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"ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY."

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TERMS.

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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. URSUVA, Secretary of the Navy:

[CONCLUDED.]

Small alone, whom we had set down as the patron of the three, and on that account had at first determined not to iron, received the announcement of his fate with composure. When asked if he had any preparations to make, any messages to send, he said, "I have nobody to care for but my poor old mother, and I would rather that she should not know how I had died."

I returned to Mr. Spencer, and asked him if he had no message to send to his friends. He answered, "None that they would wish to receive." When urged still further to send some word of consolation in so great an affliction, he said, "Tell them I die, wishing them every blessing and happiness. I deserve death for this and many other crimes. There are few crimes that I have not committed. I feel sincerely penitent and my only fear of death is that my repentance may be too late." I asked him if there was any one whom he had injured, to whom he could yet make reparation, any one who was suffering obliquely for crimes which he had committed. He made no answer, but soon after continued, "I have wronged many persons, but chiefly my parents." He said, "This will kill my poor mother!" I was not before aware that he had a mother. When recovered from the pain of this announcement, I asked him if it would not have been still more dreadful had he succeeded in his attempt; murdered the officers and the greater part of the crew of the vessel, and run that career of crime which, with so much satisfaction, he had marked out for himself? He replied, after a pause, "I do not know what would become of me had I succeeded." I told him that Cromwell would soon have made way with him, and McKinley probably have cleared the whole of them from his path. "I fear," said he, "this may injure my father." I told him it was almost too late to think of that; that had he succeeded in his wishes, it would have injured his father much more; that had it been possible to have taken him home, as I intended to do, it was not in nature that his father should not have interposed to save him; that for those who have friends or money in America, there was no punishment for the worst of crimes; that though this had nothing to do with any determination which had been forced upon me in defiance of every effort which I had made to avert it, I on this account the less regretted the dilemma in which I was placed. It would injure his father a great deal more, if he got home alive, should he be condemned, and yet escape. The best and only service he could now render his father was to die.

"I will tell you frankly," he said, "what I intended to do had I got home—I should have attempted to escape: I had the same project on board the John Adams and Potomac. It seemed to be a mania with me." "Do you not think," I asked, "that this is a mania which should be discouraged in the navy?" "I do most certainly." Afterwards he said to me, "But have you not formed an exaggerated estimate of the extent of this conspiracy?" I told him no; that his systematic efforts to corrupt the crew and prepare them for the indulgence of every evil passion since the day before our departure from New York, had been but too successful. I knew that the conspiracy was still extensive. I recapitulated to him the arts which he had used. He was startled by my telling him that he had made the ward-room steward steal brandy, and had given it to the crew. He said, "I did not make him steal it." I told him it was

brought at his request; that he knew where it came from; and it was, if possible, more criminal to seduce another to commit crime than to commit crime one's self.—He admitted the justice of this view. He turned again to say to me, "But are you not going too far? are you not going too far? I does the law entirely justify you?" I replied, that he had not consulted me in making his arrangements; that his opinions could not be an unprejudiced one; that I had consulted all his brother officers, his messmates included, except the boys, & I placed before him their opinion. He stated that it was just; that he deserved death. He asked what was to be the manner of his death. I explained it to him. He objected to it, and asked to be shot. I told him that I could not make any distinction between him and those whom he had corrupted. He admitted that this also was just. He objected to the shortness of the time for preparation, and asked for an hour. No answer was made to this request; but he was not hurried, and more than the hour which he asked for was allowed to elapse. He requested that his face might be covered; it was readily granted, and he was asked what it should be covered with. He did not care. A handkerchief was sought for in his locker; none but a black one found, and this brought for the purpose. I now ordered that the other criminals should be consulted as to their wishes in this particular. They joined in the request, and frocks were taken from their bags to cover their heads. Mr. Spencer asked to have his irons removed. This could not be granted. He asked for a Bible and Prayer Book. They were brought and others ordered to be furnished to his accomplices. "I am a believer," he said, "Do you think any repentance at this late hour can be accepted?" I called to his recollection the case of the penitent thief who was pardoned by our Saviour upon the cross. He then read in the Bible, kneeling down and read in the Prayer Book. He again asked if I thought that his repentance could be accepted, that the time was so short, and he did not know if he was really changed. I told him that God, who was all-merciful as well as all-wise, could not only understand the difficulties of the situation, but extend to him such a measure of mercy as his necessities might require. He said, "I beg your forgiveness for what I have meditated against you?" I gave him my hand, and assured him of my sincere forgiveness. I asked if I had ever done any thing to him to make him seek my life, or whether the hatred he had conceived for me, and of which I had only recently become aware, was fostered for the purpose of giving himself some plea of justification. He said, "It was only a fancy; perhaps there might have been something in your manner which offended me." He read over what I had written down. I had stated hurriedly in the third person "He excused himself by saying that he had entertained the same idea in the John Adams and the Potomac." He asked that that might be corrected: "I did not offer it as an excuse, I only stated it as a fact."

