clades.—*Hor.*

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1818.

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BRITISH MEMBER OF PARLIAMENT

Rev EDWARD CHERCHER, A.M.

RECTOR OF THE PARISH OF ST. MARY AND ST. JOHN

AND VICAR OF THE PARISH OF ST. MARY

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Hoc fons derivata claudat—Hoc

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DEAR SIR,

AS Ireland differs from Great Britain in many particulars, and as this dissimilarity extends not only to manners but to laws, I consider it my duty to call your attention to the sufferings inflicted on your Irish fellow subjects by a recent statute, which has placed liberty, property, and life, in a most dangerous situation. I do not clamour for parliamentary reform, or Catholic emancipation; for the removal of ministers, or the abolition of establishments. I have no desire to abet the attempts of faction, to magnify minute aberrations, or to embody unreal calamity, but simply to state circumstances which demand the speedy interference of the just and the benevolent.

Ever since the commencement of the French revolution, treason, revenge, and murder have disgraced our national character. It is painful to suppose that such enormous crimes

should have been in any degree the result of impolitick public measures; but my experience compels me to believe, that although many of our faults are imputable to ourselves, some of them have been produced by injudicious political experiments. The British nobility and gentry have but little personal experience of Ireland or Irish affairs, and I therefore consider myself excusable for communicating to you some facts which have taken place within the range of my own observation, being desirous of throwing even one feeble ray of light into the darkness which prevails in your country respecting ours.

The distresses and outrages which I propose to detail, have been produced by an oppressive law relative to illicit distillation\*, which I am persuaded could never have been sanctioned by either House of Parliament, had the British members been better acquainted with Ireland. It is consequently necessary to represent to you the dangers and misfortunes caused to the Irish gentry, as well as to the peasantry, by laws which, however interesting to them, may have passed unseen by you amidst the glare of the late splendid parliamentary topicks.

About thirty-five years ago, a rash attempt was made to assimilate the collection of the Irish distillery Revenue to that of Great Britain; and with this view, but disregarding the inferior capital of Ireland, small stills were suddenly prohibited from working, while those of the largest description alone were licensed.

It is obvious that so sudden a change could not have been easily acceded to, especially after the duties on spirits became excessive, for Ireland abounds in fuel and mountainous districts, affording the greatest facility to illicit distillation. In these districts, as might have been expected, this noxious trade has been adopted by men, who would gladly have contributed to the increase of the public Revenue, had their capital enabled them to comply with the new distillery laws; but, obedience being impossible, they have subsisted by smuggling, and are likely to cause many evils to the country, if the existing regulations be not speedily cancelled or modified.

As soon as this baneful habit became confirmed, the smugglers generally formed private agreements with the inferior officers of Excise, who engaged to connive at their practices, on condition of receiving from them stipulated payments, in proportion to their profits.\* By

\* See the Appendix, No. 1.

thus assisting in establishing the illicit trade, the Excisemen soon found themselves very greatly enriched; and it became so much the interest of both parties to observe secrecy, that a publick developement of these contracts rarely occurred.

Before I proceed further, I must, however, premise to you, that I know some Excisemen who are incapable of fraud, and that if all their brethren had resembled them, the illicit distilleries of Ireland must have vanished many years ago. I also believe, that there are commissioners at the board, who secretly disapprove of the present laws, and who subscribe with reluctance the tyrannical orders which bear their signatures. You will, therefore, understand my censures of that department as being general, and subject to some honourable exceptions. Indeed when I consider the respectability of the individuals composing the Irish Board of Excise, I feel myself at a loss to reconcile their actions with the liberal sentiments which their education must have created in their minds; and I cannot, therefore, impute the crimes committed in their department solely to capricious tyranny, though their measures wear that appearance. It is probable that their injudicious conduct has arisen from a spurious "esprit de corps," added to indolence in the due investigation of truth.

The reports of their own agents are their usual means of information, and it is natural that they should believe *their* representations rather than those of the country gentlemen. The inferior officers of Excise are in the habit of stating to the commissioners, that the magistrates and landholders are inimical to the revenue; that the hostility of the peasantry is unprovoked, and that rigour in the execution of the law will ultimately prevail over illicit distillation.

These representations they generally support by eulogiums on themselves—an expedient which often succeeds with the credulous; and by means of the characters which they establish, they are entrusted with powers which their avarice prompts them to abuse. It is not my wish that the Board of Excise should be abolished, but I acknowledge my desire that their privileges should be circumscribed, and their duties attentively performed. All principals are deemed responsible for the actions of their subalterns; and I must, therefore, consider the commissioners as the authors and directors of the ill-fated actions committed by their inferior officers, to whom they unguardedly grant powers of a very dangerous description. In this point of view are my censures to be understood; for no errors of the commis-

sioners, as a body, can diminish my respect for some of the estimable members whom I have the honour to know.

In consequence of the increase of smuggling, the number of Excisemen soon became greatly augmented, their salaries and extra-allowances enormous, and the accompanying military establishment intolerable; insomuch, that the whole distillery Revenue of Ireland was in danger of being expended in its own collection. Added to this, it was announced in an official statement in the year 1805, that fraudulent collusion alone deprived the nation of a sum exceeding eight hundred thousand pounds per annum.\*

In order to remedy this disgraceful defalcation, the salaries of the inferior orders of Excisemen were greatly increased, on the supposition that wealth causes honesty; but the expedient necessarily failed, because the same unprincipled individuals were retained in office, who had formerly betrayed their trust; and the golden wand of our political magicians did not metamorphose into shapes of truth and honour those minds, which had been radically deformed by habitual treachery and perjury.

In consequence of that capital error, the distillery Revenue is at this moment in the hands

\* See the parliamentary debates of that year.

of those very persons, whose conduct was declared to be infamous. But exclusive of the palpable mistake of continuing peculators in places of trust, they were at the same time invested with the most summary power over the *rights*, the *properties*, and the *persons* of their fellow subjects; and so extensive are these privileges, that the present existence of illicit distillation is a conclusive proof of their frauds.

For the purpose of suppressing illicit distillation, an Act passed in the year 1805, authorizing Excisemen to levy fines of sixty pounds each, off those parishes in which they should swear that they had discovered any one of the seven articles used in secret distilleries.

The law specifies these articles in the following manner, viz: a body of a still, a head or a worm, potale, singlings, wash or wort; the fines for which amount altogether to four hundred and twenty pounds; thus enabling an Exciseman to obtain for himself two hundred and ten pounds: one moiety of the sum thus obtained being granted to him as a donation.\*

These fines were afterwards altered as to the amount, and the sum required for the first offence was fixed at twenty-five pounds; for the second forty; and for the third sixty.

\* Minutes of evidence taken before a committee of the House of Commons, on illicit distillation in Ireland, p. 2.

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An option was also granted of imposing them on townlands; but as it was in many instances troublesome to ascertain their boundaries, the majority of still-fines continued to be placed on parishes at large.

In cultivated parts of the country, the extent of a townland is equal to about a fourth part of an English parish. In mountainous districts it is indefinite. The rent which each townland pays, is on an average two hundred and fifty pounds a year, which is the best criterion I can offer of their value. A parish in Ireland is generally four or five times the size of one in England, and in mountainous parts of the country, it is usually much more extensive.

But the powers of Excisemen do not terminate here. Though officially branded with the mark of infamy, they are by law declared to be the most conscientious of his Majesty's subjects. Their testimony is believed, when that of others is doubted; and in suits for the imposition of still-fines, their evidence is unquestionable, although they are *interested* witnesses—a compliment which the laws refuse to the most respectable characters in the nation.

It is moreover a very melancholy circumstance, that the corruption of Irish Excisemen is in general maintained and defended by their

superiors in office; and great discouragements are offered to those who are hardy enough to expose their malpractices.

Some years ago, an Exciseman was convicted at Londonderry of fraudulent collusion with smugglers in the county of Donegall. It appeared upon the trial, that this man had employed his wife to negotiate the terms of connivance. A quarterly payment of money had been stipulated for permission to violate the Revenue laws, and these wages of corruption were openly denominated *Rents*. Any want of punctuality in payment was immediately punished by a seizure, and these occasional acts of rigour gave him the appearance of an active officer. The income which he obtained by such infamous means was very considerable, exclusive of his regular salary and the donations to which he was legally entitled for each seizure; and yet, notwithstanding the most *incontrovertible proofs* of his guilt, he was soon afterwards promoted to a lucrative and confidential Revenue situation, in which he is still retained.

About two years ago, a Gauger was convicted at the assizes of Castlebar, for a course of the basest collusion with some illicit distillers, to fine parishes and townlands by mock seizures, and for this offence he was sentenced to

imprisonment for some months. He was, however, a considerable gainer by the transaction, as the acquisition of a large property was cheaply purchased by a temporary sacrifice of liberty. Such crimes are rarely detected, because they are concealed by the mutual interest of all the parties concerned; so that if we take into the calculation the great improbability of discovery, we may with truth assert, that instances of such collusion are innumerable. Such is the conduct of men who have taken voluntary oaths of fidelity and impartiality in the execution of their duty.\*

In the parts of Ireland which are addicted to illicit distillation, the soil is of the most barren, and the population of the most indigent description; consequently any considerable number of fines, when levied by distress and sale of their goods, immediately drives them to beggary, and all its attendant evils.

In the case of fines imposed upon large parishes, it is impossible for any individual to watch the practices of his fellow parishioners, many of whom reside above ten miles from him: the principle of the law, which is that of compelling the innocent to inform against the guilty, is therefore founded upon the greatest injustice; the first presumption necessary to

\* See the minutes of evidence taken before a select committee of the House of Commons, in the year 1816; p. 63.

sanction it, viz. that it is practicable; being altogether erroneous. In large and mountainous townlands the hardship is nearly as great, not only by reason of their extent, but on account of the secret manner in which the offence is committed. It is also in vain to attempt the recovery of a fine from the guilty individual, because private distillers are a species of migrating *contrabandistas* who possess no property; and a plaintiff in such a suit, must therefore be subject to the payment of his costs, even though he should be successful in the chances of the law.

After a fine has been imposed, the inhabitants are required to applot upon themselves their respective proportions of it; and in case of omission, the Exciseman is authorized to obtain the amount, by taking it from any person residing within the district. The time granted for assessing it is thirty days from the date of the imposition of the fine;\* but, in the mean time, the inhabitants are kept in profound ignorance of the event of the information against them. The applotment therefore does not take place, and the Exciseman generally levies the fine with a degree of oppression and violence punishable with death, were it not legalized by this extraordinary statute. In most cases it is usual to notify the decisions of courts of justice to those

\* 54 Geo. III. Chap. 50.

persons against whom judgment has been given; but in cases of fines for illicit distillation, such a proceeding would deform the symmetry of the law, by giving it a solitary point of resemblance to the British constitution.

Another anomaly in this law is, the extreme difficulty in taking defence against an information for a still-fine. The purse of the nation pays the expences of the informants,\* but the poor peasants have no public treasury on which they can draw. When they succeed in defeating the information, *they are not enabled to recover their costs of the opposite party.* The various expences which they incur by defending themselves, amount at the least to seven pounds, which constitute in themselves a heavy fine; and thus the wretched people (a great proportion of whom are ignorant) are compelled to let judgment go against them by default, and are inevitably destroyed by the double-edged sword of the law.

Exclusive of the fines on districts, illicit distillers are subject to criminal prosecutions, and may be transported for seven years. Excisemen are entitled to large rewards for convicting them, and their testimony is received, notwithstanding this palpable disqualification.

I conceive it unnecessary to expatiate on the

\* 54 Geo. III. Chap. 50.

tremendous effects of this additional privilege given to Excisemen. It is however evident, that any body of men entrusted with the despotic power enjoyed by that branch of the Revenue department, may soon render themselves paramount to their unprivileged countrymen; for all persons, however innocent or independent, must soon yield to those whose testimony can thus procure confiscation, slavery, or banishment.

In the numerous modifications, repeals, and re-enactments of this statute, it falls to the lot of very few persons to comprehend it, even among those who profess the study of the law. It is therefore impossible for ignorant countrymen to understand it, and consequently they cannot obey it, were obedience otherwise practicable.

But though I complain to you of the law made against illicit distillation, I am very inimical to that destructive practice. Its injuries to the Revenue are great, but those to the cause of morality are greater. Misapplication of industry, added to the drunkenness and disorderly habits which it occasions, lays the foundation of loose principles and depraved manners. But in the same proportion that I hate this lawless practice, do I detest the regulations which falsely profess to annihilate it; for the misfortunes

resulting from clandestine distillation are evanescent, when compared with those which attend the law enacted against it.

Besides the powers granted to Excisemen by the system of fining districts, a general opportunity for injury is granted to the vindictive part of the community. A discharged servant or ejected tenant may revenge his imaginary wrongs, by leaving within the premises of his master or his landlord any one of the several articles which may effect the imposition of a fine; for neither innocence nor exertion can afford protection.

The advocates for this law endeavour to support it by the precedent of Alfred's system of pecuniary fines on tythings, or hundreds, for robbery and murder. They ought, however, to make out a parallel case, before they appeal to such a precedent. A petty smuggler boiling a little still in a mountainous recess, cannot be compared to a destroyer of life and property. That smuggling of any kind is an offence against the state and (by inference) against the moral law, I am ready to admit; but to suppose that an ignorant Irish peasant should see the subject in this point of view, after having been tolerated by the Revenue officers, is an hypothesis directly at issue with probability. The quantity of injury sustained

by a great community, in consequence of a gallon of spirits being distilled by a wretched vagrant, is not easily appreciated by him or his neighbours; and, of course, the necessity for imposing a destructive visitation on an entire district for that offence, is not immediately apparent. Far different were the fining laws of Alfred; for they only looked to the crimes which affect life and property, or which assail the foundations of civilized states.

But another marked difference between the two cases is the following: Alfred's penalties for the greatest crimes amounted only to sums within the *possibility of payment*. Those imposed at present, for the petty misdemeanour of making spirits, exceed by many multiplications, the perpetual value of the soil and moveables, and remain for ever as liens on estates.

These fines appear peculiarly oppressive, when it is remembered that Excisemen possess such unlimited powers of personal punishment. If, *by his sense of smelling*, an Exciseman guess that the smallest quantity of spirits found in any private house has been illegally distilled, the owner of the house forfeits one hundred pounds. If he should assert on the authority of the same infallible sense, that an empty cask has lately contained unlawful spirits, the proprietor may

be condemned to the goal or the hulks.\* Under pretence of searching for illicit spirits, an Exciseman can invade, with impunity, the dwellings of the most peaceable persons: *he* can break the doors of every apartment and scrutinize the smallest recess in their houses: *he* can force the locks of their desks and escritoirs: *he* can ransack the repositories of their private papers and letters, and may kill them if they resist.† No account can be demanded of him for these burglaries, except a declaration (generally unfounded) that he had reason to suspect the concealment of spirits within the premises.

Personal fines of this nature are generally inflicted by Excisemen themselves, who occasionally act as Sub-commissioners, and form tribunals, before which all such informations are brought. It is easy to conceive that such courts decide in rather a summary manner against the accused; for the Judges are Excisemen and the witnesses are Excisemen. ‡ These witnesses are entitled to a moiety of the fines which the courts impose; and it is therefore their interest to extort as much money as is consistent with the prosperity of illicit distillation, § the entire suppression of

\* 55th Geo. III. Chap. 151, and 56th Geo. III. Chap. 112.

† 46th Geo. III. Chap. 106, ‡ Ibid.

§ The excisemen, who are sub-commissioners, change places, and act as judges in the cause of each other.

which would deprive them of their immense emoluments.

