

‘Slaughter of the lambs’

[Account of the only U.S. Naval mutiny aboard the brig *USS SOMERS*, 1842]

Russell Dale Flick
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“As the sailor lives, so he dies. There is no audience but those who share his danger. He is far from home and friends, with no one to tell the world the story of his battles, so bravely fought, though lost; no one to witness his suffering, or note the courage with which he found his last moment.” Charles Erskine, author, civil liberties advocate, soldier, attorney.

Mutiny on the high seas has been a focal point in history, literature, fiction, drama and film for centuries. Explorer Henry Hudson was cast adrift as a result of mutiny. Nicholas II last Tsar of Russia was compelled to grant a constitution to his country following the mutiny aboard the battleship *POTEMKIN* in 1905. The great Wilhelmshaven mutiny in the German imperial naval fleet in 1918 a major factor in ending World War I. The British Royal Navy was epidemic with mutiny aboard the *HMS HERMIONE*, 1782; the *HMS SANDWICH* and her escort ships in the Great Mutiny of Spithead and the Nore in 1787 and His Majesty’s armed transport *BOUNTY*, 1789 under the command of William Bligh during the time of the French Revolution bringing fear to Europe and their navies ringing with “Liberty, Equality, Fraternity.” The bloody Kronstadt mutiny of 1921 aboard the Russian Baltic Fleet against Lenin and the relatively new Bolshevik state ended with the deaths of thousands shaking Lenin’s confidence in the revolution forcing his hand for the new Five Year Economic programs. Social, political and economic unrest in Europe was also felt aboard naval ships at sea. American, British and other world navy records list mutinies aboard ships of war, whalers and commercial traders over the years filling thousands of books and articles. Fellow literarian Richard Lauf’s fine paper and Jack McDonough’s memories touched on similar near acts of mutiny in Viet Nam and aboard U.S. Navy aircraft carriers during the unsettling years of the 1960s and 1970s with the rising political discontent and anti-war movements of the time.

In 1842 the U.S. Navy launched the sailing brig *USS SOMERS* of the Bainbridge class measuring but 120 ft. in length, beam of 25 ft. weighing 250 tons with two masts and several square sails--her length barely that of our Club from street to podium and kitchen—at a cost of \$37,650. Her interior spaces but 58 inches from deck to overhead with intense crowding where her crew, lived, ate, slept, performed their basic physical needs within feet of each other and never a moment of privacy. She was christened in honor of Lieutenant Richard Somers, who had served in the war against the Barbary Pirates losing his life and that of the entire crew aboard the *USS INTREPID* in 1804 when she prematurely exploded her powder magazines in the harbor of Tripoli.

President John Tyler’s major military policy was to strengthen the navy and army of the United States against the threat of war with Mexico, Texas independence and uncertain European powers at the time. Until the 1840s there was no formal shore side education for young cadets, most seventeen years of age or less, other than aboard ship with the *SOMERS* serving as an experimental training vessel in 1842. In that era many common sailors were held in contempt being termed “the people” and not sailors, men or crew. It was a brutal age when young cadets and boys, barely the age of ten, were exposed to every violence and vice known to humankind.

Many stuck to their principles, religious beliefs and family values with the ultimate goal of training, and advancement their only beacon with Quakers regarded as the most steadfast to duty.

The *SOMERS'* captain was thirty-eight year old Alexander Slidell-Mackenzie, son of a wealthy New York merchant and insurance broker, as well as a published author of travelogues and naval history, a personal friend of Washington Irving. His naval record being at best "intermittent," later termed "the kind of officer that made the navy not now popular." His first venture in writing fiction was reviewed by Henry Wadsworth Longfellow with the terse comment "not to publish it." Several times Mackenzie had been professionally thwarted by superiors with lobbying by writer Irving falling on deaf ears in Washington, being regarded as a literary gadfly swooping through Europe on long navy leaves with upper class friends. He had married in 1836 Catherine Robinson, twenty year old daughter of a wealthy banker and lawyer, purchasing an estate in New York. Navy scuttlebutt whispered he "was noted for his cruelty to the men for small offenses and trifling accidents...severity of his rule manifest from the outset."

