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'NOTHING BUT A PACK OF BOYS'  
PREBLE'S BOYS AND THE CULTURE OF HONOR  
IN THE EARLY NAVAL OFFICER CORPS, 1798-1825

A thesis submitted in partial fulfillment of the  
Requirements for the degree of Bachelor of Arts with Honors in  
History from the College of William and Mary in Virginia,

by

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Accepted for: High Honors

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Williamsburg, VA  
May 2012



*To My Parents*

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## Introduction

The Revolutionary War granted the United States independence, but did not define the country's relationship with the rest of the world. In the years that followed, the US fought wars with the Barbary States of North Africa, France, and Britain in an attempt to secure the nation's rights as a free state. Because most of these conflicts were fought at sea, the nation was forced to recreate the Navy that it had eagerly disbanded after the Revolution.

In fairness, one could argue that the Continental Navy was best forgotten. With a few notable exceptions, its track record was abysmal; one historian described it as a "wasteful and humiliating fiasco."<sup>1</sup> But unlike its predecessor, the new US Navy was (presumably) a permanent, professional organization. Its officer corps joined the service in their youth, and usually remained in the Navy for their entire careers – where the previous navy had usually appointed officer ranks based on a candidate's experience in state navies, the merchant marine, or privateering.<sup>2</sup>

As the Navy was founded, so was its first generation of officers. These men entered the service as young adults in midshipman or lieutenant positions, and were the first large body of men who became captains after being trained within the Navy itself. In his book *Preble's Boys: Commodore Preble and the Birth of American Sea Power*, Fletcher Pratt explains that, early in their careers, many officers of this generation served under Commodore Edward Preble – the commander of the Mediterranean Squadron for much of the First Barbary War. These officers

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<sup>1</sup> Ian W. Toll, *Six Frigates: The Epic History of the Founding of the U.S. Navy* (New York: W.W. Norton & Company, 2006), 15. For more on the Continental Navy not being a significant part of the heritage of the US Navy, see Christopher McKee, "Edward Preble and the 'Boys': The Officer Corps of 1812 Revisited," in *Command Under Sail: Makers of the American Naval Tradition, 1775-1850*, ed. James C. Bradford (Annapolis, MD: United States Naval Institute, 1985), 73.

<sup>2</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), 40-53.

called themselves “Preble’s Boys” presumably after an occasion when the Commodore had complained that the officers assigned to his command were “Nothing but a pack of boys!”<sup>3</sup> After their service, many of these officers were highly successful in the later wars, and came to symbolize the Navy in the eyes of the public. This group of men includes many of the most famous naval officers to this day. Pratt’s main thesis is that Preble’s Boys learned their skills for success primarily from Commodore Preble, and that these skills caused them to emerge as the dominate members of the first generation of officers by achieving the vast majority of victories – particularly in the War of 1812.<sup>4</sup>

However, as naval historian Christopher McKee points out, Preble’s Boys happened to have seniority over many of their colleagues, so they held almost all of the ship commands in the later wars.<sup>5</sup> In other words, they achieved their ranks and victories for the same reason they served with Preble: their seniority. Furthermore, some of the officers in Pratt’s group had almost no direct association at all with Preble during a brief period under his command.<sup>6</sup> Consequently the idea of “Preble’s Boys” as a group of officers who defined the Navy because of their single common mentor is unrealistic. However, the generation of which this group was a part – which shared not a single mentor, but a common group of senior officer mentors, and whose members were promoted to their ranks, rather than appointed – did define the Navy. In this paper, the term “Preble’s Boys” will refer to the officers of this first true generation of US naval officers, who were typically senior lieutenants, masters commandant, or captains by the War of 1812 if

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<sup>3</sup> Fletcher Pratt, *Preble’s Boys: Commodore Preble and the Birth of American Sea Power* (New York: William Sloane Associates, 1950), 28, 39; McKee instead presents a quote in which Preble refers to them as “a parcel of children.” See McKee, “Edward Preble and the ‘Boys,’” 75.

<sup>4</sup> Pratt, *Preble’s Boys*, 399-401.

<sup>5</sup> McKee, “Edward Preble and the ‘Boys,’” 87.

<sup>6</sup> Pratt, *Preble’s Boys*, 401.

they stayed in the service.<sup>7</sup> They therefore had the possibility of receiving the command of a vessel in wartime, and developing a public reputation through victory in battle.<sup>8</sup>

This generation is important to examine because, as the first career professionals in the Navy, they had long terms of service in which – with the Navy Department – they contributed to the development of the service. As McKee explains, the element that most shaped the navy was its “skillful professional officer corps ... [which] was intimately connected with ... the civilian administration. Together the two must be considered the organism that was the professional Navy ... an institution with its own internal élan.”<sup>9</sup> A central aspect of the officer corps’ élan was its complex code of honor.

When the US Navy was founded in 1794, many Americans, including such prominent figures as Thomas Jefferson, cited among its primary purposes the defense of “National Honor.”<sup>10</sup> The public also expected its officers to be “honorable” and “gentlemanly” in the fashion of their European counterparts. In short, America’s expectations of “honor” converged in the new Navy – ancient concepts of gentleman soldiers and honorable feudal warriors met with new notions of “national honor” and public opinion.

Chapters one and two of this paper describe the early officer corps’ code of honor as it applied to the officers’ relations with their peers and the public. These officers’ personal legitimacy depended upon their reputation as honorable gentleman, which meant both adhering

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<sup>7</sup> For a list of officers of this generation who survived the War of 1812 to become senior officers in the Navy, see the Appendix.

<sup>8</sup> Experienced lieutenants sometimes commanded small ships. This was relatively rare, however, and for the rest of this paper, lieutenants will be treated as junior officers unless otherwise specified.

<sup>9</sup> McKee, *A Gentlemanly and Honorable Profession*, xi. Although much of the Navy Department was civilian, a “Board of Commissioners,” consisting of three senior Captains, was established in April 1815 to handle much of the administration. Even before 1815, the Secretary of the Navy gave considerable weight to the recommendations of senior officers, but after 1815, the policies of the Navy Department and the senior officers tended to be aligned. See Siegel, Jay M, *Origins of the Navy Judge Advocate General's Corps: A History of Legal Administration in the United States Navy, 1775 to 1967* (Washington, DC: U.S. Navy, Judge Advocate General's Corps: 1997), 58-59.

<sup>10</sup> Jefferson to Adams, July 11, 1786, in Lester J. Cappon ed., *The Adams-Jefferson Letters: The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams* (Chapel Hill, NC: The University of North Carolina Press, 1959), I:142-143.



to traditional values of personal honor and identifying with the “collective honor” of the nation and naval service. This ideology was especially influential among captains, because they were often public figures in the way that generals and admirals are today: There were no admirals, so the names of the captains showed up in newspapers during the wars. Consequently, as Preble’s Boys matured and received command of their own ships, many of them developed a public image that they were compelled to maintain – and facilitated quarrels with their peers over relatively minor issues.

Chapters three and four outline the resolution of major conflicts of honor and the responses of Preble’s Boys and the Navy Department. The most public and dramatic of these disputes were resolved with duels or military tribunals – two final resolutions to quarrels over issues of honor. The two practices differed dramatically: dueling was feudal in origin and was performed spontaneously by individuals, while tribunals were theoretically based on Enlightenment ideals and were sanctioned by the administration. Despite their differences, both institutions served key roles in the officer corps’ attempts to prove their individual or collective honor. Both processes were relatively public, and thus could validate an officer’s honor to his peers or countrymen, maintain the officer corps’ reputation in society, or establish institutional standards for honorable conduct by the officers. Furthermore, most of Preble’s Boys who had lifetime careers in the Navy were involved in some capacity in a duel or tribunal.<sup>11</sup> Duels and tribunals were therefore both a reflection and a source of the culture of honor in the early Navy.

In the period between 1820 and 1825, however, there was a shift in the role that honor played in the officer corps. A string of high-profile tribunals and a particularly devastating duel shook the public perception of the Navy. Naval historian David C. Skaggs explains that between the

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<sup>11</sup> David C. Skaggs, *Thomas Macdonough: Master of Command in the Early U.S. Navy* (Annapolis, MD: Naval Institute Press, 2003), 203. “Involvement” includes serving as a second in a duel, resolving a duel, or (most commonly) sitting on a tribunal.

War of 1812 and the peak of trials in 1825, “large numbers of the general public ... [were] appalled not only at the courts-martial but also at the petty quarrels that brought all too many officers to the dueling grounds.”<sup>12</sup> Most historians typically write off the conflict as a side effect of the competition between junior officers in the peacetime Navy.<sup>13</sup> Linda Maloney, A biographer of one of Preble’s Boys, describes the wave of discord by explaining that “in this climate, aggressions formerly expended on the national foe turned inward, and the navy seethed with quarrels between officers – with accusations, courts-martial, and duels – reaching a kind of crescendo of acrimony in 1825, and gradually declining thereafter”<sup>14</sup>

If the discord in the upper tiers of the officer corps between 1820 and 1825 was, in fact, just a function of the officer’s competition, one must ask the question of why it declined after 1825; the US Navy did not fight another major war until the Mexican-American War in 1846. While there is certainly truth to Maloney’s argument that peacetime competition enflamed the situation when the officers had no enemies to focus on, viewing the “crescendo of acrimony” as merely the product of the officers’ frustration and boredom ignores the mentality behind these often public conflicts. Instead, the friction was a reflection of the immense value that the officers placed on their status and reputations, which were products of personal honor. 1825 was the peak of this discord because it is the period when the behavior of Preble’s Boys and the Navy’s civilian administration shifted in regards to the role of personal honor in the Navy. After 1825, the service made a significant effort to subdue the culture of personal honor in order to better pursue the needs of the US Navy.

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<sup>12</sup> Skaggs, *Thomas Macdonough*, 184.

<sup>13</sup> William O. Stevens, *An Affair of Honor: The Biography of Commodore James Barron, U.S.N.* (Chesapeake, VA: Norfolk County Historical Society, 1969), xv.

<sup>14</sup> Linda M. Maloney, *The Captain from Connecticut: The Life and Naval Times of Isaac Hull* (Boston: Northeastern University Press, 1986), 292.

## Chapter I: Personal Honor

The notions of personal honor that governed the first generation of officers in the US Navy were not new. It is not difficult to imagine the concept of personal or familial honor existing in some form for millennia. The particular system of honor that came to dominate in America, however, has more recent roots. Historian William Oliver Stevens argues that this particular form of honor first coalesced around 1066 when William the Conqueror took the throne of England. Stevens argues that William first introduced the code of chivalry in order to promote peaceful relations between his knights, who were prone to frequent infighting.<sup>1</sup> The code of chivalry gradually spread throughout Europe as borders and rulers shifted, so that the continent and the colonies incorporated similar rules by the time of the French Revolution.<sup>2</sup>

In his *Treatise on Orders*, published in 1610, the French legal scholar Charles Loyseau describes the origins of the nobility in France as a product of medieval invasions, and he traces the French nobility back to the Frankish invasion of Gaul. As time went on, knights developed into a landed gentry class and the tradition of chivalry gradually evolved, but the core ideas remained the same. The landowning elites – now called the “gentility” because they did not till the land for their livelihood – distanced themselves from the peasants who worked their lands through privileges or “honors,” which they received based on their status as leaders.<sup>3</sup> The French political thinker the baron de Montesquieu, writing in 1748, presented one of the most globally influential descriptions of honor in his *The Spirit of the Laws*. Writing only a few decades before the founding of the Navy, he observed that “the nature of honor is to demand

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<sup>1</sup> William O. Stevens, *Pistols at Ten Paces: The Story of the Code of Honor in America* (Boston: The Riverside Press Cambridge, 1940), 2.

<sup>2</sup> James Bowman, *Honor: A History* (New York: Encounter Books, 2006), 73.

<sup>3</sup> Charles Loyseau, “A Treatise on Orders,” in *The Old Regime and the French Revolution*, ed. and trans. Keith Baker (Chicago: University of Chicago Press, 1987), 22-23.

preferences and distinctions, [and it] can oblige men to do ... the difficult actions ... which require force, with no reward other than the renown of these actions”<sup>4</sup> This same code of honor existed in the United States during and after the Revolutionary War, and played a tremendous role in governing the relationships in the first generation of officers to come up through the ranks of the US Navy.

### **A Gentleman’s Honor**

According to naval historian Christopher McKee, “of all the definitions of *gentleman*, the one that most closely approximates what the naval officer had in mind when he identified himself with the term is that which describes a man who does not engage in any menial occupation or in manual labor for gain, and who lives by a certain code of behavior thought appropriate to his exalted status”<sup>5</sup> By the time of the American and French Revolutions, this code of honor was based on several key principles, most of which were directly relevant to the early American naval officer corps. Personal integrity, the fraternal trust between gentlemen, bravery, and the importance of a gentleman’s reputation dominated the psyche of the naval officers. These principles defined a gentleman’s “character.”

Integrity had a slightly different meaning for American gentlemen in the early republic– and the officer corps in particular – than it does today. Honorable gentlemen had an essentially uncompromising obligation to keep their word. Consequently, when a man of honor pledged to fulfill a specific duty, he was bound to that duty. Captain Stephen Decatur was one of Preble’s Boys who achieved a level of renown nearly unparalleled by his contemporaries in the Navy after he launched a daring raid in the Barbary War to destroy the captured US ship *Philadelphia*.

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<sup>4</sup> Montesquieu, *The Spirit of the Laws*, Ch. 7.

<sup>5</sup> McKee, *A Gentlemanly and Honorable Profession*, 34.

Governed as he was by the laws of honor, when Decatur asked his future wife, Susan Wheeler, to marry him, he warned her that he had already sworn himself to his country, and that if ever broke that vow he would be unworthy of her. But if she would “accept second place in his devotion, it should be hers exclusively and forever.”<sup>6</sup> While Decatur’s proposal was not typical, the principle of integrity that it expressed was genuine, and was valued immensely by his fellow officers. According to the rule of integrity, deceit was also considered highly dishonorable.

Another important principle of the early naval officers was the notion that a kind of trust existed between all gentlemen. Closely related to integrity, this perceived fraternity of gentlemen existed simultaneously to national allegiance. The gentleman’s code of honor was considered to be universal throughout the western world; anyone claiming to be a gentleman was entitled to the respect that one would pay to any other gentlemen, and he would be expected to follow the same rules of decorum. The notion of a sacred trust was especially apparent between officers, perhaps because of the tradition of aristocratic officership that dominated Europe.

One example of the belief in this trust was the phenomenon of “ship-dueling.” This odd practice occurred primarily during the War of 1812, and was usually an attempt by the officers to break the stalemates between the US and Britain in America’s blockaded ports. The numerically superior British fleet was able to patrol much of the Atlantic seaboard, forcing many of the US Navy’s warships to remain in port under the protection of shore batteries. With little combat at all between the two sides, frustrated captains began issuing challenges to enemy ships of comparatively equal size requesting a fair fight. Relatively few of these “ship duels” actually occurred because of concerns among many captains that the ship-pairings were uneven, or because the encounters were forbidden by orders, but the fact that challenges were issued at all

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<sup>6</sup> Spencer Tucker, *Stephen Decatur: A Life Most Bold and Daring* (Annapolis, MD: Naval Institute Press, 2005), 86.

demonstrates an inherent trust that the challengers felt they shared with the honorable enemy officers.<sup>7</sup>

The most notable incident of ship-dueling in the War of 1812 was the battle between the *Shannon* and the *Chesapeake*. On May 31, 1813, Royal Navy Captain Philip Broke of the frigate *Shannon* issued a challenge to Captain James Lawrence of the US frigate *Chesapeake*. In his lengthy letter, he wrote:

I request you will do me the favor to meet the *Shannon* ... Ship to Ship, to try the fortune of our respective Flags.... I am therefore induced ... to assure you that what I write I pledge my honor to perform to the utmost of my power.... I will warn you ... should any of my Friends be too nigh ... or I would sail with you, under a truce Flag, to any place you think safest from our Cruisers, hauling it down when fair to begin Hostilities.... I entreat you, Sir, not to imagine that I am urged by mere personal vanity to the wish of meeting the *Chesapeake*, or that I depend only upon your personal ambition for your acceding to this Invitation: we have both nobler motives. You will feel it as a compliment if I say that the result of our meeting may be the most grateful Service I can render to my country; and I doubt not that you, [are] equally confident of success<sup>8</sup>

Broke's letter also included a detailed list of his ship's specifications, mentioned that he would have to leave the area soon to refill his water, and offered to keep the challenge a secret in case Lawrence had been ordered to refuse challenges. Lawrence never actually received Broke's challenge, however, because he sailed out of Boston on June 1 and, seeing the *Shannon* alone, determined to engage her. In the violent battle that ensued, Lawrence was killed and the *Chesapeake* was captured. But Broke's letter highlights the understanding that naval officers felt they shared with other officers – even their enemies. Naval historian Ian Toll explains that, “Broke and Lawrence were brother officers, more deeply beholden to one another than to the civilian statesmen they served”<sup>9</sup> This sense of fraternity was common among Preble's Boys, a

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<sup>7</sup> Toll, *Six Frigates*, 425.

<sup>8</sup> Broke to Lawrence, n.d., quoted in *Ibid.*, 406-415.