Even were the principles of Irish Excisemen honest and liberal, it would be dangerous to permit the existence of such courts; but their habits being so notoriously dishonest, the toleration of such tribunals is in truth the abolition of our rights. The most rigid court of inquisition, if established in this country, would be more constitutional, more equitable, and more *disinterested*, than those of Excise and Sub-Commissioners.

The civil powers, however, of this privileged order, are not greater than their military. The whole army of Ireland is at their command, and gentlemen of character, birth, and education, are placed under the orders of any Gauger or Surveyor, who may have been raised to that situation from the rank of a footman or stable boy. The officers of our brave army which so lately conquered the conquerors of the world, are subjected to the most humiliating treatment from these low-minded tyrants, are often addressed by them in the most insulting terms, and generally employed as herds for the cattle, which are seized for the benefit of the Excisemen.

But exclusive of such a degradation of the army, there is no service which so deeply impairs the discipline of the soldiery as Revenue

Duty. The numerous detachments, desultory operations, great emoluments, and drunken habits, attendant on the pursuit of distillers, cause more relaxation than it is possible to repair by almost any subsequent regularity; but, unfortunately, the present mode of collecting the Distillery Revenue, renders military co-operation unavoidable; for obedience to such a law can only be enforced by the musket and the bayonet.

When this law was first proposed, much reliance was placed on the effects of the pecuniary temptation which it offered to Excisemen to do their duty, by seizing stills; but it was not perceived that this attractive force might be made to operate in a contrary direction, and that they might be too wise to cut down the tree which yields golden fruit. In order to preserve this source of their prosperity entire, they often relax in their activity, and absent themselves for several weeks in succession, that the illicit distillers may indemnify themselves for their losses during that interval, by an unmolested trade.

There is one respect in which the system of fining districts is irreparably pernicious to the morals of the lower classes; and that is the obligation which it imposes upon each man to become an informer against his neighbour. However honourable and necessary it may be to make

open discoveries in cases of felony, nobody will maintain that a peasantry can be improved by a habit of giving petty informations against their friends; of spurning the most obvious maxims of social life, and violating the common principles of honour. Of all the nations on earth, the Irish are the most unlikely to become informers. Their great fault is a criminal fidelity to each other. Acting on a false principle of benevolence, they would at any time risk their lives to conceal a thief or a murderer, and are taught from their infancy to believe, that all sins are pardonable except that of giving information, even in aid of justice; consequently, a law which compels them to make discoveries on their neighbours, for offences apparently venial, is totally unfit for them, being founded on ignorance of their manners and dispositions, and therefore opposed to the most common axioms of legislation.

It is again asserted by the advocates for the fining system, that in the mountainous parts of Ireland landlords are smugglers; that they increase their rents by letting their estates to illicit distillers, and that since they indirectly rob the nation, they ought to be made the ultimate sufferers, by the destruction of their tenantry. Exclusive of the cruelty of this conclusion, one of

the premises, founded on evidence in its nature always questionable,\* is *manifestly false*. It is not the interest, and it is not the practice of any of the Irish gentry, to subsist on the profits of smugglers and outlaws. In the barren tracts of Ireland, it is more beneficial to landlords to induce their tenants to cultivate waste land, than to expend their labour in private distillation; and I challenge the inventors of this calumny, to prove that any gentleman of landed property encourages his tenantry to persevere in smuggling.\* I admit that there are many who do not conceive themselves bound to impair their health, or resign liberal pursuits, for the purpose of personally seizing malt, wash, potale, wort, or stills; for they see innumerable Excisemen, who are backed by all the powers of the law and the army, unable or unwilling to assist them with effect.

It is also impossible for landlords to compel their tenants to desist from such practices, unless they be restored to their ancient feudal rights. If they should threaten to renew their leases to others, at the period of their expiration,

\* "It is not with much credulity I listen to any, when they speak evil of those they are going to plunder; I rather suspect that vices are feigned or exaggerated, when profit is looked for in their punishment. An enemy is a bad witness, a robber is a worse."

*Reflections on the revolution in France, by the Right Hon. Edmund Burke.* 8vo. Dublin, 1790, p. 206.

\* Report of the committee of the House of Commons on Irish distillation in the year 1816, p. 24, 96, & 137.

their tenants would deride such impotent menaces. The profits of clandestine distillation are immediate. The prospect of losing a potato garden and a cottage is distant. They also depend upon the combination which exists in Ireland, to visit with secret punishment any person who may occupy the forfeited tenement of another. And, besides this, they are aware of their power of holding possession for a year without title, if they take defence in an action of ejectment; and though ultimately defeated, being in most instances paupers, they may cause to their landlord the irrecoverable expenditure of costs to a great amount in each suit. In the mean time they may, by illicit distillation or collusion, impose numberless fines on the townland, or parish, from which they are ejected; and these fines will remain for ever a charge against it. In mountainous parts of Ireland, where illicit distilleries abound, the population is superabundant, and each tenement, generally speaking, is not worth a fourth part of the costs of an ejectment. From these considerations, you may judge of the difficult situation in which those gentlemen are placed, whose estates are inhabited by tenants of such a description, and may also estimate the justice of the accusations which charge them with patronizing illicit distillers.\*

\* An Act to shorten the process of ejectment passed in the year 1816, but as it was deficient in some material points, it afforded little relief to landlords.

The contrivers of the fining system appear to have made a great mistake in supposing that landed proprietors cannot be minors or females. They have not provided for the cases of sickness, age, widowhood, or absence. They do not appear to have considered military officers, who may be fighting for their country in a distant quarter of the world, while Excisemen are confiscating their estates at home, and asserting, that the proprietors are arch smugglers.

The fines on districts convert into enemies, not only those who were formerly neuter, but those who were friends to the Revenue; for, according to the manner in which the law has been extended, utter ruin awaits the inhabitants of any district which has been subjected to its operation. The most vigorous exertions against illicit distillation are unavailing, as a defence against the infliction of a fine, and it is therefore natural that they should all unite in opposing the execution of a law, which punishes virtue, and subjects the industrious and the loyal to inevitable bankruptcy for *unknown offences* committed by *unknown persons* in *unknown places*.

It has often been erroneously stated, that the suspension of the distillation fines in the year 1810 caused a revival of the practice which had been partly suppressed by their operation.

Against this statement my own experience enables me to protest. Its incredibility is evident from the nature of the law; for the fines so suspended were those which had been imposed upon parishes at large, and which obviously encourage individuals to distil unlawfully. Detection, in such a case, is notoriously impossible, in consequence of the great extent of Irish parishes, and a fine of that description never yet restrained a private distiller. The assertion is also unfounded in point of fact: nor have the many furious inflictions of fines, which have taken place of late, since the resumption of the law, been more productive of amendment. The report of the evidence taken before the committee of the House of Commons on Irish distillation, in the year 1816, contains some unanswerable confirmations of this assertion.

Those who wish to comply with the Excise regulations, by the erection of licensed distilleries, are intimidated from doing so by the regulations themselves; for some of the persons who established them at great expense have been threatened with severe punishment by the Board of Excise, for making use of them; larger distilleries having been erected within nineteen miles of them.\* Had these licensed distillers

\* Report of the Committee of the House of Commons on Irish distillation in 1816, p. 53.

persevered in their business, they would have been punished as criminals—such is the consistency of the statute which is armed with these fearful means of vengeance and destruction.

In order to prove that fines on parishes and townlands have produced the promised effect, it has been asserted, that the quantity of spirits permitted into some of the smuggling districts (especially that of Londonderry) has increased of late. If this representation be founded in fact, it may be *confidently*\* replied that the introduction of legal spirits has produced no diminution of the use of those which are clandestinely distilled; and it is certain that a great proportion of the permitted spirits has been exported again, those districts not having supplied consumers. The legal spirit is inferior to the illicit, not only in flavour but in purity; inso-much, that few persons will use it when the other can be procured. †

It has also been asserted, on the authority of some circuit Judges, that in one or two counties illicit distillation has been diminished by the fining system. This statement, however, is subject to as great a degree of doubt as the preceding; for although the Irish Judges may be

\* Report of the Committee of the House of Commons on Irish Distillation in 1816; p. 65 and 110.

† Ibid, p. 65.

accurate, respecting transactions in their own courts, they are not so well informed in matters that occur out of doors. It is true, that when many fines are imposed at an Assizes, they furnish strong presumptive proof of the prevalence of illicit distillation; but it does not follow from thence, that when few are imposed, there should be a necessary diminution of that evil. The Board of Excise, pursuing a mode of reasoning peculiar to itself, takes measures for suppressing illicit distillation, which appear to persons excluded from its councils, extremely unequal and inconsistent. It inundates particular parts of the country with Excisemen and Informers, while it leaves others wholly neglected, though illicit distillation is equally prevalent in them all. In these exempted districts, it is natural to suppose there will be few fines, notwithstanding that there may be at the same time many clandestine distilleries.

Though I trust that I have shown enough of the internal structure of this law, to convince you of its inefficacy, I think it incumbent upon me to produce some facts which will confirm the truth of my objections to it, and prove to you, that neither theory nor practice can justify its longer duration.

Sir John Stewart, a privy counsellor and representative in parliament for the County of Tyrone, was compelled to pay a townland fine, in consequence of a strolling distiller having concealed himself in the neighbourhood of his demesne, though at the time he was lying dangerously ill of a fever.\* If you had been compelled to pay twenty-five pounds, because a Jew pedlar, carrying some French lace in his pack, had lodged for a night in a neighbouring village, it would have appeared unjust: had you been ill of a fever at the time, it would have seemed a case affecting the rights of every Briton. Such then was the hardship suffered by Sir John Stewart; for an unlicensed still is in fact more portable than a pedlar's pack.

A gentleman in the County of Tyrone, who was obliged to go for some time to Bath, in consequence of a severe family misfortune, lost the entire income of his estate by means of fines imposed during his absence.†

A poor man who had been served with a notice from a wrong townland, went into court at an Assizes, supposing that it would be exonerated from the fine, by proving the nullity of the service; but the Judges said to him, "Oh, Sir, you appear, and if you appear you waive the

\* Report of the Committee of the House of Commons on Irish Distillation in 1816; p. 30.

† Ibid, p. 30.

irregularity of the notice."\* This, if a true report of the adjudication, we may venture to surmise, was a bold and original decision in the learned Judge; and yet, it is probable, that it may not be without precedents in the law reports of Algiers and Constantinople.

The situation of a Judge, who tries informations for still-fines, is one of great embarrassment; the time allowed for an assize being short and the number of trials immense, a satirist, by attending to the proceedings on those informations, might be furnished with ample materials for maligning Irish law and justice. It was facetiously observed by a gentleman who was present at a late assizes for the County of Donegall, that "the Judge knocked them off at the rate of one in a minute;† and this average is generally believed to be an approximation to the truth; for it often happens that, exclusive of numerous indictments for misdemeanours, there are near six hundred informations for still-fines to be tried at one assizes; and these must have precedence of all the business of the county, however important it may be. Three days (or four at the most) are granted for an assizes, and it would therefore be extraordinary, if the

\* Report of the Committee of the House of Commons on Irish Distillation in 1816; p. 33.

† Ibid. p. 30.

balance of justice could be suspended with precision.

Colonel Barry, representative in parliament for the County of Cavan, was twice compelled to pay a fine for illicit distillation, though the alledged offences were committed while he was in London, attending his duty in the House of Commons.

A very meritorious and public spirited man, who, with the laudable desire of discouraging illicit distillation, had erected an expensive licensed distillery at King's Court, was suddenly commanded by the Board of Excise to desist from working, because a larger still had been subsequently erected at Drogheda, a town within fifteen miles of King's Court.\* In consequence of this inhibition, he forfeited all return from the large property expended, in promoting the object for which that Board was created. Had he persevered in using the distillery, thus lawfully established, he might have been transported as a felon.

In the year 1812, there was a large farm in the County of Roscommon, one half of which was untenanted, the other being occupied by a respectable gentleman. The Collector of still-fines afterwards became tenant for the waste

\* Report of the Committee of the House of Commons on Irish Distillation in 1816; p. 53.

half of it, and employed a servant to distil clandestinely in his newly-acquired tenement. The still was seized, the townland fined, and the Collector distrained the property of his inoffensive neighbour, who was forced to pay the penalty, notwithstanding his uncontradicted protestations of innocence.\*

About the year 1813, six illegal stills were discovered on an island in Loch Gore, in the County of Roscommon; and when the Gauger, who seized them, could not ascertain the parish to which it belonged, the Judge who tried the information for the fines, ordered that a distinct penalty should be levied off each of the six adjacent parishes: so that if such fines were even fair in their own nature, at least five of those parishes were punished in a most unjustifiable manner.

It is natural to infer that various evils must arise from such indiscriminate oppression; and it is generally remarked, that in the parts of Ireland which have been subjected to still-fines, there has lately been a great increase of crimes, especially perjury, to which both prosecutors and traversers have had recourse;† and the magnitude and number of such penalties offer powerful temptations to the commission of that crime. The system of secret revenge is also

\* Ibid, p. 59.

† Ibid, p. 62.

extending with accelerating progress over all those counties where the fining system operates; and its obvious tendency to promote rebellion, shall be illustrated by some more of the facts to which I shall shortly appeal. Increased illicit distillation also occupies a conspicuous place among the instances of the demoralization which has been caused by this inefficient and ruinous law.\*

Mr. Daniel Webber, an Irish barrister and representative in parliament for the City of Armagh, failed in repressing illicit distillation among his own tenants† in the County of Sligo. Notwithstanding his fervent expostulations and exertions even to excess of all his powers as a landlord, the same gentleman was also compelled to pay a share of a fine imposed upon a neighbouring district, because a part of his demesne extended into it, though he and his servants had used their best endeavours to prevent illicit distillation.‡

The part of Ireland, -however, with which I am most intimately acquainted, is the County of Donegall, which has suffered more than any other from the cruelty and inconsistency of the fining system; especially one division of it, called the Barony‡ of Innishowen, in the deso-

\* Ibid, p. 63. † Ibid, p. 62. ‡ Ibid, p. 67.

§ A Barony is in general about a fifth or sixth part of a county, and contains on an average eight or nine parishes. The Barony of Innishowen is a large triangular peninsula, situated between Loch Swilly and Loch Foyle.

lation of which the Board of Excise appears to have spent the greater part of its force. In the mountainous parts of Donegall the inhabitants are poor and numerous; their cottages difficult of access, and peat fuel extremely abundant: to them the profits of clandestine distilleries present irresistible temptations, and often amount, after deducting all their losses, expences, and risks, together with the bribes paid to Revenue Officers, to one pound sterling each day that they work.

There is also in the County of Donegall a great scarcity of country gentlemen. The majority of those few who reside in it possess moderate, but independent estates, and are men of education and honorable principles. Like all other landlords, they wish for licensed distilleries, to encourage agricultural produce, but abhor the trade of illicit distillation, which they have often in vain endeavoured to suppress.

On the 21st of April, 1809, the landed proprietors of the Barony of Innishowen\* published resolutions declarative of their determination to refuse renewals of leases to their tenants, if they should distil without license; and also pro-

\* The greater part of the Barony of Innishowen belongs to the Marquis of Donegall, who grants long leases of it to the gentry, who let it to the cultivators of the soil. The evils which arise in many parts of Ireland from a second order of tenantry, do not affect Innishowen; for the sums paid to the Marquis of Donegall are so moderate, that they only operate as a small rent charge might do on an English estate.

fessing their determination to prosecute them criminally at their own expense.