Yet there were relatively 'happy ships' commanded by 'Christian captains' concerned for the welfare and health of 'the people' observing Sundays for divine service, washing clothes, tending to personal letters and rest, shore leave, decent rations, hot coffee and double rations of grog for jobs well done in bad weather or other duress.

Capt. Mackenzie's fellow officer and boon companion was thirty year old Lieutenant Guert Gansevort, a career officer from an aristocratic New York Dutch-American family, son of a brigadier general in the Continental Army. His Acting Master and Midshipman was none other than Matthew C. Perry, Jr., Acting Midshipman Oliver H. Perry II, Midshipman Henry Rodgers and Adrian Deslonde. The captain was related to all four by marriage or blood lines.

During the six week preparation time for the training cruise, Mackenzie inflicted fifty punishments with a dozen lashes, the maximum allowed, with the cat-o-nine-tails and the dreaded three strand rope known as the 'colt' frayed at the ends. Before even leaving port, Mackenzie had ordered shirt-clad adolescents whipped a sum 'stroke' total of 422 times for "blaspheming, being unclean, fighting, losing a hammock, spitting, throwing tea or tobacco on the deck or 'skulking'"—usually meaning shirking work. He was later regarded as sadistic, "A victim of his own hyper imagination," degrading children born of foreigners—a common prejudice of the day. This in an era when Matthew C. Perry and Mackenzie were both advocating manpower reforms and technical advances for the navy. While on extended leave in England, Mackenzie passed along clandestine spying information on the construction of new British naval steam vessels and armaments to his superiors in Washington.

The *SOMERS* sailed July 11, 1842 after Mackenzie whittled down the cadet compliment to just seventy-four for a shake-down cruise to Puerto Rico and back. Among the newly appointed Midshipmen was eighteen year old Phillip Spencer from a wealthy New York family of political and social prominence leading to Secretary of the Navy Abel Upshur and an uncle who was Captain of the *USS COLUMBUS*. Greeting the young man with cool appraisal, Mackenzie soon learned of Spencer's poor school record in various academies, drunkenness, fighting, habiting brothels. He failed in having Spencer detached and interred in the New York Navy Yard with the request reaching Washington only too late and being ignored, as was his uncle's request to have the young man posted to the *COLUMBUS* under his watchful eye.

Philip Spencer was also regarded as a "novelty" by the other "young gentlemen" with whom he shared steerage space with observed periods of brooding alone. Given to mimicry and a love of cheap novels, romantic fantasies of pirates, mutiny, treasure and tropical islands, Spencer shocked his mates by tossing coins on deck in a seeming royal gesture for the boys to fetch like

monkeys, along with the dubious talent of “throwing his jaw out of place making songs with the cracking of his mouth to great amusement.” His many perceived vices included whoring, tobacco, brandy--which he flaunted before his mates on the ship. Spencer’s own life of privilege caused him to perceive Capt. Mackenzie as a less than social equal. This a heady brew for trouble few anticipated, but soon realized with far reaching consequences.

The *SOMERS* cleared New York on September 13, 1842 headed for the west coast of Africa anchoring at the island of Madeira, Tenerife in the Canary Islands, Puerto Pria in the Cape Verde islands with dispatches inquiring about the *USS VANDALIA* and where 41 boys were ordered lashed by Mackenzie for various perceived and nominal offenses. After two months with no rendezvous, she reached Monrovia, Liberia, being informed the *VANDALIA* had earlier departed for home waters. Mackenzie sailed for the Danish port of St. Thomas in the Virgin Islands in an attempt to catch the sloop before she reached home. During the Atlantic crossing, Mackenzie again ordered forty-three separate floggings. Dennis Manning, age 14, considered “incorrigible” by the captain, was twice thrashed 101 times—fourteen with ‘the cat-o-nines,’ eighty seven with the ‘colt,’ a figure that later shocked veteran naval officers. James Wales, Purser’s Steward, later testified the real bully on the ship was Boatswain’s Mate Samuel Cromwell, a burly Virginian who in carrying out his punishments “would strike with all his might as though it was pleasing to him.” Ganesvoort, Mathew C. Perry Jr., Oliver H. Perry II, Rodgers and Deslonde also later testified they had nothing good to say about Mckenzie. And all the while Spencer observed events aboard the *SOMERS*, and her captain, brooding in his mind. In the era before the study of psychology and sociology, the term ‘personality’ was not a part of the clinical process. “Character” was the term used in measuring a man’s mind, worth and actions in human behavior, social and professional interactions. There were no psychological testing methods to fit a young military man to his position.

