

[William Farrell, "Smuggling Silks into Eighteenth-Century Britain: Geography, Perpetrators, and Consumers." *Journal of British Studies* 55, no. 02 \(2016\). DOI: 10.1017/jbr.2015.227.](#)

Smuggling Silks into Eighteenth-Century Britain: Geography, Perpetrators, and Consumers

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In 1784, a House of Commons committee reported on its investigations into frauds committed against the revenue service. Led by the legal reformer William Eden, it examined the “illicit practices,” such as smuggling, that prevented Customs and Excise from carrying out its work. An appendix to the report detailed the goods banned from being imported into Britain. Textiles feature heavily in the appendix, which records the distribution and use of over twenty types of silks and silk mixes.² East India painted silks, French brocades, and silk stockings, ribbons, gloves, and braiding were all prohibited.³ Such detailed restrictions were the outcome of a longer history of state regulation. In 1700 Parliament moved against wrought silks and stuffs mixed with Asian silks; in 1706 it banned French *alamodes*, lustrings, ribbons, and laces. All foreign gold and silver lace had been prohibited by 1749. All foreign wrought silks and velvets

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² Although the legislation after 1707 covered Britain, the major centres of silk manufacturing were in England, as was the main centre of consumption and fashion, London.

³ See the list in “Reports from the committee on illicit practices used in defrauding the revenue,” *Reports from Committees of the House of Commons* vol. 6 (1782–1802), Appendix No.1: 292, House of Commons Parliamentary Papers.

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were outlawed in 1765, as well as ready-made silk garments and accessories. Those found guilty of illegally importing silks could be fined one hundred pounds and have all apparel seized.⁴

English silk manufacturers won this legislation through sustained lobbying.⁵ Although it was the smaller of the textile industries, silk received considerable state attention because of the prestige derived from its core market of elite consumers, the high value of its products, and the sophistication of the technology and skills involved in its production. The prohibitions on foreign silks were part of a mercantilist policy designed to shield domestic textile manufacturers—including the much larger woollen and worsted sectors—from foreign competition.⁶

Historians have emphasised how this protectionism developed in response to Asian textile imports. Although the cargos coming from Asia contained silks alongside cottons and mixed fibre fabrics, a significant body of work has focused on printed and painted Indian cottons (often called calicos). These products had been known in Europe since the sixteenth

⁴ Raymond L. Sickinger, “Regulation or Ruination: Parliament's Consistent Pattern of Mercantilist Regulation of the English Textile Trade, 1660–1800,” *Parliamentary History* 19 (March 2000): 211–32, at 225, 227.

⁵ See Natalie Rothstein, “The Calico Campaign of 1719–21,” *East London Papers* 7, 1 (1964): 3–21; Ralph Davis, “The Rise of Protection in England, 1689–1786,” *The Economic History Review* 19, no.2 (January 1966): 306–17, at 314, 316; Tim Keirn, “Parliament, Legislation and the Regulation of English Textile Industries, 1689–1714,” in *Stilling the Grumbling Hive: the Response to Social And Economic Problems in England, 1689–1750*, ed. Lee Davison et al. (New York, 1992), 1–24.

⁶ Patrick O'Brien, T. Griffiths, and P. Hunt, “Political Components of the Industrial Revolution: Parliament and the English Textile Industry, 1660–1774,” *The Economic History Review* 44, no.3 (August 1991): 395–423; Sickinger, “Regulation or Ruination”: 212, 225–28; Davis, “The Rise of Protection in England”: 309–10, 316.

century,⁷ but it was a period of aggressive marketing by the East India Companies in the last three decades of the seventeenth century that produced a political reaction. Manufacturers believed that the bold, printed, floral patterns, the quality of the fabric, and the competitive pricing attracted consumers at the expense of fabrics made in Britain.⁸ The reaction against Asian textiles resulted in the so-called Calico Acts, with the final act in 1721 banning Asian textiles from being sold and worn in the domestic market.⁹ Historians of cotton such as Giorgio Riello, and of smuggling like Michael Kwass, assume that the ban on cottons was widely broken in Britain and France.¹⁰ Contemporaries thought that the British prohibitions on foreign silks were being violated in the same manner.¹¹

⁷ Beverly Lemire, “Revising the Historical Narrative: India, Europe, and the Cotton Trade,” in *The Spinning World: A Global History of Cotton Textiles, 1200-1850* ed. Giorgio Riello and Prasanna Parthasarathi (Oxford, 2009), 205–26.

⁸ Beverly Lemire, “Fashioning Cottons: Asian Trade, Domestic Industry and Consumer Demand, 1660–1780,” in *The Cambridge History of Western Textiles*, ed. D. Jenkins, vol.1 (Cambridge, 2003), 493–512; Beverly Lemire and Giorgio Riello, “East & West: Textiles and Fashion in Early Modern Europe,” *Journal of Social History* 41, no. 4 (Summer 2008): 887–916, at 892–907.

⁹ Rothstein, “The Calico Campaign of 1719–21”; Keim, “Parliament, Legislation and the Regulation of English Textile Industries”, 1–24; Jonathan P. Eacott, “Making an Imperial Compromise: The Calico Acts, the Atlantic Colonies, and the Structure of the British Empire,” *The William and Mary Quarterly* 69, 4 (October 2012): 731–62.

¹⁰ Riello, *Cotton: The Fabric that Made the Modern World* (Cambridge, 2013), 121–24; Michael Kwass, *Contraband: Louis Mandrin and the Making of a Global Underground* (Cambridge Mass., 2014), chaps. 2 and 4.

¹¹ Rothstein, “The Silk Industry in London, 1702–66” (MA Diss., University of London, 1961), 455; Susan North, “The Physical Manifestation of an Abstraction: A Pair of 1750s Waistcoat Shapes,” *Textile History* 39, 1 (May 2008): 92–104.

Who were the smugglers undermining mercantilist policy and how did they work? Given that all foreign silks were prohibited, where exactly did the smuggled silks come from? Potential consumers of these products could range from the fashionable metropolitans of the “beau monde” for the painted silks or brocades, to professional families who sought quality fabrics, to a wider middling group who might buy the more affordable items like ribbons.¹² Were the consumers of contraband silks all the same, or were black marketers selling to distinct social groups? These questions fit into the wider historiographical debate on how other countries influenced consumer culture in Britain. Whether Britain experienced a “consumer revolution” during the long eighteenth century remains a disputed point among historians. What is clear is that the content and character of consumption changed in important ways between the 1680s and 1820s.¹³ For historians of this period explaining how that change took place remains a key task.

One explanation is that transnational influences provoked a response from consumers and producers in Britain. One region that was particularly influential was Asia, principally India and China. Studies of cottons and porcelains have provided case studies for the role of Asia in changing British consumer culture. After a “craze” for Indian cottons and Chinese ceramics at

¹² For “beau monde” see Hannah Greig, *The Beau Monde: Fashionable Society in Georgian London* (Oxford, 2013).

¹³ Joan Thirsk, *Economic Policy and Projects: The Development of a Consumer Society in Early Modern England* (Oxford, 1978); Neil McKendrick et al., *The Birth of a Consumer Society: The Commercialization of Eighteenth-Century England* (Bloomington, 1982); Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain, 1660–1760*, 2nd ed. (London, 1996); Carole Shammas, *The Pre-Industrial Consumer in England and America* (Oxford, 1990); John Brewer and Roy Porter eds., *Consumption and the World of Goods* (London, 1993); Maxine Berg, *Luxury and Pleasure in Eighteenth-Century Britain* (Oxford, 2005); Craig Muldrew, *Food, Energy and the Creation of Industriousness: Work and Material Culture in Agrarian England, 1550–1780* (Cambridge, 2011), chap. 4.

end of the seventeenth and beginning of the eighteenth centuries, British manufacturers responded to the new goods through conscious import substitution, or a blending of styles and materials to create hybrid products. This took some time, as artisans found it hard to replicate the finishing techniques—or find equivalent materials—as those used by their Indian and Chinese counterparts. However, by the second half of the eighteenth century, cotton printers and porcelain producers were finding success in consumer markets: British producers and consumers had domesticated products that were once exotic.¹⁴

The emergence of distinctly British consumer goods is complemented by two related historiographies: the creation of “Britishness” as a patriotic, Protestant identity, and the emergence of Britain as an imperial power. Linda Colley and Kathleen Wilson have both argued for that the long period of conflict from the War of the Spanish Succession to the Napoleonic Wars shaped an assertive national identity in Britain that defined itself against imperial rivals, above all the French.¹⁵ The process of identity formation at the political level mirrors the

¹⁴ For cottons see Alfred Wadsworth and Julia de Lacy Mann, *The Cotton Trade and Industrial Lancashire 1600–1780* (Manchester, 1931), chaps. 6 and 7; John Irwin and Paul Schwartz, *Studies in Indo-European Textile History* (Ahmedabad, 1966); Beverly Lemire, *Fashion’s Favourite: the Cotton Trade and the Consumer in Britain, 1660–1800* (Oxford, 1991); idem, “India, Europe, and the Cotton Trade,” in *The Spinning World*, 205–222; Riello, *Cotton*, chaps. 5, 6, and 8.

For porcelains see: Berg, *Luxury and Pleasure*, chap. 2–4; Robert Batchelor, “On the Movement of Porcelains: Rethinking the Birth of the Consumer Society as Interactions of Exchange Networks, China and Britain, 1600–1750,” in *Consuming Cultures, Global Perspectives: Historical Trajectories, Transnational Exchanges*, ed. John Brewer and Frank Trentmann (Oxford, 2006), 95–122; Anne Gerritsen and Stephen McDowall, “Material Culture and the Other: European Encounters with Chinese Porcelain, ca. 1650–1800,” *Journal of World History* 23, 1 (March 2012): 87–113.

¹⁵ Gerald Newman, *The Rise of English Nationalism: A Cultural History 1740–1830* (London, 1987); Linda Colley, *Britons: Forging the Nation, 1707–1837* (New Haven, 1992); Kathleen Wilson, *The Sense of the People:*

emergence of a newly confident British “taste” and design culture by the second half of the eighteenth century.¹⁶ Indeed, Gerald Newman and Michèle Cohen have used controversies over French influences on fashion and style as evidence for the emergence of national identity. “Slavish” followers of French manners and clothes came under attack by self-styled patriots like William Hogarth and the Anti-Gallican Society.¹⁷ The historiography of food and drink also stresses the importance of imperial connections to changing British consumption. Colonial trade networks and the plantation system in the Atlantic made the popularity of sugar and tobacco possible. The role of the East India Company as the main supplier of tea reinforces the argument that extra-European trade shaped new tastes.¹⁸

Even so, the importance of Asian and imperial trade to consumption in Britain should not be overstated. From a macro perspective, Jan De Vries has been sceptical about the significance of the trade in Asian goods for European markets, noting its small proportion of

Politics, Culture, and Imperialism in England, 1715–1785 (Cambridge, 1998); idem, *The Island Race: Englishness, Empire, and Gender in the Eighteenth Century* (London, 2003).

¹⁶ John Brewer, *The Pleasures of the Imagination: English Culture in the Eighteenth Century* (London, 1997), chaps. 10, 11, 16; Michael Snodin and John Styles, *Design & the Decorative Arts: Georgian Britain 1714–1837* (London, 2004), chap. 2.

¹⁷ Newman, *The Rise of English Nationalism*, chap. 4; Michèle Cohen, “Manliness, Effeminacy and the French: Gender and the Construction of National Character in Eighteenth-Century England,” in *English Masculinities, 1660–1800*, ed. Tim Hitchcock and Michèle Cohen (London, 1999), 44–62.

