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"ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY."

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Mutiny on Board the Somers.

The following is the Narrative of Commander MACKENZIE, respecting the Mutiny and Execution on board the U. S. Brig Somers, which was read before the Naval Court of Inquiry at New York. It is identical with the Official Report which he transmitted to Washington.

U. S. BRIG SOMERS, New-York, Dec. 19, 1842.

Hon. A. P. USHUR, Secretary of the Navy:

SIR: Since my communication to you of the 14th instant, on which day I arrived here with the vessel under my command, I have been engaged in preparing a narrative of the cruise of the Somers, which should embrace all the facts that might in any way illustrate the late mutiny on board of her, but I have been subjected to so many interruptions, from which it was the less easy to escape as they grew out of the sympathy and solicitude of real friends, and the narrative grew so interminable as I advanced, that I have deemed it due to the anxiety of the Navy Department to receive a more detailed statement of the facts of the mutiny than I was at first able to communicate, to break off at once from the elaborate narrative in which I was engaged, and confine myself to a statement of the principal occurrences.

I will therefore simply premise that, after having made the Azores and touched at Madeira, being thus far diverted from my course by constantly opposing winds, I proceeded, in fulfillment of your orders of the 7th and 5th September last, to Tenerife and Port Praya, and not finding the United States ship Vandalia there, continued onward to Liberia; I there understood, as a matter of common report, that she had sailed on the 5th of October from Cape Palmas for the United States. The orders under which I was acting supposed the Vandalia to be still on the station; at all events the despatches with which I was charged could be of no value at home. I therefore placed them in the hands of Dr. I. S. Day, the United States Agent, whose receipt for them I have the honor to enclose, and, having thus reached the appointed limit of my orders, sailed on the 11th November for the United States by way of St. Thomas; where prudence and a just regard for the health and comfort of my crew required I should stop to obtain a supply of bread, water, and refreshments.

On Saturday, the 26th of November, Lieut. G. Gansevoort came into the cabin and informed me that a conspiracy existed on board of the brig to capture her, murder the commander, the officers, and most of the crew, and convert her into a pirate; and that acting Midshipman Philip Spencer was at the head of it. He stated that Mr. H. M. Hieskell, the purser, had just informed him that Mr. J. W. Wales, his steward, had approached him as if to converse on their joint duty, and revealed to him, for the purpose of its being communicated to the commander, the following information:

The night previous, being that of the 25th November, between the hours of six and eight o'clock, he had been accosted by Mr. Spencer, and invited by him to get up on the booms, as he had something of importance to communicate. When on the booms, Mr. Spencer addressed him as follows: "Do you fear death? Do you fear a dead man? Are you afraid to kill a man?" Mr. Wales, thus accosted, and having his curiosity excited, with admirable coolness induced Mr. Spencer to go on, and took the oath of secrecy which was administered to him. Mr. Spencer then informed him that he was leagued with about twenty of the crew to get possession of the vessel, murder the commander and officers, choose from among those of the crew who were willing to join him such as would be useful, and murder the rest and commence pirating. He mentioned all the details of the plan as you will find it in the statement of Mr. Wales, and which was well suited to the attainment of his object, involving much better notions of seamanship than he was himself capable of forming. As one of the inducements to her capture, he stated that a box, containing wine of rare value, brought off with much care at Madeira,

as a present from J. H. Bursen, Esq., United States Vice Consul at Funchal, to Commodore J. B. Nicholson, contained money or treasure to a large amount. It was his object to carry the vessel to the Isle of Pines, where one of his associates who had been in the business before, had friends; to attack no vessels that he was not sure to capture; to destroy every vestige of the captured vessels, after having removed what was useful; to select such of the female passengers as were suitable, to dispose of them. Mr. Spencer also stated that he had the written plan of his project in the back of his cravat, which he would show to Mr. Wales in the morning. After which they separated, with terrible threats on the part of Mr. Spencer of instant death to Mr. Wales from himself or his accomplices, should Mr. Wales utter one word of what had passed.