Spencer, on November 25, began his enlistment of shipmates confronting Purser’s Steward Joshua Wales in a plot to seize the ship, kill the officers and sail to the Spanish Maine. His secret list written in Greek listed 14 out of 120 aboard with crosses indicating “certain” with others left as “doubtful.” Eighteen more would be kept on board ‘nolens volens’ or “willing, unwilling.” Spencer also asked questions about the ship’s chronometer, nearby islands and navigation charts along with drawing a ship flying a black flag. Wales reported the matter by chain of command to Purser Heiskell who passed all along to Lt. Gansevoot and on to Mackenzie. On the 26th the captain confronted Spencer, “I learn, Mr. Spencer, you aspire to command the *SOMERS*.” Spencer denied everything claiming it was “all a joke.” Spencer, Small and Wales, his shipmates, were arrested and put in double irons with an intense interrogation of others. The captain requested in writing from his seven officers what course of action should be taken. A carefully worded letter of reply stated the perceived offenders should be “given sufficient time to prepare they should be put to death to make a beneficial impression upon the disaffected.” Lt. Ganesvoort was put in charge of the double-ironed Spencer with orders for his “instant death if he tried to communicate with any of the crew.” Even the captain’s nephew, Acting Master Midshipman Matthew Perry, was arrested on suspicion of “tampering with some of the crew for the purpose of creating a mutiny upon this vessel.” This charge later proven wrong when Capt. Mckenzie was questioned in trial.

On Thursday, December 1, all hands were called to witness the punishment with Phillip Spencer, Seaman Elisha Small, Boatswain Mate Samuel Cromwell individually fixed with rope nooses termed ‘whips’ about their necks, the long heaving line laid on the deck and run up to the high yardarm. Mackenzie ordered the officers under his command to “stab to the heart...cut

down whoever should take even one hand off the ropes or fail to haul on them” at the moment of execution. Running to the yardarm had always been a cold, cruel execution without the free fall from a gallows resulting usually in instant to near instant death. At 2:15 PM the weather gun was fired as a signal with the men on deck racing aft with the lines hauling the prisoners up to the yardarm like a great crucifix as they convulsed and writhed until dead swinging aimlessly from above with each roll of the ship. The captain mustered all the crew aft to address upon the crime and punishment with all hands to “cheer ship and the American flag.” At 2:30 PM all were piped down for midday dinner; at 3:30 called to watch the lowering of the swinging corpses to the gangway where they were received by their mates and prepared for sea burial. By tradition the sailor’s hammock of strong canvas served not only as his bed of sleep at night but his shroud of death at sea with the sail master sewing the hammocks tight with his marlin spike, cannon shot put at their feet for weight. At 6:30 PM all hands were again mustered with the ship fully illuminated by the light of battle lanterns as the Commanders read the funeral rites committing the three to the deep with their personal sea chests tossed after them.

