



Smoking Guns and Castles Three

DESPITE THE VERY real possibility of violence befalling his newly opened Upper Drumin Glenlivet Distillery or, for that matter, his person, George Smith distilled whisky in 1825 within the limits and the nominal protection of the law. In weekly volumes of around 40 to 80 gallons, George supplied his legal Drumin Glenlivet whisky to the Duke of Gordon and other Banffshire gentry as well as to the few local merchants who would sell his crystalline, heady, and superbly satisfying spirit. George carted the remaining spirit in 10-gallon ankers to the south of Scotland where the Drumin Glenlivet was gaining a solid reputation alongside other popular top-quality malt whiskies like Underwood and Kippen. All along, George kept thinking that with time the smugglers, his rankled neighbors, might come round to his reasoning and that of the small number of other legitimate Glenlivet distillers.

Less than a year after opening the Drumin Glenlivet Distillery, disturbing news of a different nature struck. In early June 1825, arrest warrants were issued by the Acting Supervisor of the Grantown District for George's older brothers, John and Charles. While conducting a raid on

the brothers' bothy near Upper Drumin, gauger William Thomson was physically attacked by the Smiths. Consequently, John and Charles were charged, as the Board of Excise records depicted, ". . . for an assault committed upon William Thomson, Officer, when making a private Distillery detection." Peculiarly, no further account has been uncovered in the Board's records with regard to a trial. Whatever the brothers' fate, it can be safely assumed that the incident did not enhance George's standing with the Glenlivet gaugers. With smugglers circling like sharks around Upper Drumin, George desperately needed the local excise officers on his side. He cannot have been pleased with the stupid and ill-timed exploits of John and Charles.

Trudging on in the face of his brothers' legal troubles and mounting threats from smugglers, George focused on making good-tasting whisky. Vouchers filed with the Board of Excise by gauger David Thomson (a relation to William Thomson, the gauger set upon by George's brothers?) report that during the 13-week period of January 7 to April 1, 1826, George produced a total of 904 gallons of whisky. That is slightly more than 69.5 gallons on average per week. The *Scotch Whisky Industry Record* (p. 82) claimed, "Production at Upper Drumin [was] up to 100 gallons per week" later that year. With production rising, sales must have been climbing. That same year, Aberlour Distillery, operated by James Gordon and Peter Weir, became fully licensed and George's neighbor William Grant opened Aucherachan Distillery in Glenlivet.

Spirits Soaring

The *Scotch Whisky Industry Record* (Table A.2, p. 559) reported on the total amount of recorded spirits as measured in liters of alcohol made in Scotland during the 1820s. These randomly selected years chronicle the dramatic growth of distillation in Scotland following the implementation of the Excise Act of 1823:

- 1820: 8,506,745 litres
- 1823: 8,001,721 litres
- 1824: 15,332,228 litres

- 1825: 21,343,374 litres
- 1828: 26,253,737 litres

Distilling totals remained below 30 million litres until 1850 when they reached 30,201,723 for the first time. Figures, of course, do not reflect all the illicit whisky that was still being produced in the 1820s and early 1830s by stalwart smugglers.

But choppy waters lay dead ahead as an unexpected whisky glut in late 1826 and 1827 undercut the meager gains made by George in his first full year of operation. A poorly timed lowering of duty on all varieties of foreign spirits spurred the overabundance of whisky, both legal and illegal. Suddenly, Scotsmen were flocking to rum and away from their native distillate. The recession in the whisky market proved more devastating to fledgling legal distillers like George Smith than to the smugglers. As sales dropped as if pushed off a table, George's debts mounted.

James Skinner, the Duke of Gordon's factor, became aware of George's plight as evidenced by a letter to the Reverend Anderson. In it, Skinner explained, ". . . Dram drinkers are getting Rum at the same price as whisky in Tomintoul. And having been denied this beverage for a long time from its high price, many are now preferring it to their native mountain dew. George Smith the distiller has lately been in the South Country with a cargo of Whisky, and complains so much on the decline of his market there that I am told he has refused delivery of some bere he sometime ago bought from the tenant of Bogarrow."

As Skinner's note illustrated, George's financial situation had become so dire by March 1827, that he was forced to turn down a barley delivery that was already paid for. His actions point to a severe drop in distilling activity caused directly by the plummeting demand for whisky. The alarmed Skinner, a fervent advocate of both legal distilling and of George's distillery at Upper Drumin, revealed in his March 8 letter to Reverend Anderson the inherent complications of legal distilling. "[George] commenced the Business the First in the Country under every disadvantage. He was not the master of his business, legal distillation requiring much greater care than the System of Smuggling to extract the

quantity of Spirits required by Law from the grain. He commenced, as he now admits, when he was upwards of £100 behind and had about £300 to lay out in utensils and houses upon credit. And from want of money to go to Market for his grain was obliged to buy at Disadvantage.”