More than an hour had elapsed during the continuance of this scene. The petty officers had been assigned, according to rank, to conduct the several prisoners to the gangway. At the break of the quarter deck is a narrow passage between the trunk and pumpwell. Mr. Spencer and Cromwell met exactly on either side. I directed Cromwell to stop to allow Mr. Spencer to pass first. At this moment Mr. Spencer himself paused and asked to be allowed to see Mr. Wales. He was called, and Cromwell now passed on almost touching Mr. Spencer. Not one word was now said by Mr. Spencer of the innocence of Cromwell; no appeal was made by Cromwell to Mr. Spencer to attest his innocence. When Mr. Wales came up, Mr. Spencer, extending his hand to him, said, "Mr. Wales, I earnestly hope you will forgive me for tampering with your fidelity?" Mr. Spencer was wholly unmoved. Mr. Wales almost overcome with emotion; he replied, "I do forgive you from the bottom of my heart, and I hope that God will forgive you also!" "Farewell!" exclaimed Mr. Spencer; and Mr. Wales, weeping, and causing others to weep, responded, "Farewell!"

Mr. Spencer now passed on. About this time he asked for Midshipman Rodgers. The message was carried to Mr. Rodgers; but he had no orders to leave his station. I was only afterwards aware of the request. At the gangway Mr. Spencer met Small. With the same calm manner, but with a nearer approach to emotion, he placed himself in front of Small, extended his hand, and said, "Small forgive me for leading you into this trouble." Small drew back with horror. "No, by God! Mr. Spencer, I can't forgive you." On a repetition of the request, Small exclaimed in a searching voice, "Ah, Mr. Spencer, that is a hard thing for you to ask me! We shall soon be before the face of God, and then we shall know all about it." I went to Small and urged him to be more

generous—that this was no time for resentment. He relented at once, held out his hand to take the still extended hand of Mr. Spencer, and said with frankness and emotion, "I do forgive you, Mr. Spencer! May God Almighty forgive you also!"—Small now asked my forgiveness. He was the one of the three who was most entitled to compassion. I took his hand and expressed my complete forgiveness in the strongest terms that I was able. I asked him what I had said or done to him to make him seek my life? Conscious of no injustice or provocation of any sort, I felt that it was yet necessary to my comfort to receive the assurance from his own lips. If any wrong had been done him, if any word of harshness in the impatience of excitement of duty had escaped me, I was ready to sell to ask also for forgiveness. I had hardly asked the question before he exclaimed, "What have you done to me, Captain Mackenzie? what have you done to me, sir? Nothing, but treat me like a man." I told him, in justification of the course which I was pursuing, that I had high responsibilities to fulfil; that there were duties which I owed to the Government which had entrusted me with this vessel, to the officers placed under my command, to those boys, whom it was intended either to put to death or reserve for a fate more deplorable. There was yet a higher duty to the flag of my country. He was touched by this: "You are right, sir; you are doing your duty, and I honor you for it. God bless that flag, and prosper it!" "Now, brother topmats," he said, turning to those who held the ship, "give me a quick and easy death!" He was placed on the hammocks forward of the gangway, with his face inboard. Mr. Spencer was similarly placed about the gangway, and Cromwell also on the other side.

Mr. Spencer about this time sent for Lieut. Gausevoort, and told him that he might have heard that his courage had been doubted; he wished him to bear testimony that he died like a brave man.—He asked me what was to be the signal of the execution. I told him that, being desirous to hoist the colors at the moment of execution, at once to give solemnity to the act and to indicate that by the colors of the Somers were fixed to the masthead, I had intended to beat to call as for hoisting the colors, then roll off, and at the third roll fire a gun. He asked to be allowed himself to give the word to fire the gun. I acceded to the request, and the drum and life were dismissed. He asked if the gun were under him. I told him that it was next but one to him. He begged that no interval might elapse between giving the word and firing the gun. I asked if they were firing with the lock and water, which had always proved quick and sure, but was told that they had a tube and priming, and were prepared to fire with a match. Some delay would have been necessary to have opened the arm-chest and get out a waler. I ordered a supply of live coals to be passed up from the galley, and fresh ones perpetually supplied, then assured him there would be no delay.