From St. Thomas, Capt. Mackenzie wrote a full account of the purported mutiny to be delivered back to Washington in the hands of his Clerk, Midshipman Oliver H. Perry II by another fast navy sloop. In Washington, Secretary of the Navy Abel Upshur winced at the prospect of carrying the news to his cabinet colleague who was none other than Secretary of War John Canfield Spencer, father of Midshipman Phillip Spencer. John Spencer’s son-in-law and private secretary faced entering the nearby Treaty Room of the Capitol where his uncle was attending treaty discussions with chiefs of the Chippewa Indians. Stricken by what he heard, he and his heartbroken wife withdrew from society and public activity. The grief of a father turned to fury with his pen, position and political power to bring Capt. Mackenzie and others to justice terming it a “mockery of justice...cowardly butchery.” “The laws of Congress proscribing the navy regulations forbid the taking of human life [In peace time], even by court-martial, without the sanction of the President of the United States or the Commander of the fleet or squadron.”

The *SOMERS* returned to New York on December 14 with another six apprentices and two seamen thrown in irons for a total of twelve accused young men imprisoned in the naval yard cellars. Mackenzie wrote two reports of the incident and his actions with none being introduced as evidence. His third accepted report of December 18, rambled a total of 13,000 words angrily dismissed by his own legal counsel as “...a diabolical document which should winnow Mackenzie’s brain of the notion he is a lawyer as well as a sailor and historian.”

The news hit various New York, Washington and American newspapers with great public interest soliciting untold letters to the editors and commentary by leading American writers. Those waging the war of words over the *SOMERS* incident included James Fenimore Cooper who had skirmished in words with Mackenzie over the history Oliver H. Perry’s performance on Lake Erie in the War of 1812. “Mackenzie has actually got in one of his prayers he read to his crew,” Cooper wrote to his wife with no small amount of gloating. One of Mackenzie’s relatives by marriage stated, “...he only did his duty, perhaps a little hastily.”

The *New York Herald* quickly recanted their initial story labeling the young men as “desperadoes” stating, “The plot was merely an embryo...the officers acted under panic.” Celebrated writer, jurist, sailor Richard Henry Dana, author of his best-selling book Two Years Before the Mast printed in 1840 relating his experiences aboard commercial sailing ships while away from Harvard University to strengthen his body, was permitted to visit the docked *SOMERS* without taking any verbal or written sides in the case. His book created a sensation in the United States and England next only to the writings of Harriet Beecher Stowe and Mark

Twain. Speaking, writing, lobbying hard for the rights of sailors, Dana also had written The Seaman's Friend spelling out the full legal rights of sailors and their prescribed duties.

But the theory of what constituted a true mutiny by one or more than one beyond “griping, disgruntlement, complaining, fanciful dreaming,” had changed both in young America and England with muddled thinking and avoidance of the term mutiny itself. American Constitutional and English Common law granted full protection but with reservations for any actual mutiny during times of war. The 1800 law required conviction by a court-martial before inflicting the death penalty. Capt. Mackenzie and his officers were not even close to the Constitutional standards. Witnesses were not sworn; the accused not informed nor allowed a hearing, representation, or an opportunity to confront and cross-examine the witnesses against them. Yet, Mackenzie exercised every Constitutional and legal right in his own case while ignoring those of the young men accused and hanged. Spencer and his two colleagues could have been easily held in double irons until arrival in New York or put in prison on the island of St. Thomas for delivery home by another navy vessel.

On December 28, 1842 a court of inquiry was convened in New York aboard the *USS NORTH CAROLINA*. On January 20, 1843 Mackenzie was fully exonerated by his peers with a unanimous verdict protecting him from any further navy prosecution, but with the possibility of further civilian prosecution for murder by the influential Spencer family. Mackenzie requested and was granted a full court-martial on any future charges brought against him. His charges were: Murder – not proven nine votes to three; Oppression - not proven eight to four; Illegal punishment – twelve to zero; Conduct unbecoming an officer – dismissed; Cruelty and oppression of crew – dismissed. This regarded by many as a ‘white wash’ to save face with the navy. The remaining young men held in brig were quietly released with no charges brought against them. But this was far from the end of the story with lady fate and history. Three days after the formal verdict was read, *SOMERS'* surgeon R.W. Leacock, who had signed the letter earlier with fellow officers supporting the hangings and later support of Capt. Mackenzie during the trial, was found dead of a self-inflicted gunshot in the ship's gun room.