<sup>9</sup> Toll, *Six Frigates*, 408-409.

few of whom issued challenges of their own. At least Stephen Decatur and Lawrence (in a separate incident) are known to have issued challenges to British captains.<sup>10</sup>

Another core value associated with honor during the early Republic was bravery. The importance of bravery likely derives from the days of feudal chivalry, but was central to a gentleman's ability to maintain his integrity. Keeping one's word or obeying one's duty often placed people in difficult situations, so the true test of a gentleman was his bravery – his ability to stand up for his duties, to back up his opinion, or to defend his honor when it was called into question. This value was especially prized among members of the officer corps, whose duties caused them to risk their lives so frequently. An accusation of cowardice was one of the worst insults to an officer, and an officer who was considered a coward by his peers was often socially ostracized.<sup>11</sup> Conversely, an act of bravery was one of the most laudable displays of honor. In one such example, in a battle in March 1815 between the sloop-of-war (USS) *Hornet* and HMS *Penguin*, musket fire from American marines raked the British decks and caused the crew to flee, leaving only one lieutenant stubbornly holding his post on the ship's forecastle. The American officers were so impressed that they prevented their marines from shooting down "so brave a man."<sup>12</sup> The military's fixation on courage as the highest indicator of honor can still be seen today in the highest decoration awarded by the US government: the Congressional Medal of Honor. The medal was actually established in December 1861 "to promote the efficiency of the Navy."<sup>13</sup>

The importance of a gentleman's reputation was one of the defining characteristics of the system of honor. In the context of honor, reputation typically referred to "the esteem of one's

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<sup>10</sup> Ibid., 408, 425.

<sup>11</sup> Christopher McKee, "The Pathology of a Profession: Death in the United States Navy Officer Corps, 1797-1815," *War and Society* 3, no. 1 (January 1985), 10-11.

<sup>12</sup> Quoted in McKee, *A Gentlemanly and Honorable Profession*, 147.

<sup>13</sup> "History," Congressional Medal of Honor Society, 2012, <http://www.cmohs.org/medal-history.php>.

fellows,” and was earned through honorable behavior.<sup>14</sup> A gentleman’s reputation or “good name” therefore represented his honorable standing among fellow men of character, and insults or accusations that tarnished his reputation were the worst kind of attack. Unfounded accusations were seen by honorable men as one of the most base and villainous acts a “gentleman” could commit, and could even provoke duels.<sup>15</sup>

No one felt the importance of maintaining their honorable reputation as much as public figures. Historian Joanne Freeman notes that to politicians in the early republic, there was no greater threat than “disgrace in the public eye.”<sup>16</sup> As public figures, the officers placed the same, all-consuming emphasis on their reputations. On July 6 1822, an editorial in the *National Intelligencer* defended the character of Captain Isaac Hull<sup>17</sup> from accusations of corruption, claiming that “an organized attempt has been made to undermine the character of this man, and deprive him of that reputation which is to all men – but particularly to such men as Captain Hull, dearer than life.”<sup>18</sup> Hull’s colleague Captain Arthur Sinclair explained that sometimes, “life must be hazarded to save what’s far more valuable, [a man’s] reputation.”<sup>19</sup> The practice of dueling perhaps best represents gentlemen’s willingness to risk their lives to protect their reputation. Duels were the final recourse in disputes where a gentleman insulted the honor of another gentleman in some way. The two men would fight a duel (usually with pistols), and the participating parties demonstrated their courage—and therefore their honor – to their foes and their peers.

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<sup>14</sup> Mckee, “Pathology of a Profession,” 1.

<sup>15</sup> Maloney, *Captain from Connecticut*, 328. Since it was not easy to determine the truthfulness of an accusation, individuals would often defend their reputations by blaming rumors on deliberate plots to damage their good names.

<sup>16</sup> Joanne B. Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven, CT: Yale University Press, 2001), 5.

<sup>17</sup> Maloney, *Captain from Connecticut*, 186. Captain Hull was also famous for winning the first US naval victory of the War of 1812 when he defeated the British frigate *Guerriere* with the frigate *Constitution* on August 19, 1812.

<sup>18</sup> *National Intelligencer*, 6 July 1822, quoted in *Ibid.*, 340.

<sup>19</sup> Mckee, “Pathology of a Profession,” 12.



Because these officers were well-known throughout society, they desperately valued their standing not only among their peers (as a normal gentleman might) but in public opinion. Their renown came primarily from success in battle, so they frantically sought opportunities to fight battles to enhance their fame. Rather than pure vanity, the officers' thirst for glory was based in part on their desire to fulfill their sworn duties as officers, and was crucial to maintaining a reputation of gallantry. In the words of Christopher McKee, it is impossible to understand the early officer corps "unless this search for fame – that is, a laudable motivation to exert oneself to and beyond the limits of one's capability – is recognized as a primary element in the ethical air breathed by the naval officers."<sup>20</sup>

### **Personal Honor and the American Public**

The system of honor – with its focus on integrity, trust between gentlemen, bravery, and reputation – prevailed in Europe and the colonies until the latter half of the eighteenth century. Arguably the most radical notion that came from the French and American Revolutions was the rejection of a feudal-based system of honor. Surprisingly, however, American society's attachment to personal honor did not end with the revolution. Whereas the French Revolution (or at least the popular revolution beginning in 1792) had been "bottom up" in that it was governed by the demands of the poor and disenfranchised, the American Revolution had been led by elites. Not surprisingly, while the French were purging the gentry from their navy, the US Secretaries of the Navy were actively seeking out young men with "a high love of character,"

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<sup>20</sup> McKee, *A Gentlemanly and Honorable Profession*, 47. It should be noted that there were concrete benefits to being considered a "gentleman" (better access to credit, for example), but the officer's conduct demonstrated that they, like the public, typically viewed honor as an end in itself. This will be discussed later in detail.

“the honorable and manly feelings of a gentleman,” and “good education” to be the first generation midshipmen.<sup>21</sup>

Public officials were also expected to be honorable gentlemen (although it must be admitted that in some cases, the American people demonstrated very low standards in their elected officials). While it was not essential that these leaders had a celebrated lineage or vast fortune, they needed to be seen domestically and internationally as men with means enough to demonstrate their “dignity and Character.”<sup>22</sup> This concept should not seem alien: even today, the honorable character of candidates is still an important campaign issue in American elections.

As public officials themselves, the early naval officers – and captains in particular – were subject to the same expectations by American society and their peers. In times of war, this expectation was usually met. The public frequently rewarded the officers’ honorable behavior with praise in the form of parades, dinners, awards, and toasts, and their exploits were recounted in songs, poems, literature, and newspapers. Stephen Decatur – the most revered for his bravery – received more than his share of these tributes. His valor was recounted in a drinking song attributed to J.R. Calvert, which memorializes the victory of the frigate *United States* over HMS *Macedonian* in the War of 1812:

Dame Amphitrite flew to the Archives above,  
To see the great mandate of Neptune recorded,  
When tracing the Records of Lybian Jove,  
To find where renown to brave deeds was awarded;  
    There Washington’s name,  
    Recorded by Fame,  
Resplendent as light, to her view quickly came!  
In rapture she cries, “Here Decatur I’ll place,

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<sup>21</sup> Ibid., 43-46. It should be noted that although the aristocrats were purged from the French Navy (and later society as a whole), many of the non-noble elite still considered themselves to be “gentlemen.” Again, the term gentlemen typically encompasses men who do not perform manual labor for profit, so merchants, bankers, lawyers, doctors, bureaucrats, and many other groups could be gentlemen without being aristocrats.

<sup>22</sup> Freeman, *Affairs of Honor*, 40.

On the page which the deeds of brave Washington grace!<sup>23</sup>

Poems such as these demonstrate that many Americans were watching the Navy with interest.

Unfortunately, the naval officers were not always able to meet the honorable expectations of the public. In 1822, while serving as commander of the Boston Navy Yard, officers working with Captain Hull circulated rumors in Boston that he was involved in a ring of corruption at the yard. His attackers also brought up an old and unfounded rumor that in 1811, he had charged passage fees to carry American citizens across the British Channel in *Constitution*. In the public outcry that followed, he was attacked in several newspapers,<sup>24</sup> and a group of Harvard students even demonstrated and toasted “the venerable father of the American Navy [George Washington] – in whose time there were no ... guineas paid for passage money.”<sup>25</sup> The community’s vocal disapproval of Hull when they believed him to be dishonorable demonstrates how important an officer’s character was to his legitimacy as a public figure.

### **The Highest Value of the Officer Corps**

Besides an officer’s public reputation, his other major source of legitimacy was the opinion of his peers. To understand the value of personal honor to the corps, it is necessary to understand that, in the eyes of the officers, being a gentleman was literally inherent in officership. Logically, then, ungentlemanly conduct severely damaged an officer’s legitimacy – especially in the eyes of his peers. This outlook went without saying in the early Navy, because it was a perspective rather than a fact. The concept is implicitly stated in almost all documents that discuss officer’s conflicts and discipline problems, qualifications to lead, or even their

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<sup>23</sup> Charles L. Lewis, *The Romantic Decatur* (London: Humphrey Milford Oxford University Press, 1937), 241-248. Similar poems and songs praised the bravery of other naval heroes such as Charles Stewart, William Bainbridge, Isaac Hull, James Lawrence, David Porter, and Thomas Macdonough.

<sup>24</sup> Maloney, *Captain from Connecticut*, 338-345.

<sup>25</sup> *Ibid.*, 344. The 1822 Boston Navy Yard scandal will be discussed in detail in the chapter on tribunals.

perceptions of foreign officers. In a statement that could easily have been written about the Navy officer corps, Freeman writes that political figures during this period “were men of public duty and private ambition who identified so closely with their public roles that they often could not distinguish between their identity as a gentleman and their status as political leaders.”<sup>26</sup> Since these two personas were fused for officers, members evaluated each other in terms of honor. And because each individual drew his self-worth from his reputation, these judgments often became problematic.

Younger officers – who recognized that their legitimacy came from their claim to personal honor, but who were usually too young to have serious matters of honor to dispute – found excuses to challenge the character of their peers for sometimes ridiculous reasons. In one incident in 1813, Midshipman Phillips of the *Constellation* posted a notice in a tavern in Norfolk: “I Hereby certify that William L Rodgers [*sic*] ... is destitute of truth, honour, and Courage.” Rogers countered this with a flyer challenging him to a duel, and stating that:

A duty which honor imposes, & Justice Sanctions, compels me to give publicity to the following Notice.  
Having publicly Charged Me as devoid of truth & honor.... [I] have No other Alternative but to publish [Mr. Phillips] to the world as A Liar & a Coward. His having ungenerously held me up to public view without Advertising Me of his intention, discovers a heart, devoid of every principle which Constitutes the Gentleman [and] Man of honour.”<sup>27</sup>

Their captain was Charles Stewart, a friend of Decatur’s and another hero of the War of 1812. Stewart prevented the duel from occurring; the issue that apparently began the exchange was that Phillips had placed some of Rogers’ laundry on a greasy table. Especially in peacetime, disputes between the officers became so frequent that six lieutenants – including James Lawrence and Oliver H Perry – petitioned the Secretary of the Navy for the formation of a “court

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<sup>26</sup> Freeman, *Affairs of Honor*, 168.

<sup>27</sup> Mckee, *A Gentlemanly and Honorable Profession*, 188-189.

of honor,” to resolve these conflicts peacefully.<sup>28</sup> For unknown reasons, such a court was never formed.

This same emphasis on personal honor as a central component to being a good officer can be seen in the way Preble’s Boys educated, disciplined, and evaluated their junior officers. Many captains, for example, frequently invited the young officers to dine in their cabins during cruises, where they taught them “the proper decorum of gentlemen officers.”<sup>29</sup> Captain Thomas Macdonough<sup>30</sup> forced one of his midshipman to resign during a cruise in the Mediterranean in winter 1818-1819 for cheating at cards, which Macdonough considered “ungentlemanly and unofficerlike conduct.”<sup>31</sup> Additionally, efficiency reports that commanders made of their subordinates would describe an officer in such terms as “a gentlemanly officer of sober habits” or “the very soul of chivalry, generous, high-minded, gallant, and heroic.”<sup>32</sup>

## **Deference and Class**

In contrast to much of the culture and government of the new republic, Congress and the Navy Department did not make any serious efforts to change the Navy from a fundamentally feudal organization to one based on more democratic principles until more than half a century after its founding. In the meantime, it retained the British – and international – maritime tradition of hierarchy based largely on personal honor. The class distinction within the officer corps and between officers and enlisted men justified the authority of an officer over his subordinates. Discipline was crucial to operating a ship on the far side of the world when the

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<sup>28</sup> Stevens, *Pistols at Ten Paces*, 57. Oliver H. Perry will be mentioned again in greater detail.

<sup>29</sup> Skaggs, *Thomas Macdonough*, 195.

<sup>30</sup> Macdonough had commanded the victorious American forces at the Battle of Lake Champlain in the War of 1812.

<sup>31</sup> Skaggs, *Thomas Macdonough*, 194.

<sup>32</sup> Quoted in David Curtis Skaggs, “Perry Triumphant.” *Naval History* 23, no. 2 (August 2009) 16-23.

common sailors were among the lowliest men of society, and officers were often more concerned about their prize money or their status back home than their mission.<sup>33</sup> Freeman’s description of the perspective of political figures during this period once again applies exceptionally well to the corps: the public officials of this period considered honor “much more than a vague sense of self-worth; it represented the ability to prove oneself a deserving ... leader.”<sup>34</sup> By this logic, enlisted men could not be true “men of honor,” and senior or ranking officers were entitled to greater honor and respect than their juniors. This strict honor-based hierarchy used in the Navy of this period could best be described as one of “deference,” which McKee defines particularly well as:

An ethos predicated on the notion that God (or Nature) had ordained a social and economic hierarchy in which some men were placed high and others low; that those who were placed higher had a right and a duty to command and to lead; that it was the duty of those placed in subordinate stations to obey their leaders and to be content in their lowly positions in life; and finally that the good of the whole social order depended on respecting this hierarchical social structure, for without that ordered ranking anarchy, destruction, and other unnamable evils would ensue.<sup>35</sup>

Nowhere was the supremacy of deference in the Navy more obvious than in the interactions between officers and sailors. One of the primary values that older officers taught their subordinates was the importance of maintaining “command presence” by remaining aloof from the enlisted men.<sup>36</sup> As almost all officers recognized, fraternizing with sailors and marines – or even with people on shore deemed to be “too common” – could undermine the class distinction between the gentlemen officers and their enlisted charges. Midshipmen who could not learn to maintain this division were speedily removed from the service. In 1811, Captain Hugh Campbell arrested a midshipman on charges of “ungentlemanly and unofficerlike conduct” for “taking for his associates the common prostitutes and sailors, and this in open day to the disgrace of himself

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<sup>33</sup> McKee, *A Gentlemanly and Honorable Profession*, 99.

<sup>34</sup> Freeman, *Affairs of Honor*, 170.

<sup>35</sup> McKee, *A Gentlemanly and Honorable Profession*, 223.

<sup>36</sup> William P. Leeman, *The Long Road to Annapolis: The Founding of the Naval Academy and the Emerging American Republic* (Chapel Hill: University of North Carolina Press, 2010), 61.

and the service.”<sup>37</sup> Other midshipman were arrested or dismissed for offenses such as “associating with the common soldiers” or with “young men ... of the lower class.” One of the more interesting charges was for “dancing and drinking with sailors in low houses.”<sup>38</sup> Many other members of the corps, such as Commodore John Rodgers – one of the most senior officers who can be considered one of “Preble’s Boys” – shared Campbell’s emphasis on protecting the exalted nature of officership. Commodore William Bainbridge, a distinguished veteran of the Barbary War, Quasi-War, and War of 1812, is even believed to have remarked that “I don’t allow a sailor to speak to me at all.”<sup>39</sup>

The deference system contained an inherent disrespect for enlisted men. The basic principle was written in Navy regulations and enshrined in naval tradition. As gentlemen, officers were not allowed to be physically struck, as this would be an insult to their honor. The enlisted men, however, had no such protection, as their lack of personal honor entitled them to no special respect.<sup>40</sup> In the words of one officer, “I believe there never was so depraved a set of mortals as sailors are.... [Without discipline] they constitute a perfect rabble.”<sup>41</sup> The officers passed this system down to their juniors: in a letter to a midshipman under his command in 1810, Revolutionary War veteran Commodore Thomas Tingey advised: “Never strike an [enlisted] offender yourself, it being degrading to an officer to do so.”<sup>42</sup> This statement is incredibly revealing, because Tingey implies that flogging was not degrading to an enlisted man, it was degrading to an officer!

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<sup>37</sup> Campbell to Paul Hamilton, 15 February 1811, quoted in Mckee, *A Gentlemanly and Honorable Profession*, 433-434. Hugh Campbell was a captain of the Preble’s Boys generation who had a long but relatively uneventful career.

<sup>38</sup> Ibid., 434-435.

<sup>39</sup> Toll, *Six Frigates*, 189.

<sup>40</sup> Mckee, *A Gentlemanly and Honorable Profession*, 235; Siegel, *Judge Advocate General's Corps*, 48.

<sup>41</sup> Toll, *Six Frigates*, 189.

<sup>42</sup> Tingey to Hoffman, 14 November 1810, quoted in McKee, *A Gentlemanly and Honorable Profession*, 227. Flogging was typically carried out by a boatswain.

