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HANGING ON THE HIGH SEAS:  
THE *SOMERS* AFFAIR, THE NAVAL ACADEMY AND NAVAL REFORMS OF THE MID-  
NINETEENTH CENTURY

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An Essay

Submitted to

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Graduate Certificate in Maritime History

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by

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## I. The *Somers* Affair

During the night of 25 November 1842, on board the brig USS *Somers*, in the middle of the Atlantic, a young midshipman named Philip Spencer approached a purser's steward named James Wales and invited him to come and talk up on the boom. When they were both there, Spencer asked Wales, "Are you afraid of death? Do you fear a dead man, and dare you kill a person?" He then alluded to a group of sailors whom he had recruited to take over the ship. Spencer stated that he had about twenty of the crew convinced to join him, and that their intention was to murder the commanding officer and most of the crew and turn the brig into a pirate ship. Spencer even stated his intention to sail to the Isle of Pines where a friend of his would meet the ship.

The *Somers* was one of a class of five fast brigs (the others being *Bainbridge*, *Lawrence*, *Perry*, and *Truxtun*). It had been launched in the New York Navy Yard on 16 April 1842, and commissioned on 12 May 1842. She was 100 ft long, with a 14 ft draft, and her armament included 10 carronades. Alexander Slidell Mackenzie was the first commanding officer, having specifically requested a ship of this type for an experimental training cruise.<sup>1</sup> After a shakedown cruise in June and July to Puerto Rico and back, the *Somers* was ready for her first official cruise.<sup>2</sup> The ship was certainly crowded, with approximately 120 crew during its first voyage.<sup>3</sup>

Midshipman Philip C. Spencer, son of then-secretary of war John C. Spencer, was one of the midshipmen on board on that first training cruise.<sup>4</sup> He was born in Canandaigua, New York

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<sup>1</sup> David Howe, "Essays on the Legal Aspects of the *Somers* Affair and Bibliography" (Naval History and Heritage Command, May 12, 2020), accessed May 1, 2022, <https://www.history.navy.mil/research/library/online-reading-room/title-list-alphabetically/s/somers-essay-on-legal-aspects-of-somers-affair.html>.

<sup>2</sup> "Somers II (Brig)" (Naval History and Heritage Command September 10, 2015), accessed May 1, 2022, <https://www.history.navy.mil/research/histories/ship-histories/danfs/s/somers-ii.html>

<sup>3</sup> Howe, "Essays on the Legal Aspects of the *Somers* Affair and Bibliography."

<sup>4</sup> This retelling of the *Somers* Affair is based on a synthesis of information from a number of sources. Unless otherwise noted the information contained in this section is sourced from the following: *Proceedings of the Naval Court-Martial in the Case of Alexander Slidell Mackenzie (1844): a Facsimile Reproduction with an Introduction* by

in 1823, making him barely nineteen at the outset of the *Somers*' voyage. As a young man he was known to be intelligent, but also wild and unruly. He initially attended Hobart College but was pulled out by his father after multiple disciplinary incidents. His father then arranged for him to attend Union College in Schenectady, New York. He used his time there to found a fraternity, Chi Psi, which is still in existence today and interestingly sees Philip Spencer as something of a hero. However, his aptitude for organizing his peers and his penchant for secret brotherhoods would ultimately be his undoing. Despite his social success at Union College, he soon dropped out, ran away, and joined a whaler in Nantucket. His father convinced him, though, that if he wanted a life at sea, it would be better to do so as a commissioned officer in the Navy. Philip agreed, and his father was able to secure him a place as a midshipman. Soon after joining the Navy, Philip got into trouble for getting into drunken fights and assaulting superior officers. He was moved twice from ships, and was asked to resign, but due to his father's position he was instead moved to his third ship, the *Somers*.

Mackenzie later recalled his initial interactions with Philip 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. The fact made me desirous for 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 four intrusted to my

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*Hugh Egan* (Delmar, NY: Scholars' Facsimiles & Reprints, 1992) (Commentary by James Fenimore Cooper); Buckner F. Melton, *A Hanging Offense: the Strange Affair of the Warship Somers* (New York: Free Press, 2003); Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, NJ: Prentice-Hall, 1959); Philip James McFarland, *Sea Dangers: the Affair of the Somers* (New York: Schocken Books, 1985).

especial care.”<sup>5</sup> Mackenzie was, in part, speaking of the Perry boys, Oliver and Matthew, Jr., sons of Commodore Matthew Calbraith Perry and Mackenzie’s sister. Their presence on the fateful voyage ensured the rapt attention of the elder Perry and his ongoing investment in the outcome of the subsequent court-martial.

Mackenzie was a prominent naval officer in his own right, having written numerous biographies of figures including Oliver Hazard Perry, John Paul Jones, and Stephen Decatur. He was born in 1803 in New York City to a well-connected family. His older brothers later became prominent figures in Louisiana politics (one being a U.S. senator and the other chief justice of the Louisiana Supreme Court). Mackenzie joined the navy as a midshipman in 1815. He was promoted to lieutenant in 1825 and commander in 1841. During his early years in the navy he served under Oliver Hazard Perry, whom he thought of as a mentor. By the time of the *Somers* Affair he had almost thirty years of naval service and experience.

The *Somers* had set sail from the Brooklyn Navy Yard on 13 September. Although it was a midshipman training ship, on a training cruise, it was also tasked with delivering some documents to the USS *Vandalia*, last known to be off the coast of Africa. The *Somers* sailed across the Atlantic checking in at Tenerife and Porto Praya, to look for the *Vandalia*, before finally arriving at Cape Palmas, Liberia. There they discovered that the *Vandalia* had been in port but had already left for the United States. On 11 November the *Somers* began its voyage back. It was somewhere in the middle of the Atlantic on this return voyage that Spencer approached Wales on the boom.

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<sup>5</sup> Commander Alexander Slidell Mackenzie, “Official Report to the Secretary of the Navy,” 19 December 1842, (read at the Court of Inquiry), in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, NJ: Prentice-Hall, 1959); See also, *Proceedings of the Naval Court-Martial in the Case of Alexander Slidell Mackenzie (1844): a Facsimile Reproduction with an Introduction by Hugh Egan* (Delmar, NY: Scholars’ Facsimiles & Reprints, 1992) (Commentary by James Fenimore Cooper).

Spencer had misread his man. Wales feigned acquiescence, but when Spencer left, he immediately told the Purser, who in turn told First Lieutenant Guert Gansevoort. The next morning, Gansevoort told Commander Mackenzie, who was initially unconvinced and surprised to hear of Spencer's collusions. He wrote, "I endeavored to review the conduct of Mr. Spencer throughout the cruise. 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."<sup>6</sup> He ordered Gansevoort to keep a close watch, and Gansevoort spent the rest of the day following Spencer around the ship. He observed Spencer speaking in hushed tones to a number of the men and saw him asking questions on the quarterdeck regarding navigation. Gansevoort reported this back to Mackenzie, and that evening Mackenzie arrested Spencer and put him under watch. Mackenzie said, "I learn, Mr. Spencer, that you aspire to the command of the *Somers*." Spencer denied any intention of mutiny and said that it was just a joke. But a search of his locker uncovered a document handwritten in Greek that, when translated, revealed a list of names with the headers, "Certain," "Doubtful," and, "To be kept nolens volens."<sup>7</sup> At this point tension on board was high, and Mackenzie and the other officers were wary due to the possible presence of other conspirators.