To make matters worse, Skinner informed Anderson, two other legitimate Glenlivet distillers had recently shut down their operations due to mounting debt and soft demand for whisky. Indicated Skinner, “I am sorry to mention that George Smith the Distiller at Upper Drumin has become so embarrassed in his circumstances that he has intimated to me he will be unable to go on.” Before closing his letter Skinner recommended that the Duke consider providing assistance to George, one of the estate’s most reliable tacksmen, to help him weather this fleeting storm and to bolster his confidence.

In actions that depict the seriousness of the situation, Anderson responded to Skinner via letter on March 9. After discussing not only George’s predicament but likewise the welfare of local barley farmers and greater Glenlivet in general, Anderson and the Duke decided to financially bail out George. They suggested to Skinner that George approach his creditors with the full but secret backing of the Duke and propose that he pay off his debts in two graduated parts within the timeframe of nine months from the agreement. The Duke would silently guarantee £500. As a show of good faith to the Duke and the Reverend Anderson, Skinner urged George also to auction off his cattle and related equipment as well as to relinquish another leased piece of property at Minmore Farm to raise some much-needed cash. In return, Skinner would free up an additional £100 of the Duke’s money as compensation. George’s creditors wouldn’t receive the full sum of the debt, but would get enough in shillings on the pound to close the matter.

Said Anderson in his missive to Skinner, “. . . my view in this is to try to support the man who is represented to be active, industrious and of honest character under his present difficulties and to enable him to carry on the distilling himself which, for various causes, he can do more advantage than any other person.”

After meeting with his creditors to present the debt satisfaction proposal, George informed Skinner that he had met with success. His debt

would be satisfied by early 1828. The distillery at Upper Drumin would remain open and operating. With a bit of operating capital at last, George would be able to purchase barley and pay in cash rather than credit, thereby skirting the quagmire of debt. Skinner was elated. His plan had worked. By mid-May, an obviously pleased Reverend Anderson wrote to Skinner applauding his deft handling of the affair. "That poor man's business you have conducted with great judgment, and have brought so far to a very satisfactory conclusion. The Duke must advance another hundred pounds to support him, and enable him to carry on his operations to advantage."

Without the intervention, aid, and encouragement of James Skinner, the Reverend John Anderson, and the 4th Duke of Gordon in the spring of 1827, George would have been left no choice but to close Drumin Glenlivet. If that had happened, whisky drinkers in later decades would never have known the seductive whisky made by the greatest of all the Speyside distillers.

Old Minmore, Pistol-Packing Distiller

All the while that George Smith was dealing with his grave financial travails, threats from smugglers continued to haunt him. Knowing that George was experiencing money trouble, the smugglers smelled blood in the water. They became bolder in their menacing behavior toward legal distillers. In March 1827, George pleaded with the Board of Excise for more protection in the glen. The Board responded, "... every protection will be afforded him at the expense of the Revenue upon sufficient proof being adduced to convict the parties from whom he [the accusing distiller] has sustained loss on account of being a legal Distiller."

As more licenses were being applied for at the Board of excise, lawlessness increased in Glenlivet in the late 1820s. Greater availability of fine legal whisky was slowly loosening the smugglers' hold on the whisky trade. Smuggling in the Scottish Lowlands had been virtually stamped out by 1827, but in the Highlands it continued. Trapped in a vicious circle of hostility and destruction, many Highland smugglers were unable to accept the inevitable collapse of illicit distilling and thereby were mired

in a dying cause. Before 150 to 200 additional British troops, the Dragoons, were sent to Banffshire in 1828 to assist the gaugers in flushing out the remaining smugglers, George and his legitimate cohorts were left largely to defend their properties and themselves with whatever means they could afford.

In 1868, George Smith, in an interview in the *London Scotsman*, recalled: “The laird of Aberlour [fellow legitimate distiller James Gordon] had presented me with a pair of hair-trigger pistols for ten guineas, and they were never out of my belt for years. I got together two or three stout fellows for servants, armed them with pistols and let it be known everywhere that I would fight for my place to the last shot. I had a good character as a man of my word and, through watching by turns every night for years, we contrived to save the distillery from the fate so freely predicted for it. But I often, both at kirk [church] and market had rough times of it among the glen people; and if it had not been for the laird of Aberlour’s pistols, I don’t think I should be telling you this story now. . . . The country was in a desperately lawless state at this time.”

The greatest threat of violence to legal distillers from smugglers existed when shipments of legal whisky wended their way south to Perth and Dundee through the desolate glens and hillsides. By all accounts, George appears to have fired his pistols in self-defense no more than twice. He relied as much on his wits as his pistols. Writer J. Gordon Phillips, who contributed articles in the 1880s and 1890s to the *Distillers’ Magazine and Spirit Trade News*, was an acquaintance of George Smith. Phillips wrote of “Old Minmore,” as George Smith came to be known later on in life, and his adventures on the whisky transport trail. He depicted George as, “. . . a man of tact and resource . . . who did not believe in extreme measures if others could be employed, and he often got out of a tight place where another would have failed and blood been shed.”