Some officers did not share Tingey's position, however. Especially in his younger days, Captain William Bainbridge frequently beat sailors with his bare fists, and on one occasion, reportedly struck a drunken sailor on the head with a sword while he was shackled, fracturing his skull and sending him into convulsions. He then ordered the man flogged on deck.<sup>43</sup> Although Bainbridge's actions were especially harsh, abusive behavior was not rare in the Navy. During a battle in the Quasi-War, a lieutenant drew his saber and deliberately killed an American sailor fleeing his gun in fear.<sup>44</sup> Other officers beat sailors for offenses such as not showing enough deference to an officer, not obeying orders quickly or enthusiastically enough, or purely out of spite. The manner in which enlisted men could be beaten was prescribed by regulations, but officers were rarely charged for abuse. Between 1794 and 1815, only two officers were dismissed exclusively for such conduct, and both cases were under the most extreme circumstances. Only when an officer had gone so far as to abandon his duty because of his inability to control his rage, executed the punishment himself with bare fist or instruments other than the officially sanctioned "cat o' nine-tails", *and* had previously committed similar offenses was an officer actually expelled. McKee argues that "the corps was unwilling to allow many prosecutions for such behavior, lest such prosecutions undermine the basis of its own authority."<sup>45</sup>

Officers, on the other hand, who drew their authority from their elevated rights as gentlemen, could not be struck under virtually any circumstances. The maximum punishment for an officer striking an enlisted man was dismissal from the Navy (and this outcome was highly uncommon); if an enlisted man struck an officer, the *Act for Better Government of the Navy* authorized his

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<sup>43</sup> Toll, *Six Frigates*, 189.

<sup>44</sup> *Ibid.*, 118.

<sup>45</sup> McKee, *A Gentlemanly and Honorable Profession*, 435-437.



execution.<sup>46</sup> This law was passed by Congress, meaning that the American public (or at least their generally wealthy representatives) approved and actively entrenched the system of deference in the Navy. Even officers, however, were not allowed to beat other officers. In separate incidents, two lieutenants were dismissed during the Quasi-War for striking midshipmen.<sup>47</sup>

### **Seniority in the Officer Corps**

Seniority, a principle closely related to deference, governed the hierarchy within the officer corps. Seniority was a major source of honor: it conveyed upon an officer the right to lead and to receive deference from his subordinates. Especially in the earlier years of the Navy in the Quasi- and First Barbary Wars, the service relied heavily on this system even though it tended to produce too many incompetent commanders.<sup>48</sup> One clear example of this strategy was the appointment of senior officer Commodore Samuel Barron to replace the more successful Commodore Edward Preble as commander of the Mediterranean Squadron in the First Barbary War.<sup>49</sup> Because of the supreme importance that the Navy placed on seniority, many early captains resigned or refused commissions because they were displeased with their relative position on the list. Revolutionary War hero Joshua Barney turned down a captain's commission because he refused to be junior to Captain Silas Talbot. Then when President John Adams decided that Talbot had seniority over Captain Thomas Truxton, Truxton resigned.<sup>50</sup> In his letter

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<sup>46</sup> Ibid., 235.

<sup>47</sup> Ibid., 436.

<sup>48</sup> Charles Benedict Davenport and Mary Theresa Scudder, *Naval officers: their heredity and development* (Washington: Carnegie Institution of Washington, 1919), 1.

<sup>49</sup> Toll, *Six Frigates*, 225,260. Samuel was the elder brother of Commodore James Barron – although unlike his brother, Samuel is too old to truly be considered a member of the first generation of officers to come up through the ranks of the Navy.

<sup>50</sup> Stevens, *An Affair of Honor*, 18; Toll, *Six Frigates*, 129.

of resignation, he remarked that, “it as little becomes my character to yield my rank ... as it would my Ship to an enemy unequal in force. I have therefore thought it proper to quit.”<sup>51</sup>

Beginning with the First Barbary War, however, the Navy began a slight shift in policy, occasionally giving promotions and appointments based partly on success in battle. The seniority system was still dominant, but its hold was not as absolute, and rare instances of merit-based advancement existed. This change made some officers feel slighted, and offended their sense of honor. The most radical example of these changes was the promotion of Lieutenant Stephen Decatur to captain in 1804 after his brave raid in the First Barbary War, when he destroyed the captured American frigate *Philadelphia*. This was a two-rung promotion, skipping the rank of master-commandant entirely, and making the 25-year old Decatur the youngest captain in the history of the US Navy to date. Not surprisingly, some of officers passed over by this promotion were unhappy. One such officer, Lieutenant Andrew Sterrett, resigned explaining in a letter to the Secretary of the Navy that, “it is impossible to be reconciled to the promotion of a junior officer over me, nor is it compatible with the correct principles of honor to serve under him.”<sup>52</sup>

An example of the reduced weight of seniority between captains can be seen in a dispute between Captains Isaac Hull and William Bainbridge for control of the Boston Navy Yard. In the Second Barbary War, Bainbridge was given command of the Mediterranean Squadron with the mission of ending the resurgence of piracy on the coast of North Africa. Hull – who had a more recent captain’s commission – relieved him of command of the Navy Yard in Boston. In 1815, Bainbridge returned to Boston in a fit of jealousy after sailing to the Mediterranean only to find out that Commodore Stephen Decatur had already secured peace treaties with Algiers,

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<sup>51</sup> Truxtun to Officers of the *Constellation*, 9 August 1799, quoted in Toll, *Six Frigates*, 129.

<sup>52</sup> Sterrett to Smith, *Ibid.*, 282.

Tunis, and Tripoli.<sup>53</sup> Bainbridge wanted to reassume his lucrative post at the Navy Yard, but Hull refused to give it up. Bainbridge appealed to the Secretary of the Navy, who also turned him down, instead appointing him “commander afloat.” Angry that he had been deprived of a position he considered rightfully his, he wrote the Secretary that “Captain Hull and myself cannot be on friendly terms. It is therefore necessary for the good of the service that the Navy Department explicitly defines the extent of my command, and authority on this station as Senior Officer. I require nothing but what my seniority entitles me.”<sup>54</sup> Although it is not explicitly stated, Bainbridge’s sense of personal honor is implied in the last line. The fact that he required everything to which his seniority “entitles” him, demonstrates that he believed that he possessed an inherent right to have authority over Hull, who was inferior to him only in the date of his commission.

This hypersensitivity to status – whether for the purpose of maintaining discipline or obtaining the privileges of rank vis-à-vis the other officers – characterized much of the officer corps, and caused problems amongst Preble’s Boy and between their generation and their junior officers. The officers’ sense of honor, therefore, usually functioned less a source of order and stability (as intended), but more as a source of division.

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<sup>53</sup> Ibid., 456; Lewis, *The Romantic Decatur*, 216.

<sup>54</sup> Bainbridge to Benjamin Crowninshield, 23 December 1815; Maloney, *Captain from Connecticut*, 277-278.

## Chapter II: Collective Honor

The originally feudal value of personal honor was central to the officer corps of the early Navy, but as an institution of the new American government, the corps was also heavily influenced by the ideas of the Revolution and Enlightenment. In particular, the collective concepts of national honor and the honor of the naval service were integral parts of the ideology of Preble's Boys. When many members of the group became famous, these concepts shaped the way they sought to enhance their reputation. The impact of this ideology on the cohesion of the corps was especially obvious during peacetime, when heightened competition between the officers forced confrontations.

### Nations and Honor

The modern notion of “national honor” was formed after the Enlightenment. It developed from the new concept of the “nation-state” and from the traditional value of personal honor that was still so prominent in Western society. The “nation” did not emerge everywhere in Europe at the same time, but by the end of Napoleon's campaigns, the whole continent had been exposed to this revolutionary idea. It brought with it a new vocabulary and way of thinking regarding the state, replacing some of the established traditions of governance and blending with others. In this new school of thought, states were no longer the personal possessions of kings; the citizens collectively formed a “nation,” which held the welfare of the state in trust. In these “nation-states,” citizens felt a greater interest in their state since they had a say in its governance.<sup>1</sup>

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<sup>1</sup> This description of perceptions of honor before and after the Revolutionary era is derived from a number of sources, particularly: Emmanuel Joseph Sieyès, “What is the Third Estate,” In *The Old Regime and the French Revolution*, edited by Keith Michael Baker, 154-179. (Chicago: University of Chicago Press, 1987); Edmond Burke, *Reflections on the Revolution in France: and on the proceedings in certain societies in London relative to that event*,

Traditionally matters of a state's reputation such as military glory or breaches of sovereignty reflected on the monarch's personal honor. Without a monarchy, however, citizens applied the ancient concept of personal honor to the new owner of the state: the nation. According to this method of thinking, national honor was a source of legitimacy for states as personal honor was for men, and it was held in public trust by the citizens just like the state itself. Furthermore, a nation's honor could be insulted in the same way a man's honor could if its nation's citizens, officials, or symbols were not treated with proper respect. As with personal honor, when diplomacy failed, states resolved affronts to national honor with combat (usually in the form of military action), which demonstrated the nation's courage and willingness to defend its rights.

As one of the first countries to throw off the rule of a monarchy, the United States was also one of the first nations to apply this new political theory. It was in some ways an experiment, which made its future seem doubtful. People in America and around the world questioned whether a country could even function effectively without a monarchy.<sup>2</sup> In this especially formative period of America's relations with the rest of the world, the extent to which the US stood up for its national honor would set the precedent of how seriously the nation would be treated. Many Americans felt a sense of paranoia that the country would fall under the influence of the European powers or drift internally towards monarchical government, so a heightened sensitivity towards foreign insults to the national honor lasted even beyond the War of 1812. In an 1835 sermon criticizing the misdirected American attitudes towards national honor, renowned Unitarian preacher Dr. William Ellery Channing argued that "many imagine that the honor of a

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2d ed. (London: J. Dodsley, 1790); Thomas Paine, *Common Sense*; (Boston : J.P. Mendum, 1856); Charles de Secondat, baron de Montesquieu, *The Spirit of the Laws*, edited by J. V. Prichard, translated by Thomas Nugent, (New York: D. Appleton and company, 1900); Charles Loyseau, "A Treatise on Orders."

<sup>2</sup> Alexander Hamilton quoted in James Madison, Edward J. Larson, and Michael P. Winship, *The Constitutional Convention: A Narrative History from the Notes of James Madison*, paperback ed. (New York: Modern Library, 2005), 49.

nation consists peculiarly in the spirit which repels injury, in sensibility to wrongs, and is therefore peculiarly committed to the keeping of the sword.”<sup>3</sup> Channing highlights the influence of the country’s preoccupation with national honor that lasted well beyond the period of Preble’s Boys.

### **Guarding America’s Honor at Sea**

There were many concrete causes for America’s focus on defending national honor in the Early Republic. In violation of the 1783 treaty of Paris, for example, the British did not immediately withdraw their troops from frontier forts in the Midwest.<sup>4</sup> For the most part, however, the US was shielded from breaches of its sovereignty by the Atlantic Ocean. Consequently, the majority of infringements to national sovereignty took place at sea, where American citizens and trade came into direct contact with foreign militaries. Because of the perceived need of Americans to protect their national rights abroad, government leaders in Congress and the cabinet established the Navy for the purpose of defending the honor and interests of the United States.

The first major crisis of national honor – and catalyst for the formation of the navy – was the Barbary conflict. In the late eighteenth and early nineteenth centuries, the autonomous Ottoman regencies of Morocco, Algiers, Tunis, and Tripoli in North Africa sponsored large corsair fleets that raided Mediterranean shipping. The rulers of these Barbary States demanded tribute from the countries that traded in the region in exchange for protection from the pirates. Although European powers such as Britain could have almost certainly defeated the pirates, the states with

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<sup>3</sup> William E. Channing, *The Works of William E. Channing* (1882; New York: Burt Franklin, 1970), 655. Channing’s main argument was that overzealous defense of national honor caused war.

<sup>4</sup> Spencer C. Tucker and Frank T. Reuter, *Injured Honor: The Chesapeake-Leopard Affair June 22, 1807* (Annapolis, MD: Naval Institute Press, 1996), 27.

enough naval forces to do so allowed the system to continue in order to impair their less powerful rivals, who could not pay the tribute and were therefore subject to attacks and higher insurance premiums for shipping.<sup>5</sup> Not surprisingly, the trouble for the United States began after the Revolutionary War, when American shipping was no longer under the protection of Great Britain. By the mid 1780s, the Barbary States had begun seizing US merchant vessels, selling the crews into slavery, and demanding enormous sums (hundreds of thousands of dollars, in the case of Algiers) to cease their attacks.<sup>6</sup>

Many Americans viewed the problem of the Barbary pirates in terms of national honor, and consequently as a justification for a military force to ensure that America received the respect due to a sovereign nation. The raids denied the United States its right to travel the open seas freely and humiliated its citizens by selling them into slavery. If these insults could not be punished, then, in the eyes of many Americans, the United States would appear weak to Europeans and its rights would seem unworthy of respect. Several prominent examples of the concern that many Americans held of defending national honor vis-à-vis the Barbary States can be seen in the dialogue between political leaders. For instance, while serving as minister to France, Thomas Jefferson wrote to John Adams advocating the use of military force to ensure US security in the Mediterranean, in part because “honor favors it.... It will procure us respect in Europe, and respect is a safe guard to interest.”<sup>7</sup> Despite the opinions of influential leaders like Jefferson, the weak government of the Articles of Confederation could do little to address the problem. However, when the *dey* of Algiers assembled a fleet of corsairs specifically for raiding

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<sup>5</sup> James A. Field, *America and the Mediterranean World, 1776-1882*. (Princeton, NJ: Princeton University Press, 1969), 29. Some Americans felt that Britain played a similar role in promoting Barbary piracy as it did with inciting Native American tribes on the frontier. See Marshall Smelser, *Congress Founds the Navy, 1787-1798* (Notre Dame, IN: University of Notre Dame Press, 1959), 52.

<sup>6</sup> Toll, *Six Frigates*, 25-26.

<sup>7</sup> Jefferson to Adams, 11 July 1786, in Cappon ed., *The Adams-Jefferson Letters*, I:142-143.

US commerce in 1793, the need to defend American sovereignty returned to prominence under the constitutional government.<sup>8</sup>

As the Algerine corsair fleet began cruising for US shipping, the American merchant marine faced threats on another front. Revolutionary France declared war on Austria and Prussia in 1792, and the war quickly expanded to include Britain and the Dutch Republic. The United States' neutral stance and lack of naval defenses subjected the American merchant marine to harassment by both the French and British.<sup>9</sup> With America's rights to free travel and trade under attack on three fronts, the government began serious debates about founding a Navy.

On March 27, 1794, George Washington signed "an Act to Provide a Naval Armament" into law, establishing the US Navy.<sup>10</sup> Like Jefferson, who would later champion downsizing the seagoing navy in favor of gunboat flotillas for coastal defense, Washington was generally an isolationist who believed that foreign involvement or colonial ventures should be avoided.<sup>11</sup> However, he recognized that a navy would be necessary to defend American rights abroad, because the United States' relative status in the world depended upon its ability to enforce breaches of its sovereignty overseas. In a 1796 address to Congress, he explained that: "to secure respect for a neutral flag requires a naval force organized and ready to vindicate it from insult or aggression."<sup>12</sup> Although not all Americans shared Washington's opinion on the need for a navy (many Republicans felt it would be too expensive or would lead to foreign entanglements), Congress voted in favor of the bill partly because citizens felt a sense of impotence at the insults levied upon the US.<sup>13</sup>

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<sup>8</sup> Toll, *Six Frigates*, 35.

<sup>9</sup> Smelser, *Congress Founds the Navy*, 49.

<sup>10</sup> Toll, *Six Frigates*, 43.

<sup>11</sup> George Washington, *Farewell Address*, 1796. [http://avalon.law.yale.edu/18th\\_century/washing.asp](http://avalon.law.yale.edu/18th_century/washing.asp).

<sup>12</sup> George Washington, Annual Address to Congress, 7 December 1796, quoted in Robert W. Love Jr., *History of the U.S. Navy*, (Harrisburg, PA: Stackpole Books, 1992), 1: 55.

<sup>13</sup> Toll, *Six Frigates*, 42-43.



The first frigates were not ready to put to sea until 1798, but the threats posed by the Barbary States and the Napoleonic wars did not end until 1815, when Napoleon was defeated and the final treaties between the US and the North African regimes were signed.<sup>14</sup> Throughout the period, the national honor and the Navy's role as keeper of that honor were prominent in public dialogue. In spring 1798, as war with France seemed imminent, Chief Naval Constructor Joshua Humphreys hosted a banquet (which was attended by President Adams) to celebrate the outfitting of the frigate *United States*. Humphreys was a renowned naval architect who had designed five of the original six Navy frigates including the *United States*. As his ship's first war drew near, he toasted "the infant navy of the United States – Like the Infant Hercules, may it even in its cradle strangle the serpents which would poison American glory."<sup>15</sup> After war had broken out a few months later, Secretary of the Navy Benjamin Stoddert issued a circular to the American naval captains ordering them to challenge foreign "outrage on the honor of the American flag."<sup>16</sup>

As would become a common theme, this "Quasi-War" with France was caused by Americans' anger that their sovereign right to neutrality was not being respected. The same basic concept was voiced by leaders during the events surrounding the First Barbary War and the War of 1812. In April 1804, Jefferson again commented on the enslavement of American sailors (this time from the captured naval frigate *Philadelphia*) in a letter to Navy Secretary Robert Smith, saying that unless the United States was able to recover the captives itself – without the help of any European powers – "our honor [will be] prostrated."<sup>17</sup> After the First Barbary War, the United Kingdom began to offend American sentiments. The Jay treaty had secured an

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<sup>14</sup> Ibid., 78.