¹⁸ Sidney Mintz, *Sweetness and Power: The Place of Sugar in Modern History* (New York, 1985); James Walvin, *Fruits of Empire: Exotic Produce and British Taste, 1660–1800* (New York, 1997), chaps. 5, 8 and 12; Shamma, “The Revolutionary Impact of European Demand for Tropical Goods,” in *The Early Modern Atlantic Economy*, ed. John J. McCusker and Kenneth Morgan (Cambridge, 2000), 163–85.

overall trade, and the difficulty the trading companies had in sustaining profits.¹⁹ Historians debate how popular the new goods such as calicos really were. Beverley Lemire has argued non-elite consumers adopted calicos early in the eighteenth century, while John Styles has presented evidence that this happened much later, in the 1790s.²⁰ Riello notes that the prices of calicos imported by the East India Company increased after the 1720s, positioning them firmly as luxury goods.²¹ Styles has also questioned the extent of the influence of Indian textiles on European producers. He argues that the use of floral motifs and the search for lighter fabrics had begun in the late Middle Ages, before the rise of direct seaborne trade with India and China.²² Differences over the popularity of Asian goods reflect wider arguments about the role of social distinction, fashion, and price in the “consumer revolution.”²³

Looking at other commodities shows that Europe was as important as Asia or the Americas in supplying consumers. Stephen Conway's work has shown that Britain's cultural

¹⁹ Jan De Vries, “The Limits of Globalization in the Early Modern World,” *The Economic History Review* 63, no. 3 (August 2010): 710–33.

²⁰ Lemire, *Fashion's Favourite*, 56–76, 89–108; a similar argument for France is made by Daniel Roche, *The Culture of Clothing: Dress and Fashion in the “Ancien Régime”* trans. Jean Birrell, (Cambridge, 1994); Styles, *The Dress of the People*, chap. 7.

²¹ Riello, “The Indian Apprenticeship: The Trade in Indian Textiles and the Making of European Cottons,” in *How India Clothed the World: The World of South Asian Textiles, 1500–1850*, ed. Giorgio Riello and Tirthankar Roy (Leiden, 2009), 309–346, at 344–345.

²² Styles, “Indian Cottons and European Fashion, 1400–1800,” in *Global Design History*, ed. Glenn Adamson et al. (London, 2011), 37–46.

²³ For the role of price see Shamma, *The Pre-Industrial Consumer in England and America*. For the role of social influences see Weatherill, *Consumer Behaviour and Material Culture in Britain*, chap. 9. Sara Horrell, Jane Humphries, and Ken Sneath suggest a way of accommodating both fashion and price, “Consumption Conundrums Unravelling,” *The Economic History Review* 68, no. 3 (August 2015): 830–57.

relationship with Europe was more constructive than histories of Britishness and imperialism have allowed.²⁴ Consumption of alcohol, for example, depended upon suppliers in France (wine and brandy) and Portugal (port).²⁵ Several styles that were used in the design of British consumer goods were European rather than Asian. Rococo, for example, was popular with craftsmen both in Britain and on the continent.²⁶ The point here is not to pose a European cosmopolitanism against a problematic imperialism. As Ludington's work on wine makes clear, continental connections were not innocent of politics and power. Aristocratic Whig drinkers used taste in wine to legitimate their political and class positions, as they switched from French claret to a more refined version of port to demonstrate their patriotism, whilst still distinguishing themselves from middling Tories.²⁷ Nevertheless, the demand for European products had its own dynamics and audience. The attacks on "Frenchness" in the 1750s and 1760s did not necessarily divert consumers to a British substitute product. This may have infuriated patriots, but European influences remained strong through the eighteenth century.

²⁴ Stephen Conway, *Britain, Ireland, and Continental Europe in the Eighteenth Century: Similarities, Connections, Identities* (Oxford, 2011).

²⁵ L. M. Cullen, *The Brandy Trade under the Ancien Régime: Regional Specialisation in the Charente* (Cambridge, 1998); Charles Ludington, "'Claret Is the Liquor for Boys; Port for Men': How Port Became the 'Englishman's Wine,' 1750s to 1800," *Journal of British Studies* 48, 2 (2009), 364–90; idem, *The Politics of Wine in Britain: A New Cultural History* (Basingstoke, 2013).

²⁶ Holger Hoock, "The British State and the Anglo-French Wars Over Antiquities, 1798–1858," *The Historical Journal* 50, 1 (2007): 49–72; idem, *Empires of the Imagination: Politics, War and the Arts in the British World, 1750–1850* (London, 2010), chaps. 3–5; Brewer, "Whose Grand Tour?" in *The English Prize: The Capture of the Westmorland, an Episode of the Grand Tour*, ed. María Dolores Sánchez-Jáuregui and Scott Wilcox (New Haven, 2012), 45–62; Snodin and Styles, *Design & the Decorative Arts*, 46–49, 53, 70–76, 114–115.

²⁷ Ludington, "Claret Is the Liquor for Boys; Port for Men."

The contraband trade provides a mixed picture of the geographical influences on consumer goods. Smuggling had grown in eighteenth-century Britain as taxation shifted from direct taxes on wealth to indirect taxes on consumable goods. The staples of the contraband trade were those consumables that were high-value, bulk imports: tea, tobacco, and brandy. Many consumers looked to avoid tax because high duties were placed on commodities that could not be satisfied by a domestic alternative. How historians view smuggling depends on which goods are studied, or which part of the supply chain is examined. W.A. Cole, Hoh-Cheung Mui and Lorna H. Mui, Robert .C. Nash and H.V. Bowen all emphasise the importance of the long distance trade from Asia and the Americas.²⁸ For this view the East India Companies were crucial, particularly as tea was the most commonly smuggled commodity. Cal Winslow, Paul Monod, Paul Muskett, and Gavin Daly instead highlight the role of places such as Ostend as hubs of smuggling. Communities on the European coast, such as those made up of fishermen and small time traders, moved goods between the ports of France, the Low Countries, and the British Isles.²⁹ The relationship between smuggling and consumption has been seen as a one way

²⁸ W. A. Cole, "Trends in Eighteenth-Century Smuggling," *The Economic History Review* 10 (1958): 395–410; Hoh-Cheung Mui and Lorna H. Mui, "Smuggling and the British Tea Trade before 1784," *The American Historical Review* 74, no.1 (October 1968): 44–73; idem, "Trends in Eighteenth-Century Smuggling' Reconsidered," *The Economic History Review* 28, no.1 (February 1975): 28–43; Robert C. Nash, "The English and Scottish Tobacco Trades in the Seventeenth and Eighteenth Centuries: Legal and Illegal Trade," *The Economic History Review* 35, no.3 (August 1982): 354–372; H.V. Bowen, "So Alarming An Evil: Smuggling, Pilfering and the East India Company, 1750–1810," *International Journal of Maritime History* 14, no.1 (June 2002): 1–31.

²⁹ Cal Winslow, "Sussex Smugglers," in *Albion's fatal tree: crime and society in eighteenth-century England*, ed. Douglas Hay et al., rev. ed. (1975; London, 2011), 119–66; Paul Monod, "Dangerous Merchandise: Smuggling, Jacobitism, and Commercial Culture in Southeast England, 1690–1760," *Journal of British Studies* 30, no. 2 (April 1991): 150–82; Paul Muskett, "English Smuggling in the Eighteenth Century,"

process, where black marketers supplied commodities to consumers. Mui and Mui thought that tea smuggling helped to extend demand beyond the metropolitan areas, and to promote different styles of tea. Cole and Nash doubted whether shifting consumer demand had encouraged the smuggling of new types of smuggled tea and tobacco.³⁰

How far did the smuggling of silk follow these patterns? Was it driven by bulk supply from Asian markets or organised through the looser European networks? Apart from Susan North's article there are few studies devoted to the illicit market in imported textiles.³¹ However, there are good reasons to think it may have differed from the black market in groceries. Unlike tea, tobacco, or brandy, which had high duties on them, foreign silks ended up being banned outright.³² Unlike cottons, the legislation covering silks stayed in place until the 1820s. Silks also diverged from the black economy in groceries in their geographic origins. Whilst tea came from China, or tobacco from the Americas, silks came (potentially) from China, India, France, and Italy. Individual groceries could be said to be of "mono-origin," while silks were "multi-origin." The product line of a dealer in contraband silks was, therefore, potentially more varied than one in groceries. This suggests that the East India Companies were only one source of the illegal trade. Textiles also lent themselves to forms of smuggling other than landing big cargos. Pieces

(PhD diss., Open University, 1996), chap. 1; Gavin Daly, "Napoleon and the 'city of smugglers,' 1810–1814," *The Historical Journal* 50, no.2 (June 2007): 333–352; idem, "English Smugglers, the Channel, and the Napoleonic Wars, 1800–1814," *Journal of British Studies* 46, no.1 (2012): 30–46.

³⁰ Mui and Mui, "Smuggling and the British Tea Trade before 1784," 51, 56; Cole, "Trends in Eighteenth-Century Smuggling," 402–04; Nash, "The English and Scottish Tobacco Trades," 356–57.

³¹ North, "The Physical Manifestation of an Abstraction." The domestic black economy was important for supplying clothing: Beverly Lemire, "The Theft of Clothes and Popular Consumerism in early modern England," *Journal of Social History* 24, no.2 (Winter 1990): 255–76.

³² Davis, "The Rise of Protection in England," 309–10.

of cloth and garments could be folded up and hidden inside boxes and packages. Individual travellers, therefore, could make ideal “smugglers.”

The legitimate silk trade in Britain was also influenced by several regions and products. Silk manufacturers responded to new textiles from both Asia and Europe. As with cottons, there was an intense response from consumers and designers from the 1680s to the 1730s. The bright and bold “Bizarre” style in silk designs shows clear evidence of Asian influence.³³ At the same time the continental connection remained strong. The Huguenots who entered the silk industries in Canterbury and London, provided French expertise in weaving and design³⁴ Those Asian silk objects that found consumers in Britain such as the *banyan* or Chinese wallpaper, were clearly luxury items.³⁵ However, the range of textiles prohibited suggests that a focus on these items may mislead about the market for these goods; relatively more affordable items may have been as important. This was certainly the case for silk production in a region like the Midlands where ribbons and stockings were made. Finally, the silk industry provides a very different chronology of import substitution. . Given that protectionism remained in place until the 1820s, this suggests that foreign silks remained in demand, and were thus a threat to English producers, well beyond the 1720s.³⁶

This article argues that smuggling supplied the demand for foreign consumer goods in eighteenth-century Britain. By revealing trends within the black market of silks, it demonstrates that the illicit trade with both Asia and Europe created new fashions among consumers. . The

³³ Rothstein, *Silk Designs of the Eighteenth Century: In the Collection of the Victoria and Albert Museum, London* (London, 1990), 37–38.

³⁴ Rothstein, *Silk Designs of the Eighteenth Century*, 37.

³⁵ Anna Jolly, “Introduction,” in *A Taste for the Exotic*, 10; De Bruijn et al, *Chinese Wallpaper in National Trust Houses*.