In the year 1814, Mr. Arthur Chichester, representative in parliament for Carrickfergus, was the high sheriff of the County of Donegall. He convened a meeting of the principal landed proprietors, for the purpose of discountenancing illicit distillation; and resolutions were unanimously adopted by them, similar to those which had formerly passed in Innishowen.\* Exclusive of these endeavours to support the interests of the Revenue, several gentlemen, on different occasions, used their influence to accomplish the erection of legal stills within the county; but it appeared that the conditions of license were inadmissible, and that bankruptcy would be the lot of any person who might engage in such a concern, unless he should violate the laws. One small legal distillery has been lately erected on the confines of Innishowen, but as it has been inactive during a great part of the time which has passed since its completion, it appears improbable that the proprietors can have indemnified themselves for its cost.

The sum of still-fines imposed upon Ireland since their commencement, amounts on an average to fifty thousand pounds annually. In some places the penalties, thus incurred, cannot

\* For the proceedings at both these meetings see the Appendix, No. II.

be viewed without astonishment and dismay.

In the sterile and mountainous County of Donegal, fines have been imposed to the amount of an hundred and forty thousand five hundred and ninety pounds. Of this immense sum, more than a third part has been incurred by six parishes in Innishowen, the poorest and most barren division of the county, and resembling the remote parts of the highlands of Scotland.

Early in the year 1814, a military force, amounting nearly to 300 men (including cavalry) was sent to Innishowen at the instance of the Board of Excise, for the purpose of collecting the still-fines. This force was encamped near Culdaff,\* and was destined to act in aid of the numerous detachments previously quartered in that barony. These mighty preparations, however, which must have cost a great sum to the publick, not only proved fruitless, but contributed powerfully towards the subsequent increase of illicit distillation; and they also excited a spirit of revolt among the peasantry, who had previously become disaffected, in consequence of the general mismanagement in the execution of the Revenue laws.

The first impression made on the inhabitants of the county by this menacing measure, was

\* At Baskill, in the parish of Culdaff.

a general feeling of despair. They found themselves deceived in the expectations which they had grounded on the negligence of the Board of Excise. They began to suspect that their previous indifference in levying the fines had been a snare to decoy them to destruction. They were aware that those fines which were due exceeded the fee simple value of their holdings. They saw that the sums, thus to be levied, would be applied to the aggrandizement of Excisemen, the toleration of whose corruption made them consider their rulers as participators in their exactions, for they were unacquainted with the distinction between the Board of Excise and the executive government. They expected neither mercy nor moderation, and prepared themselves for a criminal resistance. They looked up to the French revolutionary government as one that would defend them against their own, and they entirely discredited the tale of Bonaparte's recent overthrow. Great numbers of them bound themselves by oath to commit all those crimes which usually accompany Irish insurrections; and pledged themselves to massacre, not only Revenue Officers, but every person attached to good government, every conscientious magistrate, and every protestant, of whatever description he might be.

Preparations having been thus made for the levy of the fines, and a general expectation having prevailed of promptitude and vigour, great was the astonishment of all beholders, at seeing this expensive and redoubtable military force remain month after month totally inert, and illicit distilleries multiplying in the immediate precincts of the camp, though it contained a corps of Excisemen to direct its efforts. An unlicensed spirit shop was also established within the range of the sentinels. These marvels, however, were soon succeeded by others, and the camp, which at first threatened destruction to smugglers, became a mart and a depot for large quantities of illegal spirits, a great portion of which was consumed there, and the remainder stored for future use. It also supplied the disaffected in its neighbourhood with deserters, who gave them their arms, and taught them how to use them. In the autumn of that year it broke up for winter quarters, after having assisted in causing a serious defalcation in the national revenue, deteriorated the morals of the peasantry, and organized a conspiracy in the surrounding country.

How the Board of Excise explains these proceedings, I have not the presumption to conjecture. It is rumoured, however, that it accounts for its failure by the weakness of the

laws which it undertook to execute, and also by the military regulations which prevent the soldiery from acting like a mob when on Revenue duty. These rumours, however, are too improbable to deserve credit; because, if they were true, they would prove that the Board pleads guilty to the charge of incapacity, by admitting that it was ignorant of the provisions of those laws which it volunteered to enforce.

Having thus impressed the enraged peasants with an idea of their tyranny and impotence, the Officers recommenced their operations in a few months afterwards, having been reinforced in the mean time with new legal provisions. Not contented with demanding from the wretched people all their personal property, they threatened them with extorting sums greater than they or their descendants could ever hope to acquire. They seized all the moveables they saw, and robbed the innocent with as little reluctance as they did the guilty: they seized the cows of the cottagers: they took the spinning wheels from their wives: they possessed themselves of their little stores of provisions: they distrained the smallest articles of their household furniture: they carried off even their children's wearing apparel; and robbed travellers of their horses,\* though they resided in distant places, which

\* Ibid, p. 63.

were guiltless of illicit distillation. Such punishments would have been unjustly severe towards them had they committed offences against the distillery laws; but when it is considered, that a great majority of the sufferers were not only innocent, but incapable of the deeds for which they were afflicted, it is difficult to restrain indignation within proper bounds. The Revenue oppressions, however, were carried even beyond the innocent; and those who had proved themselves most active in promoting the professed objects of the Board of Excise, were among the first victims sacrificed to its caprice.

And yet that Board had carefully abstained from interrupting an open trade in unlawful spirits carried on at Moville, a small village on the shore of Loch Foyle. A public market was always held there on Tuesdays and Fridays for many years, and continued during these severities. The resident gentlemen of the neighbourhood had made frequent and fruitless representations on the subject;—and when the still-fines were imposed, that traffic remained unmolested, and Loch Foyle was generally covered with boats, transporting illicit spirits from Inishowen to the County of Londonderry, from whence their cargoes were smuggled over a great part of Ireland.

Some of the districts which were visited with the severest punishments, were those, which tho' unimpeached for illicit distillation, had admitted cattle belonging to townlands that had been subjected to fines. This offence, however, it was impossible to avoid, as the whole barony of Inishowen is unenclosed, and every man is exposed to the incursions of his neighbour's cattle.

The unrelenting manner in which the law was executed, induced some compassionate landlords to pay the fines for their tenants, rather than witness the plunder of so many innocent people. One gentleman (Mr. Robert Young of Culdaff,) became responsible for £2,000, as the only means of sparing himself the distress of seeing the destruction of his tenants. The benevolence, however, of those gentlemen proved fruitless, for the Excisemen soon demanded new contributions on new pretences; insomuch, that it would have been impossible to have satisfied the impending requisitions by means of the produce of the soil, unless it had been composed of gold dust. Mr. Young even took his sons from the University, that they might suppress illicit distillation on his estate; and they have been compelled, almost ever since that time, to endure fatigue, cold, and watching, for the purpose of controlling their tenantry; and to employ, as their assistants, a large corps

of yeomanry at their own expense. Yet, notwithstanding all these exertions, and their seizure of nearly one hundred private stills, the illicit trade exists on that estate, and affords a practical commentary on my assertion, respecting the impossibility of restraining clandestine distillers, by compelling landlords to declare war against their tenants. The Board of Excise, however, made no remission of the fines levied on Mr. Young's property, notwithstanding his endeavours to serve them, and they enforced with rigour the payment of the two thousand pounds for which he was under an engagement.

Mr. Alexander Stewart, of Ards, representative in parliament for the county of Londonderry, (but a resident in the neighbouring county of Donegall) used the most energetic means, as a landlord, to intimidate his tenants from engaging in illicit distilleries, and ejected several of them, to the great detriment of his means of assisting his friends, who might be candidates for the representation of the county of Donegall. These decided measures proved inefficient, and in the year 1815 parts of his estate were fined for private distilleries. An inoffensive man, one of his tenants, who had been compelled to pay a fine, incurred by others, determined to try how far fortune would assist him in recovering, by legal proceedings, the amount of the penalty

so cruelly levied on him; but that fickle goddess favoured his adversaries, and caused him to fail in his suit. Those parts of the fines which could not be collected remained as liens\* on Mr. Stewart's lands.

In June 1815, the Excise collector of still-fines in Innishowen,† proceeded through the village of Muff, escorted by a large military party. His servant, who accompanied him on that occasion, fired a pistol at a respectable and unoffending tradesman, while he was standing in the street near his own door, playing with a child. The shot luckily did not take effect, which provoked the collector to use most severe language to his servant, for not having killed him. A public spirited gentleman, residing in the neighbourhood, brought the offender to justice, who pleaded guilty to the charge of an assault; a mistaken lenity having caused the suppression of the capital count in the indictment. His master, however, went shortly afterwards, with a large military detachment of cavalry and infantry, to the house of Mr. John Gwynne, a shopkeeper of unimpeached character, residing near the same village. Having made a strict search under pretence of looking for illicit spirits, and ascer-

\* Report of the Committee of the House of Commons on Irish distillation in 1816, p. 24.

† Mr. Newman.

tained that nothing forbidden was in his possession, he seized Mr. Gwynne himself, and forced him to mount behind a dragoon. In this situation he carried him over a considerable tract of the surrounding country, proclaiming to all his friends and neighbours that he had informed against them as clandestine distillers, notwithstanding Mr. Gwynne's solemn protestations to the contrary. In Ireland an informer, or prosecutor, is generally visited by some severe calamity, inflicted by an invisible hand. If he should escape assassination, his house is burned or his cattle maimed; so that Mr. Gwynne was by this accusation, subject to the greatest personal risks, exclusive of the mercantile injury which he sustained, by incurring the resentment of his customers.

For this outrageous offence, an action was brought against the collector at the assizes for Donegall, and damages amounting to an hundred and twenty-five pounds, were awarded to the plaintiff, by a respectable jury, composed of men utterly unconnected with illicit distillation. On the verdict being pronounced, the judge before whom the action was tried, gave notice to the jury, that "a part of the money should be taken out of their own pockets." At these words the astonishment of the hearers was excessive; some supposing the learned judge's

meaning to be, that the treasury would pay the damages; while others asserted that no such breach of pecuniary trust could be committed in a community where public expenditure is subjected to parliamentary investigation. The judge who made this remark, does not in general express himself with levity, for he is a good lawyer and a man of upright intentions.

Shortly after the outrage committed against Mr. Gwynne, the same collector, when proceeding on Revenue duty (attended by another large military force) attacked the toll-keeper of the bridge at Londonderry: the only provocation given to him by this man, was his demand of the legal toll, which enraged him to such a degree, that he seized him and carried him forcibly, through the principal streets of the city, to a room where he imprisoned him for some hours, frequently putting him in fear of death during his confinement. For this offence another action was brought against him at the assizes for Londonderry, and damages to the amount of an hundred pounds were given to the toll-keeper: this verdict was returned by some of the most respectable men in that city, who entertained no prejudice against the defendant on account of his occupation; for they were merchants, and of course inimical to smugglers, as all contraband dealers injure fair traders.

Many complaints had been preferred against the collector of the still fines of Innishowen, in consequence of his outrageous conduct, but they were generally treated with scorn. After these two verdicts however, it appeared impossible that any man could be retained in office, whose misconduct had been so publicly exposed; but such expectations soon proved to be erroneous, for the attachment of his employers towards him appeared to be increased, rather than diminished, and he was continued in place long afterwards, notwithstanding new enormities, which at last became so serious that almost every individual in the county trembled for his property and his life.

Soon after the perpetration of these outrages, the lands of Mr. John Colhoun, of Garrireagh, in Innishowen, were fined to a great amount for illicit distillation. He was, however, confidentially informed, that if he would point out the goods of the guilty persons, the unoffending part of his tenantry should remain undisturbed. With this proposal he complied, and the goods which he shewed were immediately distrained for the fines. Shortly afterwards, the collector having called before him the persons who had suffered on the preceding occasion, told them that Mr. Colhoun was the author of their misfortunes; being the secret informer who prompted him to

seize their effects and drive them to destitution. This injury, however, did not satisfy the fury of the collector: he added to it the most opprobrious and unprovoked epithets against Mr. Colhoun; seized his cattle for the fines, and threatened to murder him for not assisting in his own destruction.

Whoever is acquainted with the habits of the Irish peasantry, can easily anticipate the consequences of this cruel disclosure. Mr. Colhoun was soon afterwards waylaid by a considerable number of men on the public road, who maltreated him in a ferocious manner: not satisfied with beating him until he was apparently dead, they leaped upon him and trampled him until they detached several of his ribs from his back-bone. Mr. Colhoun, however, is still alive, although his health is irrecoverably impaired: He is obliged to reside in a garrison town, in consequence of the great probability which exists of his losing his life for having promoted the execution of the Excise laws. That his fears on this subject are well grounded, there is good reason to believe; especially as his grain and office houses were maliciously burned, in order to punish him for his zeal and exertions.

The following circumstance, which occurred in the year 1815, is an instance which will corroborate my opinion of the injustice of punishing

landlords for the faults of their tenants. Major Ball and Captain Charleton of the 85th regiment returned to Ireland from the United States of America, after having served in the gallant army which captured the metropolis, the former afflicted with a dangerous intermittent, the latter severely wounded. Both these gentlemen possessed properties in Innishowen, but when they visited them on their arrival, they found that they were in debt for still-fines to nearly as great an amount as could have been procured by their sale. Here then is a proof of the inefficacy of the fining system, as no advocate for Revenue tyranny can presume to assert, that private distillation was patronized by these distinguished officers of a gallant regiment, while they were subduing our implacable enemies on the other side of the Atlantic Ocean, and avenging the wrongs of their country.

In the same year some of the most respectable gentry of the county of Donegall, were subjected to Revenue insults in a manner scarcely supportable by slaves. Their houses were invaded by force, and ransacked with a curiosity exceeding that of robbers when in quest of hidden treasures. Even the apartments of the females were explored with rapacious minuteness by men of barbarous manners and ferocious conduct. In order to point the insult more acutely, these

violations of liberty and property were committed against the individuals who had signed the resolutions of the county meeting in the preceding year, by one of which they pledged themselves not to permit the consumption of illicit spirits in their families. Nothing contraband was discovered in their possession, (an event which might have been anticipated) nor did any result arise from such unprovoked outrages, except the disappointment of dishonourable suspicion and impotent malignity.

In September 1815, John Doherty, a very poor man, resident in Innishowen, was visited by the Collector of still-fines, who was attended by a strong military force, in order to give effect to his efforts towards the establishment of decorum among the inhabitants. They commenced by depriving the unhappy man of his cattle and household furniture; they next carried off his grain which he had just shorn, and took from him even the smallest implements of husbandry belonging to his little farm. After this, they seized the wearing apparel of his family, not excepting their shoes and stockings, and finished that act of the tragedy, by robbing his little children of their clothes. After they had thus got possession of all that the cottage contained, they tore its doors away and burned them in presence of the weeping family, in or-

der that they might cook their dinner, consisting of provisions forcibly obtained at their cottage. Some poultry, however, still remained, which had not been observed at first, and these the soldiers killed and put into their knapsacks, that they might feast upon them when they arrived at their quarters. This unfortunate man and his family immediately became dependent on the charity of their neighbours, in consequence of the sufferings of that day.

To assist in carrying off Doherty's effects, the Collector of the fines impressed a horse and cart, the property of Neil Farren, another poor man who lived in a neighbouring cottage. Notwithstanding the entreaties of the proprietor, the horse was overloaded, beaten, and starved, though the chief part of his wealth consisted in that animal. Farren suffered in silence for a considerable time, until perceiving that his horse was neglected and deprived of shelter from the cold during the night, he ventured to remonstrate against such usage. The only effect, however, produced by his complaint, was a violent assault committed on him by the Collector, who struck him, and threw him down a flight of steps, in the plenitude of the power with which he conceived the Excise-laws invested him. The horse died soon

afterwards, in consequence of the cruel treatment which he received on that occasion.