<sup>15</sup> Quoted in Smelser, *Congress Founds the Navy*, 137.

<sup>16</sup> Joshua Loring to Parker, 20 February 1799, quoted in Michael A. Palmer, *Stoddert's War: Naval Operations During the Quasi-War with France, 1798-1801* (Columbia, SC: University of South Carolina Press, 1987) 63.

<sup>17</sup> Toll, *Six Frigates*, 224.

uneasy peace between the US and Britain in 1796, but was a principal cause of the 1798 war with France. However, when America made peace with France and resumed normal trade, relations with Great Britain again declined. In 1805 and 1807, the British government placed a series of restrictions on American trade with France and its colonies, and enforced the new policies with the Royal Navy.<sup>18</sup> In addition to this, the Royal Navy was so desperate for manpower that they began impressing sailors from American merchant ships. Although – in theory – only British subjects were impressed, the offensive nature of the practice and abuses of this system by British officers caused public discontent in America.<sup>19</sup> In the face of so many offenses, many political leaders considered the national honor so insulted by 1811 and 1812 that they considered the country honor-bound to go to war. Congressman Peter B. Porter of New York, for example, Chairman of the House Committee on Foreign Relations, remarked that “the great body of the people ... know that there is no honorable course for this country to pursue but open & determined resistance to British wrongs,”<sup>20</sup> and Senator George Washington Campbell of Tennessee told a colleague that unless the UK changed its policies, “there appears at present no honorable ground upon which, war can be avoided.”<sup>21</sup>

Perhaps the most significant single event in rousing the American public’s sense of outrage against Britain was the *Chesapeake-Leopard* affair. The incident occurred several years before the War of 1812 when the British heavy frigate *Leopard* received an order from Vice Admiral Sir George Berkley to search ships leaving Hampton Roads, Virginia for British deserters. On June 22, 1807, the *Leopard* hailed the US Navy frigate *Chesapeake*, under the command of

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<sup>18</sup> These restrictions were, respectively, a reapplication of the “Rule of 1756” preventing France from circumventing the British blockade using neutral ships (especially from America), and an Order in Council which forced neutral ships to stop in British ports to apply for a license to land on the continent. Ibid., 274-275; 306.

<sup>19</sup> Toll, *Six Frigates*, 270-271; Robert E. Cray Jr., “Remembering the USS *Chesapeake*: the Politics of Maritime Death and Impressment,” *Journal of the Early Republic* 25, no. 3 (Fall 2005), 455.

<sup>20</sup> Peter B. Porter to William Eustis, 19 April 1812, quoted in Roger H. Brown, *The Republic in Peril: 1812* (New York: Columbia University Press, 1964), 47-48.

<sup>21</sup> George Washington Campbell to Willie Blount, 24 February 1812, quoted in Ibid., 48.

Commodore James Barron (the same captain who had become involved in an honor dispute with John Rodgers in the Barbary War), and requested that Barron assemble his sailors so that the British could search for the deserters. When Barron refused to comply, the *Leopard* fired three broadsides into the *Chesapeake*, killing four sailors and wounding eighteen. The ship was unprepared for combat, and Barron was forced to strike his colors. He offered his ship as a prize to the British captain, but it was refused. Instead, the captain removed four British deserters from the crew and sailed away.<sup>22</sup>

British impressments, while not new, were virtually never carried out on American warships.<sup>23</sup> It was seen as too great a disrespect to the American navy, and the US ship would be expected to defend itself (which Barron had attempted to do, but completely failed because the *Chesapeake* was unprepared). Actually firing upon a neutral warship under these circumstances was unheard of, and the American public was furious. *The Norfolk Gazette and Public Ledger* wrote that “we look upon it as degrading beneath contempt if we are to submit to such an insult.”<sup>24</sup> This indignant reaction was widespread at the time. Historian Robert Cray expands on the public’s response: “Americans treated [the incident] as a national insult, an affront to sovereignty perpetrated by an odious Great Britain unwilling to accord them the rights of a free and independent country. Not surprisingly, nationalism spread across the country.”<sup>25</sup>

This perceived offense that unified many Americans in 1807 remained highly influential in American politics throughout the period leading up to the War of 1812. Three years later, in his orders to Captain John Rodgers, Secretary of the Navy Paul Hamilton reminded Rodgers that:

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<sup>22</sup> Cray, “Remembering the Chesapeake,” 454; Toll, *Six Frigates*, 297. Three sailors were killed in the fighting, one later died of his wounds.

<sup>23</sup> The only other example I have found was an instance in November 1798 when a British convoy seized 55 sailors from the US sloop-of-war *Baltimore* off Havana. The incident occurred because the American captain had been unable to produce any commissions certifying that the *Baltimore* was a naval vessel. Palmer, *Stoddert’s War*, 62-3.

<sup>24</sup> Quoted in Toll, *Six Frigates*, 300.

<sup>25</sup> Cray, “Remembering the Chesapeake,” 446-447.

You, like every other patriotic American, have observed and deeply feel the injuries and insults heaped on our Country by the two great belligerents of Europe.... Amongst these stands most conspicuous the inhuman and dastardly attack on our Frigate the *Chesapeake* – an outrage which prostrated the flag of our Country.... It is therefore our duty ... to vindicate the injured honour of our Navy, and revive the drooping Spirit of the Nation.<sup>26</sup>

Hamilton’s order captures the feelings of society towards the breaches of American sovereignty that occurred in the period before the War of 1812. The Navy’s purpose, under these circumstances, was to protect and avenge the national honor from insults by Britain, France, and the Barbary States. Hamilton was also right to highlight the significance of the *Chesapeake-Leopard* affair to the officer corps. The incident had lasting influence on the meaning of “honor” to the first generation of American naval officers, and the origin of at least two courts-of inquiry, a court-martial, and six duels – extending to 1821– can be traced to the shame and dishonor that surrounded the officers involved in the incident.<sup>27</sup>

### **A Governing Principle of the Officer Corps**

Because defending national honor was one of the main purposes for the establishment of the Navy, it held central importance to Preble’s Boys. The public was watching them, and in a country that typically favored isolationism and feared the tyranny of a powerful central government, the Navy’s continued existence depended on the officer’s ability to protect the American flag. Jefferson had dramatically downsized the Navy in 1801 and 1806, and sought to prevent the construction of new, line-of-battle ships in favor of gunboat flotillas.<sup>28</sup> Throughout

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<sup>26</sup> Rodgers to Hull, 19 June 1810, quoted in Toll, *Six Frigates*, 318.

<sup>27</sup> Specifically: the court of inquiry and court martial conducted for the affair itself; at least three duels fought by the *Chesapeake*’s flag captain, Master Commandant Charles Gordon; two duels fought by midshipmen from the *Chesapeake*; Barron’s duel with Commodore Stephen Decatur; and a court of inquiry into Barron’s conduct during the War of 1812. Most of these will be discussed in detail. For Gordon’s duels, see Stevens, *Pistols at Ten Paces*, 55. For the midshipmen’s duels, see Cray, “Remembering the Chesapeake,” 459.

<sup>28</sup> Love, *History of the US Navy*, I:72; Toll, *Six Frigates*, 281-282.

this period, officers feared that Congress might determine that the Navy was unnecessary entirely, or that it might be “mutilated” (many officers considered the shift to gunboats as such a disfigurement).<sup>29</sup> After the war, however, when the service had proved itself with a string of victories in single-ship actions against the most powerful navy in the world, the American people were satisfied that the Navy was capable of fulfilling its duty to defend the nation’s respect from foreign offenses, and officers could generally be secure in the knowledge that the Navy would continue.

The fact that the insults of foreign powers prior to 1815 placed the officers in the public eye is readily apparent. The *Chesapeake* affair was one of the most prominent events to do this. Cray explains that “the *Chesapeake* tragedy subjected the American Navy in general ... to official and popular scrutiny.... Sailors came to occupy a symbolic niche within a charged political atmosphere where national honor had been compromised.”<sup>30</sup> The plethora of toasts, banquets, parades, songs, poems, and other writings dedicated to the officers from the Quasi-War through the War of 1812 also serve as evidence that the public was following the Navy and its officers.<sup>31</sup> Newspapers were the most common means of recounting their exploits to American Society. Even years after their glorious victories, they were still remembered as celebrities. An 1819 article from the *National Intelligencer* refers to Commodores Rodgers, Bainbridge, and Chauncey as men whose “character needs not our praise.”<sup>32</sup> The *Intelligencer* did not need to praise these commodores (or most other commodores, for that matter) because they had so often appeared in the newspapers throughout their careers.

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<sup>29</sup> McKee, *A Gentlemanly and Honorable Profession*, xiv.

<sup>30</sup> Cray, “Remembering the Chesapeake,” 447-448. Cray focuses on the fact that the incident brought the common sailor to public prominence, but the same was certainly true of the naval officers, who were almost household names.

<sup>31</sup> Lewis, *The Romantic Decatur*, 241-245.

<sup>32</sup> Reprinted in *Niles Weekly Register*, “Naval Examinations,” October 16, 1819.

In this period of especially high public sensitivity towards national honor, the senior officers also strongly believed in the need to defend America's respect abroad. When Congress agreed to pay a ransom to the ruler of Tripoli as part of the agreement ending the first Barbary war, Commodore Edward Preble wrote in a private letter that the treaty was a "sacrifice of national honor."<sup>33</sup> As these leaders began to train the first generation of officers, they sought to instill these values in their subordinates (perhaps because they sensed the increased public scrutiny of naval affairs). In a letter to the midshipman under his command, for example, Commodore Thomas Truxton – a Revolutionary War privateer and one of the original six captains appointed to the Navy in 1794 – mentioned that "maintaining the honor of the national flag" was the Navy's purpose.<sup>34</sup>

Their actions and writings demonstrate that, as a group, "Preble's Boys" took their mission of defending national honor to heart. One such illustration occurred in October 1800 during Captain William Bainbridge's visit to Algiers. The newly promoted Bainbridge made the unfortunate mistake of anchoring the *George Washington* within range of the port's shore batteries. After fulfilling his mission of delivering tribute money to the US consul in the city, the *dey* demanded that Bainbridge transport the Algerine ambassador to Istanbul.<sup>35</sup> In spite of Bainbridge's protests that his orders prevented his compliance, the *dey* proclaimed that "You [The United States] pay me tribute, by which you become my slaves, I have, therefore, a right to order you as I may think proper."<sup>36</sup> When the *dey* then threatened to fire on his ship, Bainbridge was forced to consent. To add insult to injury, the *dey* insisted that the Algerine flag be flown

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<sup>33</sup> Quoted in Toll, *Six Frigates*, 262.

<sup>34</sup> Quoted in McKee, *A Gentlemanly and Honorable Profession*, 226.

<sup>35</sup> The *dey* was the nominal ruler of Algiers, who technically answered to the Ottoman Sultan, but had considerable autonomy. See Field, *America and the Mediterranean*, 27.

<sup>36</sup> Bainbridge [to Stoddert], quoted in Thomas Harris, *The Life and Services of Commodore William Bainbridge, United States Navy* (Philadelphia: Carey, Lea & Blanchard, 1837), 45.

from the *George Washington*'s mainmast. Bainbridge completed the journey to the Ottoman capitol, but replaced the Algerine flag with the American as soon as he was out of range of the shore batteries. His letter of explanation to the Navy Department was primarily an attempt to defend his actions, but it carries undertones of how insulted and impotent he felt, and his anger at the disrespect shown to America. He explains to his superiors that "I hope I may never again be sent to Algiers with *tribute*, unless I am authorized to deliver it from the mouth of our cannon."<sup>37</sup> The drama surrounding the flags also demonstrates Bainbridge's efforts to preserve the dignity of the United States before the rest of the world.

The compulsion that the officers felt towards preserving America's honor was still more visible in the reactions to the *Chesapeake* affair. The officer's need to protect the nation's reputation became clear even during the fight. In the ship's ill-prepared state, it was unable to fight back at all because the loggerheads used to fire the cannons were not heated. As the *Leopard* poured shot into the *Chesapeake*, James Barron begged of his junior officers: "for God's sake, fire one gun for the honour of the flag. I mean to strike."<sup>38</sup> In response, Lieutenant William Allen took a hot coal from the galley and used it to fire a single shot, and Barron ordered that the *Chesapeake* strike its colors. After Barron was relieved of his post, Stephen Decatur was given command of the ship. The need to atone for the dishonor of the *Chesapeake* was explicit. He issued a highly unorthodox order that the ship would not fire or return salutes, because "a ship without honor can render none."<sup>39</sup> In fact, Preble's Boys never fully escaped the shadow of the Chesapeake incident. Several years later, while commanding the frigate *President* in 1810, Bainbridge told his crew that if the ship went into action "he would never surrender

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<sup>37</sup> Harris, *Commodore William Bainbridge*, 45-6.

<sup>38</sup> Stevens, *An Affair of Honor*, 70.

<sup>39</sup> Toll, *Six Frigates*, 303.

while life remained ... [and] never strike ... [but] sink alongside.”<sup>40</sup> This piece of rhetoric was given in peacetime when no combat could be reasonably expected. Instead, Bainbridge was almost certainly thinking of the dishonor of the *Chesapeake*. The remarks by Bainbridge, Decatur, and Barron demonstrate the captains’ recognition that maintaining the respect of the United States was an officer’s near-sacred duty. Barron and Bainbridge specifically highlight that a central part of this duty was bravely resisting offenses. As both of their comments illustrate, their actions did not even need to be successful; the mere effort of fighting back protected America’s honor.

### **An Honorable Service**

It is also important to note that in the eyes of the officers, the Navy’s honor reflected the national honor. Protecting the reputation of the Navy, therefore, was also seen as part of an officer’s duty. The previously mentioned letter by Secretary Paul Hamilton, for example, instructed John Rodgers to “vindicate the injured honour of our Navy” after the *Chesapeake-Leopard* affair.<sup>41</sup> The matter of the service’s honor, is also especially obvious in the aftermath of the *Chesapeake* incident; Captain James Barron had been court-martialed and suspended from the Navy, and was forced to spend time as a merchant captain in Europe to support his family. When he returned to the country after the War of 1812 to resume his commission, Commodore Stephen Decatur actively campaigned against his reassignment. In a later letter to Barron, Decatur explained that he believed Barron had not fulfilled his duties to the Navy and country by not coming back from Europe during a time of war, and that that keeping Barron out of the service

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<sup>40</sup> Henry Gillian to William Jones, 28 July 1809, quoted in *Ibid.*, 318.

<sup>41</sup> Rodgers to Hull, 19 June 1810, quoted in *Ibid.*



was his responsibility as an officer: “I conceive that I was performing a duty I owe to the service; that I was contributing to the preservation of its respectability.”<sup>42</sup> Although Barron countered this letter with a scathing response and defense of his conduct, even he did not dispute that protecting the Navy’s honor was an officer’s duty.<sup>43</sup>

## Two Honors Merge

As stated, one of the key tenets of personal honor was integrity, which often equated with the fulfillment of duty. Because the officers believed that courageously defending their collective honor was their duty, collective honor became a component of personal honor. In one example of this during the Quasi-War, A group of four lieutenants and midshipmen wrote to the editor of the *Commercial Advertiser*, who had published an allegedly inaccurate account of the routine operations of their captain, John W. Leonard. They explained that:

As we have the honour of holding commissions under Capt. Leonard ... we conceive it a duty we owe him as our commander, our country in whose service we are engaged, and ourselves, to declare that the abovementioned reports are false, and scandalous fictions, which must have proceeded from ... an intention of derogating from Capt. Leonard’s conduct, courage and character, as an officer, and to throw the infant navy of our country into contempt and disrepute.<sup>44</sup>

The officer’s response highlights how, in the mind of these officers, the duty to their country is, in part, to defend the reputation of the “infant navy.”

William Bainbridge provides another example the fusion of personal and national honor in the ideology of the corps. After his embarrassing incident with the *dey* of Algiers, Bainbridge

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<sup>42</sup> Decatur to Barron, 31 October 1819, in Stephen Decatur and James Barron, *Correspondence, between the late Commodore Stephen Decatur and Commodore James Barron, which led to the unfortunate meeting of the twenty-second of March* (Boston: Russell & Garner, 1820), <http://www.gutenberg.org/files/34393/34393-h/34393-h.htm>, 8.

<sup>43</sup> Barron to Decatur, 30 November 1819, in Decatur and Barron, *Correspondence*, 10-18.