Time still wearing away in this manner, Small requested leave to address the crew. Mr. Spencer having leave to give the word, was asked if he would consent to the delay. He assented, and Small's face being uncovered, he spoke as follows: "Shipmates and topmats! take warning by my example. I never was a pirate. I never killed a man. 'O's for saying I would do it, that I am about to depart this life. See what a word will do. It was going in a Guineaman that brought me to this. Beware of a Guineaman!" He turned to Mr. Spencer and said to him, "I am now ready to die, Mr. Spencer, are you?" Cromwell's last words were, "Tell my wife I lie an innocent man! Tell Lieut. Morris I die an innocent man!"

But it had been the game of this man to appear innocent; to urge Mr. Spencer on—to furnish him with professional ideas; to bring about a catastrophe of which Mr. Spencer was to take all the risk, and from which he, Cromwell, was to derive all the benefit. He had taken a great many precautions to appear innocent, but he had not taken enough.

I now placed myself on the trunk in a situation from which my eye could take in every thing. I waited for some time; but no word was given. At length Brown saluted me and said, "Mr. Spencer says he cannot give the word; he wishes the commander to give the word himself." The gun was accordingly fired, and the execution took place. The crew were now ordered aft, and I addressed them from the trunk on which I was standing. I called their attention first to the fate of the unfortunate young man, whose ill-regulated ambition, directed to the most infamous ends, had been the exciting cause of the tragedy they had just witnessed. I spoke of his honored parents, of his distinguished father, whose talents and character had raised him to one of the highest stations in the land, to be one of the six appointed counsellors of the representative

of our national sovereignty. I spoke of the distinguished social position to which this young man had been born; of the advantages of every sort that attended the outset of his career, and of the professional honors to which a long, steady, and faithful perseverance in the course of duty might ultimately have raised him. After a few months' service at sea, most wretchedly employed, so far as the acquisition of professional knowledge was concerned, he had aspired to supplant me in a command which I had only reached after nearly thirty years of faithful servitude; and for what object I had already explained to them. I told them that their future fortunes were within their own control; they had advantages of every sort and in an eminent degree for the attainment of professional knowledge. The situations of warrant officers and of masters in the navy were open to them. They might rise to commands in the merchant service, to respectability, competence, and to fortune; but they must advance regularly, and step by step; every step, to be sure, must be guided by truth, honor, and fidelity. I called their attention to Cromwell's case. He must have received an excellent education, his handwriting was even elegant. But he had also fallen, through British sensuality and the inordinate thirst for gold.

The first fifteen dollars given to him by Mr. Spencer had bought him, and the hope of plunder held out to him by Mr. Spencer, who, to completely win him, had converted a box of old wine into a treasure, had secured the purchase.

There was an anecdote told by Collins in his mess, which, with Cromwell's commentary upon it, had reached my ears. I caused Collins to stand upon the pumpwell, and relate it to the boys. Collins had been in an Indianan, on board of which the supercargo, a Mr. Thornbury, had bro't a keg of doubloons. Collins stowed it in the run, and was alone entrusted with the secret of its being on board.

He said not a word about it until it went ashore. Cromwell, on hearing this, laughed at Collins, and said had the case been his he would have run away with the keg. The story, and what had passed before their eyes, contained all the moral lessons necessary to enforce. I told the boys, in conclusion, that they were to choose between the morality of Cromwell and that of Collins; Cromwell at the yard-arm, and Collins piping with his call. Small had also been born for better things. He had enjoyed the benefits of education, was a navigator, had been an officer in a merchantman. But he could not resist the brandy which had been proffered to him, nor the prospect of dishonest gain. He had at least died invoking blessings on the flag of his country.

The crew were now piped down from witnessing punishment, and all hands called to cheer the ship. I gave the order, "Stand by to give three hearty cheers for the flag of our country!" Never were three heartier cheers given. In that electric moment I do not doubt that the patriotism of even the worst of the conspirators for an instant broke forth. I felt that I was once more completely commander of the vessel which had been entrusted to me; equal to do with her whatever the honor of my country might require.

The crew were now piped down and piped to dinner. I noticed with pain that many of the boys, as they looked to the yard-arm, indulged in laughter and derision.