³⁶ North, “The Physical Manifestation of an Abstraction,” 101; “Select Committee on the Silk Trade,” *House of Commons Papers: Reports of Committees (1831–32)*: 77–79, 137–144.

analysis is divided into two parts. Firstly, it uses quantitative evidence to obtain an overview of the products that were supplied by smugglers to consumers in Britain. This section employs two sets of figures detailing contraband textiles seized by the customs to establish the composition of contraband silks, by product type and geographical origins. The intention is not to measure the true amount of smuggling, but to suggest what the most popular silks were, where they came from, and who their consumers were. The second part uses qualitative evidence, taken from investigations by customs officers, supplemented with evidence from travellers. This is employed to assess the performance of traders, travellers and diplomats as smugglers, and the means they used to bring silks into Britain. The evidence should also catch those silks that might not have shown up in the quantitative sources, but contemporaries thought were significant. Using a market segmentation analysis breaks down the monolithic category of “silks” to give a more precise picture of products and consumers. The article also examines the enforcement challenges faced by customs officers in policing different kinds of smuggling. Finally, this work makes a contribution to the methodology of studying the black market. Scrutinising the products supplied by smugglers allows historians to reconstruct the geography of the contraband trade and of new consumption it created. Together these approaches show how the dynamics of smuggling were intertwined with changing consumer markets during the age of mercantilism.

An Inventory of Contraband

To show the transnational connections that made up the black market in silks, an inventory is needed. This gives us quantitative evidence about the types of silks that were smuggled. From this, we can draw inferences about where the silks were made, and who their consumers were. Statistics of recorded crime by the authorities do not give a true picture of the amount of crime actually committed because there are a number of crimes that are not reported —the so-called dark figure. Nevertheless, historians of crime and smuggling have still used statistical evidence to

shed light on patterns and trends.³⁷ The first set of figures used here come from the “Reports from the committee on illicit practices used in defrauding the revenue” prepared for the House of Commons in 1784. Instead of looking for “foreign” silks in court and business records, this research uses records specifically related to smuggling. Reports of seizures positively identify a textile type as having been imported into Britain via the black market. The Parliamentary reports collected figures on seizures made by the Revenue Service for the years 1769–1773 and 1778–1782. As this is a discontinuous series, and the aim was not to arrive at a “true picture” of smuggling, two sample years are used: 1770 and 1780.

The report records a whole range of contraband goods including tea, brandy, wine, and tobacco, as well as textiles. The figures for all goods are given in different kinds of quantities—pounds for tea, pieces for textiles, etc.—rather than by value, so comparisons between all the commodities would have been difficult. However, it seems likely that, reflecting the smaller size of its conventional market, the size of the black market in silks was much smaller than that of tea, brandy, or tobacco. In the case of silks, measuring by pieces does avoid the problem of comparing cloths that may have been the same size but different weights. The report makes a distinction between seizures in the Port of London and the outports, i.e. the non-London ports. The report’s categories and distinctions have been kept for figures 1 to 4 and then conflated slightly for figures 5 and 6 to give an overview.

³⁷ Clive Emsley, *Crime and Society in England, 1750–1900* 2nd ed. (London, 1996), 24, 30–32; Styles, *Dress of the people*, appendix 1, 330–31.

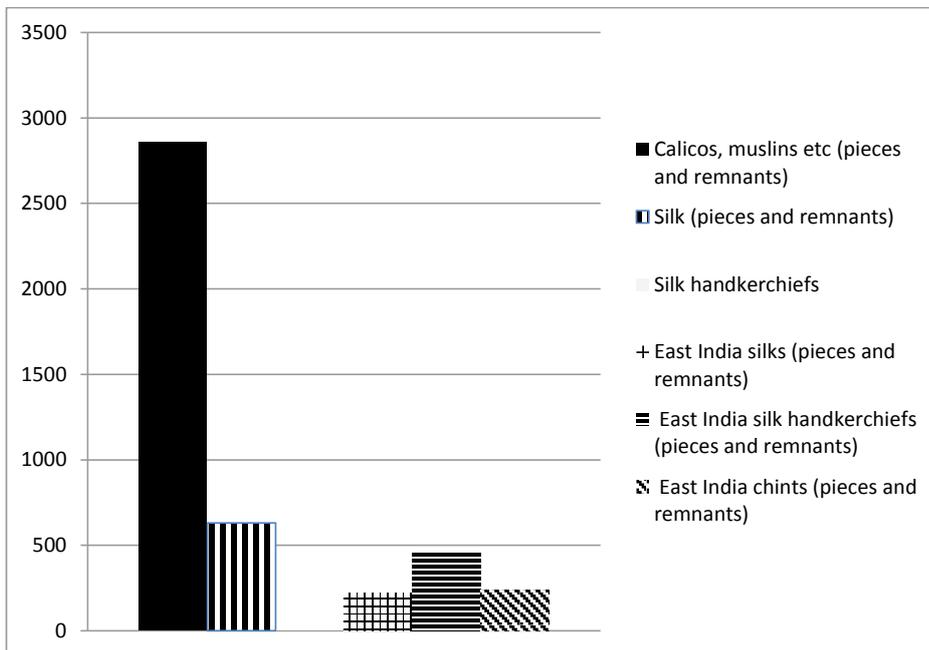


Figure 1. Seizures of cottons and silks in the Port of London, 1770. Number of pieces.

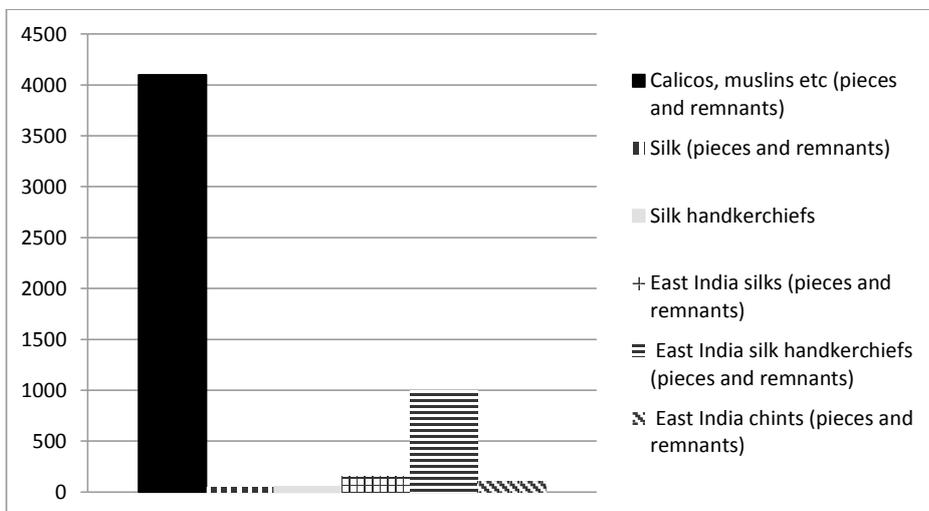


Figure 2. Seizures of cottons and silks in the Port of London, 1780. Number of pieces.

Figures 1 to 2 from *Port of London, Account of seizures made 1769–1773, 1778–1782*, in “Reports from the committee on illicit practices used in defrauding the revenue,” *Reports from Committees of the House of Commons vol. 11* (1783 & 1784), App. 4: 240–241.

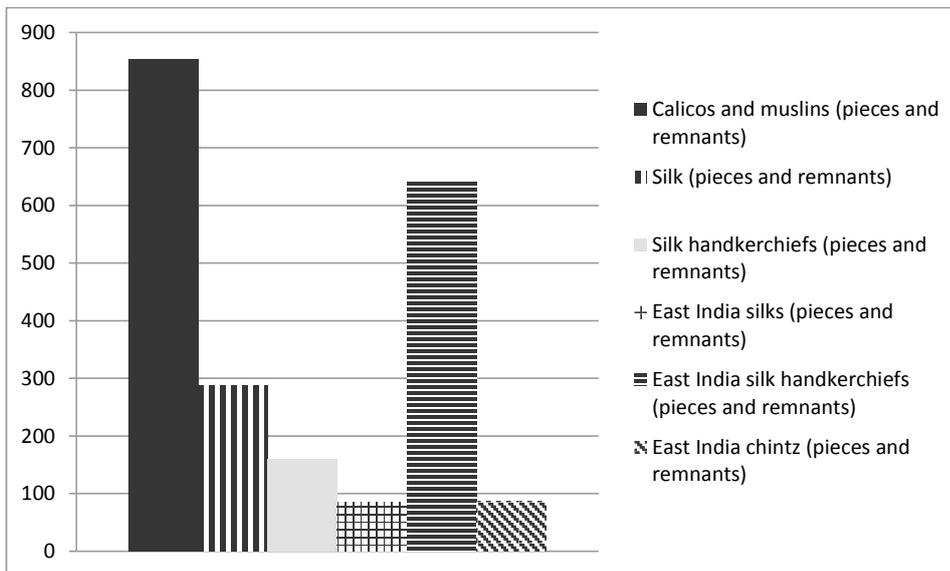


Figure 3. Seizures of cottons and silks in the Out Ports, 1770. Number of pieces.

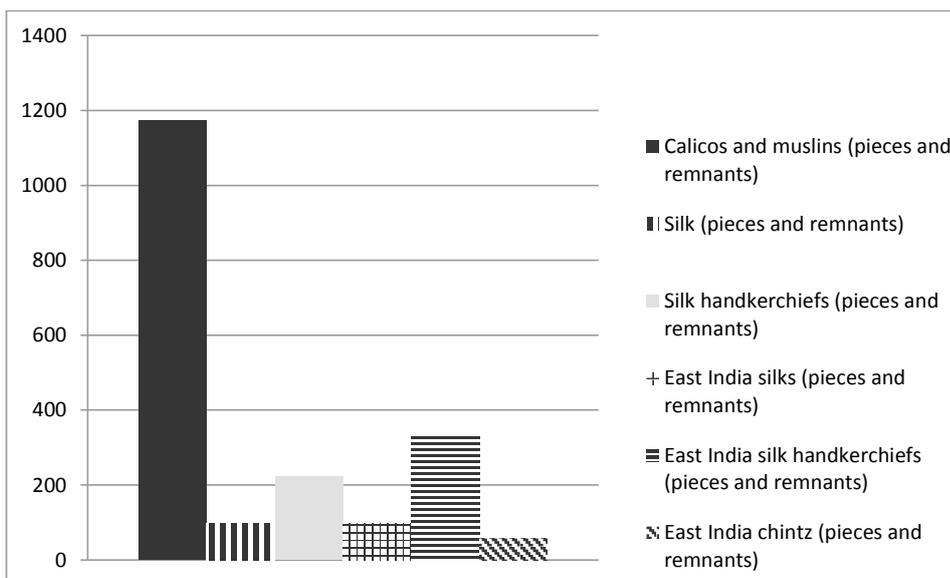


Figure 4. Seizures of cottons and silks in the Out Ports, 1780. Number of pieces.

Figures 3 to 4 from *Account of seizures made at the Out Ports, by Officers of the Customs, 1769–1773, 1778–1782*, in “Reports from the committee on illicit practices used in defrauding the revenue,” *Reports from Committees of the House of Commons vol. 11* (1783 & 1784), App. 4: 240–241.