EPILOGUE

Capt. Mackenzie may never have gone to sea again until the intervention of John Slidell, his brother, who failed in a mission for the purchase of Mexican territory for the United States. Slidell later switched sides becoming an agent for the Confederacy during the Civil War gleaning many lucrative contracts. Mackenzie served as commander of the *USS MISSISSIPPI*. The trial and controversy weakened his physical constitution with him dying a broken man in 1848.

Aristocratic Guert Ganesvoort moved on in his own naval career with more than a few issues; one of which was being dismissed from command of the *USS DECATUR* for being “intoxicated.” Ganesvoort attained the rank of Commodore before his death in 1868 “prey to unavailing remorse” over the *SOMERS* affair.

Author Herman Melville, first cousin of Guert Ganesvoort, interviewed him at length over the affair with access to Ganesvoort's papers. Philip Spencer served as Melville's model in writing the classic Billy Budd in the figure of his Black sailor hero who, though innocent, was unjustly hanged at sea with chilling similarities to Philip Spencer's earlier case.

In February, 1844, President John Tyler and a large assembly of Washington dignitaries from the U.S. Congress and navy, escaped with his life during the commissioning cruise of the new steam vessel *USS PRINCETON* mounted with a barely tested 27,000 pound deck gun named

‘The Peacemaker;’ which exploded near Fort Vernon on the Potomac firing a memorial salute to George Washington. Six were killed and twenty others seriously injured with Senator Thomas Hart Benton suffering severe wounds. Among those killed was now Secretary of State Abel Upshur, former Secretary of the Navy during the *SOMERS* affair. Former First Lady Dolly Madison, an invited guest then age eighty, escaped the carnage. Among the six killed was President Tyler’s personal servant, a slave named Armistead, who was provided with a polished cherry wood casket and a place in the funeral cortege. The ‘Peacemaker’ gun, one of the largest in the world, was later found to have been cast in iron not sufficient to withstand the powder charges. No one in the navy received a reprimand with all keeping their jobs. President Tyler, who had been thrust into office following the brief thirty-two days of President William Henry Harrison’s term to death by pneumonia, escaped his own second tragic accident when his carriage horses bolted on the return to the White House following the burials of the six victims of the *USS PRINCETON* explosion. Near the present Willard Hotel, an unnamed free Black man knowing horses, ran forward stopping the carriage single handedly. President Tyler was thereafter dubbed ‘His Accident.’

John Canfield Spencer, Philip’s father, born in 1788, served as U.S. Representative from New York, Secretary of War and then Secretary of the Treasury under President Tyler. He died in 1855.

Following the *SOMERS* affair, Secretary of the Navy George Bancroft, without Congressional funding, founded a naval school on ten acres known as Fort Severn in Annapolis, Maryland in 1845 with fifty Midshipmen and seven professors to answer the need for better training on both land and sea. In 1850 the Naval School became the United States Naval Academy later expanded to three hundred, thirty-eight acres with monumental granite buildings. Flogging was outlawed in 1850 but not without criticism that order and obedience would suffer.

When Commodore Matthew C. Perry sailed in 1852 on the mission to open Japan to the west, he did so without a new set of disciplinary regulations. Sensing the need for a high order of discipline during the long voyage and diplomatic negotiations, discipline was not a problem. Perry strove to maintain high morale with on-board theatrical productions, extra rations of grog, visits between ships, improved rations, uniformity and regulations of courts-martials.

In 1855 Congress provided a new system of discipline based on rewards and punishments with summary courts-martials for minor offences including bad conduct, deprivation of liberty, extra duties without pay. Deserving sailors received honorable discharges, reenlistment bonuses, and leave of absences with opportunities for careers in the enlisted service.

Philip Spencer gained immortality attached to the Chi Psi Fraternity he helped co-found at then Hobart College his freshman year. After his death a sympathetic and very wealthy Cleveland lawyer donated the then astronomical sum of \$100,000 to assist needy students with room and board in Spencer’s memory. A number of books, articles, commentary continue to surface with several Internet web links, one of which is maintained by a Spencer descendent complete with period and present day photos. There is space allowed for comments to “light a candle” for Philip Spencer.