The next day, the main royal mast was "carried away" after seaman Elisha Small applied too much pressure. While this was not uncommon, Mackenzie believed that those named in Spencer's documents were conferring together at the maintop masthead. Mackenzie had boatswain's mate Samuel Cromwell arrested, and Cromwell then in turn implicated Small. The same night, amidst suspicion and confusion, there was a rush aft of some men and Gansevoort, in

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<sup>6</sup> Commander Alexander Slidell Mackenzie, "Official Report to the Secretary of the Navy," 19 December 1842, (read at the Court of Inquiry) in Hayford, *The Somers Mutiny Affair*.

<sup>7</sup> A Latin phrase meaning, "whether a person wants or likes something or not."

fear of an uprising, pointed his pistol at them. The men dispersed and it was unclear whether they were in fact attempting to mutiny.

On 28 November Henry Waltham, the wardroom steward, was flogged for stealing brandy and supplying it to Spencer. This prompted Mackenzie to speak to the crew about the need to maintain discipline, though it apparently had little effect. He believed that members of the crew were gathering in small groups on the deck and “conversing in low tones”<sup>8</sup> about the plot. Some incidents followed which showed a lack of discipline, including that some of the men on Spencer’s list missed their muster.

Five days after Spencer’s arrest, on 1 December 1842, after a quick shipboard inquiry arranged by Gansvoort, the officers onboard the *Somers* voted to hang Spencer, Small, and Cromwell for fear that they were still causing unrest among the men, and that the threat of mutiny was still present. Soon after the three men were hanged from the yardarm of the *Somers* as the ship sailed between the coast of Africa and St. Thomas. Eight other men had been arrested in the meantime and were kept in chains until the ship reached New York. However, none of those eight were ever tried for mutiny.

On 14 December 1842 the *Somers* docked in the New York Navy Yard. Unlike the usual hubbub surrounding a returned ship, no one was allowed off the ship. Mackenzie sent the young Oliver Perry with a message to Matthew Calbraith Perry, who was at that time the commandant of the New York Naval Yard. The news soon spread within the Navy and the public.

Initially, Mackenzie faced a court of inquiry followed by a well-publicized court-martial.

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<sup>8</sup> See, Commander Alexander Slidell Mackenzie, “Official Report to the Secretary of the Navy,” 19 December 1842, (read at the Court of Inquiry) in Hayford, *The Somers Mutiny Affair*.

On 28 December 1842 the naval court of inquiry convened. It lasted one month and found no misconduct on the part of Mackenzie. On 1 February 1843 a naval court-martial was convened aboard USS *North Carolina* in the New York Naval Yard. Mackenzie claimed that he requested the court-martial in order to clear his name, but he stood accused of murder, oppression, and conduct unbecoming an officer under the Articles of War.

The information provided by the testimony at the court martial indicated that Philip Spencer had fostered an inappropriately close relationship with the enlisted sailors and had made preparations for a mutiny to take the *Somers* and turn her into a pirate ship. Mackenzie stated in his testimony that he believed that the three men had recruited others to join them and that the ship was in continuing danger which required quick action. On 28 March, a jury of twelve officers found Alexander Mackenzie not guilty of all charges. The result was technically a recommended finding for review by the Secretary of the Navy, Abel P. Upshur, who, believing that the court-martial had been fair, brought the recommendation to President John Tyler. Unfortunately, the elder Spencer was in the room when the recommendation was given, and a verbal and physical fight broke out between Spencer and Upshur, which had to be stopped by the president.<sup>9</sup> Tyler upheld the court-martial verdict but found Mackenzie unfit for command at sea.<sup>10</sup> Mackenzie remained a naval officer, but died only five years later, in 1848.

The details of this remarkable episode in American naval history are recounted in a number of popular and academic texts, but it is nevertheless worth revisiting the *Somers* Affair to examine broader questions about both naval officer selection and professionalization more generally. Whether he was in fact guilty of mutiny, Spencer was clearly unfit to be a naval officer,

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<sup>9</sup> Buckner F. Melton, *A Hanging Offense: the Strange Affair of the Warship Somers* (New York: Free Press, 2003), 243-244.

<sup>10</sup> William Leeman, *The Long Road to Annapolis: The Founding of the Naval Academy and the Emerging American Republic* (Chapel Hill: The University of North Carolina Press, 2010.)

yet his position as the son of the secretary of war held importance to Navy leadership. What characteristics, then, did the U.S. Navy value in its officers? What was the best way for the Navy to identify the kinds of candidates it wanted? And what was the best environment to prepare future officers for command? These are enduring questions, relevant not only to the U.S. Navy's predecessors in the age of sail but also to the institution today. This essay uses the *Somers* Affair as a starting point for examining these questions in a new light. In doing so, it engages with the historiography of the founding of the U.S. Naval Academy in 1845, and it examines more fully than any previous study the role of public opinion in shaping naval policy.

## **II. Historiography**

This paper draws on primary documents, including letters, newspaper articles, and diary entries, which discuss the contemporary views of the events occurring on the *Somers*, the founding of the Naval Academy, and other important issues of the time. It also integrates contemporary legal documents, including the records of Alexander Slidell Mackenzie's court of inquiry and court-martial. It also draws on secondary sources from the late nineteenth century to today, and analyzes the connections drawn by some scholars between the *Somers* Affair and later naval reforms. Many of these secondary sources cite the founding of the Naval Academy as a direct and causal reaction to the *Somers* Affair, and others mention it in reference to the more general evolution of a professional naval officer corps and other naval reforms. In *A Hanging Offense: The Strange Affair of the Warship Somers*, Buckner F. Melton, Jr. provides a comprehensive version of the events of the *Somers* in a mostly narrative form. Melton's last chapter briefly touches upon the enduring legacy of the *Somers*, and claims: "The United States Naval Academy was at last a reality, helped on its way by Philip Spencer's appointment, his schemes, and his

hanging.”<sup>11</sup> In *A Society of Gentlemen: Midshipmen at the U.S. Naval Academy 1845–1861*, Mark C. Hunter begins his history of the Academy with the bold statement: “Undoubtedly the *Somers* mutiny—in which a young midshipman, Philip Spencer, son of the Secretary of War, was executed—pressured the government to consider a safer way to indoctrinate new young officers into the demands of their profession.”<sup>12</sup> Leonard F. Guttridge’s *Mutiny: A History of Naval Insurrection* notes, “That a major result of the *Somers Affair* was the founding of the United States Naval Academy adds perhaps a crowning irony, for such an institution had long been contemplated, with Mackenzie one of its earliest and most earnest advocates.”<sup>13</sup> Even the Naval Academy itself includes the *Somers* Affair as an integral element of its history. The Naval Academy Museum has a model of the ship and a sword from the *Somers* in a section on its founding, and the Museum Director, Dr. Claude Berube, cites the attempted mutiny as a major driver in the founding of the Academy in a video and podcast.<sup>14</sup>

However, William Leeman draws a different kind of correlation between the *Somers* Affair and the founding of the Academy in his book, *The Long Road to Annapolis*. He states, “To those Americans who regarded Mackenzie as a hero, Spencer represented everything that was wrong with the navy’s traditional method of officer development. Midshipman Spencer clearly demonstrated that the navy lacked an effective system of identifying and eliminating those young men who were unfit to serve as officers. To the people who viewed Mackenzie as a merciless tyrant who had executed three innocent men without cause, the navy had to provide a new

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<sup>11</sup> Melton, *A Hanging Offense*, 255.