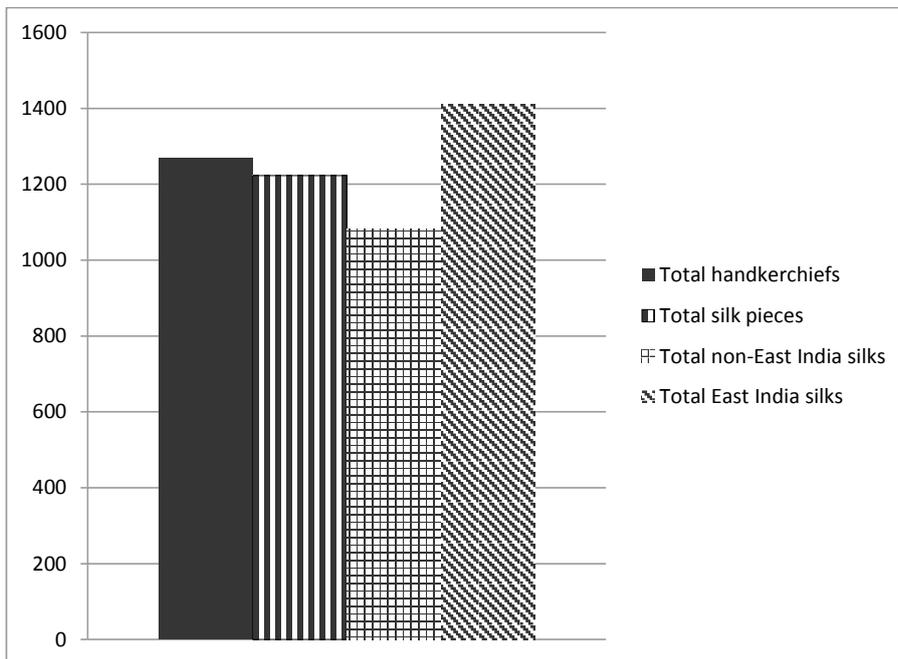


Figure 5. Seizures of silk in London and Out Ports, 1770. Handkerchiefs vs pieces; non-East India vs East India. Number of pieces.

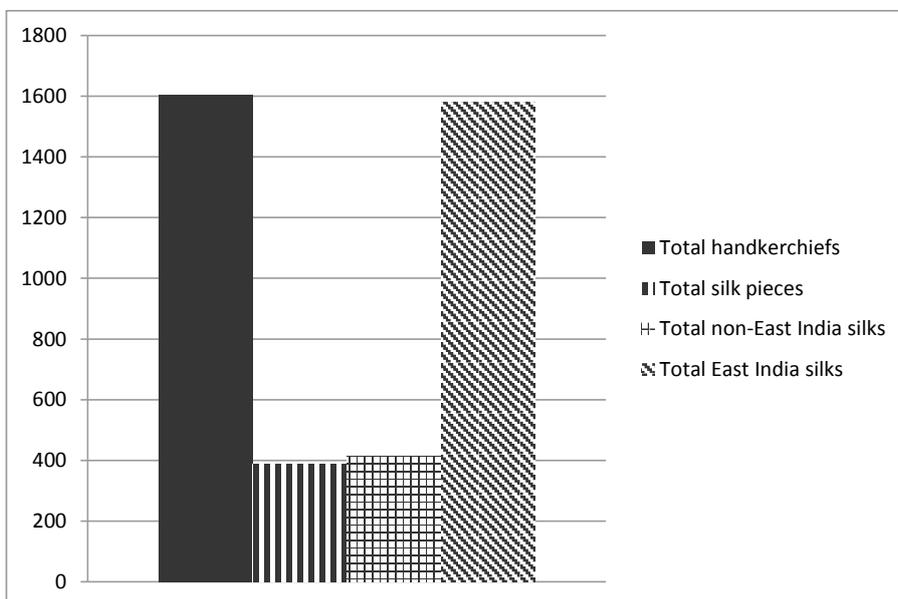


Figure 6. Seizures of silk in London and Out Ports, 1780. Handkerchiefs vs. pieces; non-East India vs. East India. Number of pieces.

Analysing the evidence from the report shows the popular contraband goods and how they entered Britain. In figures 1 to 4 the seizures of calicos and muslins are much higher than the seizures of silks. This indicates that they did indeed enter into the home market in significant numbers even after the Calico Acts.³⁸ In both London and the outports, the most common type of silks seized were East India silk handkerchiefs. There were more seizures of handkerchiefs, wherever they were from, than silk pieces and remnants (the leftover end piece of a cloth); more East India silks were confiscated than non-East India ones. Seizures in the Port of London were a large proportion of all silks taken by the authorities. In 1770 they were 53 percent of the total; in 1780 they were 62 percent.³⁹ This reflects London's size and importance as an international port, trading not just with the continent, as some of the outports did, but directly with Asia too. It was, of course, home to the East India Company's dock and warehouse. Furthermore, it was also the major center for fashion and retail in Britain, so it was the obvious destination for contraband silks. The pattern of seizures for all goods across the country confirms this, showing that most confiscations made at the outports were for tea, and in London the majority were for textiles.⁴⁰

The finding that handkerchiefs from India dominated the smuggling of silks is confirmed by a second source. Here adverts for goods seized by the customs and sold at public actions are used.⁴¹ Customs officials sold textiles, brandy, tea, and tobacco at auctions held quarterly. To

³⁸ Lemire and Riello, "East & West," 892–96.

³⁹ In 1770 1318 pieces of silk were seized in London out of a total of 2491 pieces; in 1780 1243 pieces were seized in London from a total of 1993 pieces.

⁴⁰ Bowen, "So Alarming An Evil," 18.

⁴¹ I used Gale's digitised version of the Burney Collection of seventeenth and eighteenth century newspapers.

prevent further frauds, goods in the auctions were weighed, packed, marked, and numbered.⁴² Silks were sold on condition that they were exported out of the country, but permission was given to sell other goods to the domestic market.⁴³ Despite the assurances that silks bought at these sales would be exported, some smugglers used them as a means of acquiring fabrics at a cheap price. They then took the goods over to Ostend or Calais, re-packaged them, and brought them back into Britain.⁴⁴ The earliest advertised sale of silks organised by Customs and Excise that I have found was in 1768, and I have followed the sales until 1800. There are twenty-eight sales in total where the adverts gave quantities, and it is from these that the following figures come. The majority of the sales were on the south coast of England—Hampshire, Sussex, and Kent—although there was one in Newcastle. The sales have been broken down into three charts: one for silks (figure 7), one for cottons (figure 8), and one for accessories (figure 9).

The adverts bring out trends that have been hidden so far, as they have more specific categories than the parliamentary report. Indian silk handkerchiefs remain the largest type of contraband silk and, in fact, there are more of them than cotton handkerchiefs—or all the cotton pieces combined. As with the parliamentary evidence, handkerchiefs, wherever they originated, are the most common type of silk, and silks from India outnumber silks from elsewhere. This points to India silk handkerchiefs being a distinct and popular item in the Euro-Asian textile trade; the reasons for this are explored below. The auction categories also reveal (where geographical descriptions are given) that non-Asian silks are largely French. Silk stockings emerge as the second biggest category after handkerchiefs, showing the importance of ready-to-wear silk garments. The weighting of silk piece goods towards handkerchiefs is clear when

⁴² Elizabeth Evelynola Hoon, *The Organization of the English Customs System, 1696–1786*, (New York, 1938), 281.

⁴³ E.g. the sale at Hastings, *Public Advertiser*, 31 July 1770.

⁴⁴ See evidence of Richard Bottrell, “Report from Select Committee on the Silk Trade,” House Of Commons Papers; Reports of Committees (1831–32): 7757–7758.

compared to the figures for cottons, which show a more balanced variety of fabrics. Riello has pointed out that most of the Indian cottons imported legally into Europe were white, indicating that they were for printing on.⁴⁵ However, smuggled cottons were more likely to be printed and decorated in the styles that had made them popular. This suggests that smugglers traded the most visually appealing and “exotic” Indian textiles.

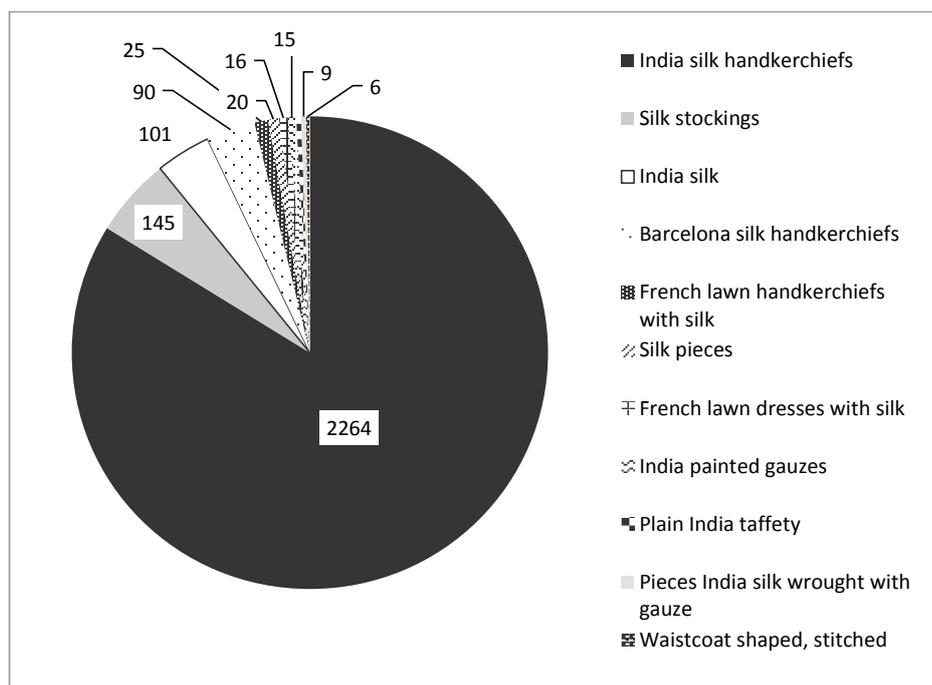


Figure 7. Silk or silk mix pieces sold at customs auctions 1768–1800. Figures 7 to 9 compiled from the Burney Collection.

⁴⁵ Riello, “The Indian Apprenticeship,” 332–34.

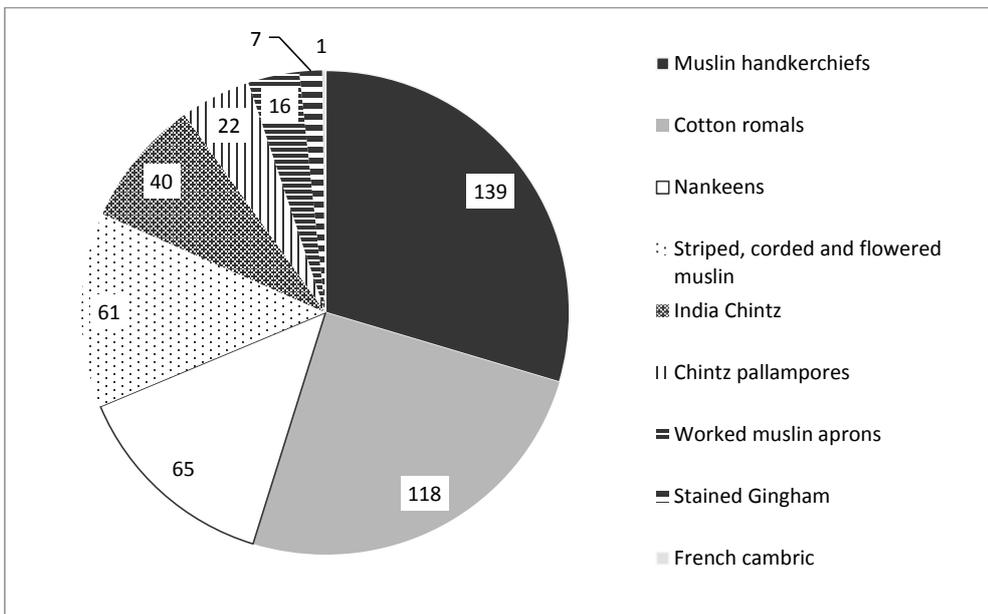


Figure 8. Cotton pieces sold at customs auctions 1768–1800.