One dark autumn evening in the unfortunately named village of Spittal of Glenshee, George strolled into a roadside inn that was full of ill-tempered smugglers, drinking and eating. The sight of George Smith entering stilled the smugglers. Recognizing many of them as Glenliveters, George pleasantly greeted them. Their snarls and rude whispers compelled him to quickly request a room for the night. The innkeeper, sensing trouble, refused. The smugglers howled in delight. Acknowledging his

precarious position, George looked straight into the faces of the smugglers and said, "Would you boys join me in a dram on this cold night?"

Surprised at George's offer, the smugglers murmured amongst themselves. Finally one shouted, "I'll be hanged if I would drink with such as you!" Others chimed in, "Nor I!"

"I'm sorry about that, boys," answered George as the shouting continued. Thinking fast, George turned back to the anxious innkeeper, whose eyes were doubtless out on stalks, and said, "Fine sir, bring out a half-dozen bottles of your best."

J. Gordon Phillips picked up the story from there, "The landlord stared and so did the smugglers. Half-a-dozen bottles! Why, there were not more than a dozen smugglers present altogether and supposing they all took a share of the whisky, it meant a half bottle each. . . . He went for the whisky and returned in a few minutes. Mr. Smith drank the first glass. He drank to their health and his words, as near as I can remember as repeated to me were—'Here's to ye, boys. You need not be afraid of me. I thought you knew me better. There's surely room enough in this country for the licensed and the unlicensed . . . we are a' neighbors, and I wish you a' success and a safe return home.'"

Phillips reported that the smugglers reluctantly downed the first glass of high-grade whisky, then warmed on the pouring of the second and were civil to their Glenlivet neighbor by the third. Grateful to George for so cleverly defusing the tense situation, the innkeeper prepared a room. The smugglers temporarily pacified, George went to bed for the night, his pistols cocked, a wood bench propped against the door.

On two other known confrontations between George and smugglers, the blast of gunfire and the acrid scent of smoke filled the air. One incident, again near Glenshee on the "smugglers' road" between Braemar and Blairgowrie, was recounted in the *London Scotsman* newspaper on September 26, 1868. Said the account, "Minmore [George Smith] was driving his carts one day down the Spittal of Glenshee, when he was set upon by about a score of fellows returning to the north from . . . Perth market. He gave the rascals a dram all round, but when they wanted another cask wherewith to make merry at their leisure, he naturally resisted. They seized a cask, and he had to fire one of the Laird of Aberlour's pistols at the foremost, and confront the remainder with the

other on cock, before he succeeded in convincing them that he knew how to take care of his property.”

The other occasion involved a particularly nasty and vindictive smuggler by the name of Shaw. Once more spending the night in the heavily frequented inn in Spittal of Glenshee, George caught sight of Shaw and his band of thugs as he passed through the dining area on his way to his room. Shaw certainly noticed George, for he began objecting to George’s presence and decrying his “treachery.” In the wee hours as the candlelight dimmed, Shaw and his bunch stealthily crept into George’s room, surrounding the bed and locking the door behind them. George lay still but awake. His pistols were cocked and at the ready concealed in the pitch darkness beneath the bedclothes. Shaw, according to George’s account, pulled a large, ominous-looking butcher knife, stained with blood, out of his clothes. He leaned over George and softly uttered, “This gully [knife] is for your bowels.”

Deciding that this was an appropriate time to make use of his pistols, George uncovered the pistol in his right hand and aimed it directly at Shaw’s forehead. Swearing aloud with cold conviction that unless Shaw and his gang vacated his room without delay, he would create for Shaw a brand new hole between his eyebrows. George then discharged the pistol in his left hand into the fireplace across the room. Stunned and alarmed by the flare of the gun barrel and the explosion echoing in the chimney, Shaw and his chums bolted from George’s room. Smoke from the gun hung like a fog in George’s room as the innkeeper came running in. He likely encountered George sitting on the side of the bed, staring fondly at the Laird of Aberlour’s two gifts, one still warm from firing.

With the roads from Glenlivet to Perth so active with legal and illegal whisky trafficking, it is reasonable to assume that George had other dangerous encounters in which his pistols served him. With more British troops arriving in 1828 and 1829, the violence lessened as more smugglers applied for licenses. Even with the Dragoons’ higher profile in the glen, though, George continued to carry his pistols well into the 1830s. This was especially true when his itinerary had the place-name “Spittal of Glenshee” entered on it.

The meteoric dalliance with inexpensive imported rum soon abated. To the relief of whisky distillers large and small, homegrown malt whisky once again came front and center in the eyes of Scotsmen. By the late 1820s and early 1830s, more legal malt whisky was entering the marketplaces of Scotland's metropolitan areas. Sold for prices that rivaled or beat frequently inferior illicit whisky, legitimate, handcrafted malt whisky was gaining a steadily expanding following. One, in particular, was proving to be the benchmark for all Highland malt whisky. One was coming to be known as "the real Glenlivet." And, only one became the subject of a popular verse:

Glenlivet it has castles three
Drumin, Blairfeldy, and Deskie,
And also one distillery
More famous than the castles three.

But, it was still early days in George Smith's escapades with his Drumin Glenlivet Distillery.