In February 1816, the Collector of still-fines overtook on the publick road John M<sup>c</sup>Monagle, a poor countryman, who was quietly walking homewards from his work. He immediately commanded him to seize some cattle which were also on the publick road, and on his refusal he knocked him down with a blow on the head, and then ordered the soldiers who accompanied him to fire at him; but while they hesitated to comply with the murderous command, the poor countryman recovered so far as to escape with his life, though severely hurt.

About the same time, Neil M<sup>c</sup>Canless lost a horse which was seized for a still-fine, due by a townland in Innishowen. When goods are taken for the payment of debts of this nature, it is necessary that they should be regularly advertised, and sold by publick auction. The horse was therefore driven away to Londonderry (twenty miles distant) where he was confined along with some other seized cattle, but was never brought to auction. The proprietor followed, with the intention of bidding for him at the expected publick sale, and continued there four days at great expense, in expectation of an opportunity to repurchase him; but on finding that no such

opportunity occurred, he applied to the persons who seized him, offering for his release all the money which he could procure, and at the same time proposing the just alternative of publick auction. The money however was rejected, as inadequate to the horse's value; and the legal mode of sale was finally avoided, by the simple expedient of stealing him out of the yard at night, and selling him privately to an Exciseman for about a fourth part of the sum which had been rejected when offered by the proprietor. The horse never was restored; and, as if M<sup>r</sup> Canless and his family had not endured enough of oppression, the Collector forcibly took from his brother a purse, containing about one pound in money. Although these facts were fully substantiated, all applications for relief were treated with scorn by the Board of Excise.

Early in the year 1816, a part of the crew of a Revenue Cutter, stationed in Loch Foyle, landed at Moville, and one of them murdered in cold blood an unoffending countryman, whom he called a smuggler. The dying man identified the murderer; but, notwithstanding an earnest application to the Commander of the vessel, backed by a Magistrate's warrant, the felon was secreted. This failure in the due execution of the law, added great acri-

mony to the feelings of the peasantry, who had so often felt its severity for actions which they considered venial, or which they had never committed.

About a fortnight after this cruel murder, an inhabitant of Innishowen, while standing on the shore of Loch Foyle, was shot through the heart by two soldiers employed on Revenue duty, although he was unarmed, and innocent of any offence either verbal or actual. For this murder the soldiers were found guilty at the ensuing assizes, but were pardoned at the recommendation of the Judge who tried them. On this pardon being published, the inhabitants of Innishowen began to fear that their lives were unprotected by the law: and losing all discrimination, as to the shades and circumstances of the guilt of these soldiers, they conceived that the government was determined on their destruction.

At the same assizes another soldier was acquitted, for firing at a peaceable countryman and wounding him dangerously, when going to publick worship, near Danfanaghy, in the County of Donegall. The soldier was one of a party assisting Excisemen in making seizures, and he had received no provocation from the unfortunate sufferer. This acquittal was not the result of any partiality in the Judge

or jury, but was caused solely by the accidents to which all law proceedings are subject. It contributed, however, along with the oppressions of still-fines, to alienate the minds of the poor from their political duties, and prepared them for the reception of Jacobinical doctrines, by furnishing them with topicks to vilify the constitution.

About this time, Mr. Robert Harvey, of Malin Hall, in the Barony of Innishowen, was subjected to a heavy tribute to the Excise Board, notwithstanding his many efforts, both as a magistrate and a landlord, to diminish illicit distillation. The Collector of still-fines seized the moveable property of the townland on which he resides, and carried it away, although it was apparent that the inhabitants had never incurred a fine. All remonstrance on the ground of innocence proved unavailing; and the Collector said that, even if the townland were guiltless, he knew of fines which had been imposed upon the parish at large, and consequently that he might seize the effects of the lesser district, as it composed part of the greater. The parish being seventeen miles in length, no defence could be made against this legal mode of reasoning, and Mr. Harvey paid two hundred pounds for persons, the scene of whose misbehaviour was beyond the scope of

his vigilance or information. Some of his tenants, seeing his unexpected distress, found means to advance that sum, to ransom the property which had been seized, and he immediately paid it, believing that the Board of Excise would refund it as soon as they should learn the injustice of the proceeding. All his memorials, however, have been treated with contempt or refusal.

Francis Boggs, who resides close to Mr. Harvey's demesne, was on the above occasion treated with unjustifiable severity, before Mr. Harvey had time to pay the sum demanded. He is a very poor and industrious man, and as no person residing in his neighbourhood had violated the Revenue laws, he flattered himself that he was exempt from Revenue exactions. He was however suddenly deprived of his property in this general seizure, notwithstanding his well-attested declarations of innocence. Every poor inhabitant of Innishowen, who occupies two or three acres of land, endeavours to rear a horse, which generally becomes domesticated in his family, and while young, is often a sort of play-fellow for his children. Francis Boggs possessed a colt, between which and his little boys, a friendship had thus been established. The Exciseman, however, seized this animal, and killed him by beating him, and various

other kinds of bad treatment, and when Boggs remonstrated with the Collector of fines for seizing his cattle, his reply was strongly illustrative of the improper powers which the law grants on such occasions; he told him, that he punished him in that manner for the fault of his landlord, Mr. Harvey, who had not treated him with sufficient respect on a former occasion.

Shortly after the commission of these ruthless actions, Mrs. Bramhall, a venerable widow, upwards of eighty years of age, who resides near Merville in Innishowen, was deprived of her property by some Excisemen and a military party. When this misfortune happened to her, she was attending upon her daughter, who was dangerously ill and confined to her bed.\* The first intimation which she received of her liability to such a loss, was the appearance of a number of men resembling a banditti, who began to carry off her furniture, and then proceeded to take by force the bed on which her daughter was lying. She reasoned, complained, and entreated; but the answers which she received were substantially to this effect—that such spoliation was a legal punishment inflicted on her for the faults of others. She

\* This young woman is now dead.

then conjured them by all the considerations which usually touch the heart of man, to restore the bed which they had taken from her daughter, but even that moderate request was refused, until she paid for it. Her remaining goods were disposed of as the Excisemen thought expedient, in compliance (as they said) with the law of the land. Had this occurrence taken place under the most despotick satrap of the east, it would have appeared an extravagant instance of tyranny. Unfortunately, however, these cruel sufferings were inflicted in a free nation, by men officially appointed for the purpose, and who professed to act under the authority of the King, Lords, and Commons.

In the severe scrutiny for property at this time, a discovery of an extraordinary nature was made by one of the persons assisting in the levy of still-fines. In descending from an eminence he hurt his foot against a sharp projection, which, on examination, proved to be the horn of a cow, which had been buried alive, in order to escape observation. On a further search several others were found concealed in a similar manner, the nostrils being kept above ground, that they might be enabled to breathe. The Excisemen immediately dug them out of their pits, and drove them far away

from their proprietors, whose ingenuity had nearly succeeded in preserving them from the rapacity of their enemies.

When the inhabitants of Innishowen lost their cattle, their whole property was gone, and however anxious they might have been to redeem them by purchase, their means of payment were withheld. This difficulty, being added to the general depression of cattle, and a market suddenly overstocked, caused a reluctance to purchase them at high prices. But the circumstance which contributed most to lessen the produce of their sale, was the cruel treatment which they received after they were seized. Exclusive of being beaten, and driven too fast, they were detained in the Excise-yard in Londonderry several days before they were sold. Their provender was also insufficient, and they were not supplied with water. In consequence of these cruelties and deprivations, great numbers of them died and were privately thrown into the river, and the survivors were greatly reduced in value. For the miserable sustenance which they received, high prices were charged, and deducted from the sums produced by their sale; so that their proprietors being allowed credit only for the difference, lost beyond calculation more than the apparent amount of the fines. The intrinsic value of

the cattle was great to the owners; their prices inconsiderable after so great deductions. In such cases the fines were only paid in part, and the Excisemen renewing their depredations, gleaned the little remains of property which might have escaped them on their first search. The actual loss, therefore, which the poor sustained in the payment of a fine of twenty-five pounds, was probably two or three hundred, if the real value of the goods seized be taken into the account; and you will also recollect, that the number of fines for any one offence, is liable to be increased seven fold, if the Exciseman lodge a separate information for each part of an illicit distillery.

In July 1816, Captain Alexander Lecky, of Londonderry, purchased at the Excise catter-yard in that city, for twenty-five shillings, a milch cow, worth five pounds, even at the depreciated value of that year. The district which was fined did not, however, obtain credit for the twenty-five shillings which she brought, eighteen shillings and a penny having been charged for her maintenance during the interval between her seizure and her sale; so that the whole sum admitted as received towards the payment of the fine was six shillings and eleven-pence. To her owner her value was great, as her milk constituted a considerable part of the food of his family.\*

\* Appendix, No. 111.

It is only because this matter was duly represented to the board of Excise, that I refer to it in this letter; for almost all the cattle, seized for payment of the distillation fines, were disposed of at a similar rate: you will therefore be enabled to comprehend, how near my calculation approaches to the truth, if I assert that many fines of twenty-five pounds were increased to two hundred.

Shortly after this incident, the Excise yard in Londonderry being full of cattle, and many purchasers attending to bid at the expected sale by auction, the cattle suddenly disappeared during the night, and for a long time afterwards no cause was assigned for this legerdemain, until it was discovered that the Receiver of the inland duties of the district, had caused them to vanish. That gentleman had ordered them to be sold privately to a dealer in cattle, with whom he had been previously acquainted; and the prices paid for them were very low. Being unused to the study of the law, I do not presume to determine positively, whether or not this transaction was legal, but I do not hesitate to assert, that it formed a precedent for most oppressive deeds. Although I am convinced that the motive for this private contract was a laudable one, yet a fair and public sale is the right of any man, whose property is seized for the most just debt:

how much more then are the poor peasantry entitled to candid treatment, whose entire possessions are taken from them to pay a distillation-fine. This one instance includes the cases of innumerable sufferers, and were they all specified, they would unreasonably extend this letter, which has already grown to too great a length.

While the peasantry were suffering under these heavy calamities, a gentleman, who resides in another county, happened to travel in Innishowen, and while he was passing through a poor village, his attention was suddenly arrested by seeing a man lying extended on the floor of a cottage: supposing him to be either intoxicated or dying, he alighted from his horse to offer him assistance; but on entering his hovel, he soon discovered that he was in an agony of grief. On being questioned as to the cause of his affliction, he protested that he never had been in any way connected with illicit distillation; notwithstanding which, all his property had been that morning forcibly taken from him, and that he and all his family were bereft of the necessaries of life. He then pointed to his infant children, who were likely to perish of hunger, and shewed him the entire of the sustenance which he had for them, and which consisted of a few bad potatoes, lying on the same floor with himself. His cows had been driven away to the

deadly cattle yard in Londonderry, and he had lost all prospect of their restoration, or of procuring food for seven very young children.

An aged widow, who resided near to this last sufferer, and who possessed only a cottage and a cow, was obliged to maintain her son, who was a cripple, and incapable of contributing to her assistance in any manner; that cow was, however, taken from her by the collector of fines, for the alleged purpose of suppressing private distillation. Finding that it was useless to discuss the justice of this measure, she entreated on her knees for permission to milk her cow before she resigned her, in hope that her unhealthy and fatherless child might delay, for a few hours, the approach of famine, by obtaining even that morning's meal; but her affecting request was refused with taunts and execrations, and she was left, with her disabled orphan, to suffer the extremes of hunger and despair.

After having committed this merciless act, the collector and his party discovered that a few of the peasants' daughters had wrought for themselves some little articles of dress, and they immediately deprived these poor country girls of the work of their own hands. The whole of their offence consisted in a desire to appear decently clad at publick worship, or perhaps to please their lovers at a fair or a dance. It is an

unfortunate circumstance, that the board of Excise should have deemed such barbarities towards females essential to the prosperity of the Revenue; but that it does entertain such an opinion is evident from the blank returns which it forwards to its agents; separate columns in those papers having been appropriated to lists of seized wearing apparel. Such facts are strong symptoms of a predatory spirit existing in the whole Excise department of Ireland, and prove the necessity of a speedy revision of the laws which authorize such foul deeds. The directors of these cruelties may be acquitted before human tribunals, but are unquestionably guilty of egregious crimes in the sight of God.

When cattle were seized for still-fines, they were usually driven, by the Excisemen, to a pound at the village of Carndonagh, in Innishowen: in that place they were starved for some time previous to their removal to Londonderry, a distance of twenty miles. While they were kept at Carndonagh, their owners frequently attended at the pound, in hopes of being permitted to feed them, and on such occasions most distressing scenes frequently took place: mothers, with their perishing children in their arms, supplicating the sentinels for permission to give them a little milk from their own cows: the infants also bewailing

their unmerited sufferings, and importuning their distracted parents for sustenance, which it was impossible to give them. The military employed in this dreadful duty, frequently appeared affected, and sometimes gave a part of their daily pay to mitigate the bitter sorrows which they witnessed. But such humanity was vain; for devastation extended over too wide a range to admit of individual assistance.

In June 1816, Mr. Stewart of Ards (the same gentleman who used so much energy in dissuading his tenantry from illicit distillation) was subjected to the hardships of the Excise laws, while attending to his Parliamentary duty in London. His cattle were seized and driven away for the payment of a still-fine, and would have been maltreated, sold, or killed, had he not possessed friends who preserved them. The collector of the fines refused to release them on any terms, except ready money, and exacted the sum of twenty-five pounds from his family with as much strictness as if Mr. Stewart had been an unlicensed distiller.

There are few country gentlemen who surpass Mr. Stewart in the performance of every duty which his station requires of him. As a

landlord, a magistrate, and a member of parliament, his character has been always irreproachable, as a friend to the interests of the revenue he stands unimpeached; and yet he suffered according to the invariable principle of the Board of Excise, which is to punish their supporters as if they were their opposers. This incident (had there even been none other of the same description) is sufficient to show the great impolicy of permitting such a law to exist any longer, not only on account of its own inherent imperfections, but of its liability to be executed by improper officers.

In the autumn of the year 1816, the Board of Excise was compelled to suspend its operations, by means which I shall presently explain; but in the following year it recommenced them with an obstinacy unreformed by experience, and a severity unrestrained by compassion. The dreadful famine, which visited Ireland during the spring and summer of the last year, was succeeded by a pestilence of a most malignant character, and in no part of Ireland did these calamities press so severely as in Innishowen, where the Excise laws had been so wantonly executed. While one half of the peasantry was afflicted with typhus fever; while entire families were suffering at the same moment, and

individuals dying unassisted and unnoticed, Excisemen were seizing their property and selling it for the payment of fines, and even while I write, they are persisting in the infliction of these immoderate and unmerited cruelties; in-  
somuch that if the noxious statute which permits them be not speedily repealed, they may ultimately produce evils of a more distressing kind than those which they were intended to correct.

Mr. Henry Alexander, formerly a member of the House of Commons, and chairman of the committee of ways and means, has, during the last fifteen years, expended large sums of money in reclaiming waste lands in Innishowen. After contending against many difficulties, he had succeeded in converting a sterile waste into profitable soil, and displaying to the natives the effects of taste, industry, and science. The surrounding country had begun to feel the benefit of increased produce, and to derive improved habits from his example: the money also, which he had caused to circulate among the neighbouring poor, had increased their comforts and excited their exertions. This gentleman is now serving his country as chief secretary to the government of the Cape of Good Hope, and dwells about six thousand miles from the scene

of all offences against the Irish Excise laws; but he, even thus situated, could not escape punishment. The cattle which were grazing on the lands, thus rescued from sterility, were seized and sold by auction, notwithstanding many earnest and authentic representations made to the persons who thus exacted the payment of a still-fine, imposed on him for an offence committed in an opposite hemisphere. Such is the reward which Mr. Alexander has received from his country for gladdening the aspect of nature in her most sullen mood, and covering a dreary desert with trees, verdure, and habitations.