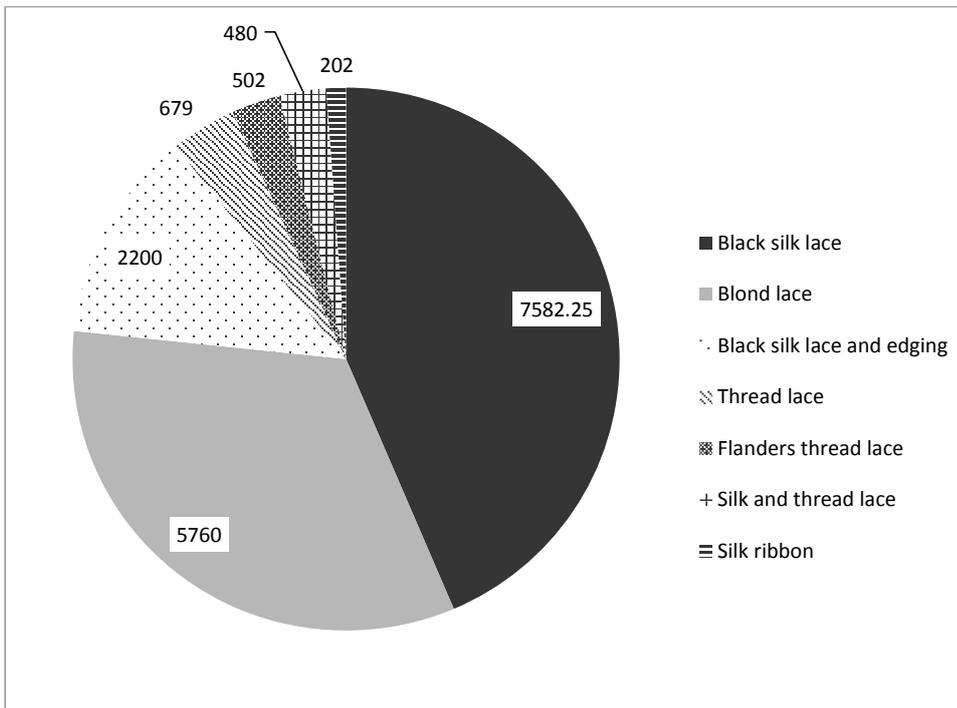


Figure 9. Lace, thread and ribbons sold at customs auctions 1768–1800 (yards).

It is striking that one type of silks—handkerchiefs—was more commonly seized than all the other types of silks put together (velvets, flowered, stockings, etc.).⁴⁶ This suggests that much of the market for smuggled silks was made up of lower-value items which were supplied by the trade with Asia. This would certainly be in line with changing fashions. Handkerchiefs are good examples of the “populuxe goods” that Cissie Fairchilds identified as making a more affordable version of luxury available to consumers in this period.⁴⁷ Made of cotton, silk, or linen, handkerchiefs were a large piece of material—much larger than our pocket handkerchiefs—worn by both men and women. Patterns, such as dots or stripes, and colors allowed wearers to add variety to their outfits. Men wore handkerchiefs round the neck; women wore them tied around the head or draped across the shoulders. Handkerchiefs were a more colorful alternative to plain cravats or shawls, often kept for Sunday best.

Evidence from retailers suggests that silk handkerchiefs were priced for middling consumers, although plebeians could acquire them by saving up or buying second-hand. Margaret Spufford found silk handkerchiefs amongst the textiles sold by pedlars as early as the late seventeenth century. They were priced at 1s. and above; linen or mixed fibre handkerchiefs were cheaper at 6d. to 10d.⁴⁸ Anne Buck dates the uptake of handkerchiefs made of silk or cotton slightly later to the 1730s.⁴⁹ Although silk was the most expensive kind of handkerchief, they spread down the social hierarchy; this dissemination was helped by the informal economy.

⁴⁶ 2354 pieces of silk handkerchiefs were auctioned from a total of 2691 pieces, or 87% of the total pieces sold.

⁴⁷ Cissie Fairchilds, “The Production and Marketing of Populuxe Goods in Eighteenth-Century Paris,” in *Consumption and the World of Goods* ed. John Brewer and Roy Porter (London, 1993), 228–48.

⁴⁸ Margaret Spufford, *The Great Reclotting of Rural England: Petty Chapmen and Their Wares in the Seventeenth Century* (London, 1984), 103–04.

⁴⁹ Buck, *Dress in Eighteenth-Century England*, 138.

Dealers in used clothes and petty traders both made the fashion for colourful handkerchiefs available to a wider audience. These were a popular item for thieves: 17 percent of theft trials at the Old Bailey between 1740 and 1800 involved a handkerchief. In these trials, silk handkerchiefs were more commonly mentioned than cotton until the 1790s.⁵⁰ They were also sold by small shops that served plebeian Londoners, such as the one belonging to Barbara Richards in Spitalfields.⁵¹ Alison Toplis found that silk handkerchiefs, including Indian ones, were among the possessions of labourers who used second-hand dealers, theft, and informal trading to acquire clothes.⁵² They were important for the creation of self-conscious plebeian (and in the Americas even slave) fashion.⁵³ “Transnational” plebeians also helped to import handkerchiefs into Britain. Lemire finds them to have been a common item owned by sailors on Asian voyages, who adopted them for their own distinctive dress, and as an easily acquired and sellable item.⁵⁴

⁵⁰ Anne Helmreich, Tim Hitchcock and William J. Turkel, “Rethinking Inventories in the Digital Age: The Case of the Old Bailey,” *Journal of Art Historiography* no. 11/HHT1 (December 2014): 1–25, at 13, 17–18.

⁵¹ Styles, *The Dress of the People*, 173.

⁵² Alison Toplis, “A Stolen Garment or a Reasonable Purchase? The Male Consumer and the Illicit Second-Hand Clothing Market in the First Half of the Nineteenth Century,” in *Modernity and the Second-Hand Trade: European Consumption Cultures and Practices, 1700–1900*, ed. Jon Stobart and Ilja van Damme (Basingstoke, 2010), 57–72, at 60–61.

⁵³ Buck, *Dress in Eighteenth-Century England*, 154, 179; Toplis, “A Stolen Garment or a Reasonable Purchase,” 60–61; Sophie White, “‘Wearing Three or Four Handkerchiefs around His Collar, and Elsewhere about Him’: Slaves’ Constructions of Masculinity and Ethnicity in French Colonial New Orleans,” *Gender and History* 15, no. 3 (November 2003): 528–49.

⁵⁴ Beverly Lemire, “‘Men of the World’: British Mariners, Consumer Practice, and Material Culture in an Era of Global Trade, c. 1660–1800,” *Journal of British Studies* 54, no. 02 (April 2015): 288–319, at 299.

Exactly when the fashion for silk handkerchiefs emerged is not clear. Looking back on the heyday of silk smuggling, George Porter remarked on the take-up of foreign handkerchiefs among all classes, attributing this popularity to the allure and exclusivity of contraband.⁵⁵ Even the ultrarespectable Parson Woodforde purchased India silk handkerchiefs from a smuggler.⁵⁶ “India handkerchiefs” were not widely mentioned during the passing of the Calico Acts. Silk weavers made specific complaints about them in the 1780s, suggesting they became popular after the main prohibitions against Asian textiles were in place.⁵⁷ This implies that smugglers were the first importers of these new goods. Seeing that they would fit well within British wardrobes, smugglers helped to create the popularity of Indian handkerchiefs.

There were European-made rivals to India handkerchiefs, but they used different construction techniques. As with other Asian goods such as calicos, Indian handkerchiefs, usually called sarongs or bandanas, had distinctive qualities compared to those manufactured in Europe. The quality of dyeing used in Indian textiles, producing the deep colours seen in the handkerchiefs, made them attractive to consumers. Their patterns were achieved through the use of hand printing and tie-dyeing, which the European textile industries did not employ.⁵⁸ Weavers in London were making silk handkerchiefs by at least the 1760s; by 1780, manufacturers across England were making products “in imitation” of the Indian examples.⁵⁹ These imitation fabrics

⁵⁵ George Porter, *A Treatise on the Origin, Progressive Improvement, and Present State of the Silk Manufacture* (London, 1831), 86.

⁵⁶ James Woodforde, *The Diary of a Country Parson, 1758-1802* (Norwich, 2003), 93.

⁵⁷ *Morning Chronicle and London Advertiser*, 4 January 1780.

⁵⁸ E.g. V & A, Museum number: T.1738-191, <http://collections.vam.ac.uk/item/O139761/cravat-unknown/>.

⁵⁹ Middlesex Sessions: Sessions Papers-Justices' Working Documents, 1769, *London Lives, 1690–1800*, LL ref: LMSMPS507070024, LMSMPS507070027, 14 April 2012 www.londonlives.org, version 1.1; *Morning Chronicle and London Advertiser*, 4 January 1780.

either had patterns achieved on the loom or through experiments with mechanical printing. However, these techniques produced patterns that were too regular, lacking the charm of those produced by hand.⁶⁰ Merchants working in the re-export trade to the North American colonies purchased silks imported by the East India Company when possible, believing they were of better quality than those made in London.⁶¹ India silk handkerchiefs became popular because they were a new, attractive product with few rivals on the market.

The availability of deliberate imitations of India silk handkerchiefs might inspire scepticism of the identification of South Asia as the source of these items. In London, conmen attempted to pass off fake handkerchiefs to unsuspecting buyers.⁶² Can we be sure that contemporaries were not deceived, and were accurate in recording these objects in customs records or newspapers? Textile nomenclature in this period is complicated and potentially deceptive. There are over one hundred types of textiles listed in the East India Company records.⁶³ Names that appear to refer to geographic origins of fabrics may in fact refer to style or construction. The term “India silk” could be used as a generic term for all silks marketed by the East India Company, including those made in China.⁶⁴ Furthermore, textiles “imitating” Asian

⁶⁰ “Report from Select Committee on the Silk Trade” (1831–32), 801, 835; John Forbes Watson, *The Textile Manufactures and the Costumes of the People of India* (London, 1866), 98.

⁶¹ Amelia Peck, “‘India Chints’ and ‘China Taffaty’: East India Company Textiles for the North American Market,” in *Interwoven Globe: The Worldwide Textile Trade, 1500–1800*, ed. Amelia Peck (London, 2013), 104–19, at 118.

⁶² *General Evening Post*, 6–9 June 1761; *London Evening Post*, 22–24 April 1766; *Public Advertiser*, 29 February 1768.

⁶³ See comments of Bowen in ‘User Guide,’ SN 5690—The East India Company: Trade and Domestic Financial Statistics, 1755–1838, (2007) <http://dx.doi.org/10.5255/UKDA-SN-5690-1>, 11.

⁶⁴ Rothstein, *Silk Designs of the Eighteenth Century*, 289.

designs were produced in Europe for the contraband trade.⁶⁵ Work on the legitimate Euro-Asian trade also obscures the place of Indian silks. There tends to be an assumption that textiles fell into a simple division of Indian cottons (the vast majority of all textile imports) and Chinese silks. Leanna Lee-Whitman examined the East India Company's trade in silks using accounts of the trade with Canton, ignoring India altogether. Given the complexity of textile nomenclature, K.N. Chaudhuri and Huw Bowen refrained from providing statistical breakdowns of the kinds of textiles traded by the East India Company, instead breaking down the trends by region. A more in-depth examination of the origins of smuggled handkerchiefs is needed to establish that India was the source of supply.