Such was the purport of the information laid before me by Lieutenant Gansevoort, and although he was evidently impressed with the reality of the project, yet it seemed to me so monstrous, so improbable, that I could not forbear treating it with ridicule. I was under the impression that Mr. Spencer had been reading some piratical stories, and had amused himself with Mr. Wales. Still, I felt that this was joking on an improper theme, and determined to notice it thereafter. I also considered that duty required me to be on my guard, lest there should be a shadow of reality in this project, and I directed the first Lieutenant to watch Mr. Spencer narrowly, without seeming to do so. In the course of the day, Lieutenant Gansevoort informed me that Mr. Spencer had been in the wardroom examining a chart of the West Indies, and had asked the Assistant Surgeon some questions about the Isle of Pines, and the latter had informed him that it was a place much frequented by pirates, and drily asked him if he had any acquaintances there. He passed the day rather sullenly in one corner of the steerage, as was his custom, engaged in examining a small piece of paper and writing on it with his pencil, and occasionally finding relaxation in working with a penknife at the tail of a devil-fish, one of the joints of which he had formed into a sliding ring for his cravat. Lieutenant Gansevoort also made an excuse of duty to follow him to the foretop, where he found him engaged in having some love device tattooed on his arm by Benjamin F. Green, ordinary seaman and apprentice. Lieutenant Gansevoort also learned that he had been endeavoring for some days to ascertain the rate of the chronometer, by applying to Midshipman Rodgers, to whom it was unknown, and who referred him to the master. He had been seen in secret and nightly conferences with boatswain's mate F. Cromwell, and seaman Elisha Small. I also heard that he had given money to several of the crew; to Elisha Small on the 12th September, the day before our departure from New York; the same day on which, in reply to Commodore Perry's injunctions to reformation, he had made the most solemn promises of amendment; to Samuel Cromwell on the passage to Madeira; that he had been in the habit of distributing tobacco extensively among the apprentices, in defiance of the orders of the Navy Department, and of my own often reiterated; that he had corrupted the wardroom steward, caused him to steal brandy from the wardroom mess, which he (Mr. Spencer) had drunk himself, occasionally getting drunk when removed from observation, and had also administered to several of the crew; that, finally, he was in the habit of amusing the crew by making music with his jaw. He had the faculty of throwing his jaw out of joint, and by contact of the bones playing with accuracy and elegance a variety of airs. Servile in his intercourse with me, when among the crew he loaded me with blasphemous vituperation, and proclaimed that it would be a pleasing task to roll me overboard off the round house. He had some time before drawn a brig with a black flag, and asked one of the midshipmen what he

thought of it; he had repeatedly asserted, in the early part of the cruise, that the brig might be easily taken; he had quite recently examined the hand of Midshipman Rodgers, told his fortune, and predicted for him a speedy and violent death. These various circumstances induced me to look back and recall all that I had heard of and observed in Mr. Spencer. When he reported himself to me for duty at New York, about the 20th of August, I at once gave him my hand and welcomed him on board the Somers. I subsequently heard that he had quite recently been dismissed with disgrace from the Brazilian squadron, and compelled to resign for drunkenness and scandalous conduct. This fact made me very desirous of his removal from the vessel, chiefly on account of the young men who were to mess with and be associated with him, the rather that two of them were connected with me by blood and two by alliance, and the four entrusted to my special care.

The circumstance of Mr. Spencer's being the son of a high officer of the Government, by enhancing his baseness in my estimation, made me more desirous to be rid of him. On this point I beg that I may not be misunderstood. I reverence authority; I recognize in the exercise of its high functions in this free country, the evidence of genius, intelligence, and virtue; but I have no respect for the base son of an honored father. On the contrary, I consider that he who by misconduct sullies the lustre of an honorable name is more culpable than the untutored individual whose disgrace falls only on himself. I wish, however, to have nothing to do with baseness in any shape; the navy is not the place for it. On these accounts I readily sought the first opportunity of getting rid of Mr. Spencer. When we were on the eve of sailing, two midshipmen who had been with me before, and in whom I had confidence, joined the vessel. This carried to seven the number to occupy a space capable of accommodating only five. I had heard that Mr. Spencer had expressed a willingness to be transferred from the Somers to the Grampus. I directed Lieutenant Gansevoort to say to him that he would apply to Commodore Perry to detach him (there was no time to communicate with the Navy Department) I would second the application. He made the application, I seconded it, earnestly arguing that it should be granted on the score of the comfort of the young officers. The commodore declined detaching Mr. Spencer, but offered to detach Midshipman Henry Rodgers, who had been last ordered. I could not consent to part with Midshipman Rodgers, whom I knew to be a seaman, an officer, a gentleman; a young man of high attainments within his profession and beyond it. The Somers sailed with seven in her steerage. They could not all sit together round the table. The two oldest and most useful had no lockets to put their clothes in, and have slept during the cruise on the steerage-deck, the campstools, the booms, in the tops, or in the quarter boats. They have submitted to these inconveniences without a murmur, and performed their duty to my utmost satisfaction.