<sup>12</sup> Mark C. Hunter, *A Society of Gentlemen: Midshipmen at the U.S. Naval Academy, 1845-1861* (Annapolis, MD: Naval Institute Press, 2010), 14.

<sup>13</sup> Leonard F. Guttridge, *Mutiny: A History of Naval Insurrection* (New York: Berkley Books, 2002), 116.

<sup>14</sup> “100 Objects: A History of the Navy, Object 78: Sword from the *Somers* Mutiny,” Image, United States Naval Academy, accessed on May 1, 2022, <https://www.usna.edu/100Objects/Objects/object-78.php>, accessed on 8 May 2022; See also, *The Somers Mutiny and the Establishment of the Naval Academy*, Podcast, United States Naval Academy, accessed on May 1, 2022, <https://naval-history-lyceum.simplecast.com/episodes/the-somers-mutiny-and-the-establishment-of-the-naval-academy-KQes3P>.

learning environment for midshipmen because they should not learn their profession under the command of petty martinets who ignored the rule of law.”<sup>15</sup> While Leeman avoids making any direct causal connections, he sees the two sides of the *Somers* debate as illustrative of the larger societal debate in the United States at the time. He goes on to argue that this greater reform debate would ultimately lead to the founding of the Academy.

Interestingly, Leeman is more explicit in the dissertation on which his book was based. In it, he says that although the theories which see a direct causal link between the *Somers* Affair and the establishment of the Naval Academy “are plausible, the argument that there was a direct causal relationship between the *Somers Affair* and the establishment of the U.S. Naval Academy seems exaggerated.”<sup>16</sup> Leeman notes three reasons why a causal link rings false: (A) Congress failed to pass the naval academy bill of 1842; (B) the early Naval Academy histories do not mention the *Somers* Affair; and (C) given the three-year gap between the *Somers Affair* and the founding of the Naval School, the public had likely lost interest. Instead, Leeman argues that the *Somers Affair* demonstrated the need for a formalized education system for navy midshipmen but did not cause its creation.<sup>17</sup> In other words, the importance of the *Somers* Affair was not that it alone inspired great reforms but rather that it serves as the archetype at the center of a great debate of the time regarding how to fix the Navy’s professionalization problem.

This essay uses Leeman’s arguments as its organizing principles. It argues in supplement to Leeman’s three prongs:

A. Although Congress did not authorize the Naval Academy in 1842, and therefore was not immediately influenced by the *Somers* Affair, the more important point is that the work of

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<sup>15</sup> Leeman, *The Long Road to Annapolis*, 186

<sup>16</sup> William Leeman, “The Long Road to Annapolis: The Naval Academy Debate and Emerging Nationalism in the United States 1775-1845” (PhD Diss., Boston University, 2006), 386-387.

<sup>17</sup> *Ibid.*

founding the Naval School was done within the Department of the Navy and through the efforts of George Bancroft as secretary. Congress only became involved after the Academy was established and expanding. Therefore, a better question is whether George Bancroft and the Navy Department were influenced by the *Somers* Affair.

B. Leeman is right to place the *Somers* Affair in a broader conversation about naval reform. There is no “smoking gun” in the contemporary documents that directly related the *Somers* Affair to the founding of the Naval School and Academy. These causal links appear to have been manufactured by more recent historians.

C. Yet we cannot ignore the *Somers* Affair entirely, either. Multiple influential writers and thinkers of the time, many of whom had been directly connected to the *Somers* Affair, used it to advance agendas about naval reform.

### **III. The Founding of the Naval Academy and the Formalization of Naval Training**

Well before 1845, when the Naval Academy was founded, efforts were underway to improve the training and professional conduct of naval officers. The cruise of the *Somers* itself was one of these efforts. It was an experimental training ship meant to foster the newly-created apprenticeship program, dreamed up by Matthew Calbraith Perry and Alexander Slidell Mackenzie.<sup>18</sup>

For the first seventy years of the U.S. Navy’s existence, midshipmen were educated by an ad-hoc combination of shore-based academies and officers on board ships in commission at sea. The shore academies included the Norfolk Naval School and the Philadelphia Naval Asylum School, which generally focused on sciences and math. Up to about 1815, most agreed that the

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<sup>18</sup> Samuel Eliot Morison, *“Old Bruin”: Commodore Matthew C. Perry, 1794-1858* (Boston: Little, Brown, 1967), 144-145.

best place for a naval officer to learn his profession was at sea on a large warship alongside experienced officers. This was especially true during times of war, when opportunities abounded for young men to gain a wide range of experience and knowledge.<sup>19</sup> As Christopher McKee has written, the hope was that these young men would learn “obedience to orders and attention to duty,” as well as, “activity, industriousness, zeal, and ambition.”<sup>20</sup> While training emphasized much of the practical knowledge necessary for the running of the ship, “[a]n ingrained habit of obedience was the cement that held the social order of the ship together under whatever strains—battle, deprivation, disease, life-threatening storm—might be placed upon it.”<sup>21</sup> It was hoped that the correct indoctrination and inculcation of habits at this early stage in the officer’s career, along with consistent mentorship, would eventually create the next generation of great senior officers and naval heroes. To that end early naval officers considered specific qualities or characteristics in senior and commanding officers to be important: Merciful, empathetic, humble, clean, neat, friendly, and free from vice.<sup>22</sup>

Whether midshipmen learned anything beyond on-the-job training depended largely on the type of ship they were assigned to and the inclination of the ship’s commanding officer. Larger frigates were provided a chaplain who could educate the young men, and smaller frigates could enroll a schoolmaster if the ship’s captain was inclined to seek one out. Smaller vessels had no educator on board and no formal classroom instruction. Even where shipboard classroom education was available, it competed for the time and attention of the young midshipmen with their other shipboard duties and apprentice-style professional education.<sup>23</sup>

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<sup>19</sup> Christopher McKee, *A Gentlemanly and Honorable Profession: The Creation of the U.S. Naval Officer Corps, 1794-1815* (Annapolis, MD: Naval Institute Press, 1991), 155-156.

<sup>20</sup> Ibid.

<sup>21</sup> McKee, *A Gentlemanly and Honorable Profession*, 167-168.

<sup>22</sup> Ibid.

<sup>23</sup> McKee, *A Gentlemanly and Honorable Profession*, 201.

Midshipmen during this period were selected primarily from the upper and middle classes, and those whose families were wealthy or powerful enough to secure them a position on a ship. While in some cases references were requested to ensure that the potential midshipman had appropriate characteristics, often these references were more about the familial connections of the young man and not about his own personal dispositions.<sup>24</sup> In the case of Philip Spencer, no such references were required due to the high position of his father as secretary of war.<sup>25</sup> However, Philip Spencer was by no means the first or only prodigal son to have been forced upon the Navy. One earlier example of this was William Burley, Jr., the son of a prominent Republican in the early nineteenth century. After multiple false starts at Harvard, where his conduct included breaking windows and doors, attempting to break into rooms, and generally causing disturbances, he was suspended and left the college permanently. Five years later, in 1813, he was appointed as a midshipman and assigned to the *Wasp*. Soon after reporting, though, Master Commandant Johnston Blakely reported that Burley was repeatedly drunk and neglectful of his duties. Although Commodore Isaac Hull attempted to argue on behalf of the young man, his bad behavior continued, and he was dismissed.<sup>26</sup> Spencer and Burley were not alone. As James Valle has written, "Nominations [for a commission] mostly came through congressional patronage, and often the wilder and less dutiful sons and nephews of politically prominent individuals were packed off to sea to keep them out of the public eye until discipline and maturity curbed their spirit."<sup>27</sup> From 1794 to February 1815, one out of every four officers who

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<sup>24</sup> See McKee, *A Gentlemanly and Honorable Profession*, 40-56, 104-107; Hunter, *A Society of Gentlemen*, 27-33.

