

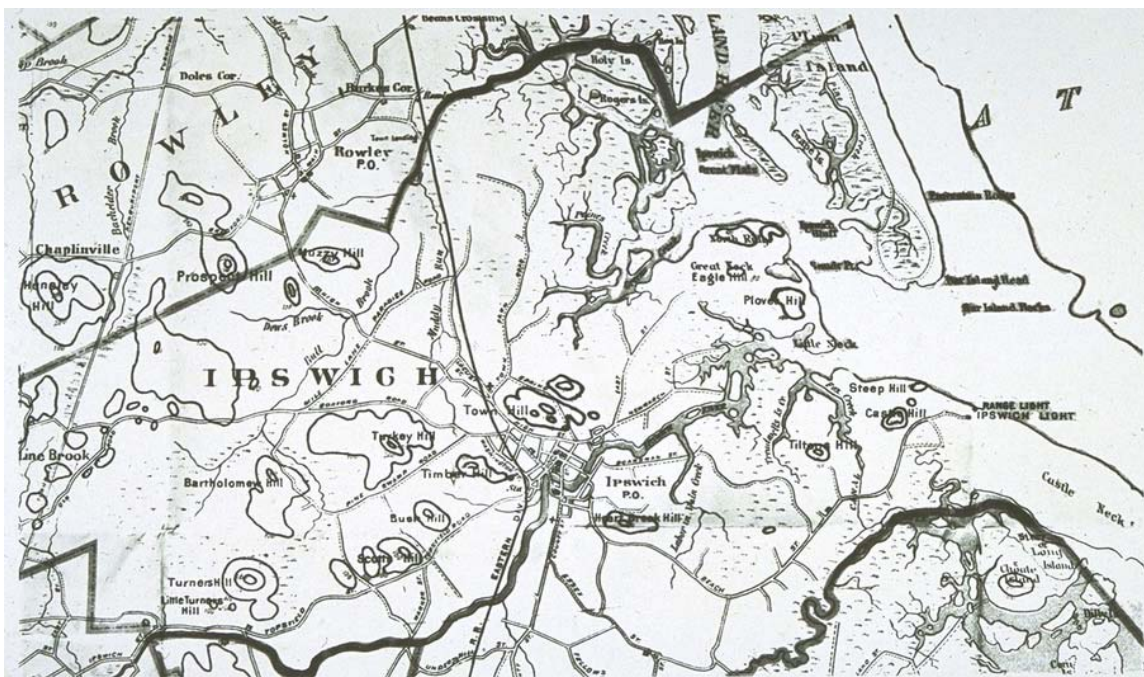
National Park Service
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Salem Maritime National Historic Site
Salem, Massachusetts



THE GREAT IPSWICH COFFEE BUST

By John Frayler, Historian



∞ Pickled Fish and Salted Provisions ∞
Historical musings from Salem Maritime NHS
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Occasionally, someone asks about the topic of smuggling during his or her visit to the Custom House. Usually they have the "patriotic," anti- British, activities prior to the American Revolution in mind, and the vision of dumping tea into Boston Harbor.

Of course, it was socially acceptable to smuggle foreign goods into the colonies in defiance of the various onerous British customs duties imposed on the people against their will. Corruption was rampant, with collusion between revenue officers, merchants and ship owners.

After the revolution, the customs duties no longer went into the bottomless pockets of a foreign king, but instead provided the most feasible method of financing the former colonies' attempts to reconstitute their state governments. With the establishment of the Federal government in 1789, it

was again determined that duties on imports would be the least offensive method of funding the government. When the first United States Tariff Act of 1789 was passed, customs duties became the primary means of raising revenue and remained so until overshadowed by the personal income tax, declared constitutional by the Sixteenth Amendment in February 1913. Beginning in 1789, with the new revenue collection system in place, customs duties became an accepted facet of business overhead; however, the temptation to evade duties remained.