I still earnestly desired that Mr. S. should be buried, as officers usually are, in a coffin. I ordered one to be made forthwith from a portion of the berth deck; but Lieut. Gausevoort having offered to relinquish two mess chests used instead of a ward room, they were soon converted into a substantial coffin. When the hour usually given to the crew's dinner was over, the watch was set, and the bodies lowered from the yard arms and received by the messmates of the deceased, to be decently laid out for burial. The midshipmen assisted in person. When all was ready, the first Lieut. invited me to accompany him to see that these duties had been duly performed.—Mr. Spencer was laid out on the starboard arm chest, dressed in complete uniform, except the sword, which he had forfeited his right to wear.

Further forward, the two seamen were also laid out with neatness. I noticed with pain that the taste of one of the sailors had led him to bind the hands of Cromwell with a riband, having on it in gold letters the name of that chivalrous Somers who had died a self-devoted victim in the cause of his country. But that particular badge had been dishonored by the treason of its wearer, and it was suffered to remain.

Traces of a sabre were visible on his forehead, and on the removal of his hair four or five more were discovered, indicating that he had been where wounds had been given and received.

Cromwell, by his own admission, had been in a slaver, and had been an inmate

of Moro Castle at Havana. It was the general impression of the honest part of the crew that he had already been a pirate. He only could answer to the description of the individual alluded to by Mr. Spencer "as having already been in the business." At this moment a sudden squall sprung up, rendering it necessary to reduce sail. It was attended by heavy rain, and tarpaulins were thrown over the bodies.

The squall over, the sailors were sewed up in their hammocks. The body of Mr. Spencer was placed in the coffin and the other two corpses, arranged according to rank, Mr. Spencer aft, were placed along the deck. All hands were now called to bury the dead. The procession was formed according to rank reversed. Of the colors, which had continued to fly, the ensign was lowered to half-mast. Before the corpses had been placed on the lee hammock rails ready for lowering overboard, the night had already set in. All the battle lanterns and the other lanterns in the vessel were lighted and distributed among the crew, collected with their prayer books on the booms, the gang ways and lee quarter boats. The service was then read, the responses audibly and devoutly made by the officers and crew, and the bodies consigned to the deep. This service was closed with that prayer so appropriate to our situation, appointed to be read in our ships of war: "Preserve us from the dangers of the sea, and from the violence of enemies; that we may be a safeguard to the United States of America, and a security for such as pass on the seas on their lawful occasions; that the inhabitants of our land may in peace and quietude serve thee our God; and that we may return in safety to enjoy the blessings of our land, with the fruits of our labor, with a thankful remembrance of thy mercies, to praise and glorify thy holy name, through Jesus Christ our Lord." In reading this, and in recollecting the uses to which the Somers had been destined, as I now find, before she quitted the waters of the U. States, I could not but humbly hope that Divine sanction would not be wanting to the deed of that day.

As the last transaction connected with this subject, I may mention that on the following Sunday, being the 4th of Dec. after the laws for the government of the navy had been read, according to our invariable custom in the Somers on the first Sunday of the month, I took occasion to draw from the past history and example of the criminals, whose execution they had so recently beheld, all the useful lessons that they afforded to win back to the paths of duty and virtue the youthful crew which they had been so instrumental in leading astray. I showed how the leader in the projected mutiny had turned aside from the example of his honored parents, and trampled on the wise counsels and solemn warnings which had been lavished on him.

In the Bible of poor Small I had found a letter to him from his aged mother, filled with affectionate endearment and pious counsel. She expressed the joy with which she had learned from him that he was so happy on board the Somers; (at that time Mr. Spencer had not joined her); that no grog was served on board of her. Within the folds of this sacred volume he had preserved a copy of verses taken from the Sailor's Magazine, enforcing the value of the Bible to seamen. I read these verses to the crew. Small had evidently valued his Bible; but he could not resist temptation.

I urged upon the youthful sailors to cherish their Bibles with a more entire love than Small had done; to value their prayer books; that they would find in them a prayer for every necessity, however great, a medicine for every ailment of the mind. I endeavored to call to their recollection the terror with which the three malefactors had found themselves suddenly called to enter the presence of an offended God. No one who had witnessed the scene for a moment believed even in the existence of such a feeling as honest atheism; a disbelief in the existence of a God. They should remember that scene. They should also remember that Mr. Spencer, in his last moment, had said that "he had wronged many people, but chiefly his parents." From these two circumstances they might draw two useful lessons: a lesson of filial piety, and of piety toward God. With these principles for their guides they could never go astray.