Despite these problems, contextual evidence makes informed identification possible. The contraband handkerchiefs are unlikely to be Chinese, as Lee-Whitman's analysis did not find handkerchiefs to be a type of silk bought by traders in Canton.⁶⁶ Chaudhuri's glossary of Indian "cotton textiles" contains several silks and silk mixes all of them produced in Bengal, Bihar, and Orissa (i.e. Eastern India). By contrast, there are no silk or silk mixes listed in the western or southern Indian sections of the glossary. Silks from Eastern India included *badannoës* or thread-dyed silk handkerchiefs, cotton and silk mix handkerchiefs, and silk *lunges* used as sarongs. From the information available on occupations in India it is known that there were silk weavers in areas such as Kasimbazar in Bengal and in Benares.⁶⁷ After the late 1720s Bengal became much more important within the European trade in Indian textiles—and the trade with Bombay, near

⁶⁵ Sjoukje Colenbrander and Clare Browne, "Indiennes: Chinoiserie Silks Woven in Amsterdam," in *A Taste for the Exotic*, ed. Anne Jolly (Riggisberg, 2007), 127-38, at 128.

⁶⁶ Lee-Whitman, "The Silk Trade," 21-41.

⁶⁷ See the map in K.N. Chaudhuri, *The Trading World of Asia and the English East India Company, 1660-1760* (Cambridge, 1978), 244 & App. 4, 500-505; Om Prakash, "From Market Determined to Coercion-Based: Textile Manufacturing in Eighteenth Century Bengal," in *How India Clothed the World* ed. Giorgio Riello and Tirthankar Roy (Leiden, 2009), 217-52, at 231-33.

the great cotton weaving centre of Gujarat, became less so (see figure 10). Eastern India was, therefore, the main source of silk handkerchiefs for both the East India Company's legitimate trade and the black market.

Furthermore, the records used in this article to identify contraband were created by "experts" who could tell the difference between European and Asian silks. The revenue service made serious efforts to ensure that their own classifications were accurate. "Consultants" from the silk industry were used to help identify textiles correctly. Members of the Weavers' Company, the guild that represented textile workers in London, worked with customs officers to make seizures of foreign silks.⁶⁸ Correctly identifying types of silks was important to bringing successful prosecutions; misidentification could lead to a case collapsing.⁶⁹ Customs had its own "examiner, searcher and stamper" of silks, a position originally awarded to a weaver and a mercer.⁷⁰ Considering all these factors, it seems reasonable to conclude that "India handkerchiefs" were indeed from India. The argument that new consumer goods were created through smuggling and Euro-Asian trade has solid foundations.

⁶⁸ Examples include Thomas Jones in London Metropolitan Archive (LMA) MS04655/017, f.83; James King, William Ward and John Peck LMA MS04655/017, fols. 102–03. See also Farrell, "The Silk Interest and the Fiscal-Military State," in *The British Fiscal-Military States, 1660–c.1783* ed. Aaron Graham and Patrick A. Walsh (Farnham, forthcoming 2016).

⁶⁹ The National Archives (TNA) Customs papers (CUST) 28/2, fols. 431–32.

⁷⁰ Hoon, *The Organization of the English Customs System*, 33; "Report of Committee on the Silk Industry" (1765), 209; Alfred Plummer, *The London Weavers' Company, 1600–1970* (London, 1972), 135.

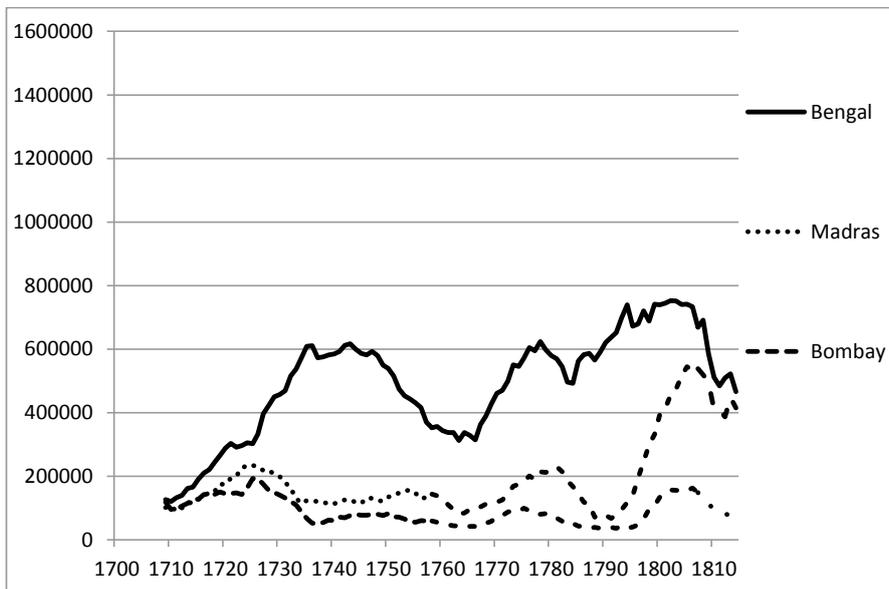


Figure 10. Indian textile pieces imported by the East India Company into London, by region, 1700–1810. Ten year moving averages. Number of pieces. Figures for 1700–1760 from Chaudhuri, *The Trading World of Asia and the English East India Company*, Table C.22 pp.544–545, Table C.21 pp/542–543, Table C.20 pp.540–541, Table C.23 p.546. For 1761–1820 from H.V. Bowen, imports_textiles' computer file, *The East India Company: Trade and Domestic Financial Statistics, 1755–1838* (2007). <http://dx.doi.org/10.5255/UKDA-SN-5690-1>.

South Asia was not the only source of contraband textiles. An important difference from cottons is the number of silk accessories—including silk laces, edgings, and ribbons—that appear in the auctions. The presence of laces and ribbons confirms the importance of French silks in the category of non-Asian contraband. At the Parliamentary hearings, weavers and mercers defended the quality of English silks in general, but many agreed that it was in comparison with the high-end or fashion silks influenced by French taste that they suffered

most.⁷¹ These were among the most expensive products on offer and they were associated with elite metropolitan taste.⁷² From the 1730s, the so-called flowered silks—those with floral designs—were created with raised decorative work to emphasise the intricate nature of foliage and achieve three-dimensional effects. Brocading, a technique applied by the weavers on the loom, was one way of achieving this and was used in both London and Lyon. There was also a fashion for trimmings, such as gold braiding, and embroidery.⁷³ Many French silks were bought complete with embroidery or lacing, but there was also a market for materials to make up garments in this style. When revenue officers made seizures from several tailors in 1748, they found four bundles of foreign embroideries and thread intended to make up waistcoats.”⁷⁴ Specialist French silks were brought into the country illicitly to feed the taste for intricate decoration.

The timing of concerns about French silks in the 1760s with the end of the Seven Years' War suggests that London had been isolated from the new flowered styles and brocading techniques.⁷⁵ Not only did the restoration of trade with France lead to more silk coming into London (legally or not), but French silk designers had created new fashions in the intervening years. Surviving examples of embroidered French silk imported into Britain show the fineness of

⁷¹ Evidence of Ashburner, Cheveny and Pritchard, “Report of Committee on the Silk Industry,” *Journals of the House of Commons*, 30 (1765), 210–12.

⁷² Miles Lambert, “The Consumption of Spitalfields Silks in 18th-Century England: Examples in Collections Outside London,” in *18th-Century Silks The Industries of England and Northern Europe*, ed. Natalie Rothstein and Beiträge von Regula Schorta (Riggisberg, 2000), 63–73, at 64–66.

⁷³ North, “The Physical Manifestation of an Abstraction,” 94, 100.

⁷⁴ TNA, CUST 41/4, fol. 31.

⁷⁵ Evidence of John Sabatier, “Report of Committee on the Silk Industry” (1766), 724.

the work being done in the 1750s.⁷⁶ Internal changes in the organization of work also led some mercers to look to France. During that period, the retailing of the high quality silks had changed in London. Mercers wanted designers of brocaded silks to work exclusively for them, and produce only limited runs of drawings. Customers did not want designs that were widely available, and competition over brocades built up. The mercer, Mr Lovie, claimed that he had to resort to importing French brocades because he could not get any pattern drawers to work for him, as they had all been signed by his rivals.⁷⁷ In this restricted situation, fashionable consumers looked to the continent for items they could not easily obtain.

Overall, the evidence suggests that silk smuggling introduced new consumer goods to Britain. The illicit trade in silks was supplied from several regions and able to meet the needs of quite different customers. Two markets stand out. Firstly, silk handkerchiefs from India that sold to middling and some plebeian customers. This supports those accounts that stress the importance of trade with Asia for creating new consumer goods in Britain. Secondly, however, luxury or high fashion silks from France made up a recognisable section of the contraband trade. This suggests that influences from the continent remained important for British taste and style. In both cases, the silks were popular as they had material qualities that appealed to consumers, and British producers had trouble supplying an adequate substitute product. The distinct geography and markets of contraband silks suggest that the suppliers were not a uniform group of people either.

⁷⁶ See V & A, Museum number: T.12&A-1981, <http://collections.vam.ac.uk/item/O117866/pair-of-waistcoat-unknown/>.

⁷⁷ Evidence of John Peregall, Mr Ashburner & Lovie in “Report of Committee on the Silk Industry” (1765), 209, 210.

Who were the ‘smugglers’?

It is important to establish the characteristics of silk smugglers, as it will help to show which sections of the market they were provisioning. Large-scale smugglers would be able to supply middling customers, whilst those working on a smaller scale would have to target more niche groups. The importance of India silk handkerchiefs indicates that the East India Company was the largest, although not the only, source of contraband silks. This was not, of course, an official policy of the directors. However, their whole transport and distribution operation, from loading ships in Indian ports to warehousing in London, leaked goods along the way. Huw Bowen’s work places the privileges of private trade, granted to some of the Company’s employees, at the center of the contraband trade between India, China and the British Isles. Opportunities for private and illicit trade increased over the eighteenth century as the Company’s fleet expanded after 1756. Private investors owned ships and leased them to the Company, and they and the commanders shared the profits of private trade.⁷⁸ All private trade goods coming to England were supposed to be sold at the official Company sale in London, and duties and handling charges had to be paid.⁷⁹

Officers and passengers sometimes made false declarations about the cargo when loading up the ships in India, or hid items within the ship; this was done in order to avoid the restrictions on the amount of private trade goods they could import. Commanders also overloaded ships to carry extra consignments of tea and textiles. As vessels drew nearer to home waters, the methods of landing contraband were multiple. Before sailing into the English Channel, captains might stop off at continental ports, the Isle of Man, or Ireland, selling goods to local dealers who

⁷⁸ H.V. Bowen, “Privilege and Profit: The Commanders of East Indiamen as Private Traders, Entrepreneurs, and Smugglers, 1760–1813,” *International Journal of Maritime History* 19, no. 2 (December 2007): 43–88, at 43–46.

⁷⁹ Bowen, “Privilege and Profit,” 50–81.

would then run them into Britain. In the Channel and at Gravesend, passengers could disembark, taking items with them before customs officers came aboard. East Indiamen could not go any further up the river Thames than Deptford, and the cargo was unloaded onto smaller boats at that point and taken to the East India Wharf next to London Bridge. The goods were taken first to the customs house to be recorded and then to the East India Company's warehouse.⁸⁰ It took several weeks to unload an East Indiaman in Deptford. The number of people going on and off board ship not only increased the number of people handling the cargo, but also obstructed customs officers from carrying out their tasks. Tide surveyors boarded and searched the ships for contraband, including textiles. They were instructed by Customs and Excise to ensure that "no silk, or others goods be put up, or made into wearing apparel or the Captain will be prosecuted."⁸¹ All baggage and small parcels found in cabins had to be landed and inspected in the warehouse.⁸² Captains and officers were allowed to land personal linen and apparel that was not prohibited so that it could be washed.⁸³

Many people working around the Thames were involved in the black economy and they helped move silks off the ships and on to retailers, legitimate and illegitimate, in the city. One customs officer followed Thomas Wetherby, a porter, having seen him leave St Katherine Docks with a small box labelled *Tobacco* "in large letters." Wetherby was observed "to look back frequently" as he left the dock, entering the City of London and walking as far as Ludgate Hill. Unable to lose his tail, Wetherby gave himself up and tried to bluff his way out by claiming the box only contained a few pounds of tea. However, he was forced to open the box, which, instead of tobacco or tea, contained £41 worth of silk mittens and £160 worth of garnets (a

⁸⁰ Bowen, "So Alarming An Evil," 1–31.