<sup>25</sup> See Hayford, *The Somers Mutiny Affair*, Appendix, 217.

<sup>26</sup> McKee, *A Gentlemanly and Honorable Profession*, 459, 460.

<sup>27</sup> James E. Valle, *Rocks & Shoals: Naval Discipline in the Age of Fighting Sail* (Annapolis, Md: Naval Institute Press, 1996), 90.

left the Navy were dismissed or involuntarily resigned. More than half of those who were dismissed were midshipmen.<sup>28</sup>

It seems that because of this dependence on status as an indicator of character in the selection process, the professional characteristics of junior naval officers in this period were often questionable. Captain Hugh George Campbell, upon arriving at the Southern Station at Charleston to take command noted, "The conduct and appearance of our young officers generally that I have seen to the southward of Norfolk call loud for correction...and I may add the want of common manners and decency in some of them."<sup>29</sup> Captain Samuel Barron, commander of the frigate *Philadelphia*, wrote, "I have great cause to complain of the conduct of the midshipmen of this ship (with some exceptions). They are young men totally regardless of any order they receive and pay no kind attention to their duty, answer no purpose on board but to create noise and confusion, and set an ill example to the people, who I'm loath to punish for conduct which officers use with impunity."<sup>30</sup> Drunkenness was a common complaint, as well as insubordinate behavior.

In the first half of the nineteenth century, dueling had also become a consistent and dangerous problem among the young officers and midshipmen of the navy. Officers of the time believed that it was necessary to settle all matters of honor using duels, and they were, for the most part, officially sanctioned. The *Niles Register* reported on 1 October 1825 that "two boys, attached to the *Constellation* frigate, amused themselves by shooting at one another...by which one of them was killed and the other has the pleasure to say that he has slain his brother."<sup>31</sup> After

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<sup>28</sup> McKee, *A Gentlemanly and Honorable Profession*, 461.

<sup>29</sup> Hugh G. Campbell to Paul Hamilton, 24 July 1809, 26 Mar. 1810, RG45, U.S. National Archives, Washington, D.C., as quoted in McKee, *A Gentlemanly and Honorable Profession*, 184.

<sup>30</sup> Samuel Barron to the Lieutenants of the *Philadelphia*, 28 July 1802, NY Historical Society, as quoted in McKee, *A Gentlemanly and Honorable Profession*, 186.

<sup>31</sup> Leland Lovette, *School of the Sea: The Annapolis Tradition in American Life* (New York: Frederick A. Stokes Co., 1941), 35-36.

1840 this practice became less common, with officers instead resorting to bringing charges against those who had wronged them in many cases.<sup>32</sup> In 1857 dueling became an offense punishable by court-martial, and thereafter largely fell out of favor.<sup>33</sup> While dueling played no part in the *Somers* Affair, its prevalence in the period leading up to 1842 is a telling indicator of the issues faced by senior officers and navy leadership in managing a group of potentially passionate, and sometimes violent, young men appointed as midshipmen.

By the time Spencer, Cromwell, and Small were hanged, a great deal of ink had already been spilled over the subject of whether and how to create a naval school like the Army's school at West Point. More generally the question had been posed how best to reform naval officer education to improve the quality and character of naval officers. Secretary Samuel L. Southard, serving from September 1823 to March 1829, was one of the first secretaries of the navy to attempt to institute a naval academy among other naval reforms.<sup>34</sup> With his influence, in 1825, President John Quincy Adams had urged Congress to establish a naval academy "for the formation of scientific and accomplished officers," but to no avail.<sup>35</sup> In Secretary Abel Upshur's December 1842 statement to Congress, only a few weeks before the *Somers* returned from its voyage, and news of the unfortunate events was known, he noted that while naval reforms would prevent undesirable candidates from admission to the navy, it would also have a positive impact on officers and leadership at every level. He stated that following training of an officer, "The watchful care of the Government over him should not stop here...By this time the boy will have attained a period of life when the character is generally well developed, and in some degree

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<sup>32</sup> Valle, *Rocks and Shoals*, 4.

<sup>33</sup> Valle, *Rocks and Shoals*, 89.

<sup>34</sup> Charles Oscar Paullin, *Paullin's History of Naval Administration, 1775-1911: a Collection of Articles from the U.S. Naval Institute Proceedings* (Annapolis: U.S. Naval Institute, 1968), 163.

<sup>35</sup> Thomas G. Ford, *Manuscript on the History of the United States Naval Academy* (unpublished), United States Naval Academy Library, accessed May 1, 2022, [https://www.usna.edu/Library/sca/man-findingaids/view.php?f=MS\\_448](https://www.usna.edu/Library/sca/man-findingaids/view.php?f=MS_448).

fixed; so that the country will have good reason to trust him in the higher grades of the service. A corps of officers, formed of such materials, would probably present few instances of misconduct or incapacity, and would reflect honor on the country, while rendering to it the most valuable services.”<sup>36</sup> He also noted that, “It is a notorious fact, that wayward and incorrigible boys, whom even parental authority cannot control, are often sent to the navy, as a mere school of discipline, or to save them from the reproach to which their conduct exposes them on shore. It is not often that skillful officers or valuable men are made out of such materials.”<sup>37</sup> Upshur’s comments were indeed timely, considering the news that was about to break. But they also show that Philip Spencer’s conduct and death were essentially an illustration of anxieties already held by those within, and at all levels of, the Navy.

Despite Upshur’s best efforts, he was unsuccessful in convincing Congress to fund an academy. Instead it was George Bancroft who ultimately found a path to creation of the Naval School. Bancroft, born October 3, 1800, in Worcester, Massachusetts, played a key part in many of these debates about naval reform. He graduated from Harvard and went on to study at the Georgia Augusta University in Gottingen. Before a career in public service, he founded a boys school named Round Hill at Northampton, Massachusetts (1823–31), which aimed to prepare young wealthy boys for admission to prestigious universities. He then began a career as a historian, endeavoring to write a large-scale *History of the United States*.<sup>38</sup>

He was appointed as secretary of the navy under President James K. Polk from March 1845 to September 1846, during which short time he successfully led the creation of the Naval School in Annapolis in 1845. West Point was a key model for the new school, and Bancroft

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<sup>36</sup> Abel P. Upshur, “Annual Report of the Secretary of the Navy,” December 1842, 27th Cong., 3rd Sess.

<sup>37</sup> Ibid.