While Mr. Alexander's property was undergoing this confiscation, a poor woman named Margaret M'Aleny, who possessed one cow, seized a hatchet on observing the approach of the Excisemen, and after innumerable awkward blows, succeeded in killing the animal from which she derived her support. This example has lately been imitated by several persons who had the good fortune to receive timely notice of the approach of their oppressors.

In a few days after this last attack upon lawful property, the inhabitants of the townland of Baskill \* in Innishowen, lost their goods by a

\* The place where the Excise camp was formed in the year 1814.

seizure for a still-fine, and on their requesting information respecting the time when it was imposed, the Exeisman who distrained their effects, refused to communicate it, although he was in possession of the warrant which authorized the seizure. In addition to this injustice he carried off grain belonging to one of the inhabitants of that townland, and sold it in a publick market, alleging that in so doing, he complied with the orders of his superiors; though the Board of Excise had in the preceding year published a proclamation solemnly pledging thmselves not to permit *corn* to be distrained\*. The inhabitants suffered in this case by their confidence in the authenticated promise of a publick and accredited body; for if they had suspected its violation, they would not have cultivated their farms. The terms of the proclamation were general, and unqualified, and the Board is consequently bound to explain, in a satisfactory manner, this apparent breach of the most common rules of honour and fair dealing. It would be a most extraordinary circumstance, if illicit distillation should be suppressed by such an intolerable degree of severity and caprice; and I therefore cannot indulge

\* See the Appendix, No. IV.

myself with a prospect of amended habits while the present system endures. Such punishments will produce crimes, and crimes must be followed by punishments; so that unless the law be speedily changed, it will soon cause an infinite multiplication of the most atrocious offences.

Having produced instances enough to show you the opportunities for unjustifiable exaction, which have been created by the act authorizing the imposition of fines on districts, I cannot omit the representation of the effects produced on the conduct and sentiments of the people who have suffered by its execution. The country gentlemen are still well affected, and would sacrifice their lives and their estates for the preservation of the constitution; but the injuries experienced by the peasantry have alienated their minds from every thing, that good subjects and good christians ought to respect. Law is odious to them, and religion perverted. Their governors they consider as their tyrants, and the most necessary regulations of civil society are detested by them as the mandates of despotism or the chains of slavery.

The peculiar circumstances of Ireland have caused her people to be undervalued by the

happier nations of Christian Europe. Though endowed with generous hearts, and brilliant talents, contingencies have produced in them a susceptibility of false impressions, of which the emissaries of jacobinism would eagerly take advantage. The unhappy state of the peasants of the north west of that country, is an inference obvious to all who are aware of their arts; and the crimes of the populace unhappily confirm the justice of such a conclusion. The state of irritability into which they have been driven by such means ought to have been considered previously to enacting any law of unprecedented severity; for the levying of exorbitant still-fines off such a peasantry, is little less than the application of a torch to a magazine of gun-powder.

That the Excise Board has acted with the utmost temerity in the county of Donegall and especially in Innishowen, I hope to make evident to you from a short detail, which I propose to give you, of the fatal consequences which have arisen from its proceedings; its entire fury appears to be still directed against that particular spot in Ireland, while it grants an unbounded liberty of defrauding the Revenue to other parts of the country, which are prosecuting the trade of illicit distillation without restraint or apprehension.

In the year 1807, the dread of fines produced such dismay, that some of the inhabitants of Baskill resolved to oppose the seizure of distilleries at all hazards; and Mr. James Underwood, a supernumerary Gauger, having imprudently separated his military party while on duty, was severely beaten there. One of the soldiers was killed and another dangerously wounded.

Some time afterwards, Mr. Edmund O'Neill, another Gauger, was fired at, and wounded in the arm, although escorted by a subaltern and twenty soldiers. The offence which he had given, was general activity in the execution of the Excise laws, and his determination to impose still-fines for the seizures which he had made.

Previously to the fining system such atrocities seldom took place, because the innocent did not suffer for the guilty. But since it began to operate, the most heinous crimes have succeeded each other with increasing magnitude, and accelerated rapidity.

In the year 1810, Mr. Eneas Coffey, who is now an inspector general of Excise, having detached some of the military under his orders to make seizures, the remainder were surrounded, and disarmed by the country people near Culdaff in Innishowen, and Mr. Coffey himself

beaten until he was supposed to be dead; in consequence of this misfortune a general order was issued by the commander of the forces in Ireland, requiring that the military should not separate from each other when employed on Revenue duty, and this general order was regularly notified to the Board of Excise.

In the year 1811, some of the inhabitants of Erris (a small district in Innishowen) opposed a considerable military detachment which accompanied two Gaugers, and having surrounded them forced them to surrender the seizures which they had made, after which they permitted them to retire unmolested.

In the year 1812, a hot fire was kept up for upwards of an hour against a detachment of militia who were assisting some Gaugers to make seizures in Erris. They effected their retreat, however, after one of the privates had been badly wounded by the inhabitants.

In 1813, another military party, similarly circumstanced, was surrounded and blockaded for a day and a night by the same people, in a house where it had taken refuge. A troop of cavalry and two companies of infantry were dispatched from Londonderry to relieve them; but previously to their arrival the besieged party had capitulated, and resigned the stills which

they had taken. The terms of the capitulation were strictly observed by the insurgents, who permitted them to march out with their arms. An officer of the Lanarkshire militia, who commanded the military on that occasion, escaped in disguise to his quarters.

About this time some incendiaries attempted to form a conspiracy against loyalists and protestants in Innishowen, on a systematic scheme of affiliated societies, similar to the United Irishmen; with this difference, however, that their predecessors in treason affected to disclaim all religious distinctions. The pretence for such associations was the existence of Orange societies, which are bound to support the King and Constitution;\* but a few of the Magistrates, by timely and decisive exertions, soon expelled the agitators, and some well-adapted punishments, inflicted by the Chairman of the quarter sessions, restored to peaceful habits a few of the inhabitants who had been misled by the false assertion that Orange societies existed in their neighbourhood. Being naturally well disposed, the peasantry of Innishowen would have continued uncontaminated by the spirit of jaco-

\* Ever since the last Irish rebellion the emissaries of sedition have been endeavouring to excite the Roman Catholics to insurrection, by raising false reports respecting the hostility of Orange-men towards them.

binism, had they not been excited to resistance by the terrors of the Excise-camp and the Excise-laws.

In the year 1814, the District of Erris became a garrison for illicit distillers, who assembled there in great numbers, each man carrying thither a musket and ammunition along with his still, and binding himself by oath to co-operate with his associates in resistance to the Excise laws. That district is scarcely three miles square, and is bounded by the sea and a range of mountains, through which there are only two passes. In this small place there were nearly two hundred unlicensed distilleries constantly at work during the summer of that year; exclusive of those which were erected near the encampment, for the purpose of supplying the Soldiers and the Excisemen with illicit spirits.

Early in the year 1815, a house containing several sheep was maliciously set on fire, near Moville, by some persons unknown, and the sheep were burned alive in a most cruel manner. This barbarous outrage was committed against the property of a man who had been suspected of giving information against unlicensed distillers, and causing the imposition of fines to an amount beyond the means of payment.

In the following October, some Gaugers, accompanied by a large military party, made a few seizures in Erris; but were fired upon by the natives, and were under the necessity of fighting their way out of it.

On the 9th of November 1815, a small military detachment, consisting of a subaltern and twenty-nine men, attended some Gaugers, who went into Erris on Revenue duty. The inhabitants, who had been previously drilled by a deserter from the camp, placed themselves under his command on this occasion; and having permitted the Gaugers to make some seizures, they occupied the pass through which it was necessary for them to return. On the approach of the Revenue party to that place, the natives commenced a heavy fire upon them, which was returned by the military; and the engagement continued for a considerable part of the day. If the army had not behaved with spirit on this occasion, they would have been inevitably cut off. They effected their purpose, however, and carried away their seizures. The action continued so long that they had nearly expended the whole of their ammunition; and if the insurgents had been aware of this circumstance, they must have succeeded in their attempt, as they out-numbered the soldiers in the proportion of four to one.

In the latter end of that year a Mr. Hurst, who held an Excise commission, and resided at Ballyshannon, in the County of Donegall, was shot in one of the principal streets in that town by two men, who went armed with pistols for the purpose, and who fled immediately after the perpetration of the murder. This man had prepared so many informations for fines, that all the property of the neighbourhood appeared insufficient to pay them if imposed. His assassins have not as yet been discovered, though large rewards have been offered for their apprehension.

In some of the Northern Counties another expedient was invented to frustrate informations for still-fines, without incurring the guilt of murder. Large numbers of men frequently assembled and surprised Excisemen when asleep. After having made them prisoners, they put them into sacks, and carried them to distant parts of the country, to which they were strangers. On arriving at the destined places, they liberated them from the sacks, but kept them strictly confined in houses until after the assizes, when they again carried them in the same manner and left them at their homes uninjured in their persons. At Cookstown, in the County of Tyrone, a Gauger was surprised in this manner,

though sleeping in a barrack with soldiers; and another, who was seized in the County of Donegall, was taken to the Island of Tory (about three leagues from the coast), and was there compelled to assist the natives in illicit distillation until the assizes had terminated.

Among the many causes which conspire to retard the civilization of the Irish peasantry, the want of resident landed proprietors holds a prominent place. This great misfortune acts both as cause and effect in the reproduction of itself; for in the same proportion that the gentry emigrate, does the country recede from civilization, and the few men of property that remain, are afterwards induced to desert their native land by the increased barbarism resulting from the departure of their predecessors. It is dismal to look forward to the ultimate result of this abhorrence of country manifested by the Irish landed proprietors; and if the growth of this evil be not immediately restrained, the population will soon consist of savage peasants and rapacious land-stewards.

The Rev. Peter Maxwell, an inhabitant of Innishowen, was sensible of this fatal disadvantage under which Ireland labours, and had determined, as far as his individual influence ex-

tended, to remedy the misfortunes created by absentees. In the barony of Innishowen the deficiency of resident gentry is peculiarly detrimental; and of those landed proprietors who live there, few have the resolution to become magistrates, especially in the parts of it which have been heavily fined for illicit distilleries. Yet, notwithstanding Mr. Maxwell's just sentiments on this subject, he was induced to remove with his family to the continent of Europe, to avoid the unjust and indiscriminate severities of the Excise laws in the year 1815. Mr. Maxwell's case, however, is not singular. Many of those gentlemen, who have received such unmerited insults and injuries, would imitate his example, were they not prevented by family considerations or professional necessity.

In the latter end of the year 1815, Mr. Young of Culdaff, whose family had made such exertions and sacrifices to suppress illicit distillation, suffered by the resentment of his tenants; some of whom attacked his house at night and destroyed his windows; in consequence of which he was placed under the necessity of maintaining a nocturnal guard for several months afterwards. You will recollect that this gentleman had previously paid the sum of two thousand

pounds, exacted from him by the Board of Excise, under the denomination of still-fines.

In the same year the Rev. Lucius Cary, of Red Castle, near Moville, in the Barony of Innishowen, felt, to an unusual degree, the bad effects of the fining system. His son, having gone into the neighbouring mountain in quest of game, accidentally fell into a concealed pit of rather an unusual magnitude. As soon as he had recovered from his surprise, he explored it, and found it to be a private distillery, which must have caused the imposition of a fine on his father's land, if it had been discovered by an Exciseman. In order to guard against such an unmerited misfortune, he seized the still and destroyed the vessels, which all persons are empowered to do by the Irish Excise laws. But in a short time afterwards his father's house was forcibly entered in the middle of the day by the proprietors of the subterranean distillery, who, fearless of punishment, appeared to emulate each other in their defiance of the laws. They afterwards made his sister a prisoner, and compelled her, by threats of instant death, to accompany them through every part of the house, and to witness the wanton destruction of all the articles of furniture which it contained; and concluded

their crimes by carrying off all the arms which they could discover. The perpetrators of this audacious outrage, however, are harboured by the inhabitants of Innishowen; insomuch that it has not been possible to bring them to justice for their conduct on that occasion; \* so decided is the resolution of the peasantry to support them in their resistance to the distillery laws, and all the others which are connected with them. From this circumstance it appears that by complying with the system of fining for illicit distillation, Mr. Cary has lost his father's property without redress; and that if he had avoided such compliance, he must have suffered in a similar manner (though a legal one) from the Collector of the still-fines.

But the case of Mr. Norton Butler, who was made the innocent victim of the Excise laws, deserves peculiar consideration. He had been formerly an officer in the Donegall Militia; but being the possessor of a small independent property, he retired from that service, and became the manorial Seneschal of the barony of Innishowen, and a receiver of rents for some of the absentee landed proprietors. He inhabited a house called Grouse Hall, situated in a moun-

\* One of them was convicted of another offence at the assizes held at Lifford in Lent 1817.

tainous part of Innishowen, where illicit distillers had exercised their trade without any fear of molestation. Contemplating the probable imposition of still-fines, he endeavoured, by means of his influence as a landlord and a land agent, to dissuade his neighbours from persistence in a practice so inevitably ruinous to the vicinage: but as licensed distilleries were beyond the means of every individual who possessed only a small capital, the peasantry determined on persevering in their illicit trade at all hazards; and finding that agricultural produce could not be disposed of by lawful means, they conceived themselves justified in recurring to illegal distilleries.

Some persons occupying a neighbouring farm, who lived on bad terms with Mr. Butler, took advantage of the means of revenge, which the system of still-fines had provided for them; and knowing that he must ultimately suffer for their misconduct, they established an unlicensed distillery contiguous to his house.

To effect the removal of so destructive a nuisance, he applied to some neighbouring Excisemen, who on various pretences declined interference. He then began to suspect, that they delayed acting upon his information with a view to their own emolument; and he, therefore, determined on making the seizure himself. In this

attempt he was resisted, over-powered, and beaten by the proprietors of the private distillery, who afterwards persevered in their plan of annoyance. He then lodged a criminal information against them for the assault; but on their trial, at the following assizes, they were acquitted; the judge having charged the jury to disbelieve his testimony, on account of a disagreement respecting dates, between his written information and his oral evidence.

I am induced to mention Mr. Butler's case with some minuteness, because the professed object of the Excise fining system was accomplished by him, and he was forced by the menaces of the law, to use his utmost efforts, as a landed proprietor and land agent, in the suppression of illicit distillation.

In September 1815, Mr. Butler was fired at, near his own house, by two men, who had concealed themselves in the ditch of the public road. From this attack he escaped unhurt, though his clothes were perforated with large shot, and the horse on which he was riding was killed. At that moment, when the assassins were preparing to dispatch him, a countryman, who had been acquainted with Mr. Butler, providentially appeared. When the assassins saw the countryman, they retreated to a little dis-

tance, and told him that they had endeavoured to murder him in revenge for his efforts to punish his neighbours for illicit distillation, and that the attempt should soon be repeated. These assassins were well known to Mr. Butler, as they had both resided in the vicinity of his house, and yet they continued for a long time afterwards to seek opportunities to destroy him, and publicly avowed their murderous intention; being confident in the protection of the peasantry, who were generally associated in the same cause, and who had subscribed to pay forty pounds as the price of his blood. A fund was also formed, for the purpose of rewarding with equal premiums such assassins as should kill an Exciseman, or any Magistrate who might dare to support the laws.