<sup>44</sup> John Squire, Nath. Harriott, W.W. Duer, and J.E. Fische to “the Editor of the Commercial Advertiser,” 30 September 1798, in Navy Department, *Naval Documents Related to the Quasi-War between the United States and France*, compiled by Dudley W. Knox (Washington, DC: United States Government Printing Office, 1935), 469-471.

returned to the Mediterranean during the First Barbary War in command of the frigate *Philadelphia* in 1803. On October 31, the *Philadelphia* ran aground on a reef off the coast of Tripoli, and corsairs quickly overwhelmed the ship and captured the crew.<sup>45</sup> Naval historian Ian Toll argues that after the shame of losing his ship and the capture of his crew, Bainbridge was “borderline suicidal,” because he believed that when the word of the incident reached America, “he would be condemned as incompetent, perhaps even a coward.”<sup>46</sup> Bainbridge wrote a letter to his wife in which he confided that “it would have been a merciful dispensation of Providence if my head had been shot off by the enemy, while our vessel lay rolling on the rocks.”<sup>47</sup>

Preferring death to dishonor was a common motif in the naval service. After the *Chesapeake* affair, Lieutenant Allen – the officer who had fired the ship’s only cannon shot – eloquently described the personal shame that accompanied the defeat in similar terms as Bainbridge:

Oh! that some of their murderous balls had deprived me of the power of recollection the moment our colors were struck – I could have greeted it, received it to my bosom, with a kindred smile – nothing could equal so horrible as scene ... [to hear the cries of the wounded] without the means of avenging them.... My country’s flag disgraced. You cannot appreciate, you cannot *conceive* of my feeling at this moment ... to be so *mortified, humbled* – cut to the soul. Yes, to have the finger of scorn pointing me out as one of the *Chesapeake*.<sup>48</sup>

The personal response that Allen felt was shared by much of the officer corps (although usually with less intensity). As Robert Cray explains, “the attack upon the *Chesapeake* especially angered naval officers. Distressed by the *Chesapeake*’s swift surrender, they took the matter deeply to heart; it was not something they could easily forget – their honor had been compromised, the navy disgraced. For them, as for many Americans, redress was paramount.”<sup>49</sup>

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<sup>45</sup> Toll, *Six Frigates*, 190-191.

<sup>46</sup> *Ibid.*, 195.

<sup>47</sup> William Bainbridge to Susan Bainbridge, 1 November 1803, quoted in *Ibid.*

<sup>48</sup> Lt. William Allen to General William Allen, 24 June 1807, quoted in *Ibid.*, 299.

<sup>49</sup> Cray, “Remembering the Chesapeake,” 447.

## Reputation and Status

Because honor depended greatly on a gentleman's reputation, the officers who stayed in the Navy long enough to become captains were often preoccupied with their public perception. An officers' fame (or infamy) tended to wax or wane depending on his ability to protect national honor through bravery and integrity;<sup>50</sup> Cray describes how "the men aboard these vessels might receive praise or condemnation: the heralded inspired poetry, songs, and toasts, the despised court-martials and ignominy."<sup>51</sup> This fact made rumors and allegations against these officers seem more devastating than they might otherwise.

In one such instance during the early 1820s when a group of Commodore Isaac Hull's subordinates accused him of corruption while he commanded the Boston Navy yard, Hull's reputation was severely tarnished in the eyes of the people of Boston. He remarked to his friend Commodore David Porter that "*Public* opinion" had turned against him.<sup>52</sup> Because of the damage to his reputation that he felt powerless to address, his letters from this time sometimes contained the same tone of desperation as Allen's and Bainbridge's. For example: "I am willing to make any sacrifice rather than suffer what I do now" and "Indeed, sometimes my spirits leave me and I am ready to give up."<sup>53</sup> Hull's honor was eventually redeemed, but the notion that personal honor depended on an officer's reputation with the public remained. In June 1822, an editorial in the *Intelligencer* defending Hull asserted that "Captain Hull enjoys the undiminished

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<sup>50</sup> Captain James Lawrence is a good example of an officer whose honor was extolled even though he died in a single-ship engagement with the British frigate *Shannon* in the War of 1812. He was defeated, and his crew took heavy casualties. See McKee, *A Gentlemanly and Honorable Profession*, 399.

<sup>51</sup> Cray, "Remembering the Chesapeake," 450.

<sup>52</sup> Hull to Porter, 21 July 1822, quoted in Maloney, *Captain from Connecticut*, 347.

<sup>53</sup> Hull to Porter, 29 June 1822, quoted in Maloney, *Captain from Connecticut*, 344; Hull to Porter, 2 August 1822, quoted in Maloney, *Captain from Connecticut*, 349.

confidence of his fellow citizens ... and of his government.... His fame is the property of his country, and his countrymen will not suffer him and them to be robbed of it.”<sup>54</sup>

The officers’ focus on their reputations had a negative side effect in the early Navy. Advancement in the service was governed primarily through seniority – the officers with earlier commissions were typically promoted first. However, promotion in the Navy was very slow-paced in times of peace when there were fewer posts for senior officers, so officers became trapped in junior positions.<sup>55</sup> The only ways to accelerate the promotion process were to distinguish oneself in battle (which was almost impossible in peacetime) or for a senior officer to be dismissed. Consequently, the period after the War of 1812 was characterized by “petty quarrels” as one historian wrote, which often ended in duels or tribunals.<sup>56</sup> In particular, lieutenants who could not earn promotions clung to their minor privileges such as their quarters and uniforms, and their rights as officers.<sup>57</sup> These perceived dignities sometimes brought them into conflict with their superiors.

Although captains no longer technically needed a “promotion,” they competed in the same manner for lucrative posts and for greater public reputation (which usually also came from prestigious posts). This mentality in the corps caused even the senior officers to develop ridiculous and puerile disputes. One particular accolade that many officers desperately sought was the honorary title of “commodore.” The title was not technically a rank, in that it conferred no increase of authority or pay, but was the highest title one could earn in the early Navy. It also conveyed the right to fly a special “commodore’s pennant” – which was basically the extent of

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<sup>54</sup> *National Intelligencer*, 6 July 1822, quoted in Maloney, *Captain from Connecticut*, 341.

<sup>55</sup> Robert Erwin Johnson, *Rear Admiral John Rodgers, 1812-1882* (Annapolis, MD: United States Naval Institute, 1967), 13.

<sup>56</sup> Skaggs, *Thomas Macdonough*, 184.

<sup>57</sup> Maloney, *Captain from Connecticut*, 451-452.

the privileges that the position entailed.<sup>58</sup> To become a commodore, an officer had to be a captain who was issued orders by the President or Secretary of the Navy to command of a squadron.<sup>59</sup>

In the years after the War of 1812, some officers – either through a misunderstanding of the regulations or a desire for prestige – began calling themselves “commodores” unlawfully. One such officer was Captain John Shaw.<sup>60</sup> When he was assigned to the Boston Navy Yard (commanded by Captain Isaac Hull) in 1820, Shaw ignored Hull’s demands to remove his pennant, and his attempt to use his title to gain precedence over Hull is revealed by the condescending tone with which he addressed his senior. He complained of Hull’s “interference with flag officers,” and remarked that:

It is well known that stationary naval yard officers are adding yearly to the intrinsic value of their estates, while the case is quite the reverse with a commanding naval officer afloat.... Why ... you have decided to oppose this grade, in my opinion, can emanate from no other motives but ambition, and a desire to deprive us of the emoluments, which ... [commodores] are entitled to.<sup>61</sup>

In response, Hull wrote Congress that unless the title was made an official rank or eliminated, “there will be as many affairs of honor [duels] as there are flags.... It will be impossible to prevent dueling and all sorts of quarrels unless rank ... is better defined ... than it is now.”<sup>62</sup> The controversy seemed to end in spring 1821, when Naval Commissioner Commodore John Rodgers explicitly ordered Shaw to remove his pennant.<sup>63</sup> Shaw replied to Hull with a sarcastic note that revealed his bitterness:

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<sup>58</sup> Commodores held this privilege because “commodore” was a grade of “flag officer” (a category which today includes generals and admirals) even though at the time it was not actually a separate rank from “captain.”

<sup>59</sup> Maloney, *Captain from Connecticut*, 295. Once the title was earned, the bearer kept it for life.

<sup>60</sup> *Ibid.*, 293. Shaw commanded the naval station at New Orleans as a master commandant, and had been given command of the Mediterranean Squadron by Commodore William Bainbridge (not the Navy Department), so he did not technically meet the requirements for the title.

<sup>61</sup> Shaw to Hull, 7 October 1820, quoted in Maloney, *Captain from Connecticut*, 303.

<sup>62</sup> Hull to Nathaniel Silsbee, 29 November 1820, quoted in Maloney, *Captain from Connecticut*, 304.

<sup>63</sup> Maloney, *Captain from Connecticut*, 310.

Allow me, Sir, to congratulate you on the signal victory you have laterally gained over the broad pendant [*sic*] which for several years has been flying from on board the *Independence*.

The uneasiness and vexation it has so long occasioned to you is now happily removed and the Board of Commissioners will no doubt receive your warmest gratitude and the poor old flag, were it susceptible of feeling and capable of expression, would no doubt ... have returned you its thanks for your kindness in being instrumental in its timely risque [*sic*] from destruction by the howling of the winds and pelting of winter storms.<sup>64</sup>

Shaw's discontent over the dispute lingered to cause further discord in the officer corps.

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<sup>64</sup> Shaw to Hull, 22 May 1821, quoted in *Ibid.*, 311.

### Chapter III: Naval Tribunals

The tribunals of the early Navy were not a “justice system” in the way that US military justice functions today. They were missing many of the institutions and ideals that embody a modern, developed legal structure. Instead, the tribunals originated from ancient naval traditions and attempted to maintain order primarily by preserving honor-based status distinctions. Their focus on honor is most obvious in their issuance of charges for “ungentlemanly conduct”, cowardice, and failure to show proper respect to status distinctions and privileges. The tribunals’ public nature also affected their use. The small size of the corps ensured that even the trials of junior officers would be known at least by the other officers, and captains especially sought to publicize proceedings in order to defend their character. Therefore the tribunals became a symptom of the competition and hyperactive sense of dignity that characterized the early naval officer corps.

There were two basic types of tribunals that investigated officers’ conduct at this period: courts-martial and courts of inquiry. A court of inquiry held no judicial powers – it existed only to establish the facts surrounding an official mishap. Because they could not render punishment, officers whose reputation was being attacked in the press or among their peers would sometimes request a court of inquiry to vindicate their name. However, these courts were not without legal ramifications, because their findings could often provide the groundwork for the Navy Department to draw up court-martial charges, or for the Secretary of the Navy to dismiss the officer outright.<sup>1</sup> Courts-martial, on the other hand, existed primarily for the purpose of

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<sup>1</sup> For an example of a court of inquiry leading to a court-martial, see K. Michael Latshaw, “Flawed Judgment: The Court-martial of Commodore James Barron,” *The Virginia Magazine of History and Biography* 105, no. 4 (Autumn, 1997), 384; for the Secretary of the Navy’s ability to dismiss officers of any rank without a formal court martial, see McKee, *A Gentlemanly and Honorable Profession*, 33.

rendering judgment on an officer's guilt. They had a wide range of penalties, from private or public reprimand, to suspension of an officer from duty or pay, or discharge from the service. Although they sometimes followed a court of inquiry, courts-martial did not require inquiries unless significant facts needed to be investigated. As with their counterparts, courts-martial were often convened to make a public statement more than as a matter of practice. In reality, the vast majority of the 322 officers who were dismissed from the Navy prior to 1815 were sacked without trial by the Secretary of the Navy. Only 27 were dismissed by a court-martial.<sup>2</sup>

The fact that courts-martial were not necessary to remove an officer demonstrates that their implementation was a conscious choice of the Secretary. Except in cases where the facts needed to be determined, the main reason that the Secretary would waive his right to personally administer justice – thereby sacrificing his control over the naval roster – was to make a public statement that could not be achieved through private dismissal. An 1808 exchange of letters between Secretary of the Navy Robert Smith and Commodore John Rodgers supports this idea. That July, Rodgers complained that an older officer under his command, Sailing Master N.W. Craft, was keeping a prostitute on his gunboat in such an open manner that he was corrupting the youth and tarnishing the name of the service. Keeping prostitutes on gunboats was not as uncommon as one might suppose, and it was generally viewed as a minor problem when carried on discreetly. But because Craft was too open about it, Rodgers considered his subordinate's conduct "derogatory to the character of a gentleman." Smith agreed that the situation "cannot but command the approbation of every man who has any pretensions to the character of a gentleman," and advised Rodgers that "it would be well, if practicable, to make an example of this man by the sentence of a court-martial."<sup>3</sup> Smith left the decision to Rodgers, who chose to

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<sup>2</sup> McKee, *A Gentlemanly and Honorable Profession*, 431.

<sup>3</sup> Rodgers to Smith, 31 July 1808, quoted in *Ibid.*, 439-440.



demand Craft's resignation rather than arrest him because he was concerned that members of the court would be too sympathetic. The other officers on the station were young, and Rodgers felt that they would not find Craft's conduct offensive enough to warrant his dismissal.

### **Problems with the Court-martial**

In recent history, the US military has sometimes acted as a tool for social change in America, but as the nation sought to reinvent itself as a beacon of Enlightenment after the Revolution, the Navy remained strongly committed to its ancient traditions.<sup>4</sup> The Navy's legal system barely evolved from the regulations set forth in the 1800 *Act for Better Government of the Navy* over the course of its first half century.<sup>5</sup> The initial regulations set forth by the Act were derived unashamedly from the rules of the Royal Navy, and justified by their timeless nature. A century later, the Navy still asserted that "with the rise and fall of great maritime nations ... continuity remained [in naval law], because each relied upon its predecessor for its background and authority."<sup>6</sup> Whether or not it was actually continuous, naval "justice" was archaic and sorely underdeveloped in the United States. For example, the early Navy did not have any of its own legal materials – it was forced to rely on materials from the Royal Navy.<sup>7</sup> Furthermore, the Navy Judge Advocate General Corps did not come to exist until 1865, and the Navy had no professional lawyers to serve in any capacity in the courts. When possible, the Navy or

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<sup>4</sup> Attempts to reform and rationalize the English language, for example: Noah Webster, "Dissertations on the English Language," in *Creating an American Culture, 1775-1800*, by Eve Kornfeld (Boston: Bedford/St. Martin's, 2001), 102-107.

<sup>5</sup> James Snedeker, *A Brief History of Courts-martial* (Annapolis, MD: United States Naval Institute, 1954), 53-54.

<sup>6</sup> Navy Department, *Naval Courts and Boards* (Washington DC: Government Printing Office, 1918), 3.

<sup>7</sup> Snedeker, *History of Courts-martial*, 53.

defendant might hire a civilian attorney in courts-martial cases, but because trials were often carried out at sea or in remote areas it was not always possible to have a lawyer present at all.<sup>8</sup>

The regulations required a certain number of officers of equal or senior grade be present at a trial, so courts-martial were often made up predominantly of captains and masters commandant. However, in the tiny Navy of the early 1800s, this regulation often forced the administration to place obviously impartial men in positions of judgment (or ignore these rules altogether).<sup>9</sup> In the words of Historian James Snedeker, the “administration of naval justice was lamely and imperfectly conducted” almost until the Civil War.<sup>10</sup> Furthermore, there were no juries, and appeals were only possible through personal solicitation of the President or Secretary of the Navy. There were not even regulations guaranteeing the accused a right to counsel until 1832.<sup>11</sup>

Another problematic irregularity was the ease with which the courts could be used by the officers to settle personal disputes. A squadron or station commander was able to order tribunals for junior officers.<sup>12</sup> If the Secretary of the Navy decided that an officer had acted unacceptably and a public example needed to be made of him, he could also order a court-martial. Instead of using this ability, however, the Secretaries would usually convene a court only after receiving a request for a trial from other officers. The Navy Department took these complaints seriously (although seniority was highly influential in the process). For example, in the previously mentioned decision as to whether or not Sailing Master Craft ought to be court-martialed, Secretary of the Navy Smith explained to Rodgers that “being on the spot and knowing all the circumstances, you can best judge.... I submit the whole to your discretion, and I will be

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<sup>8</sup> Siegel, *Judge Advocate General's Corps*, 37-40, 56.

<sup>9</sup> Stevens, *An Affair of Honor*, 80-81.

<sup>10</sup> Snedeker, *History of Courts-martial*, 53.

<sup>11</sup> Siegel, *Judge Advocate General's Corps*, 62.

<sup>12</sup> *Ibid.*, 37, 51.

satisfied with whatever course you may take.”<sup>13</sup> The weight that the secretaries gave the officers’ requests made the corps itself the de facto instigator of most tribunals, allowing the officers to use the trials as tools to defend their personal reputations, attack their rivals, or display their authority to the officers under their command.<sup>14</sup>

### **The *Chesapeake* Tribunals**

The first high-profile instance in which the officers used courts as a means for protecting their reputation occurred in the aftermath of the *Chesapeake-Leopard* Affair. Almost all of the junior officers on the *Chesapeake* felt so disgraced that they wrote a letter to Secretary of the Navy Robert Smith the day after the incident requesting Barron’s arrest and a court of inquiry.<sup>15</sup> The Secretary agreed, praising their candor, and the court of inquiry convened in fall 1807.<sup>16</sup> One of the signers of the letter to Smith was the same Lieutenant Allen who lamented having the shame of “the finger of scorn pointing me out as one of the *Chesapeake*.”<sup>17</sup> Allen became one of Barron’s chief antagonists in the proceedings.<sup>18</sup>

From the beginning of the court hearings, his subordinates’ efforts to place the blame on Barron demonstrated that the purpose of the tribunals was to salvage their reputations from their public disgrace. The proceedings were frequently conducted in terms of personal or national honor – particularly questioning Barron’s courage. The court of inquiry, for example, found that Barron had surrendered prematurely and had “used language in the presence of his men

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<sup>13</sup> McKee, *A Gentlemanly and Honorable Profession*, 440.

<sup>14</sup> Siegel, *Judge Advocate General's Corps*, 51.