In the introductory chapter of "The Scarlet Letter," Nathaniel Hawthorne mentions the continued existence of smuggling in his description of the activities of some of his fellow employees at the Salem Custom House in the late 1840s: "Whenever such a mischance occurred, - when a wagon-load of valuable merchandise had been smuggled ashore, at

noonday, perhaps, and directly beneath their unsuspecting noses, - nothing could exceed the vigilance and alacrity with which they proceeded to lock, and double lock, and secure with tape and sealing wax, all the avenues of the delinquent vessel."

As everyone knows, the practice is alive and well today in illegal drug trafficking.

Returning to the historical context, an interesting communication between Salem's own Deputy Collector, William W. Oliver (known to his family and friends as "Old Step Over To Lynn"), and Acting Secretary of the Treasury, Samuel L. Southard, was located in the Salem Custom House records microfilm collection. It gives some insight into the process of law enforcement as practiced in 1825. Mr. Oliver's letter is deciphered as follows:

"Collector's Office Salem June 28 1825

Sir

A person of this town gave information of a quantity of Coffee (say 10000 lb) being smuggled in the port of Ipswich, mentioning to the Naval Officer four places where it might [?] be found, but on my coming into the office he mentioned only two places, I immediately obtained a warrant and dispatched an Officer accompanied with a sheriff; on opening the two stores mentioned in the warrant they found only 11 bags, they thought it advisable to look into the importers barn, which was one of the places mentioned by the informer but not inserted in the warrant, in which was a small apartment with the door nailed and a quantity of Coffee sifting from under the door, they thought it necessary to have a warrant to open this apartment, and the sheriff went to the Ipswich Collector who is a justice of the peace to obtain it, leaving the Custom House Officer in charge on opening the door they seized a considerable quantity about 7000 lb in bulk; in consequence of which the Collector has seized a Schooner on suspect of its being imported in her, she having arrived there a few days before, an informant has since mentioned that the Coffee was imported in said Schooner, and will furnish positive evidence to the court, if he is considered the informer, which has been mentioned to the Collector of Ipswich, who he thinks he cannot be considered the informer of the vessel, nor does he consider him informer of the Coffee in the barn, I will thank you to give your opinion in these two cases- If the information given in Salem had not been particularly attended to, and without delay

the probability is, that the seizure would not have been made by the Collector of Ipswich-

Respectfully, I am, Sir
Your Obt" St

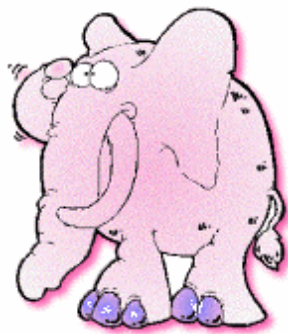
W. W.
Oliver, Dy. Col

Hon Saml L Southard
Actg Secy of the Treasury
Washington City- "

The information requested by Mr. Oliver pertained to the process stated in the Act of March 3, 1815 concerning collection of duties on imports and tonnage. Under this statute, both customs officers and informants were entitled to a share (a moiety) of the penalties and the forfeited value of goods recovered by seizure: "That in all cases where such forfeitures and penalties shall be recovered, in pursuance of information given to such collector, naval officer, or surveyor, by any private informer, the one-half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the

collector, naval officer, and surveyor, in manner aforesaid, and the same allowance of twenty- five per cent to inspectors, when the seizure is made by them aforesaid...". However, the act goes on to say that any of the parties entitled to a share would be disqualified from receiving it if they were required as a witness at the trial concerning the seized goods. Their share in that case would revert to the United States.

Then, as now, the complexities of the law challenged the pursuit of alleged offenders. Unfortunately, the outcome of this case has not yet been located in the records, but it seems that the officers involved followed the appropriate processes for apprehending the smugglers, and some unnamed unscrupulous persons were definitely "busted" in Ipswich in 1825. The coffee was quite hot!



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