<sup>38</sup> *Encyclopedia Britannica Online*, s.v. “George Bancroft,” <https://www.britannica.com/biography/George-Bancroft-American-historian>.

referred to it often in his discussions of how to reform naval officer education.<sup>39</sup> The military was not alone, however, in its focus on education. The common school movement, initiated by Horace Mann in the 1830's and 1840's, argued for the creation of free public elementary education for all children. During this time schools, colleges, and academies began to be formed as engineered environments for the creation of better, more moral, and more professional citizens.<sup>40</sup> Through the efforts of Bancroft, the Naval School was established without Congressional funding at a 10-acre Army post named Fort Severn in Annapolis, Maryland, on October 10, 1845, less than three years after the *Somers Affair*. In his annual report that year Bancroft stated in justifying his actions, "The ship is not friendly to study...The teachers on board of the receiving-ships gave little instruction, or none whatever."<sup>41</sup> George Bancroft even boasted, "As to the Naval School at Annapolis, I was its originator. It was my original conception, mine alone, and in every particular carried out by me."<sup>42</sup> Leeman cites this quote in the opening pages of his book, although he notes that it is not entirely accurate since the idea had certainly predated Bancroft.<sup>43</sup>

In 1850 the Naval School became the United States Naval Academy. Soon after, a new curriculum went into effect requiring midshipmen to study at the Academy for four years and to train aboard ships each summer. This served the purpose of both training the new recruits as well as allowing the Navy to weed out potential troublemakers.<sup>44</sup> Valle notes, "Before 1845, midshipmen were usually tried on charges of drunkenness, neglect of duty, cruelty and oppression, fighting, and disrespect; and the most common punishment was dismissal from the

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<sup>39</sup> Hunter, *A Society of Gentlemen*.

<sup>40</sup> Leeman, "The Long Road to Annapolis," (Phd Diss.), 404-406.

<sup>41</sup> George Bancroft, "Annual Report of the Secretary of the Navy," December 1, 1845, 29th Cong., 1st Sess.

<sup>42</sup> George Bancroft to S.A. Allibone, October 11, 1856, Bancroft Papers, Massachusetts Historical Society, Boston.

<sup>43</sup> Leeman, *The Long Road to Annapolis*, 1; and Leeman, "The Long Road to Annapolis," 2.

<sup>44</sup> Hunter, *A Society of Gentlemen*, 50.

service. After 1845, the Naval Academy at Annapolis began to function, and the frequency with which midshipmen's names appear in the judge advocate general's index of cases declines markedly."<sup>45</sup> And it did not go without public notice. Newspapers of the day were generally laudatory in their reaction to the new school, with the *National Intelligencer* writing, "We understand the object of Mr. Secretary Bancroft in removing the school from Philadelphia to Annapolis, to be: . . . 3d. To insure moral discipline and mental culture, by organizing and maturing an academy where the professors and students may be habitually kept together when on land, under the wholesome restraint of laws."<sup>46</sup>

Not only was the Academy successful at gaining obedience from its students, but it also appeared in some respects to ensure that only a high caliber of officer would make it to sea service. Charles Oscar Paullin, a prominent naval historian of the early twentieth century wrote in his *History of Naval Administration*, "One of the most beneficial services rendered by the present Naval Academy is its weeding out of the physically, mentally, and professionally unfit. In the Old Navy this was not done at all, or else done imperfectly."<sup>47</sup> He adds that before the Academy, "The most important factor in the selection of midshipmen was political and personal influence."<sup>48</sup>

This increased selectivity can be seen in many of the founding documents of the Academy. Henry Hayes Lockwood, a graduate of West Point, who later went on to a notable career as an Army brigadier general during the Civil War, was one of the first professors at the Naval School and Naval Academy, having started his teaching career at the school's antecedent, the Naval Asylum. In Lockwood's *Notes on the Founding of the Naval Academy* he discussed

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<sup>45</sup> Valle, *Rocks and Shoals*, 91.

<sup>46</sup> As quoted in, *Niles' National Register*, LXIV, 18 October 1845, 351.

<sup>47</sup> Paullin, *History of Naval Administration*, 194.

<sup>48</sup> *Ibid.*

the reasons why the Naval Academy founders developed the rules and regulations that they did.<sup>49</sup> In describing the processes for selection of midshipmen he stated, “I remember one point which I insisted upon, the value of which Has shown itself in the progress of time – this was the sifting process, so much required at that time, and which was strictly applied from the beginning of the school. Before this time, every dismissed cadet from the Military Academy – every third son whose father could do nothing else with him, every hopeless case for work life, was considered a proper candidate for the Navy.”<sup>50</sup> As did other Academy founders, he saw the Naval Academy as a means of limiting these unwanted elements from the ranks of Navy officers. His reference to “every third son whose father could do nothing else with him” almost perfectly describes Philip Spencer.

However, there is reason to doubt that this nepotism was entirely eliminated by the creation of the Naval Academy. The continued requirement for recommendations and references weighed heavily in favor of those with familial connections. William Penn McCann, a young Naval Academy student in 1848, confessed, “Most of the appointees are Congressman’s sons, or, if not, favorites of those in power, but the professors are the finest set of men I have seen or known, and with them, there is no partiality.”<sup>51</sup>

The desire to purge the naval officer community of bad elements is also seen in the actual regulations written for the first Naval School class, which were drafted by Commander Franklin Buchanan and approved by George Bancroft in 1846. Article 12 of those regulations stated, “As one of the objects of the Government in retaining ‘acting Midshipmen’ at the school previous to

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<sup>49</sup> Henry Hayes Lockwood, *Notes Concerning the Founding of the Naval Academy and His Early Years at the Naval School in Annapolis*, (unpublished) United States Naval Academy Nimitz Library Archives, accessed May 1, 2022, [https://usna.primo.exlibrisgroup.com/permalink/01USNA\\_INST/1dcrln8/alma991006447555206751](https://usna.primo.exlibrisgroup.com/permalink/01USNA_INST/1dcrln8/alma991006447555206751).

<sup>50</sup> Lockwood, *Notes Concerning the Founding of the Naval Academy*.

<sup>51</sup> Letter of William Penn McCann to his father, 1 Nov. 1848, Annapolis, Maryland, as quoted in Annie Marie Drew, ed., *Letter from Annapolis: Midshipmen Write from Home 1848-1969* (Annapolis, MD: Naval Institute Press, 1998), 8.

their being sent to sea is to ascertain whether their qualifications and deportment are calculated to reflect credit upon the Navy if retained in it.”<sup>52</sup> Whereas midshipmen had previously been sent to sea almost immediately in order to learn on the job, Bancroft and Buchanan clearly believed that the Naval School, and later Academy, were meant to intercept midshipmen before they went to sea, and ensure that only those who had appropriate knowledge and deportment would be sent on to a ship. For example, had Philip Spencer been sent first to the Naval School, it is possible that he would never have made it to a ship or been given the opportunity to attempt mutiny (assuming those were his true intentions).

#### **IV. Naval Reform**

It is easy to see why many recent historians have connected the *Somers* Affair to the founding of the Academy. Spencer manifested many of the problems in the officer corps that the Academy sought to address. Yet Leeman argues that in fact the two were distinct, that there was no direct connection between the *Somers* Affair and the Academy. As we have seen he provides three explanations for the lack of a connection.