In conclusion, I told them that they had shown that they could give cheers for their country; they should now give three cheers to their God, for they would do this when they sang praises to his name. The colors were now hoisted, and above the American ensign, the only banner to which it may give place, the banner of the cross. The hundredth psalm was now sung by all the officers and crew. After which, the usual service followed; when it was over I could not avoid contrasting the spectacle presented on that day by the

Somers, with what it would have been had she been in pirate's hands.

But on this subject I forbear to enlarge. I would not have described the scene at all, so different from the ordinary topics of an official communication, but for the unwonted circumstances in which we were placed, and the marked effect which it produced on the ship's company, even on those deeply guilty members of it who sat manacled behind me, and that it was considered to have done much towards restoring the allegiance of the crew.

In closing this report, a pleasing yet solemn duty devolves upon me, which I feel unable adequately to fulfil, to do justice to the noble conduct of every one of the officers of the Somers, from the first Lieutenant to the commander's clerk, who has also since her equipment done the duty of midshipman. Throughout the whole duration of the difficulties in which we have been involved, their conduct has been courageous, determined, calmly self-possessed, animated, and upheld always by a lofty and chivalrous patriotism.—Perpetually armed by day and by night, waking and sleeping with pistols often cocked for hours together, the single accidental discharge which took place was from a very delicate weapon, a repeating pistol, in the hand of the first Lieutenant, when he was arresting Cromwell in the night.

I cannot forbear to speak particularly of Lieut. Gausevoort. Next to me in rank on board the Somers, he was unequal in every exertion to protect and defend her. The perfect harmony of our opinions and our views of what should be done on each new development of the dangers that menaced the integrity of the command, gave us a unity of action that added materially to our strength. Never since the existence of our navy has a commanding officer been more ably and zealously seconded by his first Lieut.

Where all, without exception, have behaved admirably, it might seem invidious to particularize. Yet I cannot refrain from calling your attention to the noble conduct of Purser H. M. Hieskell and of Passed Assistant Surgeon R. W. Lacroix for the services which they so freely yielded beyond the embryo of their duties. Both, moreover, were in delicate health; Passed Assistant Surgeon Lacroix was indeed in no condition to go to sea when he joined the Somers. He had recently returned in the Dolphin from the coast of Africa, and his constitution had been completely shattered by a fever contracted in the river Nunez. He came, however, to his duty, determined and apparently likely to die at his post. He has partially recovered, but is still in delicate health. Both he and Mr. Hieskell cheerfully obeyed my orders to go perpetually armed, to keep a regular watch, and to guard the prisoners. The worst weather could not drive them from their posts, or draw from them a murmur.

I respectfully request that the thanks of the Navy Department may be presented to all the officers of the Somers for their exertions in the critical situation in which she has been placed. It is true that they have but performed their duty; but they have performed it with fidelity and zeal. If it shall be proved that, when solemnly called upon by me, they gave an erroneous opinion that involved no official responsibility, the opinion, also the act which followed it, and the responsibility, were mine; and I deeply meet that responsibility, trusting to the consciousness of rectitude within my own bosom, which has never for one moment forsaken me or wavered.

I respectfully submit that Mr. J. W. Wales, by his coolness, his presence of mind, and his fidelity, has rendered to the American navy a memorable service. I had a trifling difficulty with him, not creditable to his character, on the previous cruise to Porto Rico; on that account he was sought out and tampered with. But he was honest, patriotic, humane; he resisted temptation, was faithful to his flag, and was instrumental in saving it from dishonor. A purser'ship in the navy, after all, is an inconsiderable recompense compared with the magnitude of his services.

Of the conduct of Sergeant Michael H. Garty I will only say that it was worthy of the noble corps to which he has the honor to belong. Confined to his hammock by a malady which threatened to be dangerous at the moment when the conspiracy was discovered, he rose at once upon his feet a well man. Through out the whole period, from the day of Mr. Spencer's arrest to the day after our arrival, and until the removal of the maul, his conduct was calm, steady, and soldier-like. But when his duty was done, and health was no longer indispensable to its performance, his malady returned upon him, and he is still in his hammock. In view of this fine conduct, I respectfully recommend that Sergeant Garty be promoted to a second lieutenant.

*Perhaps this was an extreme and erroneous opinion, which, I do not attempt to justify. I am only faithfully recording what passed on the occasion.