“May God have mercy on your soul,
On this day in Naval History, 1842-
Execution of three crewmembers of
USS SOMERS for mutiny: Midshipman
Philip Spencer, Boatswain Samuel Cromwell
And Seaman Elisha Small.”

Why the title of this paper ‘Slaughter of the Lambs?’ In 1875 Richard Dana, Jr. son of Dana senior, writer of Two Years Before The Mast, was invited to attend a heated meeting of the House of Commons in Parliament for the vote on a bill proposed by Samuel Plimsoll, author of Our Seamen, Liberal Member of Parliament from Derby who had taken up the cause of English seamen aboard merchant ships poorly equipped, unsafe and ill-commanded. His invention, the ‘Plimsoll Line’ on hulls of ships, marked the safe load line with stringent powers of enforcement from the Board of Trade to inspect. These strange markings and numbers on the hulls of freighters, oil tankers and even cruise ships may be seen today. Plimsoll’s bill ran counter to the wealthy ship owners and builders of the time in England with Prime Minister Benjamin Disraeli in concert blocking the bill. Plimsoll, losing self-control, erupted in chamber rushing forward daring to shake his fist under the Billy goat whiskers of Disraeli. The session was promptly adjourned with Plimsoll storming to the outer lobby in another near fist-a-cuffs with a member who opposed the bill shouting, “liars! cheats! scoundrels!” with his ‘Slaughter of the Lambs’ bill thought all but lost for any future vote in Parliament. Plimsoll apologized in the face of a threatened formal reprimand. The British reading public rose in his defense over the bill’s defeat by ship owners forcing the government to pass the bill as amended into the Merchant Shipping Act to protect sailors.

During the summer of 1963 and my undergraduate years at University of Cincinnati, I was sent to Norfolk Naval base for training based at the naval hospital there working in personnel and public relations. Our navy was in the process of turning over a number of non-nuclear submarines to the Turkish Navy with their sailors aboard for training in the conversion. ‘Scuttlebutt’ made the rounds that ‘something’ had happened down at the sub piers with the Turkish sailors. Whether general rebellion, griping, violation of alcohol, drugs or religious conventions on their part never made known. Naturally our own navy brass at the base and in Washington attempted to step in to mediate the situation. The Turkish Captains would have none of it declaring their rights even inside U.S. territorial waters. Two of the subs now in Turkish hands weighed anchor in the evening, sailed out beyond the twelve mile territorial limits with engines cut gently rolling in the sea. The accused sailors, for whatever offenses, were summarily lined up on the deck and machine-gunned in the ocean. The subs returned, docked with nothing more being said or heard.

For generations a sea yarn turned legend has endured telling of a young British sailor in the days of sail who took his own revenge for grossly unfair mistreatment by his captain receiving a severe flogging. At that time no common sailor known as “the people” dared approach his captain direct on deck, nor did his lower ranking officers. For days the sailor watched biding his time for the captain to come on deck taking the air on the windward side alone; with all others not on immediate duty kept to either port or starboard. When the captain turned his back looking seaward, the sailor bolted across the deck, clenched the captain in his strong arms with both plunging over the side in a suicide murder.

Richard Henry Dana was applauded as the man who wrote on behalf of naval and merchant sailors around the world. His book described graphically the brutal floggings he witnessed known as the San Pedro, California Floggings in the 1830s. In exquisite literary art blended with life experiences, he penned.

“If God should give me the means, I would do something to redress the grievances and relieve

the suffering of that class of beings with whom my lot had so long been cast...vindication of any of the primal rights affecting the highest interest of man.”

In closing, I ask you tonight if the *SOMERS* affair was indeed mutiny or murder?

Russell Dale Flick

E=Mail: Flikbic@fuse.net

Tel: 1-(513)-231-0064