The most persuasive is the lack of any mention of the *Somers* in early Naval Academy histories. Captain W.D. Puleston in his 1942 Naval Academy history, *Annapolis: Gangway to the Quarterdeck* states, “The mutiny of the *Somers* in 1842...is sometimes credited with hastening the establishment of the naval academy on the assumption that it revealed a deplorable morale among midshipmen and created a demand for a naval school ashore. This theory will not bear analysis. The naval school at Philadelphia had attracted the favorable attention of the Navy

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<sup>52</sup>United States Navy, “Plan and Regulations of the Naval School at Annapolis,” (Approved by George Bancroft), August 28, 1846, United States Naval Academy Nimitz Library Archives, [https://usna.primo.exlibrisgroup.com/permalink/01USNA\\_INST/1dcln8/alma991006447555306751](https://usna.primo.exlibrisgroup.com/permalink/01USNA_INST/1dcln8/alma991006447555306751).

and the Navy Department before the mutiny occurred.”<sup>53</sup> Even more telling, however, is the unpublished *History of the Naval Academy*, written between 1858 and 1908 by Thomas Ford, the Naval Academy assistant librarian from 1855 to 1866, which makes no mention of the incident even though it delves deeply into the motives and actions of Congress, George Bancroft, and other influential figures.<sup>54</sup>

Leeman also mentions specifically James Russell Soley’s *Historical Sketch of the United States Naval Academy*, published in 1876.<sup>55</sup> And indeed, there is no mention of the *Somers* Affair in its pages. The closest passing reference to the incident states, “Between 1842 and 1845 the subject of improved instruction for the Navy came constantly before the public, in the shape of bills introduced to Congress, petitions, reports of the Secretary of the Navy, and articles in the newspapers [here a footnote states: “See files of the *Madisonian*, the *Southern Literary Messenger*, and *Army and Navy Chronicle*, for these years.”] The existing system of schools at the navy-yards and on shipboard was the object of much unfavorable criticism.”<sup>56</sup> Though Spencer and Mackenzie were not mentioned by name, their unfortunate voyage was certainly noted throughout the newspapers that Soley cites. Still, no evidence of a causal connection is apparent.

Indeed, there is no “smoking gun” linking the *Somers* Affair to the founding of the Naval Academy directly. Soley’s allusion only adds to the sense that the importance of the *Somers* Affair lies not in its direct impact on the founding of the Academy, but instead in its allegorical value for the goals of naval reform. Taking a broader view of the naval reforms of the mid-

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<sup>53</sup> W.D. Puleston, *Annapolis: Gangway to the Quarterdeck* (New York: D. Appleton-Century Co., 1942), 46.

<sup>54</sup> Ford, *History of the United States Naval Academy*.

<sup>55</sup> James Russel Soley, *Historical Sketch of the United States Naval Academy* (Washington, D.C.: Government Printing Office, 1876).

<sup>56</sup> Soley, *Historical Sketch of the United States Naval Academy*, 36.

nineteenth century, it is easy to see the symbolic value that the *Somers* story held for reformers of all types. While some efforts were aimed directly at educating and professionalizing the Navy, others were directed at ameliorating the cruel and sometimes deadly conditions faced by the sailors.

Discipline in the early American navy was often harsh and rarely withheld. In the early American navy up to 1862, mutiny, desertion, and murder were the only crimes punishable by death. However, this death sentence generally would have to be imposed by a court-martial or higher authority. Out of fourteen cases where sailors were sentenced to death for mutiny, only seven executions were carried out, including the three of the *Somers*. Desertion had a higher rate of completed execution, with seven out of eight convicted and sentenced to death executed in this period. A contemporary case of mutiny was that of the USS *Ewing* in 1849. While anchored in San Francisco Bay, the ship's boat was returning some of the captain's guests to shore. On the return trip, Passed Midshipman William Gibson, who had command of the small boat, was thrown overboard by two of the men. The men escaped with the boat but were later found and court-martialed on a ship off the California coast. All five men involved were convicted and sentenced to hang. The squadron commodore, Thomas ap Catesby Jones, believing that discipline in his command was failing, decided to carry out the executions of two of the men. However, the law at the time required that death sentences executed within U.S. territories be reviewed by the president. Jones did not wait for a review and treated the remote California location as a foreign station, carrying out the two executions. Upon his return in 1850 Commodore Jones was court-martialed, among other many charges, for these illegal executions.<sup>57</sup>

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<sup>57</sup> Valle, *Rocks and Shoals*, 107-108.

Flogging or lashing was also a common form of punishment. In the period from 1846 to 1847 the Navy report that 5,936 floggings had been given. Flogging was considered the navy's "punishment of first resort."<sup>58</sup> In 1837, Alexander Slidell Mackenzie wrote to Captain Stephen Du Pont on the subject of disciplinary practices. Du Pont's advice was, "The discipline of the service has undergone & is still under a process of change—in some ways for the better—in others for the worse—The men are infinitely more subordinate than formerly—the officers less so—You will find it I think an easy matter to establish most thorough good conduct among the former with one twentieth the whipping heretofore used—Consistency—No favoritism—Great firmness & severity at times—enough to convince them that you can use the lash & that most soundly, but would infinitely prefer not being compelled to resort to it."<sup>59</sup>

Up to this time, there was a brewing debate regarding the cruelty of senior officers, both to the enlisted crew and junior officers. In June 1805, a seaman named Starbuck was flogged so brutally at the demand of an angry lieutenant, that it was thought to have contributed to his death four weeks later. When a well-intentioned midshipman named William Reed, Jr. attempted to right the wrong by writing to Commodore John Rodgers of the lieutenant's cruelty, he instead found himself charged, court-martialed, and dismissed from the Navy.<sup>60</sup>

A number of conflicts in the early republic, including the Quasi-War with France and the War of 1812, resulted in a group of "proud and egotistical young commodores pathologically pre-occupied with personal 'honor' and incapable of sacrificing private considerations for the good of the service."<sup>61</sup> These included such well-known figures as Isaac Hull, Charles Stewart,

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<sup>58</sup> Valle, *Rocks and Shoals*.

<sup>59</sup> Stephen Du Pont to Alexander Slidell Mackenzie, Louvoirs, 8 February 1837, Stephen F. Du Pont Papers, as quoted in Valle, *Rocks and Shoals*, 252

<sup>60</sup> McKee, *A Gentlemanly and Honorable Profession*, 435.

<sup>61</sup> Valle, *Rocks and Shoals*, 24.

and Thomas ap Catesby Jones. Despite reports of their misconduct and even calls for their resignations, many of these senior officers continued on in the Navy for up to thirty or forty years. Valle summarizes, “It was against these crusty old curmudgeons...that the reform-minded juniors struggled, many of them growing old themselves in the process.”<sup>62</sup> Yet it was often this same old guard who complained about the low moral quality of the new officers appointed to the Navy.

Ironically, Alexander Slidell Mackenzie, along with Matthew Calbraith Perry and Samuel F. Du Pont were chief among this group of naval reformers who sought to “curb the power of dictatorial superiors and retire the more obviously unfit.”<sup>63</sup> Despite the accusations levied against Mackenzie following the *Somers* Affair, he was one of the leading voices in the call to improve naval officer education and character. Another key naval reformer, Lieutenant Matthew Fontaine Maury bemoaned the different standards allowed for senior and juniors officers. “The laws of the Navy,” he wrote, “are kept in two vials—one of which is closely sealed, and seldom permitted to be opened—the other, large mouthed and convenient, ready at all times with its wrath to be emptied on the younger and therefore weaker & more frail members of the Corps.”<sup>64</sup>

As with Philip Spencer and the founding of the Naval Academy, it is debatable whether Mackenzie’s role in the *Somers* Affair can be tied to the abolition within the Navy of flogging in 1850 by act of Congress. Valle describes the lead up to the abolition as a great debate of the time: “By 1850, the movement to abolish flogging in the Navy had achieved the status of a *cause célèbre*, pitting congressional and humanitarian reformers against the officer corps and their allies in conservative political circles.”<sup>65</sup> Much like the subject of officer education and

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<sup>62</sup> Valle, *Rocks and Shoals*, 24.

<sup>63</sup> Valle, *Rocks and Shoals*, 26.

<sup>64</sup> *Southern Literary Messenger of 1841*, 13, as quoted in Paullin, *History of Naval Administration*, 191.