I recur to this recollection; I endeavored to review the conduct of Mr. Spencer. I had treated Mr. Spencer precisely like the other midshipmen. Perhaps I reproved him less frequently than others for slight deviations from duty; I had little hope of essentially serving one who had been so great an enemy to himself.

I had observed that he had very little intercourse with the officers; that he was exceedingly intimate with the crew. I had noticed on the interchange of a passing joke as individuals passed by him, a smile never seen but on such occasions—a strange flashing of the eye.

These various recollections, added to what had been revealed to me, to make sure at once of his person, though I had before meditated allowing Mr. Wales to have another interview with him that evening, for the purpose of ascertaining more of his plans, as had been agreed upon

between them. If he was really in earnest, enough was already known. At evening quarters I ordered through my clerk, O. H. Perry, doing the duty also of midshipman and aid, all the officers to lay aft on the quarter deck, excepting the midshipman stationed on the forecastle. The master was ordered to take the wheel, and those of the stationed abft sent to the mainmast. I approached Mr. Spencer, and said to him, "I learn, Mr. Spencer, that you aspire to the command of the Somers." With a deferential, but unmoved and gently smiling expression, he replied, "Oh no sir." Did you not tell Mr. Wales, sir, that you had a project to the commander, the officers, and a considerable portion of the crew of this vessel, and to convert her into a pirate? "I may have told him so, sir, but it was in a joke." You admit then that you told him so? "Yes, sir, but in a joke." "This, sir, is joking on a forbidden subject—this joke may cost you your life! Be pleased to remove your neck handkerchief." It was removed and opened, but nothing was found in it. I asked him what he had done with the paper containing the account of his project which he had told Mr. Wales was in the back of his neck handkerchief. "It is a paper containing my day's work, and I have destroyed it." "It is a singular place to keep day's works in." "It is a convenient one," he replied, with an air of deference and blandness. I said to him, "You must have been aware that you could only have compassed your designs by passing over my dead body, and after that the bodies of all the officers. You had given yourself, sir, a great deal to do. It will be necessary for me to confine you, sir." I turned to Lieut. Gansevoort and said, "Arrest Mr. Spencer, and put him in double irons." Mr. Gansevoort stepped forward and took his sword; he was ordered to sit down in the stern port, double ironed, and as an additional security, handcuffed. I directed Lieutenant Gansevoort to watch over his security, to order him to be put to instant death if he was detected speaking to or holding intelligence in any way with any of the crew. He was himself made aware of the nature of these orders. I also directed Lieut. Gansevoort to see that he had every comfort which his safe keeping would admit of. In confiding this task to Lieut. Gansevoort, his kindness and humanity gave me the assurance that it would be zealously attended to; and throughout the period of Mr. Spencer's confinement, Lieut. Gansevoort, whilst watching his person with an eagle eye, and ready at any moment to take his life should he forfeit the condition of silence on which his safety depended, attended to all his wants, covered him with his own grego when squalls of rain were passing over a d ministered in every way to his comfort with the tenderness of a woman.

Mr. Spencer being confined, the officers were remanded to their quarters, the crew and the battery inspected, the ordinary reports made to the first Lieutenant, and by him to me, the retreat beaten. That night the officers of the watch were armed with cutlasses and pistols, and the rounds on both decks made frequently to see that the crew were in their hammocks, and that there were no suspicious collections of individuals about the decks. On searching the locker of Mr. Spencer a small razor case was found, which he had recently drawn, with a razor in it, from the purser. Instead of the razor, the case was found to contain a small paper, rolled in another; on the inner one were strange characters, which proved to be Greek, with which Mr. Spencer was familiar. It fortunately happened that there was another midshipman on board the Somers who knew Greek—one whose Greek, and every thing else he possessed, was wholly devoted to his country. The Greek characters, converted by midshipman Henry Rogers into our own, exhibited well known names among the crew. The certain—the doubtful—those who were to be kept whether they would or not—arranged in separate rows—those who were to do the work of murder in the various apartments, to take the wheel, to open the arm chest.

The following day being Sunday, the crew were inspected at quarters at 10 o'clock. I took my station abft with the intention of particularly observing Cromwell and Small. The third or master's division, to which they both belonged, always mustered at morning quarters upon the after part of the quarter-deck, in continuation of the line formed by the crews of the guns. The persons of both were faultlessly clean. They were determined that their appearance, in this respect, should provoke no reproach. Cromwell stood up to his full stature, his muscles braced, his battle-axe grasped resolutely, his cheek pale, his eye fixed as if indifferently at the other side. He had a determined and dangerous air. Small made a very different figure. His appearance was ghastly; he shifted his weight from side to side, and his battle-axe passed from

one hand to the other; his eye wandered irresolutely, but never towards mine. I attributed his conduct to fear. I have since been led to believe that the business upon which he had entered was repugnant to his nature, though the love of money and of rum had been too strong for his fidelity.