Mr. Butler's office of Seneschal requiring him to attend at particular places on stated days, his persecutors were enabled to observe his movements, and murder him whenever circumstances might favour their plan. Accordingly, another attack was made on him in the following month of February at Buncrana, a populous village in which there is a weekly market. One of the persons who had attempted to murder him in the preceding September, watched for him in the hall of the inn after the adjournment of his manorial court, and suddenly snapped a pistol

at his head, which providentially burned priming. A crowd, which surrounded the door, admitted the murderer amongst them and contributed to his escape, notwithstanding Mr. Butler's loud and reiterated calls for assistance.

His deliverance on this occasion proved, however, but a short respite; for his enemies immediately renewed the pecuniary inducements to destroy him. Every newly-erected distillery called forth new exertions from him; and every day the number of his adversaries increased. Of their projects he was well aware, and in consequence of them, he was obliged to discontinue the manorial courts. Had he ceased from obstructing unlicensed distillers, he might even then have conciliated the favour of the populace; but if he had endeavoured to save his life by such means, his own property and that of his employers would have undergone confiscation. He therefore confined himself to the precincts of his house, except when guarded; and even avoided looking out at his windows, knowing that his adversaries were lying in wait to shoot him, for complying with the law, which compels peaceable subjects to go to war with their neighbours for illegal distillation.

On the second of July 1816, having unfortunately persuaded himself that no assassins were lurking near him, he ventured unattended to

look at some cattle, which were grazing in a paddock close to the rear of his house; and seeing the inhabitants of the adjacent hamlets engaged in field labour, he conceived himself (for that moment at least) secure against any attempt on his life. Some of the assassins, however, had concealed themselves behind a wall; and two of them, having carefully watched his movements, shot him in the back with muskets loaded with bullets and slugs. On receiving the shots he immediately fell, and while he was lying mortally wounded, one of the murderers ran up towards him, and stabbed him with a bayonet, which was fixed to his musket. Mr. Butler though maimed, and in the agonies of death, struggled against him with all his might, and forced from him both those weapons together with a pistol, which he carried concealed in his breast. He lived long enough, however, to relate his story; and when he died, his widow and numerous orphans were deprived of their entire means of support; for his little property was fined for illicit distillation beyond its value soon after his death.\*

This barbarous and cowardly murder was witnessed by many of the neighbouring cottagers;

\* Lord Whitworth, the Lord Lieutenant of Ireland, in consideration of the wretched state to which the untimely death of Mr. Butler had reduced his family, with the most prompt feelings of compassion, granted to his widow a pension of £.200, which forms the chief means of their support.

and when Mr. Butler fell, some of them testified their satisfaction by cheers and exultations. The spectators, who thus manifested their joy, had, on many former occasions, experienced important benefits from him and Mrs. Butler, and had generally received from them assistance in difficulty, and medicines in sickness. It pains me to recount such depravity in any of my fellow creatures, and especially in my countrymen; but I conceive myself well warranted in attributing the principal part of their wickedness to the infuriating oppressions of the Excise-laws, for they were formerly disinclined to such diabolical violations of all moral rules.

Mr. Butler's premature and melancholy death may serve to illustrate the tendency of the severe and injudicious law, which is the subject of this letter. He fulfilled it according to the most sanguine expectations of its projectors: he opposed illicit distillation with all his powers; he lost his life in consequence of that opposition; and the unlawful trade has increased beyond measure, especially in those places where he had exerted himself the most. In this unhappy situation, then, are all peaceable subjects placed by the present system of Irish distillery laws; on the one hand, certain bankruptcy awaits them, and on the other, certain death.

About ten days after the murder of Mr. But-

ler, Mr. Daniel Collison, a Revenue officer, was attacked at Glenagannon in Innishowen, a village where still-fines had been frequently levied with wanton severity; having advanced about a quarter of a mile before his military escort, the inhabitants surrounded him, and struck him with hay-forks and stones until they supposed him dead. His horse, with his accoutrements and a brace of double-barrelled pistols, fell into the hands of the assailants. He was, however, soon afterwards found by the military, who conveyed him to Carndonagh, where he received surgical assistance. In this attack the peasantry were emulous of the honour of killing him, and obstructed each other so much, that none of his wounds proved mortal. In about three weeks he became convalescent, and on the 7th of August 1816, he ventured to walk into the street in which he lodged, but was immediately shot through the body by a man, who at first saluted him in a respectful manner, and after having passed him fired at his back with one of his own pistols, and lodged two balls in his lungs. The assassin, on seeing him fall, fled in presence of several persons, of whose co-operation he appeared certain, and he is still at large without any dread of capture, being favoured and protected by the peasantry of Innishowen, who consider as an act of splendid heroism, this das-

tardly attempt to murder a disabled man. Mr. Collison, however, is still alive, and it is reported that his treacherous enemy has received only a moiety of the promised donation, the murder not having been completed.

Soon after the attempt to murder Mr. Collison, the Rev. George Marshall, Rector of the parish of Donagh, admitted into his house a constable having in charge a prisoner taken on a warrant for stealing horses; in a very short time after their entrance, a mob of several hundred persons assembled from considerable distances in every direction demanding the prisoner, in order that he might be liberated by them, and threatening with instant destruction every individual of the family, if they continued to protect the constable.

On observing Mr. Marshall's reluctance to comply with their demands, the mob, led on by his own labourers, proceeded to destroy his house; when conceiving all further resistance fruitless, he yielded to necessity, and surrendered to them the men who were the objects of this outrage. The insurgents then robbed the constable of his arms, and carried the fellow several times round the house, uttering triumphant shouts, and alarming the family for their personal safety. The prisoner in this instance did not appear to possess any recommendation

to popular favour except his criminality ; but the transaction sufficiently proves that the rash excitement of the multitude in one instance, often leads the way to general insurrection. The offenders on this occasion are well known ; but they have not as yet been apprehended.

A large reward having been offered by the Government and the resident gentlemen of Inishowen for the apprehension of Mr. Butler's murderers, George Balfour, a countryman who was intimately acquainted with them, was induced to discover the place where one of them was harboured ; and in consequence of that information he was put to death, late on the evening of the 2d of October 1816, by two hundred men who had assembled with that intention near to Carndonagh. Five general combinations for that purpose had failed. The sixth succeeded in consequence of his erroneous belief that the conspirators had been reconciled to him. As soon as they had killed him they all joined in mutilating the body and dragging it across bogs and rivers. Such are the effects of Revenue oppressions on the minds of a peasantry, who were formerly endowed with warm hearts, and generous feelings.

So many sanguinary and unpunished successes contributed to the extension and virulence of the conspiracy, which had been formed by

the country people, and even their poverty did not prevent them from subscribing in aid of their rebellious fund. Those who could not give money, gave yarn or any other saleable article which they possessed, and they continued to be suspicious and disaffected, revengeful and bigoted; especially those who had sustained capricious oppressions or irreparable losses. They conceived themselves enlisted in a holy cause, and in their fury they confounded the friends of church and state with the Revenue executioners; and yet, notwithstanding such actions and sentiments, great numbers of them at first refused to be enrolled as candidates for the perpetration of crimes, from their natural repugnance to commit unprovoked murder; but as soon as it was promulgated, that one of the objects in view was resistance to the collection of still-fines, all difficulty was dispelled, and by this argument the emissaries of sedition increased the number of conspirators to a formidable amount. The attempts to murder those magistrates, who appeared willing to support the laws, became more determined; and several conspiracies to that effect were formed, though fortunately without success. The assassins often made use of female apparel, and assumed the disguise of mendicants to accomplish their designs. At a meeting of the magistracy, it was agreed that

in consideration of the lawless state of the country, a memorial should be forwarded to the Lord Lieutenant, bearing all their signatures, and requesting of him to proclaim Innishowen as a district placed under the insurrection or peace preservation act; but unfortunately the same causes which produced the disease, prevented the possibility of cure. Those acts require that the great expenses attending them shall be borne by the proclaimed district; but Innishowen had already been desolated, and the sources of expenditure entirely drained.

Lord Whitworth, who was at that time Lord Lieutenant, seeing the critical circumstances which had arisen, interposed with his accustomed wisdom and benevolence, and stopped the Board of Excise in the midst of their intemperate career. Unfortunately he could not command that the collection of still-fines should cease entirely (as laws are equally obligatory on governors and subjects), but as far as mercy could be legally shown, he exercised his prerogative. He also ordered the Board of Excise to enquire into the truth of the reports which he had received respecting Revenue cruelties; and upon seeing that they were well founded, he demanded that the offending persons should be dismissed from their offices.

Mr. Peel, the Chief Secretary of the Irish

Government, at the same time recommended that a partial police establishment should be sent to Innishowen, and as soon as Parliament assembled, he brought in a Bill to enable the Government to pay two-thirds of the expense in all cases where such measures are necessary, and where the disturbed districts are unable to pay the entire cost. It is therefore just to state that there is no blame imputable to the Irish Executive Government. Every thing was done by them which prudence could suggest to extinguish the flames kindled by the rashness and incapacity of their servants.

That Board, however, having renewed their cruelties in the last autumn, a correspondent re-action has been again manifested on the part of the sufferers; for it is not possible to suppose that the fermentation created by such desperate barbarities could subside in a few months; especially as the existing causes have been renewed.

Early in last October, a poor man named Lindsay, who resided near Carndonagh in Innishowen, was nearly destroyed at midnight by some unknown persons who set his house on fire, while he and eleven others were asleep in it. They were all, however, providentially saved by the cries of an infant, who began to feel the approach of the flames, and awakened them in sufficient time to preserve their lives.

On the night before the commission of this deed, a beam, which had been placed as an external support to the house, was maliciously removed, with the probable intention of crushing all the inmates to death. The unfortunate Lindsay died in a few days afterwards, having been deprived of shelter from the inclemency of the weather; and no information has been procured as yet, which can lead to the discovery of the incendiaries. The suspected crime, which caused this dreadful punishment, was apprizing Gaugers of the existence of illicit distilleries, and of course imposing fines on parishes or townlands.

Next to the felonious spirit, which has been raised by Revenue oppressions in Innishowen and other parts of Donegall, the most deplorable consequence is an utter indifference with respect to the observance of oaths. This crime has unhappily been too general in Ireland ever since the rebellion in the year 1798; but its prevalence is particularly notorious in the districts which have suffered under Excise exactions. In those places the inhabitants, when driven to distress, have often entered into the most awful contracts to cease from illicit distillation, on condition of exemption from the remaining fines which were impending over them. These contracts they have often confirmed by solemn and

unequivocal oaths; but as soon as they had disarmed suspicion by the sanctity of their engagements, they generally recommenced the exercise of their abjured trade.

Previously to the late severe inflictions of Revenue punishments, the inhabitants of the remote parts of the Barony of Imishowen afforded a prospect of gradual religious and moral improvement. Many of them had caught with an eager grasp at the advantages offered to them by the Association for Discountenancing Vice, and the Hibernian Sunday-School Society. In some of the parishes, even those which are the most addicted to smuggling, the peasantry had frequently contributed small sums towards the maintenance of schools for the poor. The children had almost all learned to read, and the greater number of the cottages possessed either a Bible or Testament, exclusive of various other improving books; in many instances parents had begun to receive the light reflected from the minds of their children, and to indulge a laudable pride in hearing them lisp the praises, or repeat the commands of their Creator and Redeemer. But the Board of Excise, by exciting the spirit of revenge, and aggravating the effects of famine, have dissipated all these flattering visions of future civilization. Many of the in-

nocent tongues which afforded such delightful expectations, are now mute in the grave, in consequence of famine and its attendant diseases; for as I have already stated, the seizure of cows deprived children of their chief support. The malignant sentiments of human nature have now taken place of the benevolent; and the peasantry have discontinued the sums formerly contributed by them for education.

In those places where churches and glebe-houses are required, the same cruel cause prohibits improvement. The liberal loans, which Parliament has authorised for their erection or restoration, have proved useless; the clergy being unable to secure even the interest of the money so advanced, in consequence of the general devastation; for when the inhabitants are unable to support their lives, they deem such expenses extraordinary and unnecessary. By the late inordinate levy of still-fines, every thing good appears to have been annihilated, and every thing bad promoted; and to a cursory observer, the present distillery system of Ireland seems to have been framed for the perpetration of smuggling and anarchy. It has culled the evils both of savage and civilized life, and rejected all the advantages which they contain. Such is the moral reformation effected by still-fines, the beneficial consequences of which

have been so often extolled by short-sighted speculation or canting rapacity.

If, however, the Irish distillery system had performed the mighty promises which were made in its name, it might even yet admit of support from those who esteem morality a secondary consideration. It is, however, a fact notorious to many persons, that it has failed in accomplishing its professed purpose. The mountainous parts of Ireland attest the truth of this assertion, especially the County of Donegall, which seems to have been made the field of trial between the Board of Excise and the illicit distillers. I appeal to every inhabitant of that county to declare whether they ever witnessed so much unlicensed spirits conveyed along the publick roads, or knew of so many unlicensed distilleries as exist at the present moment; and if in some small districts the practice has suffered a momentary depression, the smothered fire bursts out with increased force in their vicinity.

I should too far extend the privilege of proof by induction, if I continued to a greater length my statement of facts relating to this cruel law. It is a more pleasing task to propose remedies for the miserable state to which so many persons are now reduced by ill-advised experi-

ments in financial legislation: I will therefore take the liberty of suggesting a measure which I hope may prevent, if adopted, a recurrence of the dismal and disgraceful scenes which I have described. However presumptuous I may appear in treading on ground of which I have so little experience, I am nevertheless encouraged to make the attempt, by the consideration that no system can be worse than the present.

In the first instance it seems expedient to remove the great cause of all the legal anomalies on this subject; and this is, the monopoly of distillation; for, until the private capital of Ireland becomes commensurate to that of Great Britain, the power of competition ought not to be limited. According to the present system every advantage is given to those who possess large means; and insuperable difficulties are opposed to men of small or moderate capitals. Of course, the numerous districts of Ireland inhabited only by such people are, by law, deprived of consumption for agricultural produce by any establishment of great distilleries.

The obvious consequence of this partial distribution of indulgences, must be either diminished cultivation, or contraband habits. In order to check the illicit trade, it is only neces-

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sary to legalize small stills in the poor districts, on such terms as will admit of profit; for, according to the existing rates of duties, it is impossible for an inexperienced or an indigent man to save himself from speedy ruin, if he engages in the establishment of a small licensed still. These concessions might, at the same time, be prevented from producing any bad effect on the gains of those distillers who are licensed on a great scale; \* for it would be an easy matter to protect them from being under-sold, by enacting compensating difficulties in point of exportation, which might be placed in the way of the inferior distillers, and which might be so adjusted as to admit of their succeeding by the consumption of their own districts.

At present the grievances in suppressing illicit distillation are intolerable; and if that injurious trade were even extinguished by the means now used, the pressure must be continued in order to prevent its revival. The unlawful distilleries, however, are not likely to be annihilated without changing the whole construction of the present Excise regulations; and in the mean time the practice is becoming habitual to the people, whose minds are con-

\* Report of the Committee of the House of Commons on Irish Distillation in 1816, p. 128.

stantly excited by the spirit of gambling and desultory war which it creates. The obligation to inform against illicit distillers, which the fines are calculated to enforce, is generally evaded or spurned; for an Irishman would rather take the chance of a fine than discover on his neighbour;\* and, as a decisive proof of the inadequacy of the existing laws, it is only necessary for me to state that the lands, which belong to one of the Commissioners of Excise, are inhabited by a tenantry much addicted to clandestine distillation;† and that they have incurred many fines for that offence. Landlords have performed every thing that could be required of them by the most sanguine projectors of the fining system: they have risked their popularity, their properties, and their lives in its support; and yet they have proved unable to effect the purpose for which it was enacted.