<sup>65</sup> Valle, *Rocks and Shoals*, 61.

professionalization, the question of limiting the power of officers to inflict punishments had garnered vehement advocates on both sides. Depictions like that in Melville's *White Jacket* (inspired in part by the *Somers* Affair) were particularly persuasive in convincing the public that flogging was a cruel and inadvisable practice. But a high-profile incident, like a senior officer executing three sailors without legal process, must also have contributed to the furor of the debate.

However, the abolition of flogging was never popular within the Navy, and the *Somers* Affair and other incidents did not seem to sway that opinion among naval officers. Even after the abolition of flogging, Navy leadership was hesitant to accept the change as a positive reform. Secretary William A. Graham's annual report for 1851 states in part, "The consequences of the change have been thus far detrimental to the service and it is apprehended will become more serious unless speedily remedied. When vessels arrive in port after a cruise, it is found impossible to keep the men on board until a proper muster, exercise at quarters, and inspection have taken place...and independently of numerous cases of delinquencies over-looked, or disposed of by discharge...there have been nearly one hundred trials of enlisted men by court-martial since the passage of the law in question."<sup>66</sup> The flogging debates of the time were simply another facet of the same discussions about naval officer professionalization that led to the founding of the Naval Academy. Both sought to answer concerns about "bad" naval officers. While one effort sought to improve the character and qualifications of the officers through education, the other sought to limit officer authority. Yet neither movement directly credits the *Somers* Affair for its successes even though both drew allegorical value from the *Somers* story. Anti-flogging reformers could point to the cruel despotism of commanding officers—like

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<sup>66</sup> William Graham, "Annual Report of the Secretary of the Navy," November 29, 1851, 32d Cong., 1st Sess.

Mackenzie—while naval education reformers could point to the poor characters and moral deficiencies of young officers—like Philip Spencer.

## V. Public Pressure

The third prong of Leeman's argument posits that the *Somers* Affair in 1842 was too attenuated from the founding of the Naval School in 1845 to have continued to impact the public sentiments of the time. While there was a great deal of publicity for the alleged mutiny and hangings at the time of the ship's return and for months after, it is true that as time wore on newspaper articles, letters and journal entries about the case decreased markedly. Yet even as the *Somers* Affair faded from public memory, the debates and discussions about naval reform that it engendered continued on, often echoing elements of the *Somers* story.

Popular opinions varied, both at the time and in the present day, as to what truly happened aboard the *Somers*, and whether the hangings were justified. Some believed that Mackenzie had jumped to unfounded conclusions and that his actions amounted to murder, or at the very least, a cowardly lapse of judgement. Others attested to the cruel conditions aboard the *Somers*, and the maltreatment of her crew. One compelling impetus for naval reform were the numerous popular novels written describing the horrible conditions for sailors, and their bad treatment at the hands of cruel and authoritarian officers. Richard Henry Dana in 1840, two years before the events of the *Somers* Affair, published *Two Years Before the Mast*, a memoir of his years on a merchant ship with vivid descriptions of the treatment of sailors.<sup>67</sup>

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<sup>67</sup> Richard Henry Dana, *Two Years Before the Mast: A Personal Narrative of Life at Sea* (Garden City, NY: Doubleday & Company, 1949).

After the *Somers* Affair, Herman Melville published his novel, *White Jacket*, in 1850, based in large part on his own experiences at sea.<sup>68</sup> But he also drew on a direct connection to the *Somers* because his cousin was First Lieutenant Gansvoort. The two men corresponded at length about what happened on the *Somers*. Although Gansvoort vehemently supported Mackenzie, Melville's account of a sailor's life in *White Jacket* indicates that he was not unsympathetic to the plight of a sailor serving under a tyrannical and cruel commander. Melville also later used these experiences as inspiration for his novella *Billy Budd*, which was unfinished when he died in 1891.<sup>69</sup> Melville believed that sailors should not have to give up their Constitutional rights and protections to join the Navy and saw the Articles of War, the military's main disciplinary code, as anti-republican.<sup>70</sup>

While Melville largely avoided direct reference to this opinion of the *Somers* in his writings, James Fenimore Cooper had no such qualms. Cooper wrote vehemently against Mackenzie and was one of the leading voices demanding that he be tried for murder. Some of Cooper's rancor stemmed from an earlier dispute with Mackenzie regarding Oliver Hazard Perry's role in the Battle of Lake Erie. The two men publicly argued for opposite views of the battle and the Cooper's vitriol was evident: "Mr. A.S. Mackenzie is a write of no authority in matter of fact. He has brought criminating charges against other that are not only untrue, but of which he had the clearest evidence of their own untruth."<sup>71</sup> Cooper's letters following the *Somers* Affair, only 3 years later, are an interesting window into one side of the public debate surrounding the incident. He said of Mackenzie's act of hanging the men, "The act was,

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<sup>68</sup> Herman Melville, *White Jacket or, The World in a Man-of-War* (New York: Harper & Brothers, 1855); See also Valle, *Rocks and Shoals*, 44

<sup>69</sup> Herman Melville, *Billy Budd and Other Stories*. (Baltimore: Penguin Books, 1970); See also Valle, *Rocks and Shoals*, 44.

<sup>70</sup> Valle, *Rocks and Shoals*, 44.

<sup>71</sup> Melton, *A Hanging Offense*, 52-53.

unquestionably, one of high moral courage, one of the basest cowardice, one of deep guilt, or one of lamentable deficiency of judgement.”<sup>72</sup> Cooper also wrote a book entitled, *The Cruise of the Somers: Illustrative of the Despotism of the Quarterdeck; and of the Unmanly Conduct of Commander Mackenzie*, in which he railed against Mackenzie.<sup>73</sup> The title alone gives some clue as to the tenor and content, but Cooper’s angry rhetoric was particularly insightful in its description of the relationship between officers and their crew: “A flagrant act of injustice and inhumanity, like that committed by Commander Mackenzie and his associates, cannot be done with impunity. The law may shield the perpetrators of it—naval courts-martial may color the transaction as best they can to the end that a brother officer shall not have his commission taken from him—but the voice of public opinion will, sooner or later, utter a verdict paramount to all these; and the leaven of distrust and jealousy between officers and crews will spread till great evil come.”<sup>74</sup> Cooper’s description of the rift between the elitist cruel officers, and their justifiably incensed crew, represents not just the view of the anti-Mackenzie contingent, but of the larger faction of Americans calling for naval disciplinary reforms, specifically those limiting the power of officers.

Cooper was not the only person at the time to launch a campaign against Mackenzie. It had not escaped anyone’s notice that Mackenzie had executed the son of one of the most prominent cabinet members of the day. One letter writer noted, “Our friend Spencer is stricken down—he wishes impartial but stern justice done in this matter—it is a case that will agitate the

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<sup>72</sup> James Fenimore Cooper, *Commentary to Proceedings of the Naval Court-Martial in the Case of Alexander Slidell Mackenzie (1844): a Facsimile Reproduction with an Introduction by Hugh Egan* (Delmar, N.Y: Scholars’ Facsimiles & Reprints, 1992).

<sup>73</sup> James Fenimore Cooper, *The Cruise of the Somers: Illustrative of the Despotism of the Quarter Deck and the Unmanly Conduct of Commander Mackenzie* (New York: J. Winchester, 1844).