After quarters the church was rigged. The crew mustered up with their prayer-books, and took their seats without waiting for all hands to be called; and considerably before five bells, or half past 10, the usual time for Divine service, the first Lieutenant reported all hands ready, and asked me if he should call all to muster. I told him to wait for the accustomed hour. Five bells were at length struck, and all hands called to muster. The crew were unusually attentive, and the responses more than commonly audible. The muster succeeded, and I examined very carefully the countenances of the crew, without discovering any thing that gave me distrust.

In the afternoon, the wind having moderated, skysails and coal-studding sails were set. In going large I had always been very particular to have no strain upon the light braces leading forward, as the tendency of such a strain was to carry away the light yards and masts. Whilst Ward M. Gagely, one of the best and most skillful of our apprentices, was yet on the main royal yard after setting the skysails, a sudden jerk of the weather main royal brace given by Small and another, whose game I have not yet discovered, carried the top gallant mast away in the sheave hole, sending forward the royal mast with royal skysail, road studding sail, main topgallant staysail, and the head of the gaff topsail. Gagely was on the royal yard.

I scarcely dared to look on the booms or in the larboard gangways, where he should have fallen. For a minute I was in intense agony; in the next I saw the shadow of the boy through the topgallant sail rising rapidly towards the topgallant yard, which still remained at the mast head. Presently he rose to view, descended on the after side to the top-mast cap, and began to examine with coolness to see what was first to be done to clear the wreck. I did not dream at the time that the carrying away of this mast was the work of treachery; but I knew that it was an occasion of this sort, the loss of a boy overboard, or an accident to spar, creating confusion and interrupting the regularity of duty, which was likely to be taken advantage of by the conspirators; were they still bent on the prosecution of their enterprise. The greatest pains were therefore taken to prevent all confusion. The first Lieutenant took the deck; every thing connected with the wreck was sent down from aloft; the rigging unrove and coiled down; sails bent astern to the yards; the spare topgallant mast got out, scraped, and slushed, and the fid-hole cut; every one employed, and every thing made to go on with undeviating regularity. To my astonishment all those who were most conspicuously named in the programme of Mr. Spencer, no matter in what part of the vessel they might be stationed, mustered at the main-top mast-head; whether animated by some newborn zeal in the service of their country, or collected there for the purpose of conspiring, it was not easy to decide. The coincidence confirmed the existence of a dangerous conspiracy, suspended, yet perhaps not abandoned. The eye of Mr. Spencer travelled perpetually to the mast-head, and cast thither many of those strange and stealthy glances which I had heretofore noticed. The wreck being cleared, supper was piped before sending up the new mast. After supper the same persons mustered again at the mast-head, and the topgallant mast was fiddled, the light yards crossed, and the sails set. By this time it was dark, and quarters had been unavoidably dispensed with. Still I thought under the circumstances that it was scarcely safe to leave Cromwell at large during the night. The night was the season of danger. After consulting Lieut. Gansevoort, I determined to arrest Cromwell the moment he reached the deck. An officer was sent to leeward to guard the lee rigging, and the mainstays were also thought of, though not watched, as his voice was heard in the top and descending the rigging. I met him at the foot of the Jacob's ladder, surrounded by officers, guided him aft on the quarter-deck, and caused him to sit down.

On questioning him as to a secret conversation he had held the night before with Mr. Spencer, he denied its being him, and said, "It was not me sir it was Small." Cromwell was the tallest man on board, Small the shortest. Cromwell was immediately ironed, and Small, thus pointed out by an associate to increased suspicion was also sent for, interrogated, and ironed. Increased vigilance was now enjoined upon all the officers. Henceforward all were perpetually armed. Either myself or the first lieutenant was always on deck, and generally both of us were.