<sup>15</sup> First Lieutenant Benjamin Smith, Second Lieutenant William Crane, Third Lieutenant William Henry Allen, Fourth Lieutenant John Orde Creighton, Fifth Lieutenant Sidney Smith, and Master Samuel Brooke to Robert Smith, 23 June 1807, James Barron Papers, Box 1:50, Manuscript Division, Earl Gregg Swem Library, College of William and Mary, Williamsburg, Va. The *Chesapeake*’s flag captain Master Commandant Charles Gordon did not sign this letter.

<sup>16</sup> Latshaw, “Flawed Judgment,” 381.

<sup>17</sup> Toll, *Six Frigates*, 299.

<sup>18</sup> Tucker and Reuter, *Injured Honor*, 163.

calculated to dispirit his Crew.”<sup>19</sup> In light of the findings of the inquiry, President Jefferson ordered the Secretary of the Navy to convene a court-martial. The court tried Commodore Barron, Master Commandant Charles Gordon (the ship’s flag captain – an officer who assisted a commodore with the command of his flagship), the captain of the *Chesapeake’s* marine detachment, and the ship’s gunner beginning in January 1808.<sup>20</sup>

The resulting trial was hailed by some as “well-composed” and the first tribunal to “set the naval example of a rigid adherence to principles, forms and precepts.”<sup>21</sup> However, the number of irregularities in the proceedings makes it almost impossible to believe that Barron received a fair trial. The most glaring examples were the members of the court. John Rodgers was chosen as president of the court only months after barely avoiding a duel with Barron, while Decatur explicitly admitted to having a preconceived opinion of Barron’s guilt.<sup>22</sup> Several members of the board also seem to have admired Lieutenant Allen and openly discussed their intentions to attain a promotion for him.<sup>23</sup>

In Barron’s final defense, he entreated the board: “My life [and] my honour ... hang on your decision.... Of one blessing I can never be deprived, a mind free from self reproach, and unconscious of offence against the duties of my station or the honour of my country.”<sup>24</sup> The court, however, was unmoved. It found that Barron “failed to encourage in his own person, his inferior officers and men to fight courageously” (among other charges), and sentenced him “to be suspended from all command in the Navy of the United States; and this without any pay or

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<sup>19</sup> Ibid., 162.

<sup>20</sup> Latshaw, “Flawed Judgment,” 377.

<sup>21</sup> Snedeker, *History of Courts-martial*, 53.

<sup>22</sup> Decatur to Barron, 31 October 1819, in Decatur and Barron, *Correspondence*, 6. For other examples of bias against Barron in the court-martial, see Latshaw, “Flawed Judgment,” or Tucker and Reuter, *Injured Honor*, 165.

<sup>23</sup> Tucker and Reuter, *Injured Honor*, 165.

<sup>24</sup> Navy Department, *Proceedings of the general court martial convened for the trial of Commodore James Barron, Captain Charles Gordon, Mr. William Hook, and Captain John Hall, of the United States' ship Chesapeake, in the month of January, 1808* (Washington: Printed by J. Gideon, Jr., 1822.), 326.

official emoluments of any kind, for the period and term of five years.”<sup>25</sup> The verdict was especially bitter because several of the charges were very close to that of cowardice in defending the flag.<sup>26</sup> Gordon and the marine captain, who clearly deserved some amount of blame for their responsibilities in preparing the ship for battle, were only sentenced to private reprimands, which were never carried out.<sup>27</sup>

On the whole, the composition and conduct of the members of the court suggest that even after Barron’s subordinates had called for a trial as a tool to defend their reputations, the members may have used it as an opportunity to bolster or attack the reputations of Gordon, Allen, Barron, and the other officers involved in the *Chesapeake* affair based on the members’ personal feelings. The disgrace that Barron faced from the trials was partly responsible for his later duel with Decatur, and may have played a role later in his career when he had the opportunity to serve on courts for those who had tried him.

## **Defending Status**

Personnel of every rank appealed to legal proceedings to defend their status from both superiors and subordinates. One of these numerous courts-martial occurred in the Mediterranean Squadron in 1817 between Captain Oliver Hazard Perry and Marine Captain John Heath. Heath’s work ethic was too laid-back for his zealous Captain Perry, which led to frequent conflicts between the pair. Perry considered Heath’s behavior insubordination, and therefore an insult to his honor. In one review of Heath’s conduct, Perry wrote that “the general deportment of Captain Heath towards me, so contrary to the usual address of my officers ... induced me to

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<sup>25</sup> Ibid., 346,350.

<sup>26</sup> The tribunal cited his personal “firmness and courage” for staying in the line of fire during the attack and being wounded (see Snedeker, *History of Courts-martial*, 53.), but the court’s sentence itself demonstrated to the public and the corps that his failure to fight courageously outweighed the honor of endangering himself.

<sup>27</sup> Latshaw, “Flawed Judgment,” 377. The gunner was dismissed by the court-martial.

believe that his conduct proceeded from a premeditated determination to insult me.”<sup>28</sup> Heath nonetheless continued carrying out his duty in a relaxed manner. The tension finally reached a boiling point in one skirmish with his subordinate in September 1816, in which Perry became so frustrated that he told Heath that he was a “damned rascal and a scoundrel and had not acted as a gentleman.” Heath responded: “Captain Perry, you must recollect I have the feelings of a gentleman, I will have redress for this language.” Perry’s self-control slipped even further, and Perry slapped Heath in the face and called him a “puppy.”<sup>29</sup>

The two officers immediately demanded courts-martial proceedings against each other, which began in January. Perry was charged with “ungentlemanly and unofficerlike conduct” for his abusive language. Interestingly, striking Heath was classified separately under the charge of “oppression and cruelty.”<sup>30</sup> Enlisted men were commonly beaten, which demonstrates that Perry’s offense was considered cruel and oppressive because he had disrespected Heath’s immunity to corporal punishment – his privilege as an officer and gentleman. Perry defended himself on the grounds that he was provoked by Heath’s “outrageous conduct” – implicitly stating that the authority as naval captain was more important than the privileges of a captain of marines, thereby justifying Perry’s abusive behavior. Perry’s strongest charge against Heath was that of “disrespectful, insolent, and contemptuous conduct to me, his superior officer.”<sup>31</sup> In his defense, Heath made a romantic appeal to the court:

Show me the being in existence, who regards his honor and reputation, who would have acted with less appearance of resentment.... My character, which is dearer to me

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<sup>28</sup> Quoted in David C. Skaggs, *Oliver Hazard Perry: Honor, Courage, and Patriotism in the Early U.S. Navy* (Annapolis, MD: Naval Institute Press, 2006), 177.

<sup>29</sup> Quoted in Skaggs, *Oliver Hazard Perry*, 178-179; Navy Department, *Letter from the Secretary of the Navy, transmitting, in obedience to a resolution of the House of Representatives, of the twenty-second instant, copies of the proceedings of the court martial ordered by Commodore Isaac Chauncey, on the Mediterranean station, for the trial of Oliver H. Perry: also, for the trial of Captain John Heath of the Marine Corps* (Washington, DC: E. De Kraft, 1918), 8-9. (cited hereafter as *Trial of Oliver H. Perry*).

<sup>30</sup> Navy Department, *Trial of Oliver H. Perry*, 5.

<sup>31</sup> *Ibid.*, 13-15.

than life, assaulted.... Can this be suffered? Nature herself revolts at it.... The ground of honor is consecrated: it is impaled by barriers which the hand of tyranny must not invade.<sup>32</sup>

Heath and Perry's arguments demonstrate that the incident was a conflict of status and honor: Perry hit Heath because he felt his authority as captain was being challenged – and therefore his honor. Heath, for his part, was indignant at being verbally and physically insulted in a manner that any gentleman would have found offensive, and that was explicitly unacceptable treatment for a naval officer. The courts took the easy way out, convicting both of them, and sentencing them to reprimands.<sup>33</sup> In the eyes of many junior officers serving in the Mediterranean Squadron, however, the court's verdict for Perry was unacceptably light.

Perry's court had consisted of basically the same officers as Heath's (except with fewer junior officers) and the Perry was a national hero for his role at the Battle of Lake Erie; consequently, many of the officers felt that Perry's crime had been ignored because of his reputation and the fact the captains' desire to extend their authority over their subordinates.<sup>34</sup> Heath published a pamphlet entitled *Serious Charges against Captain Oliver H Perry*, which criticized both Perry's conduct and the members of the court.<sup>35</sup> Forty-one junior officers even petitioned the Senate for a Congressional inquiry into the court-martial.<sup>36</sup> The petition, pamphlet, and the media attention that these "celebrated" trials received made these courts-martial an especially public affair, enflaming this and other, less public disputes within the officer corps about junior officer privileges and captains' authority.<sup>37</sup> Most importantly, they

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<sup>32</sup> Ibid., 31-32.

<sup>33</sup> Skaggs, *Oliver Hazard Perry*, 181-182; Navy Department, *Trial of Oliver H. Perry*, 30-31.

<sup>34</sup> Skaggs, *Oliver Hazard Perry*, 180-181.

<sup>35</sup> *The National Register*, "Captains Heath and Perry," 5 July, 1817.

<sup>36</sup> Skaggs, *Oliver Hazard Perry*, 182-183. No actual political action came out of the petition.

<sup>37</sup> Siegel, *Judge Advocate General's Corps*, 51.

helped create an impression that junior officers' rights were threatened, and demonstrated that the limits to their privileges were not settled.

### **Preble's Boys Requesting Their Own Inquiries**

As the *Chesapeake* and Perry/Heath trials demonstrated, tribunals could protect or damage officers' reputations. Their ability to redeem men's honor caused some officers who felt their character was being questioned unfairly to ask the Secretary of the Navy to convene courts to clear their name. Because of their public reputation and recurrent conflicts of honor, Preble's Boys used this process frequently. In February 1812, for example, Master Commandant Arthur Sinclair requested a court of inquiry after his ship nearly sank in a storm. Lieutenant Walter Winter, another officer on the ship supposedly insulted Sinclair's captain's conduct after the incident, and Sinclair responded by asking for an inquiry to clear his name. The Secretary approved the court, which found that "Lieutenant Walter Winter had no just cause to charge Master Commandant Arthur Sinclair with unofficerlike conduct."<sup>38</sup> Furthermore, as Christopher McKee observes, "close reading of the court's opinion suggests that its members were not prepared to encourage the practice of disgruntled first lieutenants bringing charges against their commanding officers."<sup>39</sup> While this incident occurred several years before the Perry/Heath tribunals, it did occur in peacetime, and represents the focus in the Navy on protecting the reputations of senior officers from their subordinates.

Although the practice was most common among the captains, the use of courts of inquiry to clear one's reputation was also carried out by other officers. These instances were much less common, because officers who did not have their own ships had much less of a public reputation.

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<sup>38</sup> McKee, *A Gentlemanly and Honorable Profession*, 145-146.

<sup>39</sup> *Ibid.*, 146.



Still, certain mature officers cared enough (and had enough clout with the Navy Department) to obtain such inquiries. In one instance, a Navy surgeon named Thomas Harris appealed to the Secretary for a court of inquiry in 1818 after a dispute with William Barton, another surgeon. Harris had preferred charges against Barton earlier that year for allegedly stealing his post as surgeon at the naval hospital at Philadelphia, but Barton's court-martial had accused Harris, as complainant, of "defamation of a brother officer," a crime that "whether secret or open, must ever be productive of consequences highly prejudicial to the service, and destructive of that security which an officer ought to find in his profession, against calumny and unmerited allegation."<sup>40</sup> Harris' inquiry was tasked with determining the truth of these allegations against Harris, and like Barton's court-martial, Harris's court also demonstrated the importance that the senior officers placed on maintaining officers' reputations – particularly in the court findings, which were released to the public. After clearing Harris of any blame, the court remarked that:

The amount of injury which such charges are capable of producing, is generally commensurate to the publicity which is given to them, and to the respectability and standing in society of those by whom they are made. The court will, therefore, close their proceedings, by respectfully recommending, that the opinion of this court may receive the same publicity which has been given to the sentence of the court martial complained of by Dr. Harris.

The court further stated its belief that "the integrity of [our] profession"<sup>41</sup> depended upon the officer's efforts to properly investigate accusations against their peers. The results were published in the *Niles Weekly Register*.

### **The Boston Navy Yard Tribunals**

The most prolonged and bitter series of tribunals occurred after several men who felt their privileges had been ignored came together against a common antagonist. As mentioned in

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<sup>40</sup> [Isaac] Chauncey and Samuel R. Marshall, "Naval Court," *Niles Weekly Register*, October 3, 1818.

<sup>41</sup> *Ibid.*

previous chapters, Captain Isaac Hull had made several enemies while commanding the Boston Navy Yard. By refusing to relinquish his post at the yard to Commodore William Bainbridge after Bainbridge returned from the Mediterranean, Hull had angered his senior captain considerably. Bainbridge was determined to unseat Hull from what he considered his rightful position. Hull had also forced John Shaw, a slightly junior captain, to remove his illegitimate commodore's pennant – an embarrassment to Shaw.<sup>42</sup> Added to these, Hull was unable to adequately accommodate all of the demands of one of the lieutenants under his command, a man named Joel Abbot.<sup>43</sup> These three officers of varying seniority worked together to undermine Hull's authority with many of his civilian enemies – mostly merchants and businessmen who had lost contracts under Hull's authority or had some other financial dispute. The group circulated rumors in the yard, city, and the Navy Department that Hull and several other key personnel in the Navy Yard administration were involved in a "chain of proceedings, more or less intricate" of embezzlement and fraud.<sup>44</sup> Their attacks on Hull's character were almost conspiratorial. Abbot attempted to orchestrate a network of perjury, while Bainbridge appears to have spied on Hull through his clerk.<sup>45</sup>

To what extent these officers believed the accusations they made against Hull is unclear. From their testimonies, it seems possible that Abbot genuinely believed that Hull was guilty of all of their charges simply because, in their minds, if Hull was dishonorable enough to inflict

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<sup>42</sup> Navy Department, "Officers of the War of 1812: Captains," Naval History and Heritage Command, <http://www.history.navy.mil/wars/war1812/list1.htm>. Shaw was appointed captain in 1807.

<sup>43</sup> Maloney, *Captain from Connecticut*, 318-319. Abbot's demands were for extensive amounts of leave, extra pay, and similar perks.

<sup>44</sup> *Ibid.*, 319.

<sup>45</sup> *Ibid.*, 314-5. Maloney believes that Bainbridge was the mastermind of this conspiracy, however the only concrete evidence of Bainbridge's involvement is that he resented Hull's having his command, that he used his relationship with Hull's clerk to gain information about Hull's efforts to defend his post and reputation, and that he met with Abbot, Shaw, and their compatriots privately.

grievances upon them, then he was probably dishonorable in all his dealings.<sup>46</sup> For Bainbridge's part, it would not seem out of character if he had goaded Abbot and the others purely for the sake of damaging Hull's reputation – especially as he was facing public attacks against his character because of his involvement in the Barron/Decatur duel.<sup>47</sup> What is clear is that the discordant officers sought to discredit Hull's honorable reputation by circulating rumors of their charges. After riling up the people of Boston, the officers asked the Secretary of the Navy for a court-martial, citing the rumors “in circulation both in and outside of the Navy Yard” as a confirmation of their suspicions, and a reason why the charges could not be ignored.<sup>48</sup> However, the tables were turned on Hull's enemies when the Secretary dispatched the no-nonsense Commodore David Porter to investigate. Porter promptly recognized that Abbot and his associates were malcontents, and that there was virtually no evidence to support their claims. In a sarcastic letter to the Secretary of the Navy, Porter explained the accusations against Hull's administration:

Some it seems have got rich, no one can tell how ... and putting together certain circumstances ... there seems to have been produced a conviction of a regularly connected chain, formed for the purpose of defrauding the government, from the commandant ... down to the workmen of the yard ... with the exception only of the few officers who considered themselves fairly entitled to extra allowances for firewood, chamber money, etc., which was refused to them, and which they seem to have no doubt has gone into the pockets of these conspirators.<sup>49</sup>

When Abbot was continually unable to provide any evidence, Porter ordered his arrest on February 5, 1822 and charged him with “wickedly and maliciously conspiring with others to defame the character of Captain Isaac Hull.” A week later, Hull placed Shaw under arrest on charges of “unofficerlike and ungentlemanlike conduct” for circulating rumors about him.<sup>50</sup>

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<sup>46</sup> Ibid., 318.

<sup>47</sup> Bainbridge's reputation after the duel will be explained in detail in the next chapter.

<sup>48</sup> Maloney, *Captain from Connecticut*, 321.

<sup>49</sup> Ibid., 322.

<sup>50</sup> Ibid., 327.

Bainbridge was not investigated, perhaps because of his seniority or his skill at operating within the parameters of acceptable conduct for an officer.

As the two officers (Abbot in particular) became desperate in the face of an impending court-martial, they even attempted to use scare tactics to force the officers loyal to Hull to support their charges. One lieutenant received an anonymous letter that warned him:

Beware!!! ... *Hull* is not your *friend*. he affects to be, to accomplish his own purposes which once effected, *your ruin is inevitable*. The moment he is honourable acquitted (should such be the case, which much I doubt) it is his intention to arrest you for having used disrespectful language in reference to him.... Think not that *gratitude* or *justice* will bind him; he knows not those feelings.... [You] were invited to dine with Mrs. Hull in consequence of ... [the] things ... going on. Did you ever receive such a mark of her attention *before*? and why not? were you less worthy *formerly* than now?<sup>51</sup>

The letter was signed “a Spectator,” and even featured warnings in Latin, such as “Dat veniam corvis, vexat censura columbas.”<sup>52</sup> In spite of their threats, Shaw and Abbot’s inability to provide strong witnesses to support their accusations caused their courts-martial to find them guilty. Shaw was suspended for six months with pay, and Abbot for two years without pay, with Abbot’s sentence “publicly read, at each of the naval stations in the United States.”<sup>53</sup>

Rather than putting an end to the challenges to Hull’s reputation, the trials and sentences made the situation worse. The *New England Galaxy*, ran newspaper articles suggesting that Shaw’s sentence of “six months recreation at Nahant, Ballston, Niagara, and other fashionable places of resort, with no care upon his mind, and plenty of money in his pocket!” was so mild because he had been doing the Navy and the country a service.<sup>54</sup> In a note published in the *Galaxy*, Abbot blamed his sentence on “the difficulties and dangers which surround a junior officer, who attempts to investigate the conduct of his superiors.” In the months following the

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<sup>51</sup> Ibid., 326.