<sup>74</sup> Cooper, *The Cruise of the Somers*, 1.

nation—and the *facts* will disclose a case unparalleled in the history of civilized nations.”<sup>75</sup> And John Spencer himself did not hesitate to join in the debate about Mackenzie, and whether his fears of Philip Spencer were just. Just sixteen days after the *Somers* pulled into New York, a letter appeared in the *Madisonian* signed anonymously by “S”. The letter stated, “If it shall appear to have been the mere romance of a heedless boy, amusing himself, it is true, in a dangerous manner, but still devoid of such murderous designs as are imputed, and if the execution of him and two seamen...should prove to have been the result of unmanly fear, or of a despotic temper, and wholly unnecessary at the time to repress or prevent a mutiny—if all this can appear, it cannot be doubted that the laws will be vindicated.”<sup>76</sup> The letter was later established to likely have been written by John Spencer.

However, as the results of the court-martial and court of inquiry attest, Mackenzie did have a significant number of supporters. One supporter stated, “It is indeed fortunate that on such a man as Slidell Mackenzie devolved the high responsibility of such a critical hour...Had young Spencer been put in irons and brought home to meet his trial, he would in all probability have escaped. We have had of late such melancholy evidence of the facility with which criminals having wealthy and influential friends can evade the hands of justice...that we can hardly suppose this abandoned young man would have received the just demerit of his crime.”<sup>77</sup>

A journal entry by Richard Henry Dana noted, “All the world is talking about the *Somers* mutiny and the execution of Spencer. The prevailing opinion (I have not met an exception) is

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<sup>75</sup> John Lorimer Graham, postmaster of NYC, to Silas M. Stilwell, US Marshal in NY, 24 December 1842, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J.: Prentice-Hall, 1959).

<sup>76</sup> Letter signed by “S” published in *The Madisonian*, 20 December 1842, thought to be written by John Spencer, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J.: Prentice-Hall, 1959).

<sup>77</sup> *New York Herald*, December 18, 1842, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J.: Prentice-Hall, 1959).

that Mackenzie will justify himself.”<sup>78</sup> And while Melville and Cooper seemed aligned with the Spencer camp, Dana struck up a friendship with Mackenzie and wrote to him letters of support. One included the following: “I wish that, while subjected to the varying and unsatisfactory exhibitions in New York, you could have refreshed your spirit with a little of the more wholesome public breath of our peninsular city. Of course your matter engrossed attention here as elsewhere, and I had peculiar opportunities for learning the state of opinion and feeling among all classes. To say that it was all one way would hardly give a correct notion. There were doubters, and a few, very few and insignificant opponents of your course, but against them there was a current of strong enthusiasm in your favor. Among the educated people in the professions, and in what we call in America the upper classes, you were...a hero, and not a hero of the sword, but the hero of a moral conflict.”<sup>79</sup>

Another well-known writer of the day, Henry Wadsworth Longfellow, also penned his support to Mackenzie: “The voice of all upright men—the common consent of all the good—is with you. Of course you have seen Sumner’s Article in the *North American*. I have not yet seen it, but I hear it spoken of by all as very able, and as putting your defense upon stronger and more unassailable grounds than even your own legal advisors did—You will see more and more, my dear Mackenzie, how strongly you are supported in this quarter for maintaining the right at any sacrifice.”<sup>80</sup> The article which Longfellow references was indeed a strong vote in support of Mackenzie, arguing that Mackenzie had made a legally justifiable decision in going through with the execution: “By the course of events, the commander was invested with a duty not unlike that

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<sup>78</sup> Journal of Richard Henry Dana, Jr., Boston, 29 December 1842, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J: Prentice-Hall, 1959).

<sup>79</sup> Richard H. Dana, Jr., to Mackenzie, Boston, 16 April 1843, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J: Prentice-Hall, 1959).

<sup>80</sup> Henry W. Longfellow, to A.S. Mackenzie, July 1843, in Harrison Hayford, *The Somers Mutiny Affair: A Book of Primary Source Materials* (Englewood Cliffs, N.J: Prentice-Hall, 1959).

of the dictator, to see that the ship received no detriment. The law, that lain on his shoulders the burden of these transcendent powers, required in this case...only their honest and conscientious exercise to the best of his abilities. In the flagrant proof of the existence of the mutiny, and the melancholy circumstances by which he was surrounded, he might read legibly, as in a warrant of the law, the customary formula of that instrument...and proceed without fear of the future, to the execution of a citizen.”<sup>81</sup> It is interesting that Sumner references Mackenzie’s conduct as one of a “dictator” in a laudatory tone. It was during this time period that senior officers like Mackenzie were often accused of being tyrannical and cruel in the treatment of their subordinates.

As Leeman indicates, with a three-year gap between the *Somers* Affair and the founding of the Naval School, it is difficult to determine what direct influences convinced George Bancroft of the importance of naval education reform. Although his correspondence and writings never mention the *Somers* by name, he was in contact with the literary and political minds of the time who were greatly affected by the incident. Among his papers at the Massachusetts Historical Society are letters from James Fenimore Cooper and Charles Sumner. Not only were Dana, Cooper, and Longfellow leading voices in the public debates of the time, they were also part of the same social sphere as Bancroft. Although a fictional portrayal, Christian Schussele’s 1864 painting, *Washington Irving and his Literary Friends at Sunnyside* at the National Portrait Gallery depicts, among others, Bancroft, Longfellow, and Cooper sitting together and conversing in Irving’s home, reinforcing the notion that Bancroft was influenced in some way by their thoughts and writings.

## VI. Conclusion

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<sup>81</sup> “Mutiny of the Somers,” unsigned review article [by Charles Sumner] in the *North American Review*, LVII (July, 1843), in Hayford, *The Somers Mutiny Affair*.

The great intrigue of the *Somers* Affair is how a well-respected, but otherwise ordinary, commander like Alexander Slidell Mackenzie could execute the Secretary of War's son and come out of the matter largely unscathed. Beyond convincing a majority of fellow senior naval officers who made up his court-martial panel that his fears and actions were justified, he was also able to build upon the plurality of public opinion – despite Cooper's best efforts – to justify his position. Mackenzie was able not only to survive the execution of a cabinet member's son, but to largely maintain his reputation and social standing through the end of his life.

The 1840s and 1850s were periods of great change in the U.S. Navy. The educational systems for officers and enlisted alike were drastically improved. A Naval Academy was founded, expanded, and institutionalized. Flogging on Navy ships was abolished, while other forms of discipline and punishment were developed. And the Navy, to some degree, came to terms with how to ensure a professional and knowledgeable force to man its ever-evolving fleet. The Naval Academy from this period forward became the center of the naval profession and inspired the creation of other naval professional institutions like the U.S. Naval Institute and the Naval War College.<sup>82</sup> The question remains, however, what caused these changes? Was there any single event or person who provoked them? Were congressmen, presidents, and Navy leadership swayed by any particular catastrophe or injustice? And in particular, what role did the *Somers* Affair play? Based on the evidence outlined above, the greatest motivator of reform was internal pressures within the Navy from individuals like George Bancroft. Yet, these men and their ideas were largely influenced by public sentiments and prevailing opinions of the day. Therefore, the importance of the *Somers* Affair was not that it alone inspired great reforms but rather that it serves as the archetype at the center of a great debate of the time regarding how to

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<sup>82</sup> Leeman, "The Long Road to Annapolis," (PhD Diss.), 490-491.

fix the Navy's professionalization problem. On the one hand Philip Spencer stood as the quintessential black sheep son, whose retention in the Navy resulted in a near-mutiny. On the other Alexander Slidell Mackenzie represented the tyrant-captain, inflicting fatal punishment without facing retribution. In all likelihood, neither of these archetypes was factually accurate. Yet, they played their part in the greater movement for naval reforms along both sides of the aisle.

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