If small stills were licensed in this manner, a great number of dangerous subjects would become useful to the state. Instead of being smugglers and conspirators, they would feel that they had an interest in supporting the government; and instead of causing embarrassment in our ways and means, they would assist in replenishing the treasury. In addition to these publick benefits, they would be more

\* Ibid, p. 81.

† Ibid, p. 147.

zealous in suppressing illicit distillation than the Excisemen who are now employed for that purpose, and who have increased, by their general misconduct, the financial distresses of Ireland; for it would be their interest to detect and punish all such persons as defraud the Revenue. It is also probable that they would prefer the payment of moderate duties to the exactions to which they are now subject, exclusive of the risks and punishments to which they are occasionally exposed.

If the large capitalists would give due consideration to the advantages of this change, they would soon see that they must be gainers by the alteration, notwithstanding the indulgences granted to their poor competitors. They could not lose so much by the proposed measure as they do by the present regulations; and it would be an evident benefit to them to have their rivals placed under any Revenue control whatever, instead of the entire exemption which they enjoy at present. The illicit distillers now undersell them more effectually than they could do in case of such a toleration; and their spirits are sold even in the vicinity of the legal stills, where they are preferred on account of their superior flavour and purity.

No concessions, however, will be of any avail unless they be accompanied with an

engagement on the part of Parliament to abide by a permanent rate of taxation for a given time. The fluctuating system of duties, which has so long prevailed, deters all persons from encountering the chances of the repeals and alterations which have so often opposed the speculations of the industrious. If these relaxations be granted, it will then be just to impose severe punishments on such persons as shall be convicted of illicit distillation; and to assist with pecuniary allowances those who prosecute them to conviction; on condition that these donations shall not exceed the actual expenses which they have incurred. When individuals suffer only for their own crimes, there will no longer exist a spirit of combination against the laws and the government; for agitators will be deprived of an unanswerable topick for discontent and resistance. It appears absurd to suppose that the mere force of the present laws will effect the acquiescence of any peasantry in the prohibition of agriculture; for such is in effect the present system of the Irish distillery regulations, as far as relates to poor and mountainous districts. It is therefore evident that, as some concession must be ultimately made, it ought to take place before the habit of smuggling becomes irrevocably confirmed.

It will also be necessary to enact some strict mode of scrutiny into the ingredients used by licensed distillers in making their spirits, as a general opinion prevails of the insalubrity of all that are made at legal distilleries. In the North of Ireland the illicit spirits are considered so much superior to the lawful, that they bring higher prices; which is a proof that there must be something wrong in the regulations under which the large stills are licensed.

The difficulties placed in the way of brewers in remote and mountainous places amount to a prohibition; as malt cannot be lawfully made on the scale which would be requisite to admit of small breweries. If ale and porter could be obtained by the peasantry, they would consume as much (in proportion to their means) as the lower classes of the English do, and a similar Revenue would be derived from them.

It therefore appears desirable in every point of view, that in some parts of Ireland the distillery and malt duties should be lowered for a little time; reserving such protecting clauses as might save those persons who have already embarked in great distilleries on the faith of licences; and if this were done, I do not believe that any sacrifice of Revenue would be the result, even in the first year of the experi-

ment. It would indeed be absurd to suppose that there could be any greater deficiency than already exists in the smuggling districts, where no duties are ever paid.

I anticipate, however, warm remonstrances from those, who recommend excessive duties on spirits, lest the lower classes should become drunken; but in the mountainous districts, where none are paid, it could not be additionally injurious to the morals of the people to license their distilleries, even on the lowest terms, until orderly habits can be established. It is said that this experiment was tried with good effect in Scotland, and there is certainly no reason why Ireland should not be indulged with justice and conciliation, while that country is so favourably treated, though guilty in many places of the same offences.

I cannot adduce a stronger proof in aid of my assertion relative to the propriety of licensing small stills with due encouragement, than by stating upon authority which cannot be doubted, that in the District of Perthshire in Scotland, where illicit distillation had prevailed in a most extensive manner, a great number of small legal stills have been established since the act for that purpose passed, (viz. in 1816), which have produced to the

Revenue between forty and fifty thousand pounds, where little, if any, duty on spirits had before been collected.

It would, I think, be extremely indecorous in any Member of Parliament to declaim against the immorality of such a regulation, who supports the principle of an annual lottery; for there never was an institution either in ancient or modern times so subversive of moral habits as that alluring and ruinous invention. All the illicit stills of Ireland could not, in ten years, effect so much mischief as the lottery causes in one. When I see the publick prints filled with seductive advertisements encouraging the most deceptive species of gambling, and by inference corrupting the hearts of all the lower orders of society; when I recollect that the lottery alone has caused a great portion of the suicides and capital punishments of the united Kingdom, I cannot patiently endure the morbid conscientiousness which would thus strain at gnats and swallow camels: and I therefore think that any member, who opposes the licensing of small stills from considerations of morality, ought for consistency's sake to move for the abolition of the lottery.

Whoever has witnessed the immoral practices and calamities resulting from the present

distillery-laws of Ireland, would rejoice at the prospect of any change of measures: it would be better to lose the whole Distillery Revenue of Ireland, than to gain it by the sacrifice of mercy and justice; for the disorganized state of society which it has produced, places individuals in a condition as insecure as if there were no settled government in the nation. It is plain that severity has failed with the illicit distillers, for their trade has survived it, and the present legal indulgence has also proved vain with those who are licensed, for they smuggle their excess spirits into the market.

If I can be entitled to judge of the expense of the present distillery system by what I see in the County of Donegall, I may assert with confidence that the nation would soon become bankrupt, if the Board of Excise did their duty impartially every where. Fortunately however for the finances of the united Kingdom, their fury is directed against a part of the County of Donegall, while they avoid any extraordinary coercive measures against the other parts of Ireland which are equally guilty. If I estimate that the clandestine distilleries of Innishowen would, if licensed, produce to the treasury twenty-five thousand pounds annually, I believe I reckon much below the probable profit; if I add this sum to the annual

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expenditure caused by vain endeavours to suppress illicit distillation in that Barony, I may justly assume that the deficiency caused in it alone, amounts to fifty thousand pounds per annum. At present it is necessary to maintain a large military force there\*. In addition to that great expense the police establishment is indispensable to the reparation of the mischief created by the Excisemen; but the greater part of this apparent police force is *really* a detachment of Revenue Agents whom the Board have employed under that mask to suppress illicit distillation, and exclusive of their annual cost, the rewards given to them for their seizures, must ultimately amount to a sum indefinitely great †. And yet notwithstanding these expensive auxiliaries, more Soldiers, more Police-men, and more Excisemen will be necessary to effect the object proposed by means of the present laws.

This however is not the whole of the expenditure caused by the present distillery system to an insolvent nation. There is a corps of Gaugers and Surveyors stationed in Innishowen, to each of whom an annual salary is granted, amounting on an average to one hundred pounds; and the sums granted to them as ex-

\* See Appendix, No. V.

† The police establishment of Innishowen costs to the publick about four thousand pounds a year.

tra allowances when on Revenue duty, are almost unbounded. When the military are called out in such cases, the officers and soldiers receive sums far exceeding their daily pay, whether they make seizures or not; but in case of success, both the Excisemen and the soldiery receive rewards greatly beyond the value of the services performed, insomuch that on such occasions the Chancellor of the Exchequer may exclaim like King Pyrrhus, "a few more such victories and we are undone." So lavish is the expenditure, that the proprietors of the articles which are seized, would eagerly volunteer to destroy them for half the cost. The expense of conveying to the Excise-office the stills which have been taken, is not included in this statement, as their value nearly defrays it, but that of imposing and levying the fines is nearly equal to the fines themselves. The Treasury is also answerable to the Excisemen for their moiety of them as soon as they are ordered by the Judge of Assize; but as very few can be collected from a desolated country, the nation is charged with the half of the remainder, which must be immediately paid to the Exciseman. It is, however, a consideration of very little importance whether they be levied or not, for the Collector (if I am rightly informed) often brings in bills for expenses exceeding the whole

amount of the sums received. It therefore appears fair to average the loss sustained by the publick at twenty-five thousand pounds per annum, being the moiety paid for the entire sum imposed upon all the different parts of Ireland, and this sum you will observe is exclusive of the Revenue and Military expenses already represented, as well as of the salaries given to the Collectors which in some places amount to two guineas per day. Thus, besides the cruel exactions committed on the peasantry, the nation at large is forced to contribute to the prodigious emoluments of the inferior Excise-officers, from whom no beneficial return is ever derived.

It is not however off Ireland alone that this great sum has been raised, for Great Britain is at this moment paying the donations thus advanced to Irish Excisemen. British generosity has saved Ireland from bankruptcy by paying her debt; and a part of that debt consists in the extravagant allowances granted to Surveyors and Gaugers for making seizures, to which a sense of duty ought to have prompted them in consideration of their salaries. Had this large annual sum been applied to the establishment of hospitals, dispensaries, or lunatick asylums, every patriotick Irishman ought to have felt himself gratified by a taxation which could assist his country in procuring those indispensa-

ble requisites to its prosperity; but when it appears that these sums are annually taken from the national purse for the sole purpose of enriching the undeserving, and enforcing submission to cruelty, this expenditure must cause serious regret to all who are aware of the pecuniary difficulties created to the British empire by our late arduous and glorious struggle.

The fact, however, of the present increase of illicit distillation I deem to be of itself a sufficient ground for repealing those Excise-laws, whose operation has been so injurious. The famine which Ireland experienced in the last summer has seldom been equalled in modern times, and as I have already observed it displayed peculiar terrors in Innishowen, where the sack and pillage of the preceding year had contributed so powerfully towards its melancholy effects. Many of the poor were seen contending with dogs and swine for the most offensive food; some died of hunger on the roads, and children (in numbers distressing to relate) perished from want. It is natural to suppose that the excessive price of grain ought to have suppressed illicit distillation in all parts of Ireland, and this supposition is verified by the event; for during the continuance of the famine, that trade generally disappeared except in Innishowen where the Excise severities had driven the

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inhabitants to despair, and compelled them to subsist by private distilleries, as the grain, when converted into spirit, brought a higher price than when in its unmalted state. If then such a practice existed under the pressure of so destructive a calamity, no argument is necessary to prove its prevalence since the last harvest; and I have reason to believe that it extends through the southern and western counties of Ireland, and seems to have been invigorated by its late repose.\* So that, if humanity be even left out of the consideration of this question, the mere point of financial failure ought to decide Parliament against the continuation of the present ill-fated measures, which I believe never can succeed in Ireland.

The calamities of civilized warfare are in general inferior to those produced by the Irish distillery laws; and I doubt whether any nation of modern Europe, which is not in a state of actual revolution, can furnish instances of legal cruelty commensurate to those which I have represented. In ill-governed states robbers commit acts of injustice in opposition to law; but in Ireland they wear the badge of authority. From the various specimens of outrage which I have produced, it is evident that the usual safeguards for loyal individuals are despised—

\* Appendix, No. VI.

Members of Parliament are pillaged while attending to their duty—women are treated with ferocity—infants are robbed of their clothes—the poor are deprived of their food—travellers are stopped and attacked—widows are driven to despair and poverty—the cattle of the farmers are stolen and killed—their children are starved to death—famine is rendered more awful, and pestilence more deadly—the peasantry are become conspirators, and peaceable subjects have fallen by the hand of the assassin. In Britain the house of each man is his castle—in Ireland it is the place of his greatest danger. And all these miseries emanate from perseverance in a system, the insufficiency of which is attested both by internal and external evidence.

Of my own sufferings it is unbecoming in me to speak, lest I should be subject to the charge of querulous egotism. If, however, my testimony should be required on that subject, I shall not refuse to enumerate them, as it may throw additional light upon the evil tendency of the fining system. On the present occasion it may suffice to state that as a Clergyman I have been obliged to oppose my parishioners with violence, in order to preserve them from crimes and dangers; and, as a Magistrate, I have been required to enforce obedience to laws which I greatly dislike.

The outrages committed with the semblance of law infinitely exceed in severity all that can be justified by the simple offence of smuggling; and I am convinced that the French revolutionary army, which carried war into the heart of our country, would have been indignant at the imputation of such enormities as have been committed on its inhabitants by their own countrymen.

I may perhaps appear very absurd if I confess that I had rather the Revenue should perish than that the present Irish distillery system should become general and permanent; yet, as the ultimate object of all Revenue is the security of individuals, it is fair to doubt whether it might not be better to trust to voluntary contribution than to fill our treasury by unprovoked aggressions on life and property. I have avoided the recital of many abuses and crimes, partly from a reluctance to trespass longer on your attention, and partly from a persuasion that those which I have related will be considered sufficient specimens of our sufferings to move your compassion. In this my attempt at their exposure I acknowledge that I labour under one obvious disadvantage, which is *the incredibility of my statements*; for the British nation is unused to such oppressions, and will therefore deem

them too improbable to merit belief. I am well aware of the hazard which is generally incurred by trusting to unsupported assertions in any case; and I therefore do not demand credit for my own while they are unassisted by concurrent testimony. All that I request is enquiry; and as contradiction appears to be the only means of confuting me, I earnestly wish that it may be resorted to, provided that I shall be permitted to produce my proofs. I grant that my testimony is that of an angry witness; for I am provoked by the sight of cruelty, as well as indignant at the disappointment of my expectations. I had indulged a hope that my parishioners would become gradually enlightened; and I find this bright prospect suddenly darkened by the most useless provocations and unjustifiable oppressions. Unhappily, I have had too many opportunities of ascertaining the truth of what I relate; for it has been my lot to reside in the midst of the disastrous scenes which I describe.

Of all the legislatures which have ever existed, I believe that ours is the most upright and incorruptible in every one of its branches; and I am therefore convinced that the exposure of oppression is all that is requisite to effect redress. Its wise measures and unconquerable spirit have procured for the British Islands a degree of fame transcending the glory of ancient Rome; and of

all the illustrious acts by which it is immortalized, the abolition of African slavery is the most splendid. I am, consequently, well warranted in expecting that the slavery of free-born Irishmen will be abolished as soon as their miseries are authenticated; and that the pages of the statute book will no longer be tarnished with any act inconsistent with liberty and equity; for all the members of those illustrious assemblies must be aware that, although they are omnipotent in a constitutional sense, they never can vote away the eternal, immutable principles of justice.

I am,

&c. &c.

EDWARD CHICHESTER.

January the 21st, 1818.



## APPENDIX.

## I.

James M·Colgan, of Dunross, in the parish of Cloncha, and county of Donegall, came before me this day, and made oath that in the month of July 1811, Mr. ———— \*, Excise-officer, having made a seizure of a body and worm of a still, requested of deponent to procure for him the head of a still; which deponent at first refused to do (not having one of his own at the time), but was afterwards obliged to send his nephew and purchase one, for which deponent further swears that he paid the sum of one pound five shillings. — Deponent also swears that Mr. ———— told him that he was entitled to a premium or reward of twenty-five pounds for a full seizure (that is, a still, head, and worm); and that he would be obliged to pay the soldiers' subsistence out of his own pocket,

\* As affidavits sworn before magistrates do not amount to complete conviction, it would be unfair at present to insert the names of the accused individuals.

and also lose his reward of twenty-five pounds, if he did not get the head above-mentioned to make up the full seizure; and further, that if deponent did not procure the head, he the aforesaid Mr. ——— would do deponent much more injury than the worth of a still-head. — And deponent further swears that he heard of several people who had made appointments with Excise-officers to leave full seizures at particular places, on condition they were not to be visited by the Excise-officers for a certain fixed time.