<sup>52</sup> “The censor forgives the crows and harasses the doves.”

<sup>53</sup> Maloney, *Captain from Connecticut*, 331-2.

<sup>54</sup> Ibid., 334-5.

trials further articles attacking Hull were published in other newspapers such as the *Boston Patriot*, and both men published accounts of their court proceedings with their commentary.<sup>55</sup>

Hull requested a court of inquiry “to put a stop to the abuse these people are heaping up against everyone that has stood in the way of their abominable designs.”<sup>56</sup> Hull also explained that he believed he had a right to an inquiry:

Conscious of my innocence as well as of the fidelity with which I have discharged my duty, it ought not to be required of me to remain a silent spectator.... I have always understood that it was the tacit if not express engagement of the government with its officer, that they should, of right, be entitled to an investigation of their conduct whenever it was made the subject of reproach.<sup>57</sup>

The Secretary consented in July, and Captains John Rodgers, Isaac Chauncey, and Charles Morris who were appointed to conduct the tribunal pronounced him innocent of blame on October 15. The *Patriot*, the *Baltimore Morning Chronicle*, and the *National Intelligencer* all ran an article that praised the “triumphant acquittal of that meritorious officer.... Bravery and valor become associated with stern probity ... and radiant honor.”<sup>58</sup> Perhaps more than any other instances in the early Navy, the Boston tribunals highlight the close relationship between court proceedings and public reputation that occurred most often over matters of officers’ privileges. The dramatic shift in public opinion on Hull before and after the tribunals reveal the power of courts of inquiry as a tool for influencing public opinion. The friendship between Hull and both Porter and Rodgers is also worth noting, as it suggests that – as with the *Chesapeake* trials – the friendships and factions within the small corps of senior officers influenced the outcomes of tribunals.

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<sup>55</sup> Navy Department, *Trial of Captain John Shaw, by the General Court Martial, Holden on Board the U. S. Ship Independence, at the Navy Yard, Charlestown, Massachusetts upon Charges and Specifications Preferred against him by Captain Isaac Hull of the United States Navy* (Washington DC: Davis and Force, 1822); Maloney, *Captain from Connecticut*, 338-40.

<sup>56</sup> Hull to Porter, 18 May 1822, quoted in Maloney, *Captain from Connecticut*, 337.

<sup>57</sup> Hull to Thompson, 13 July 1822, quoted in Maloney, *Captain from Connecticut*, 346.

<sup>58</sup> *National Intelligencer*, 25 October 1822, quoted in Maloney, *Captain from Connecticut*, 357.

## Publicizing Proceedings

After the War of 1812, when Preble's Boys were at the height of their fame, Americans took an increased interest in the trials of their heroes. Their private honor became a matter of public interest, and the findings of the courts could protect an officers' reputation or confirm the harmful rumors circulating in the press. The scandals further reflected on the honor of the officer corps and the service, and had the potential to influence Congress' treatment of the Navy. Heath's pamphlet criticizing Perry and his court-martial is one strong example. Heath put forward his own account of the trial, which defended his reputation while challenging the honor of Captain Perry and the Navy before the public. *Niles Weekly Register* editor Hezekiah Niles summed up the situation exceptionally well:

It is a rule absolute with me not to admit any thing of a *private* or *personal* nature into the pages of the Weekly Register.... I have had the question under consideration ... whether the contents of this pamphlet should be estimated as having a *public* or a *private* character.... It is impossible that we can easily give up the hero of Erie to a censure like this – or readily suppose that com. *Chauncey* [the squadron's commodore] and the gallant officers of the squadron in the Mediterranean should become parties in it through an unjust partiality for capt. P. or a pusillanimous fear of his renown. But so it is that in our opinion, this pamphlet demands a reply.... [The charges must] injure the service considerably, and tend to produce a re-action against the naval establishment. Hence it is a *public* concern.<sup>59</sup>

Niles' article demonstrates why the officers were so concerned with their reputation: as public figures, their honor was a public concern. If their honor was in doubt, it was doubted by American society, and it reflected on the naval service as well.

Other officers also appealed to public opinion through the publication of the results of their tribunal or their full court proceedings as Isaac Hull had done. When another one of Preble's Boys, Captain Samuel Evans, was court-martialed on similar charges a few months after Hull, he too chose to publish the court's findings in July 1823 with an attached note from Secretary of the

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<sup>59</sup> *Niles Weekly Register*, "Captains Heath and Perry," 5 July, 1817.

Navy Smith Thompson clarifying that he had not committed any crimes.<sup>60</sup> And more than just court proceedings were being published: in 1822, David Porter published the second addition of his *Journal of a Cruise made to the Pacific Ocean*, which recounted in a favorable light his expedition in the Pacific during the War of 1812, partially for the purpose of refuting criticism published by a British reader.<sup>61</sup>

The full proceedings of some trials, such as the *Chesapeake* and Perry/Heath trials, where the officers were censured for dishonorable behavior, were not published until years later when they were demanded by Congress. The Navy did not publish the *Perry/Heath* trials until 1818 when Congress required their release as part of an unsuccessful effort to revise the Navy regulations.<sup>62</sup> The *Chesapeake* tribunals were not released until 1822 when they were published with Congressional support alongside another court of inquiry investigating Barron's conduct after his suspension.<sup>63</sup> One explanation for the delay in releasing these files to the public was that these documents were simply never intended for the public. The Navy administration hoped to protect the service's reputation by only releasing the charges and rulings to the public, rather than submitting the entirety of the proceedings to public scrutiny.<sup>64</sup>

The number of tribunals certainly tarnished the Navy's reputation in the late 1810s and early 1820s, and the leadership was actively looking for a solution. In March 1821, Secretary of the Navy Thompson remarked that "the frequency of Courts martial, and courts of inquiry, is not

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<sup>60</sup> Navy Department, "General Court Martial," *Niles Weekly Register*, 9 August, 1823. The court technically found Evans guilty of misconduct, but acknowledged that the problem was only that he had not adequately kept his public and private accounts separate (a common practice among Navy Yard commanders). Because he had not profited from it, the court only sentenced him to be admonished by the Secretary and advised him to keep his accounts separate in the future.

<sup>61</sup> David Porter, *Journal of a Cruise made to the Pacific Ocean in the years 1812, 1813 and 1814*, 2<sup>d</sup> ed. (New York: Wiley & Halsted, 1822). The first edition was published in 1815.

<sup>62</sup> Navy Department, *Trial of Oliver H. Perry*.

<sup>63</sup> Stevens, *An Affair of Honor*, 162.

<sup>64</sup> Navy Department, *Message from the President of the United States, transmitting a report of the Secretary of the Navy: accompanied with the Proceedings of court martial lately held at Norfolk, for the trial of Lieut. Beverly Kennon* (Washington: Gales & Seaton, 1824), 15.

only expensive, but extremely injurious in many respects to the public service.”<sup>65</sup> Thomas Macdonough’s brother-in-law wrote him in 1822 that the inordinate numbers of courts-martial “have ruined the credit of the army and the navy seems inclining to the same extravagance.”<sup>66</sup> Their concern was definitely warranted. Besides the major trials already mentioned, Lieutenant Colonel Franklin Wharton, the commandant of the Marine Corps, was court-martialed in 1817, and James Barron had a second court of inquiry in May 1821.<sup>67</sup>

### **The Kennon Court-martial and a “Better Remedy”**

The string of highly publicized trials in from 1820-1825 shook the public’s respect for the Navy and its captains. The disputes were often worsened by the factions that developed between captains, and came to include some of the older lieutenants (who, not coincidentally, were unable to advance unless existing captains left the Navy).<sup>68</sup> The trials reached a peak in 1824 and 1825, when three more courts-martial forced a shift among the senior officers to determine the limits of a captain’s power and a junior officer’s privileges.

The first of these courts-martial was that of Lieutenant Beverly Kennon in 1824.<sup>69</sup> David Porter and Kennon were on bad terms following a cruise together in 1823, and when they returned to the US the two men published attacks against each other in the newspapers.<sup>70</sup> As a skilled writer (at least compared to some of his colleagues) Porter had a penchant for defending the reputations of his friends and himself in the papers. He had written to newspapers the year

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<sup>65</sup> Maloney, *Captain from Connecticut*, 337.

<sup>66</sup> William Shaler to Macdonough, 20 May 1822, quoted in Skaggs, *Thomas Macdonough*, 184.

<sup>67</sup> Navy Department. “Trial of Franklin Wharton, Lieutenant Colonel of Marines.” In *American State Papers: Naval Affairs* Vol. 1 no. 161, 503-510. Washington: Printed by Gales and Seaton, 1834; John A. McManemin, *The Barrons: Four Commodores from Virginia* (Spring Lake, NJ: HoHo Kus Publishing, [1990]), B:27. Wharton was acquitted.

<sup>68</sup> The alliance between Abbot, Shaw, and Bainbridge against Isaac Hull could also, arguably fit into this category.

<sup>69</sup> Navy Department, “Naval Court Martial,” *Niles Weekly Register*, 8 April 1824.

<sup>70</sup> Maloney, *Captain from Connecticut*, 370.



before, for example, to defend his friend Isaac Hull at the Boston Navy Yard.<sup>71</sup> After these public exchanges, however, Porter arrested Kennon, charging that he “maliciously used base means for defaming my character.”<sup>72</sup>

Kennon was acquitted, but the Navy Department realized that it could no longer tolerate the media circus created by the public appeals of its officers over personal disputes. In a letter to a Congressman from Virginia who requested that the proceedings be published, Secretary of the Navy Samuel Southard explained that:

There are circumstances attending this case, which, in my opinion, render it indiscreet and improper for the Department to make the publication. Much, perhaps all, of the difficulties in Lieut. Kennon’s case, arose from improper articles in the newspapers, which ought not to have been made by the parties, as officers.... There must, in some way, be a period put to the public altercations of our naval officers, in this as well as in other cases, unless we are disposed to break down both the discipline of the service and the affections of the nation for the navy. There can be no period better for the purpose than the present; and, so far as [it] depends on this Department, it will now be done. Orders have heretofore been given to prevent a resort to newspapers to exhibit charges, and injure each other’s reputation, and these orders will be rigidly enforced. If one officer be guilty of improper conduct towards another, or towards the public, there is a much easier and better remedy dictated, both by self respect and regard to the service.<sup>73</sup>

The remedy that Southard referenced was the private tribunal – where rulings and sentences but not the actual events in question (or even the full court proceedings) would be made public.

However, it took time to establish the tenet that the press was not an acceptable forum for officers to cite grievances or attack their peers. The next major court-martial – possibly the most public since the *Chesapeake* affair – would help clarify the Secretary’s orders.

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<sup>71</sup> Ibid., 340.

<sup>72</sup> Navy Department, *The Trial of Lieut. Beverly Kennon*, 6,15.

<sup>73</sup> Samuel Southard to Andrew Stevenson, 26 March 1824, in Ibid., 7-8.

## **The Porter Trials and the Decline of Appeals to the Public**

Considering his history of defending his own and other's reputations before the public, his disregard for orders, his semi-sacred rank of captain (which provided its owners with a degree of insulation from serious punishment), and his celebrated status as a war hero, perhaps it is not surprising that David Porter would refuse to respect the Secretary's prohibition on appeals to the press. The first charge of Porter's court-martial – and the catalyst for the entire scandal – was based on his overzealous efforts to secure the honors that foreign officials were customarily required to render American officers. The incident occurred in 1824 while Commodore Porter was commanding a squadron in the Caribbean to suppress piracy. Lieutenant Platt, commanding the schooner *Beagle*, landed at the Spanish colonial village of Fajardo, Puerto Rico on naval business. After an initially uneventful arrival, he was arrested “in the most insulting, most provoking, and most aggravating manner, that it is impossible to imagine,” as a suspected pirate by the colonial officials who refused to accept that he was an American naval officer.<sup>74</sup> He was eventually released and reported the incident to Porter, who considered the Spanish officials' behavior unacceptable. Porter landed his armed sailors and marines at Fajardo on November 14, 1824, “for the purpose of obtaining suitable redress, or an apology for the insult, that had been offered to the flag of the United States, in ... [the] person [of Lieutenant Platt].... A refusal of which would compel him to resort to arms, which should terminate in the final destruction of the village.”<sup>75</sup>

Although the naval officers had a duty to defend the honor of the flag abroad, Porter went too far even for the Navy Department. Although the colonial administrators apologized to Porter, his actions in invading and threatening the destruction of a neutral town caused a diplomatic crisis

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<sup>74</sup> Robert R. Beale, *A report of the trial of Commodore David Porter, of the navy of the United States, before a general court martial, held at Washington, in July, 1825* (Washington: n.p., 1825) 15-17.

<sup>75</sup> *Ibid.*, 19-20.

with Spain. The President ordered that Porter submit to a court of inquiry, which was followed by a court-martial.<sup>76</sup> What truly condemned Porter, though, was his refusal to accept the reprimands of his superiors. In an ill-conceived attempt to defend his reputation, he took to his pen. He published a pamphlet defending his conduct and dedicated it to the President, who was in the process of examining the findings of the court of inquiry and determining if a court-martial was necessary. Secretary of the Navy Southard wrote to Porter explaining that it was a “surprise, that you should have considered it proper, while your case and the report of the court of inquiry were still under the consideration of the Executive, to make a publication relating thereto, and especially a publication in so many respects deficient and inaccurate.”<sup>77</sup> By publishing the pamphlet and writing to the President, Porter had gravely overestimated his privileges as a captain under review, and was charged again with “insubordinate conduct, and conduct unbecoming an officer” in addition to a charge for the Fajardo affair.

Even Porter’s friends may have viewed the publications as unacceptable: a naval colleague of John Rodgers explained that “Comm. P— is thought to have been very indiscreet towards the Department, & for this he has lost friends.”<sup>78</sup> Also, in a strange twist of fate, Commodore James Barron had finally been readmitted to active duty in the Navy a year before, and as one of the few available officers senior to Porter, he was assigned to preside over the case.<sup>79</sup> Porter had served on the 1807 *Chesapeake* court-martial that suspended Barron from the service, and, as a master commandant (and therefore not technically allowed to be on a court for a senior officer), he had been the most active member of the board in questioning Barron and the other

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<sup>76</sup>Navy Department, *Minutes of proceedings of the courts of inquiry and court martial, in relation to Captain David Porter: convened at Washington, D.C. on Thursday, the seventh day of July, A.D. 1825* (Washington, DC: Davis & Force 1825), 9.

<sup>77</sup> Beale, *Trial of Commodore David Porter*, 116.

<sup>78</sup> George Harrison to John Rodgers, 25 July 1825, quoted in David F. Long, *Nothing Too Daring: A Biography of Commodore David Porter, 1780-1843* (Annapolis, MD: United States Naval Institute, 1970), 246.

<sup>79</sup> *Ibid.*, 1,7.

witnesses.<sup>80</sup> Whether Barron was biased will never fully be known, but his role as president of the tribunal serves as further evidence of the major problem in the Navy of finding enough unbiased members of the correct rank to fill a tribunal.<sup>81</sup>

His first charge carried only one specification outlining the entire Fajardo scandal, even though it acknowledged that he committed “divers [*sic*] acts of hostility.” The court of inquiry had been called specifically to determine the events at Fajardo, and its findings would typically have been used to spell out each individual specification of the charge. The second charge, however, carried five distinct specifications:

- 1) That he had written “a letter of an insubordinate and disrespectful character” to the President of the United States, and similar letters to the Secretary of the Navy
- 2) That he had published a pamphlet of his court of inquiry proceedings “before the Executive had published, or authorized the publication of the proceedings”
- 3) That his pamphlet incorrectly reported the proceedings
- 4) That, in his pamphlet, he made “various remarks, statements, and insinuations ... highly disrespectful to the Secretary of the Navy, and to the said court of inquiry”
- 5) That, in his pamphlet, he made various official government correspondence public without permission<sup>82</sup>

The fact that his second charge was spelled out so explicitly compared to the first charge reveals that this was the true offense for which Secretary of the Navy Southard sought to punish him. If trials such as Perry’s can be relied upon as precedent, Porter’s distinguished career would almost certainly have prevented any major disciplinary repercussions. The courts-martial of Samuel Evans and Charles Stewart (Stewart’s trial followed Porter’s almost immediately) also demonstrate this trend of courts-martial to overlook the questionable conduct of senior officers. But by openly and vigorously defying Southard’s orders to all officers to refrain from appealing

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<sup>80</sup>Tucker and Reuter, *Injured Honor*, 165.