⁸¹ TNA, CUST 29/1 A–M, "East India Goods" 22 March 1720.

⁸² TNA, CUST 29/4, fol. 75.

⁸³ TNA, CUST 29/6, fols. 127–28.

crystal mined in western India.)⁸⁴ Corruption was also a potential problem with some officials. Those who were involved in the landing of goods and in calculating duties could be bribed.⁸⁵ Bowen points out that the antismuggling action that the East India Company undertook was concentrated in London, confirming its importance as a hub of the black economy. Rather than look to the illegal importing via northern Europe or Ireland, the Company instead focused on building the new East India Company dock, which was to be larger and more secure than the existing one.⁸⁶

Once they had been successfully unloaded, silks then moved into the possession of retailers. Some were sold to mercers and tailors. Others, particularly handkerchiefs, became part of the moveable stock of pedlars and second-hand dealers. Historians have shown that there was a significant overlap between the formal and informal distribution of textiles and clothing. This overlap included crime, thanks to those dealers who asked no questions about the provenance of items. Hawkers, street markets, and pawnbrokers were all sources from which many people acquired clothing, including fabrics and items that were new to this period.⁸⁷ Potentially, second-

⁸⁴ TNA, CUST 41/5, fol. 313–17.

⁸⁵ Arthur Lyon Cross, ed., *Eighteenth Century Documents Relating to the Royal Forests, the Sheriffs and Smuggling Selected from the Shelburne Manuscripts in the William L. Clements Library* (New York, 1928), 252–54.

⁸⁶ Bowen, “So Alarming An Evil,” 4–6.

⁸⁷ Lemire, “The Theft of Clothes,” 255, 276; idem, “‘Peddling Fashion’: Salesmen, Pawnbrokers, Tailors, Thieves and the Second-hand Clothes Trade in England, c. 1700–1800,” *Textile History* 22, no. 1 (Spring 1991): 67–82; Miles Lambert, “‘Cast-off Wearing Apparell’: The Consumption and Distribution of Second-Hand Clothing in Northern England during the Long Eighteenth Century,” *Textile History* 35, no. 1 (May 2004): 1–26; Styles, *The Dress of the People*, 147–148, 161–165, 171–176; Toplis, “A Stolen Garment or a Reasonable Purchase,” 57–72.

hand dealers had good access to imported goods as they used ports as home bases for their operations. Both London and Liverpool had significant concentrations of these businesses.⁸⁸

The attention of the authorities, however, fell more on shopkeepers. Customs officers often targeted tailors, as the provisions of the Acts prohibiting Asian textiles focused on those who might sell and distribute foreign goods. In respectable shops, contraband silks were not displayed openly, but kept under the counter and sold by pattern.⁸⁹ The risk of prosecution that shop owners feared was real. In 1766 “Davidson of Fleet Street” was fined two hundred pounds for having cambrics and India silk handkerchiefs in his possession.⁹⁰ David Weir was prosecuted for “Two pieces of Clouded Gingham . . . 122 Pieces of India Silk handkerchiefs . . . and 25 pieces of India striped Taffaty.”⁹¹ Thomas Metcalf prosecuted William Martin, John Smith, John Simpson, James Kent, and William Cochlewere for possession of Indian satins, muslins, and handkerchiefs “which came into their hands without Payment of duties.”⁹² Two officers rummaged Hugh Douglas’s house and seized forty-five handkerchiefs and some muslins. They maintained that his goods had come from an East Indiaman—the *Norfolk*—the night before the raid.⁹³

Even if French silks were a smaller proportion of the contraband trade, some were brought into London in similar ways to East India textiles. A “large seizure” was made by customs in 1766 from a ship lying below London Bridge that was carrying French silks and brocades.⁹⁴ Revenue officers prosecuted George Tomlyn “master and mariner” of Rochester,

⁸⁸ Lemire, “Peddling Fashion,” Table 1, 71; Lambert, “Cast-off Wearing Apparell,” 14.

⁸⁹ “Report from Select Committee on the Silk Trade” (1831–32), 447.

⁹⁰ TNA, CUST 28/2, fols. 51–52.

⁹¹ *Ibid.*, fols. 258–259.

⁹² *Ibid.*, fol. 391.

⁹³ *Ibid.*, fol. 423.

⁹⁴ *St. James's Chronicle*, 3–5 December 1761.

Roger Bridges and Francis Douglas, mariners also of Rochester, alongside Bartholomew Garman of Dunkirk for “unshipping without payment of Duties” plain and flowered muslin, India silk handkerchiefs, and French lawns, cambrics, and wrought silks.⁹⁵ In 1766 Charles Lutwidge, Receiver General of the Isle of Man, reported that 447 Barcelona silk handkerchiefs had arrived from Dunkirk and were intended for re-export to Britain and Ireland. Three months later 3450 Barcelona handkerchiefs had arrived in Douglas. The *Wolf* arrived in April that year from Barcelona and Malaga carrying wine, food, and thirty boxes of handkerchiefs. The merchants (who were all British) paid the duties due to the revenue, but were open about their intention to take the goods into Britain.⁹⁶ The Isle of Man’s legal status left Lutwidge unable to make a seizure: the island collected and retained its own duties, which were lower than those in Britain. Although customs officials were stationed on the island they were powerless to make arrests.⁹⁷

Foreign silks did not have to enter the country solely via “smugglers.” A variety of people who were not traders crossed borders with foreign silks in their possession. Some did sell the silks they carried with them, but many more had the silks for their own wardrobes, or for friends and relatives. These small-scale frauds were used to import silks coming from the continent, and were difficult for authorities to detect. The high status of these importers contributed to the fashion for foreign silks. Undoubtedly Indian and Chinese silks did come back to Britain with people returning from service in the East India Company.⁹⁸ Warren Hasting’s

⁹⁵ TNA, CUST 28/2, fols. 51–52.

⁹⁶ TNA, Treasury Papers (T) 1/449/fols. 112–113; 110–111; T 1/454/fols. 190–192.

⁹⁷ William Ashworth, *Customs and Excise: Trade, Production, and Consumption in England, 1640–1845* (Oxford, 2003), 198–99.

⁹⁸ For example, through gift giving within Anglo-Indian families. Margot Finn, “Colonial Gifts: Family Politics and the Exchange of Goods in British India, c. 1780–1820,” *Modern Asian Studies* 40, no.1 (February 2006): 203–31.

wife Marian, for example, became well known in London society for her Indian gowns.⁹⁹ However, the baggage of those coming from the continent attracted greater attention from customs.

Customs officers became concerned about the importation of textiles and clothing by foreign ministers in London. Ambassadors, their families, and staff were the kind of people likely to own French or Italian silks. Indeed, wives of French ambassadors were seen as fashion leaders by London society.¹⁰⁰ Officers raided the lodgings of a group of French hairdressers in the Strand and found a large amount of French “Gold and Silver Lace, Trimmings and Embroidery.” They were reported to be hairdressers to “Persons of Distinction” and were accused of trying to pass off the goods as being the property of their distinguished clients.¹⁰¹ Officials did have the power to search baggage belonging to foreign officials as it came into the country, but diplomats also had immunity from prosecution, making customs’ investigations difficult. So, for example, in 1701 the Venetian ambassador had to provide a schedule of when his baggage would be landed and certify that the goods were “for his own use.”¹⁰² News of a later Venetian ambassador’s journey to London travelled ahead of him in 1768; officers of the river were given plenty of time to prepare to board his ship, the *Henrietta*, when it arrived from Calais, and take the ambassador’s baggage on shore for inspection.¹⁰³ The customs officers actively monitored diplomatic staff to try and reduce the level of smuggling.

Whether embassies could be searched was more contentious legally, casting doubt on the viability of investigations. Customs officers tried to inspect the residences of the French, Austrian, and Bavarian ambassadors. One officer, Mr Tankard, succeeded in gaining entry to the

⁹⁹ Jerry White, *London in the Eighteenth Century: A Great and Monstrous Thing* (London, 2013), 108.

¹⁰⁰ Buck, *Dress in Eighteenth-Century England*, 34.

¹⁰¹ *Public Advertiser*, 23 August 1764.

¹⁰² TNA, CUST 29/1, “Baggage,” 20 October 1710.

¹⁰³ TNA CUST 28/2, fol. 455.

French embassy and searched underneath the staircase for smuggled goods. He found nothing illegal, however, and a complaint was made against his behaviour by embassy staff. Legal advice taken by Customs and Excise was cautious about any systematic action along these lines as the legality of searching embassies “appears to us to have been rather studiously avoided by the writers upon the law of nations.”¹⁰⁴ Not surprisingly, suspicion built up in customs that some foreign ministers were engaging in smuggling. The outposts were instructed to open packets being sent “to private persons . . . under colour of their being dispatches for the secretaries of state or foreign ministers.”¹⁰⁵ In 1737 officers were sent a note confirming that no East India silks should be delivered to residences of ambassadors, but should stay in port to be exported.¹⁰⁶ Two men in particular, the Austrian ambassador Count Kinski and the Bavarian Ambassador Count Haslang, were widely believed to be smugglers who used their embassies as warehouses. The Treasury ordered duties to be paid on “one piece of French brocaded silk with silver, weighing nine pounds, one remnant of plain silk for the lining, weighing one pound, and one short silk apron workt with silver and silk” imported for Kinski.¹⁰⁷ Haslang refused all requests to let revenue officers inspect his house.¹⁰⁸ During the Gordon Riots in 1780, the crowd attacked his house and looted it for contraband. After his death, revenue officers arrested his secretary Mr Killinhoff for smuggling offences.¹⁰⁹

It was not just elite Europeans, but also British tourists in Europe who helped to bring foreign silks into the country. A silk suit or gown was a common purchase. Frederick Robinson had a suit made for him in Paris in 1778 after travelling there from Spain. His tailor, le Duc, had

¹⁰⁴ TNA CUST 41/10, fols. 235–238, 240.

¹⁰⁵ TNA CUST 29/1, “Baggage,” 13 December 1718.

¹⁰⁶ TNA CUST 29/1, “Baggage,” 14 July 1737.

¹⁰⁷ TNA, T 29/27, fol. 402.

¹⁰⁸ Cross, ed., *Eighteenth Century Documents*, 243.