On the morning of the following day being Monday, the 28th November, two crimes of considerable magnitude appeared on the master-at-arms' report of prisoners. Charles Lambert, apprentice, had been guilty of theft in stealing silver for a hat from Ward M. Gagely; and Henry Waltham, the wardroom steward, had stolen brandy from the wardroom mess, and given to Mr. Spencer. These were vile offences; the present was not the time to bring the discipline of the vessel to a stand, and the prisoners were both punished to the extent of the law. Waltham, whilst in irons, had the night before told Daniel McKinley, who had access to the ward room as cot boy, where three bottles of wine could be found; his object being no doubt to furnish the means of excitement to the conspirators to induce them to rise, release Waltham, and get possession of the vessel. McKinley was down in the programme as certain, and as stationed at the arm chest. He reported Waltham to the first Lieutenant; an extraordinary denunciation under the circumstances, probably occasioned by his desire to relieve himself from suspicion. Waltham having thus, in contempt of discipline, committed a second offence whilst in confinement, was remanded into irons to be subjected to a second punishment on the following day.

The punishment being over, I thought this a fit opportunity to endeavor to make some impression on the crew. The number of them actually engaged in the conspiracy might not be great; that it was known to a majority of them I had reason to believe; in general they might be considered disaffected, and disposed on all occasions to hold back and resist the discipline of the ship. The mysterious agency that had been at work since our departure from New York to corrupt the crew was now disclosed. I commenced by explaining to them the general nature of the project of Mr. Spencer, studiously avoiding to excite any suspicion that I was in possession of the names of those who were implicated. I was willing in fact that the worst of them should repent and hide themselves among the well-disposed portion of the crew. I took care to inform them that the majority of them, whatever might be their inclinations, were to share the fate of the officers. I endeavored to divert the minds of the slightly disaffected from the pictures of successful vice which Mr. Spencer had presented to them; I alluded to the circumstance of most of the crew, unlike crews in general, having ties of kindred to render life dear to them, and expressed the hope that within three weeks we should be again among our friends; I thanked God that we had friends to follow us with solicitude and affection; for to have friends and not to be unworthy of them was the best guaranty that could be given for truth and fidelity.

The effect of this upon the crew was various; it filled many with horror at the idea of what they had escaped from; it inspired others with terror at danger awaiting them from their connexion with the conspiracy. The thoughts of returning to that home and those friends from whom it had been intended to cut them off forever, caused many of them to weep. I now considered the crew tranquilized and the vessel safe. Having noticed Mr. Spencer to hold intelligence with the crew, I directed that all the prisoners should be turned with their faces aft. I also directed that no tobacco should be furnished them after the supply they had on their persons when confined should be exhausted. They earnestly begged to be allowed tobacco. I told the first Lieutenant to say that Mr. Spencer should have all that his mess afforded, and his mess-mates in fact already took care of that; that the seamen should have their ration as it was allowed by the Government; that every thing should be supplied to them that it was necessary to their health and comfort; but that tobacco was only a stimulant, and I wished them to tranquilize their minds and remain free from excitement.

The day after Mr. Spencer's tobacco was stopped his spirits gave way entirely. He remained the whole day with his face buried in the grego, and when it was for a moment raised it was bathed in tears. He was touched by the gentle and untiring attentions of Lieut. Gansevoort. He told him that he was in no state at that time to speak of any thing—when he felt more composed he would tell him all. He would answer any questions that the Commander might desire to put to him.

On Thursday, the 29th November, immediately after quarters, all hands were again called to witness punishment, and Henry Waltham was punished to the extent of the law for offering the three bottles of wine to Daniel McKinley. I again spoke to the crew, urging them to conform to the discipline of the vessel. The orders were all known and of easy observance. I mentioned that every punishment inflicted on board the vessel must be known to the Secretary of the Navy, and that the less punishment there was, the

being Monday, the 28th November, two crimes of considerable magnitude appeared on the master-at-arms' report of prisoners. Charles Lambert, apprentice, had been guilty of theft in stealing silver for a hat from Ward M. Gagely; and Henry Waltham, the wardroom steward, had stolen brandy from the wardroom mess, and given to Mr. Spencer. These were vile offences; the present was not the time to bring the discipline of the vessel to a stand, and the prisoners were both punished to the extent of the law. Waltham, whilst in irons, had the night before told Daniel McKinley, who had access to the ward room as cot boy, where three bottles of wine could be found; his object being no doubt to furnish the means of excitement to the conspirators to induce them to rise, release Waltham, and get possession of the vessel. McKinley was down in the programme as certain, and as stationed at the arm chest. He reported Waltham to the first Lieutenant; an extraordinary denunciation under the circumstances, probably occasioned by his desire to relieve himself from suspicion. Waltham having thus, in contempt of discipline, committed a second offence whilst in confinement, was remanded into irons to be subjected to a second punishment on the following day.

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