Sworn before me this 6th day of December 1817.

R. YOUNG.

*James M'Colgan.*

*County of Donegall.* } Shane M'Cauley, of Glack, came  
} before me this day, and made oath  
} that he proceeded, in company with  
Edward M'Colgan, from the town-  
land of Glack aforesaid, to Buncrana, the resi-  
dence of Mr ———, officer of Excise, to the  
best of deponent's recollection, about the year  
1808; and that, jointly with the aforesaid Ed-  
ward, he put into the hand of the child of the  
aforesaid Mr. ———, when sitting on its mo-

ther's knee, the sum of six pounds sixteen shillings and six pence; and that the object of the above bribe was to prevent Mr. \_\_\_\_\_ annoying the lands wherein the subscription was raised; and that for a long time afterwards he did abstain from injuring them.

Sworn before me this 15th day of December 1817.

R. YOUNG.

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*Shane* ✕ *M. Cauley.*

mark.

In the month of October 1817, it appeared that a private agreement had existed for two or three years between an inhabitant of Innishowen and a Gauger stationed there; by which it was stipulated, on the part of the latter, that he would not enforce fines against the tenants of the former for offences against the Excise-laws. This collusion came to light in consequence of a dispute between the parties.

## II.

*At a Meeting of the undersigned Gentlemen of  
the Barony of Innishowen, held at Three,  
Trees, April 21, 1809,*

Resolved—That as the laws hitherto made for the suppression of private distillation have proved inadequate to that purpose in the Barony of Innishowen, we are determined to use our influence in every way in order to suppress it.

Resolved—That we deem it adviseable not to renew a lease to any of our tenants whom we shall find to be concerned in that unlawful practice, and to eject such as speedily as the law will permit.

Resolved—That we will in all cases, where fines are imposed, endeavour to have them laid on the towland where the still or other unlawful article is found, instead of the parish at large, and to make the fine fall ultimately on the guilty individual.

Resolved—That, as through the ignorance of Excise-officers, fines are sometimes imposed on the wrong townland or parish, we recommend it to Magistrates not to take their information respecting stills, &c. &c. without previously summoning one or more of such persons as the law directs, in order to ascertain in what town-

land the still or other unlawful article has been found.

Resolved—That we will contribute to the prosecution of such persons as we shall find to be concerned in private distillation, or to be aiding or abetting therein.

Thomas Lecky, George Cary, Robert Young, Edward Chichester, John Montgomery, And. Ferguson, Sam. L. Montgomery, Wm. Thorpe, Roger Murray, George Marshall, John Cary, Sam. Carmichael, Richard Maxwell, Marcus S. Hill, G. V. Hart, Joseph Curry, W. Chichester, Thomas Woore, Wm. Todd, Andrew Cochrane, Richard Hawkshaw, Eneas Harrison.

*County of Donegall.—At a Meeting of the Magistrates and Landed Proprietors of the county of Donegall, held at Letterkenny, on Monday the 4th of April, 1814, in consequence of a requisition made to the High Sheriff,*

ARTHUR CHICHESTER, Esq. High-Sheriff,  
in the Chair.

*The following Resolutions were unanimously agreed to:—*

That, being convinced of the many mischiefs and bad consequences attendant upon the practice of illicit distillation, hitherto so prevalent in this extensive county, we do hereby pledge ourselves to use every exertion in our power, as

Magistrates in our respective neighbourhoods, and as Landlords upon our several estates, to suppress all private stills.

That we will not grant a lease of any part of our estates, or renew upon the expiration of any existing lease, to any person whatsoever, that to our knowledge shall keep or use a private still after the date of these Resolutions.

That we will afford every assistance and support in our power to the High Constables and those employed under them, in collecting the amount of the fines imposed at the last Assizes, and all those which might hereafter be imposed upon townlands and parishes, in which private stills have been found; and that we will henceforward endeavour to have the amount of each fine levied upon the actual offender, or from the district as near as possible to the place where the offence has been committed.

That as we have received information that several persons in this county have been lately carried off and secreted, for the purpose of preventing them from giving evidence against illegal distilleries; and convinced, as we are, that such unlawful proceedings, by tending to obstruct the due course of justice and set the laws at defiance, threaten the most dangerous and destructive consequences, if not speedily and effectually checked, we are determined to prosecute and

punish to the utmost every person who shall appear to us to have been concerned in the above-mentioned outrages.

That, conscious that any exertions of the resident gentlemen merely must be in a great degree ineffectual, unless supported by the absentee landlords, we direct a copy of these Resolutions to be transmitted to the several noblemen and gentlemen, non-residents, who are possessed of landed property in this county, requesting their co-operation in our endeavours to prevent illicit distillation, and calling upon them to give instructions to their land-agents to afford their assistance in carrying the principle of these Resolutions into effect with vigour and efficacy.

That the Sheriff be requested to have these Resolutions published in the Derry, Strabane, and two of the Dublin newspapers (*Correspondent* and *Evening Post*).

The High-Sheriff having left the chair, and Sir James Stewart, Bart. being called to it, the thanks of the Meeting were returned to the High-Sheriff, for his readiness to meet the wishes of the Gentlemen of the County, by calling this Meeting, and for his very proper conduct this day in the chair.

Arthur Chichester, *Sheriff*, Donegall, Erne,  
William Derry, John G. Raphoe, S. Hayes, J.

Stewart, G. F. Hill, Alexander Stewart, Rich.  
 Maxwell, Edward Pakenham, Robert Montgo-  
 mery, jun. Thomas Brooke, Andrew Knox, J.  
 Hume, Richard Allot, James Galbraith, Robert  
 Harvey, Robert Young, Wm. Todd, Wybrants  
 Olphert, Wm. Stewart, James Sinclair, Francis  
 Mansfield, John Boyd, James Stewart, jun. J.  
 Maxwell, J. Spencer Knox, Charles Knox, W.  
 Stewart of Killygordon, J. Pratt, George Cary,  
 Samuel Delap, John O'Donnell, George Young,  
 Robert Norman, Alexander Montgomery, J. E.  
 Nesbitt, Wm. H. Ashe, A. Ferguson, Alexander  
 Boyd, S. L. Montgomery, John Montgomery,  
 David Walker, Wm. Wray, Wm. Pitt Kennedy,  
 Geo. Homan, Joseph Johnston, John Cochran,  
 Thomas Smith, E. Harrison, Nathaniel Stewart,  
 William Boyd, R. Murray, John Ellison, A.  
 Cochran, J. Hastings, Robert Dobson.

## III.

*Copy of a Receipt for the price of a Cow distrained  
 for a distillation-fine in Innishowen.*

"No. 94.—Received from Captain Lecky,  
 "6s. 11d. on account of still-fines due on the  
 "townland of Erris, parish of Clonmany.

"WILLIAM JACKSON."

"July 11, 1816."

## IV.

## NOTICE.

The Commissioners of Excise and taxes having been informed that the inhabitants of townlands and other districts subject to fines for illicit distillation, are abstaining from gathering in their corn and digging their potatoes under the apprehension that the same would be seized by the still-fine Collectors for such fines, notice is hereby given, that directions have been issued to the said Collectors to suspend the collection of said fines for one calendar month from the date hereof; after which the said fines are to be levied off the property of the townland, except corn and potatoes, the said townlands in all other respects strictly liable for the fines remaining unpaid; and to proceed with vigour to levy the same at the expiration of the above-mentioned period. By order of the Commissioners.

EDWARD HARDMAN.

*Excise-office, Dublin,*  
*16th October, 1816.*

County } John Williams, of Carramore,  
of } being duly sworn and examined  
Donegall. } before me saith, that on the morn-  
ing of Monday, the 17th day of  
November instant, he saw Mr. Whittle, an  
Excise-officer at Baskil, distraining the town-  
land for a fine for illicit distillation, that he de-  
ponent was present when William Kirkpatrick  
and George Kirkpatrick, of Baskil aforesaid, did  
propose to show to the said Mr. ——— the pro-  
perty of the persons who had been guilty of  
illicit distillation, with which proposal the said  
Mr. Whittle did not comply, but seized the  
property of the aforesaid William and George  
Kirkpatrick, and also the property of Samuel  
Kirkpatrick, son to the said William; that the  
seizure which he at that time effected consisted  
of cows and barley, which he took away with  
him, and sold publickly in the market of Carn-  
donagh.

Deponent further saith, that he did propose to  
the aforesaid Mr. Whittle to find for him the  
cattle of the guilty persons, but that Mr. ———  
did refuse to inform him of the time when the  
said fine was imposed, by which means deponent  
was prevented from ascertaining the persons who  
had incurred it.

Deponent further saith, that the said Mr.  
Whittle did then seize three cows, the property

of Robert Williams, of Carramore, father to the deponent.

Sworn before me this 18th day of November, 1817.

EDWARD CHICHESTER.

*John Williams.*

County of Donegall. } Samuel Kirkpatrick, of Baskil,  
being duly sworn and examined  
before me, saith, that on the morning  
of Monday the 17th day of November, Mr. Whittle, Excise-officer, visited the lands of Baskil aforesaid, for the purpose of levying fines for illicit distillation; that the aforesaid Mr. Whittle did then and there seize two cows and sixty-three stone weight of barley, one of said cows being the property of deponent, the other the property of George Kirkpatrick, and the barley the property of William Kirkpatrick; said deponent further saith, that the fines incurred by the said townland of Baskil were not imposed in consequence of any offence committed either by deponent, or by George or William Kirkpatrick.

Sworn before me this 18th day of November, 1817.

EDWARD CHICHESTER.

*Samuel Kirkpatrick.*

V.

Estimated Expense of the Detachments in the Barony of Innishowen for 12 months.

Stations.	Officers.				Men.			Pay.			Clothing.			Lodging.			Fuel.			Total.			
	F.O.	C.	L.	E.	A.S.	S.	C.D.	P.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Buncrana	...	1	1	...	1	3	3	1	1461	2	9½	81	12	0	117	0	0	110	10	7	1770	5	4¾
Dunree Fort	...	...	1	...	...	1	2	19	599	4	2	37	13	0	45	10	0	55	11	0	737	18	2
Green Castle	...	1	...	1	...	2	2	36	1120	17	1	68	14	0	91	0	0	102	14	4	1383	5	5
Moville	...	...	1	...	...	1	1	19	573	7	1	36	0	0	44	4	0	53	9	1	707	0	2
Malin	...	...	1	...	...	1	1	19	732	13	2¾	37	13	0	61	2	0	55	11	0	886	19	2¾
Culdaff	...	...	1	...	...	2	1	22	667	12	11	43	19	0	50	14	0	62	2	5½	824	8	4½
Carndonagh	1	...	1	...	...	2	4	1	1494	11	11¾	86	17	0	117	0	0	134	18	6½	1833	7	6½
Grouse-Hall	...	...	...	1	...	1	1	29	730	0	0	52	10	0	57	4	0	74	8	3	914	2	3
Total	1	2	6	2	2	13	15	3	7379	9	31	444	18	0	533	14	0	649	5	3	9057	6	6½

In the above estimate no mention is made of the additional pay given to those men who have served a certain number of years. The allowances for clerical duty, for repair of arms, and for forage to a Field-officer's horse, are also excluded on the supposition that twelve men (including three Non-commissioned Officers) would probably be quartered at three small batteries in Innishowen, during peace.

To each

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Total 1 2 6 2 2 13 15 3 228 7379 9 31 444 18 0 503 14 0 649 5 3 9057 6 6 1/2

In the above estimate no mention is made of the additional pay given to those men who have served a certain number of years. The allowances for clerical duty, for repair of arms, and for forage to a Field-officer's horse, are also excluded on the supposition that twelve men (including three Non-commissioned Officers) would probably be quartered at three small batteries in India, during peace.

## Rewards to Military Parties on Revenue Duty.

Subsistence to Cavalry when mounted, <i>per day of 24 hours.</i>				Subsistence to Infantry or dismounted Cavalry, <i>per day of 24 hours.</i>							
{	To each		£.	s.	d.	{	To each		£.	s.	d.
		Commissioned Officers	0	11	6			Commissioned Officers	0	11	6
Serjeant	0	3	0	Serjeant	0	2	6				
Corporal	0	2	6	Corporal	0	2	0				
Private	0	2	0	Private	0	1	3				

  

In addition to the foregoing, for the seizure of	Rewards to								
	Each Serjeant.			Each Corporal.			Each Private.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
A Still, Head, and Worm	0	3	6	0	2	6	0	1	3
A Still and Head	0	2	6	0	1	3	0	1	1
Still and Worm	0	2	6	0	1	3	0	1	1
Still	0	1	6	0	1	1	0	1	1
Head and Worm	0	2	0	0	1	6	0	1	1
Head or Worm	0	1	6	0	1	6	0	1	1

Estimate of the Expense caused to the Nation by the Seizure of one unlicensed Still \*, on the supposition that the Fine is imposed and levied.

N.B. The Value of the Still, &c. seldom amounts to £1. 0s. 0d.

	£. s. d.
Subsistence ( <i>i. e.</i> extra pay) for one subaltern, one serjeant, one corporal, and fifteen privates	3 11 10
Law expenses for imposing the fine . . . . .	5 0 0
One constable and two labourers . . . . .	0 5 0
Moiety to the seizing Exciseman . . . . .	12 10 0
Revenue assistant . . . . .	6 5 0
Subsistence to the military employed in col- lecting the fine . . . . .	3 11 10
One constable and two labourers employed in ditto . . . . .	0 5 0
Poundage to the Collector of the fine (which is granted exclusive of a salary amounting to £2. 5s. 6d. per day) . . . . .	3 15 0
Total expense . . . . .	35 3 8
Deduct from the above the moiety paid to the Treasury . . . . .	12 10 0
Loss to the Nation . . . . .	<u>£ 22 5 8</u>

\* The head and worm are supposed to be included ; as it requires a military escort and various other expenses to lodge a seized still in the King's stores, no deduction is made for its value in the above estimate. If made of copper, it amounts, when taken asunder, to fifteen shillings.

## VI.

*Ennis, January 7th, 1818.*

On Monday, Edward Deane, Esq. Surveyor, assisted by Messrs. Clanchy, Bolton, and Graves, jun. Officers of Excise, and a party of the 20th Dragoons, commanded by Lieutenant Gillespie, destroyed four extensive distilleries, and six private malt-houses, on the lands of Meelick, in this county.

*Extract from the Dublin Patriot of the 10th of January, 1818.*

*Caher, January 9th.*

On the 7th instant, Mr. Downes, Surveyor, an officer of great respectability and estimation in his district, assisted by an officer and a party of the 4th (or Queen's own) Dragoons, detected an extensive distillery within a few miles of this town, in which he found several hundred gallons of potale. Having spilled the entire and destroyed the distillery, the still, head, &c. with every appurtenance, were lodged in the revenue stores.

*From the Dublin Patriot, January 15, 1818.*

*Wexford, January 26th.*

On Thursday morning Messrs. Ryan and Murphy, Excise-officers, proceeded with an officer's guard of the 44th regiment, to the lands of Blackheath, on the mountain of Forth, and detected an illicit still at work in a house on said lands. A large quantity of singlings was immediately destroyed, and still, still-head and worm, with other distillery utensils were lodged in his Majesty's stores. Two persons, James Kennedy and Nicholas Roche (who were found in the house attending the process of distilling) were taken into custody and committed to gaol.

*Wexford Herald.*

*From the Dublin Patriot of the  
29th of January, 1818.*

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