¹⁰⁹ TNA, CUST 29/5, fol. 293

sent patterns for a striped silk suit with a white embroidered waistcoat to Lord Grantham in Spain the year before.¹¹⁰ For Robert Adam, who bought velvet and satin suits in Paris and gold and embroidered waistcoats in Lyon, it was also an economical decision. He found the garments to be a third of the price of similar products in London.¹¹¹ The Grand Tour, in particular, brought British visitors into contact with French and Italian fashions. Many tourists found the tour to be a sociable and urbane experience, and they became participants in the life of the cities they visited. Letters home discussed leisure activities, such as attending the theatre and opera, which provided plenty of opportunities for display.¹¹² There were, therefore, good reasons to dress well and fit in, and that meant purchasing clothes locally. Paris, the first stop for many tourists, was the preeminent centre for acquiring silks. In the hope of selling their services, tailors and barbers beat a path to the doors of British visitors. In 1749 Sir John Swinburne ran up a tailor's bill of £1,367 in Paris and purchased a waistcoat of "rich Lyon stuff," "a lined crimson velvet coat and breeches," and a suit embroidered in gold.¹¹³

For longer trips down to southern France, Germany, and Italy, the need to replace clothes also became important. Roger Robertson felt he had to buy a second suit later on in his tour, even though he had purchased a new set of clothes in Paris.¹¹⁴ In Italy, well-connected tourists found that they had access to high society in Turin or Florence, another inducement to dress up. Edward Thomas was invited to dine with the British ambassador in Turin, and therefore felt the pressure to buy more expensive clothing. During his travels he had picked up

¹¹⁰ Buck, *Dress in Eighteenth-Century England*, 34.

¹¹¹ North, "The Physical Manifestation of an Abstraction," 94–95.

¹¹² Rosemary Sweet, *Cities and the Grand Tour: The British in Italy, c.1690–1820* (Cambridge, 2012), chap. 1.

¹¹³ Jeremy Black, *France and the Grand Tour* (Basingstoke, 2003), 18–19, 122–26.

¹¹⁴ Sweet, *Cities and the Grand Tour*, 18.

items in several different cities including figured silk, silk stockings, and a black velvet suit from Genoa.¹¹⁵

The regularity with which travellers in Europe brought silks back to Britain demanded a response from customs officers. The silk industry in London exploited the belief that fashionable society in London was being unpatriotic by wearing foreign silks when it was lobbying for legislative protection. Newspapers reported that gentlemen were sidestepping the prohibitions by having silk suits made up in Paris.¹¹⁶ The weaver Mr Triquet gave evidence to Parliament that by the mid-1760s the only people bringing gold and silver brocade into the country were “Gentleman themselves for their own particular wear.”¹¹⁷ These suspicions had a basis in fact. The letters of the Duchess of Leinster show that aristocrats who sent foreign textiles to each other were concerned about these items being confiscated by customs officers, and purposely hid them in their luggage.¹¹⁸

Customs officers did not know whether they had legal power to pursue individuals. Some officials on the ground were keen to seize goods or prosecute offenders; even small numbers of textiles seemed to be in breach of the spirit of the acts of 1700, 1706, and 1749 that had prohibited foreign silks. Samuel Wills, a tidesman in the Port of London, had found shirts and India handkerchiefs in the portmanteaux of a Mr. Egelsham and decided to confiscate them. Soon afterwards Egelsham served a writ on Wills and the customs’ solicitors had to defend the action of their officer.¹¹⁹ In 1763 a legal opinion, requested by officials, stated that the acts were meant to apply “at point of importation or sale, or premises of dealers, tailors etc.” Whilst

¹¹⁵ Quoted in Black, *Italy and the Grand Tour*, 98.

¹¹⁶ *London Evening Post*, 1–3 September 1761.

¹¹⁷ “Report of Committee on the Silk Industry” (1766), 725.

¹¹⁸ Brian Fitzgerald, ed., *Correspondence of Emily, Duchess of Leinster (1731–1814)*, vol. 1 (Dublin, 1949), 82, 89, 95. I owe this reference to Ruth Thorpe of Queens’ University Belfast.

¹¹⁹ TNA, CUST 28/1, fol. 335.

officers often received information that foreign silks and embroideries were making their way into people's homes, they were not allowed to prosecute. Goods in "private houses or the lodgings of gentlemen" were not covered by the acts and officers did not have the powers to search such premises.¹²⁰

Customs and Excise failed to secure prosecutions against high profile offenders, publically undermining its regulatory efforts. In 1773 Lord Villiers stood trial for breaching the act prohibiting foreign gold and silver lace. "Several coats, waistcoats, and breeches, were produced in Court" and deemed to be foreign lace and therefore illegal.¹²¹ One of his waistcoats was identified as having been made for him in France—he had gone to collect it and had it with him when he returned through Dover.¹²² Villiers was known as a flamboyant dresser, and had appeared at the Royal Court during a period of mourning dressed in "a pale purple velvet coat turned up with lemon colour" and embroidered with pearls and medallions.¹²³ The prosecuting counsel conceded that the thrust of the acts exempted individuals wearing foreign clothing, but as Villiers was not actually wearing the clothing when he returned to Britain he was in effect "an importer." If the court found in Villiers' favour then a situation would be created where there would be nothing to stop "the nobility or gentry who want any quantity of French cloaths, to send a servant over, who might just put them on his back in France and then they may be imported safely."¹²⁴ To customs' disappointment the Lord Chief Justice did not find Villiers guilty, as "the legislators could never mean to strip a man stark naked the very moment he

¹²⁰ TNA, CUST 41/4, fols. 177–178.

¹²¹ *London Evening Post*, 20–23 February 1773.

¹²² TNA, CUST 41/7, fol. 43.

¹²³ Quoted in Mary M. Drummond, VILLIERS, George, Visct. Villiers (1751–1800). History of Parliament Online, Accessed 01 September 2013.

<http://www.historyofparliamentonline.org/volume/1754-1790/member/villiers-george-1751-1800>.

¹²⁴ TNA, CUST 41/7, fol. 48.

landed in this kingdom from abroad, for having an embroidered button on his coat.”¹²⁵ Villiers, and anyone else, were free to buy foreign textiles for their own use.

The ruling in the Villiers’ case that customs could not prosecute individuals exacerbated the problems of enforcement. It confirmed the silk weavers’ argument that prominent consumers were undermining the industry. The political campaigning against foreign silks had attempted to put pressure on members of the elite to become patriotic consumers; as a counterpoint, weavers sought out public patronage from members of the Royal Family and the Court.¹²⁶ Unlike the Tory and Whig divide that Ludington found around wine, silk did not cause party politicisation. The use of fashion within high politics was individualistic, perhaps preventing such clear divisions from emerging.¹²⁷ Instead, the evasions and frauds committed by ambassadors or fashionable lords reinforced a generalised critique of “elites.” with those who felt that the expansion of taxation was unfairly borne by consumers of necessary commodities, rather than by those who purchased luxuries.¹²⁸

The example of Lord Villiers highlights how the form that smuggling took affected its visibility and policing. Illicit practices carried out on a wide scale tended to dissipate attention, as the practitioners were able to slink into the background of the market. Personal means of bringing silks into the country attracted public attention. Thanks to the high profiles of the offenders, interest groups like silk manufacturers could politicise these more informal forms of “smuggling.” Yet the social influence of aristocrats and diplomats protected them from serious sanctions. Practical pressures of searching individuals also restricted the efforts of customs

¹²⁵ Ibid, fol. 49.

¹²⁶ For example, *St. James's Chronicle or the British Evening Post* (London) 26–28 July 1764. For royal patronage see Jenny Lister, “Twenty-Three Samples of Silk: Silks Worn by Queen Charlotte and the Princesses at Royal Birthday Balls, 1791–1794,” *Costume* 37, no. 1 (January 2003): 51–65.

¹²⁷ Greig, *The Beau Monde*, chap. 4.

¹²⁸ Ashworth, *Customs and Excise*, chap. 17.

officers. In effect, contraband silks for “personal use” were allowed into Britain. Not only was the status of elite “smugglers” closely linked with the popularity of these silks, but their political and social connections made this kind of smuggling difficult to stamp out.

Conclusions

Britain banned all imported silks during the eighteenth century, but its own silk industry continued to face competition from several different directions. Smuggling provided that competition by introducing goods into Britain and creating new fashions. The contraband trade was a diverse one, supplying a middling market from India, and a luxury one supplied from France. Smuggling as a business practice involved responding to—and shaping—consumer demand. It was more than a form of tax evasion. Indeed, the taste for the most common contraband silks—India handkerchiefs—appears to have been created by the smugglers themselves. These were populuxe goods, relatively affordable items that satisfied people’s desire to add strong colors and patterns to their dress. These silks were among a number of textiles from South Asia that remained popular into the nineteenth century.¹²⁹ The success of Indian handkerchiefs, and the role of East India Company in supplying them, supports the argument that new forms of consumption in Britain were created through Asian trade.

French brocades and embroidery represented a different, high fashion end of the market, but were also important to the economy of silk smuggling. From the end of the 1750s to the 1770s, the popularity of these silks threatened the most high-profile and creative branches of domestic silk weaving. These silks were expensive, and their consumers came from the members of the elite who followed metropolitan fashion. Here, non-traders had an important role in bringing goods across borders, and they picked up items, not along the French coastline, but

¹²⁹ Riello, *Cotton*, 271; Tirthankar Roy, *Traditional Industry in the Economy of Colonial India* (New York, 1999); Maxine Berg, “Craft and Small Scale Production in the Global Economy: Gujarat and Kachchh in the Eighteenth and Twenty-First Centuries,” *Itinerario* 37, no. 02 (August 2013): 23–45.

from much further inside Europe. The Continent was not just a warehouse for smugglers; it was the cause of the demand itself. This is an important reminder that France continued to direct the fashion cycle across Europe, thanks to the sophisticated marketing operations of its manufacturers.¹³⁰ Indeed, manufacturing centres like Spitalfields remained in a competitive dialogue with their counterparts across the Channel. They wanted to exclude French goods from the British market, whilst paying close attention to new designs that were created in Lyon. When moves to freer trade were introduced in 1820s it was French competition, not that from India, that did serious damage to producers in London.¹³¹

Paying close attention to the different types of contraband also shows how the Revenue Service's response to smuggling varied. Smuggling from France was more controversial, and difficult to police, than that from South Asia. Indian silks did not inspire the intense debates that calicos had between the 1680s and 1720s. This is partly explained by a change in the political relationship between the manufacturing interests and the East India Company. The compromise of the Calico Acts diffused the hostility that had emerged towards the Company. Furthermore, the Company was now seen as a potential ally of the silk industry as it had become a supplier of raw materials.¹³² The high profile nature of the European "smugglers" garnered them attention

¹³⁰ Carolyn Sargentson, *Merchants and Luxury Markets: The Marchands Merciers of Eighteenth-Century Paris* (London, 1996); Carlo Poni, "Fashion as Flexible Production: The Strategies of the Lyon Silk Merchants in the Eighteenth Century" in *World of Possibilities: Flexibility and Mass Production in Western Industrialization*, ed. Charles Sabel and Jonathan Zeitlin (Cambridge, 1997), 37–74; Robin Fox and Anthony Turner, ed., *Luxury Trades and Consumerism in Ancien Regime Paris* (Aldershot, 1998).

¹³¹ Alain Cottureau, "The Fate of Fabriques Collectives in the Industrial World: The Silk Industries of Lyon and London, 1800–1850" in *World of Possibilities* ed. Charles Sabel and Jonathan Zeitlin (Cambridge, 1997), 75–152.

¹³² Roberto Davini, "Bengali Raw Silk, the East India Company and the European Global Market, 1770–1833," *Journal of Global History* 4, no. 01 (March 2009): 57–79.

that those smuggling Indian silks—involving larger, more anonymous distribution networks—never received. The informal and elite methods by which French and Italian silks entered the country seemed to confirm the criticisms that a section of society stood against the interests of those in manufacturing. However, these same methods, and the high status of their carriers, also made the ban on importing high fashion silks hard to enforce. This led to its *de facto* toleration by the authorities. For a luxury goods industry, protected as part of mercantilist policy, this was as damaging to its business, as the evasion of duties was for the fiscal state.