<sup>81</sup> If his correspondence with Decatur was consistent with his normal attitudes towards his peers, it certainly seems plausible that Barron could have held a grudge against Porter for years. However, Barron had written several years earlier that he appreciated Porter’s kindness towards him after he was injured in a duel with another officer. See Stevens, *An Affair of Honor*, 144.

<sup>82</sup> Beale, *Trial of Commodore David Porter*, 7-8.

to the public to settle matters of reputation (orders that were directed at him in particular after the Kennon trial), Porter crossed a line that the administration and the other captains were not willing to overlook. Although the court cited his “*anxious disposition to maintain the honor and advance the interests of the nation and of the service*” at Fajardo, he was found guilty of both charges, and sentenced to suspension for six months on August 10, 1825.<sup>83</sup> Ultimately the disgrace of the court-martial’s sentence was too much for Porter to bear, and the officer who had been so fixated on the honor of the corps resigned from the US Navy.<sup>84</sup>

### **The Stewart Court-martial: Consolidating the “Better Remedy”**

The final major trial of this period took place immediately after Porter’s trial, when Commodore Charles Stewart returned that year from his command of the Pacific Squadron. He was accused of violating a Peruvian embargo, “cruelty and oppression,” and various other charges. As with Hull’s court of inquiry, the charges were mostly unfounded and came from the numerous enemies he had made in normal interactions. The accusation of “cruelty and oppression” was brought by Lieutenant Joshua Sands, and represented a similar grievance to those of other junior officers of the time such as Abbot and Heath. After Sands had attempted to leave the ship against orders for a duel while on their cruise, Stewart arrested him and kept him confined to his quarters for six months until Isaac Hull arrived to relieve Stewart with enough officers for a proper court-martial.<sup>85</sup> When they returned to the United States, a court-martial for Stewart was convened in August 18, 1825 – only a week after Porter’s sentence had been handed

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<sup>83</sup> Ibid., 50-51.

<sup>84</sup> After a brief stint as commander of the Mexican Navy, Porter would eventually be appointed the first US consul to the Ottoman Empire. See Claude G. Berube and John A. Rodgaard, *A Call to the Sea: Captain Charles Steward of the USS Constitution* (Washington, DC: Potomac Books, Inc, 2005), 180 and Field, *America and the Mediterranean*, 151.

<sup>85</sup> Berube and Rodgaard, *A Call to the Sea*, 191.

down. While the trial of the celebrated naval hero did not stay out of the press, Stewart made no publications himself.<sup>86</sup>

The court found Stewart innocent of all charges. The verdict was important for several reasons. Where the Porter and Kennon courts-martial had ended the acceptability of appealing to the public to settle disputes, the ruling on the “cruelty and oppression” charge in Stewart’s court-martial was part of a broader movement to establish the authority of the captain over the privileges of junior officers. As early as 1819, captains such as Thomas Macdonough and John Rodgers were trying with limited success to keep the junior officers of the Mediterranean squadron in line.<sup>87</sup> While this particular source of friction was never completely eradicated in the Navy, the court’s acceptance of Stewart’s ability to confine an officer to quarters for so long represented the end of a significant shift that had occurred gradually since 1807 when the *Chesapeake* officers had requested and received a court of inquiry to allocate blame to their captain.

The court’s ruling was also significant because it firmly established Southard’s “better remedy” of using tribunals to clear an officer’s reputation. As James Barron (who also presided over Stewart’s court-martial) stated in the closing remarks: “when rumors and reports are unduly and industriously disseminated ... to impair the high standing and usefulness of an officer ... it becomes the duty of the Executive to afford such officer by the convention of a proper tribunal an ample opportunity of vindicating himself before the world”<sup>88</sup> Barron – whose return to the service in spite of his unfavorable reputation was possible only because of a similar court of inquiry – certainly understood the need for such a system.

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<sup>86</sup> Ibid., 183.

<sup>87</sup> Skaggs, *Thomas Macdonough*, 195.

<sup>88</sup> Berube and Rodgaard, *A Call to the Sea*, 193.

The Kennon, Porter, and Stewart courts-martial represent a turning point in the early Navy. Beforehand, officers considered it their right to appeal to the press to clear their names, and the Navy Department acquiesced as discontent junior officers such as Heath, Shaw, and Abbot published their opinions of their court-martial proceedings. Many people in and out of the service recognized that this process of laying all of the conflicts within the Navy before the public was detrimental to the reputation of the service and enflamed the controversies between officers. But little was done to stop the practice until after the Kennon trial. Porter's court-martial was the first major tribunal after implementation of the new norm of *private* tribunals, with the administration taking a more active role in controlling what information was released to the public. Stewart's court-martial continued the Navy's trend of tightening the discipline on junior officers, and helped firmly establish the precedent of courts-martial and inquiries as the acceptable way of resolving disputes. Between them, these three tribunals signal a shift in the culture of honor and status that were sought in the Navy.

## Chapter IV: Dueling in the Navy

Many scholars believe the practice of dueling derived from the medieval concept of “judicial combat.”<sup>1</sup> When William the Conqueror established the rules of chivalry in eleventh century England, he established a set of rules to govern the manner in which knights settled disputes between each other. In these situations, the nobles would joust (or fight on foot) in single combat in the belief that God would decide the winner.<sup>2</sup> In much the same way that the sport of fencing would later emerge, jousting became a game: youth of noble birth were trained in fighting from horseback and competed against each other in tournaments.

Single combat as a mode of settling disputes persisted in spite of the eventual decline of the joust, but became more private. The weapons and rules also changed with time. The emphasis on God’s role in determining the outcome of these combats gradually disappeared, and dueling instead became a method of defending personal honor and privilege amongst the nobility. Because the nobles drew their legitimacy from their martial ancestors whose elevated status came from their role as defenders of the state, duels reaffirmed the participant’s noble status by demonstrating their martial prowess and, most importantly, courage.<sup>3</sup> In the words of historian Joanne Freeman, the purpose of the practice was to demonstrate “above all—willingness to sacrifice one’s life for one’s honor.”<sup>4</sup> Duels did not need to be lethal to resolve a dispute; once the men had proven their honorable character, both parties could forgo the conflict.

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<sup>1</sup> Stevens, *Pistols at Ten Paces*, 1-2.

<sup>2</sup> Ibid.

<sup>3</sup> Loyseau, “A Treatise on Orders,” 22-23.

<sup>4</sup> Freeman, *Affairs of Honor*, 163.



The *Code Duello* was a document that laid out a formal process for modern dueling that served as the guide for the United States and much of the Anglophone world.<sup>5</sup> Once a gentleman had been insulted, he would ask a friend to serve as his “second” to make the arrangements on his behalf. The offended gentleman then issued a notice to the offender specifying why he felt offended, and implying that he believed a duel was necessary to satisfy his honor. The recipient would appoint his own second, and depending on the situation either try to provide an apology or explanation, or allow the correspondence to escalate in tone. Their communications would usually culminate in one party issuing a challenge, which was difficult for a gentleman to refuse without appearing to be a coward. This correspondence was usually delivered through the seconds, who were tasked with attempting to find a means of reconciling the two “principals,” and – if reconciliation failed – agree upon a fair time, location, and mode of combat.<sup>6</sup>

The most common mode of dueling in the early 1800s seems to have been with smoothbore pistols at a distance of at least ten paces, but if the principals were out for blood, or one of the principals was not a good marksman, affairs of honor were sometimes fought at murderously short distances of three to eight paces.<sup>7</sup> At this range, not only was it difficult to miss, but wounds that normally would not have been serious had enough force of impact to kill. In contrast, principals who were concerned primarily with preserving their honor or who were skilled marksmen might choose to fight from a farther distance. In these situations they might aim for a nonlethal shot at their opponent’s hip.<sup>8</sup> On rare occasions, officers would deliberately

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<sup>5</sup> Toll, *Six Frigates*, 217. The particular version of the Code most commonly used in the US was composed in Ireland in 1777.

<sup>6</sup> Lewis, *The Romantic Decatur*, 191.

<sup>7</sup> The distance in a duel was the number of paces between the two men (the men did not both take this many steps away from each other, as is sometimes depicted in movies).

<sup>8</sup> Lewis, *The Romantic Decatur*, 191; Tucker, *Stephen Decatur*, 181.

fire their shots in the air or not shoot at all, after secretly informing their seconds of their intentions beforehand (otherwise it would appear cowardly).<sup>9</sup>

Some historians theorize that dueling, which was originally uncommon in colonies, became entrenched during the Revolutionary War through contact with British and French officers.<sup>10</sup> The practice had certainly been known in the Royal Navy at least as far back as 1688.<sup>11</sup> Whatever the cause, by the end of the eighteenth century dueling had become widespread in the United States. Although New Englanders generally did not approve, the practice was established throughout the rest of the country, and particularly in the South.<sup>12</sup> In addition to geographic differences, dueling featured more prominently in certain careers. In particular, figures who articulated opinions in the public forum had a tendency to provoke challenges (or issue them as a means of redress). Consequently, people such as politicians and newspaper editors were common participants in “affairs of honor” or “interviews” as duels were sometimes called.<sup>13</sup> In the case of politicians, these duels were often fought partly so that these leaders could reinforce their legitimacy with claims of personal honor.<sup>14</sup>

### **Dueling in the Navy**

The officers challenged other men to duels to preserve their personal reputations as gentlemen and to defend the honor the nation and naval service. Not all challenges resulted in a duel. When the officers were younger and had not proven themselves in combat, they were more

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<sup>9</sup> Tucker, *Stephen Decatur*, 175; Berube and Rodgaard, *A Call to the Sea*, 115.

<sup>10</sup> Stevens, *Pistols at Ten Paces*, 30.

<sup>11</sup> David Hannay, *Naval courts martial* (Cambridge, England: University Press, 1914), 1.

<sup>12</sup> Freeman, *Affairs of Honor*, 168; Stevens, *Pistols at Ten Paces*, 31. The officer corps was not predominantly Northern or Southern. If one region was most represented, it was the Mid-Atlantic, but the main geographical trend among the officers is that they usually came from near the coast. McKee, *A Gentlemanly and Honorable Profession*, 59-67.

<sup>13</sup> Toll, *Six Frigates*, 216.

<sup>14</sup> Freeman, *Affairs of Honor*, xxii, 170.

likely to end up at the dueling grounds unless a superior officer intervened. As they matured, challenges were typically issued for different reasons and were more often mediated by friends. Regardless of the age of the officers or the immediate cause of a challenge, almost all duels were fought at least indirectly over personal reputation. While duels themselves might be somewhat private, the institution of dueling was usually fairly public in that the purpose was to reaffirm the gentleman's character to peers or the nation. Furthermore, although many of the disputes leading to challenges were petty and childish, and most people believed the practice was unacceptable, it was almost always tolerated by American society and government. This state of affairs existed through the infamous Barron/Decatur duel in 1820, which turned the opinions of the public and many officers against dueling in the Navy.

Dueling in the early Navy, according to Ian Toll “approached the proportions of an epidemic.”<sup>15</sup> Naval historians estimate that between the founding of the Navy and the middle of the nineteenth century, around 100 duels were fought between the officers.<sup>16</sup> At least thirty-six officers died in duels during this period, eighteen of them by the end of the War of 1812.<sup>17</sup> The vast majority of these encounters were between untested junior officers who held “posts of immediate fighting responsibility,” whose bravery could easily be questioned by their peers.<sup>18</sup> Courage being one of the primary virtues of a gentleman, these officers felt especially compelled to duel. If they refused, they faced ostracization.<sup>19</sup> Once an officer had established a reputation for bravery, however, it was easier to avoid duels without looking like a coward.

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<sup>15</sup> Toll, *Six Frigates*, 216-217.

<sup>16</sup> Lewis claims over one hundred duels, Toll reports there were 82 known duels, but explains that there were probably more in reality: Lewis, *The Romantic Decatur*, 200; Toll, *Six Frigates*, 217. Neither author clearly explains how they reached these figures.

<sup>17</sup> Toll, *Six Frigates*, 217; McKee, “Pathology of a Profession,” 2.

<sup>18</sup> “Posts of immediate fighting responsibility” refers to midshipmen and lieutenants, rather than chaplains, surgeon's mates, or other administrative ranks. McKee, “Pathology of a Profession,” 10.

<sup>19</sup> McKee, “Pathology of a Profession,” 10-11.

Affairs of honor were also usually between officers of relatively equal ranks. Those who were not gentlemen were, of course, not entitled to the respect of a duel. It was also understandably considered somewhat taboo in the Navy to challenge a superior officer. Instead of using the code of honor to reinforce shipboard hierarchy, the ability to challenge superiors could destroy order. As George Washington once wisely wrote to Continental Army General Nathaniel Greene, “if a commanding officer is responsible for private calls for the discharge of public duty, he has a dagger always at his breast.... In a word, he is no longer a free agent in office as there are few military decisions which are not offensive to one party or the other.”<sup>20</sup> Furthermore, because rank was based on honor, a perception existed (and still does in today’s military) that higher ranking officers are more honorable.<sup>21</sup> Affairs of honor also frequently occurred between naval and marine officers, as they served and lived together on the same ships, and because honor was of equal import to maintaining their authority.<sup>22</sup> Duels that were fought fairly and adhered to these norms and structures rarely resulted in prosecution or even adverse effects upon the careers of the survivors.<sup>23</sup>

### **Ungentlemanly Conduct**

Even taking into account society’s expectation that young military officers would duel more than the average citizen, the number of duels that occurred in the early Navy was remarkable considering the disapproval of the practice voiced by many political and religious figures and other officers. After Navy Lieutenant Allen McKenzie died in a duel with a fellow lieutenant in 1799, a Presbyterian minister stated in the eulogy that:

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<sup>20</sup> Stevens, *Pistols at Ten Paces*, 25.

<sup>21</sup> One notable demonstration of this perception is the ceremony of “tending the side,” where the number of enlisted “side boys” who salute a senior officer as he comes aboard a ship is based on the rank of the officer.

<sup>22</sup> Mckee, *A Gentlemanly and Honorable Profession*, 404-5.

<sup>23</sup> Toll, *Six Frigates*, 253.

We are called to surround the grave of a soldier who has fallen by the arm of a brother soldier, the victim of mistaken honor, slain in the prime of life ... here let all who are directed by false honor behold its effects.... He has taken a solemn departure from this world, and dark and dismal are the shades of night that descend upon his tomb. To his Judge he has gone to answer.<sup>24</sup>

The fact that the clergyman questioned the salvation of the young officer at his funeral – presumably in front of his friends or family – reveals the minister’s strong opposition.

Several of “Preble’s Boys” also disapproved of the practice, especially by the time they became captains. Captain Thomas Macdonough was one notable example. Macdonough was best known for defeating a British flotilla at the Battle of Plattsburgh in what became one of the last battles of the War of 1812, a victory that won him considerable renown. In 1819, however, he refused to serve as second to his friend Stephen Decatur because he disapproved a dueling.<sup>25</sup>

The most outspoken opponent of the institution was Captain Alexander Murray, a veteran captain of the Continental Navy who served with reasonable success in the US Navy until 1821.<sup>26</sup> While commanding the *Constellation*, Murray refused to attend the funeral for a marine captain under his command who was killed in a duel with a Navy lieutenant. He even suggested that the epithet on the captain’s tombstone should observe that he “had fallen a victim to a false idea of honor.”<sup>27</sup> He was also the first officer to suggest that dueling be made a court-martial offense in the Navy, although the Navy Department ignored his suggestion.<sup>28</sup>

Officers such as Murray and Macdonough, who unequivocally opposed dueling, were the exception in the Navy. While the corps as a whole generally claimed to share the opinions of mainstream society that dueling was morally reprehensible, it simultaneously viewed dueling as

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<sup>24</sup> McKee, *A Gentlemanly and Honorable Profession*, 405. The location of the funeral is unclear.

<sup>25</sup> Skaggs, *Thomas Macdonough*, 203

<sup>26</sup> Frost John, *The pictorial book of the commodores: comprising lives of distinguished commanders in the navy of the United States* (New York: Nafis & Cornish, 1845), 60-74.

<sup>27</sup> McKee, “Pathology of a Profession,” 12; Toll, *Six Frigates*, 221.

<sup>28</sup> McKee, *A Gentlemanly and Honorable Profession*, 405.

an unavoidable part of being an officer and gentleman. Arthur Sinclair remarked that although dueling was a practice that conflicted “with the morality ... of our country,” in some situations, duels were “a misfortune for which there was no honorable remedy.”<sup>29</sup> Sinclair hints at a conflict that many officers felt: while a gentleman had a moral duty to uphold his honor, he also had a duty to uphold his personal moral code. An even clearer example of the ideology of the duel can be seen in the letters that Stephen Decatur and James Barron exchanged leading up to a challenge in 1820. Decatur wrote Barron:

I do not think that fighting duels, under any circumstances, can raise the reputation of any man, and have long since discovered, that it is not even an unerring criterion of personal courage ... but, in my opinion, the man who makes *arms his profession*, is not at liberty to decline an invitation from any person, who is not so far degraded, as to be beneath his notice.<sup>30</sup>

Barron’s response reveals his similar justification of dueling:

I consider [dueling] a barbarous practice which ought to be exploded from civilized society; but, sir, there may be causes of such extraordinary and aggravated insult and injury, received by an individual, as to render an appeal to arms ... absolutely essential.... I feel myself constrained, by every tie that binds me to society, by all that can make life desirable to me, to resort to this mode ... as the only alternative ... for the preservation of my honor.<sup>31</sup>

Barron’s statement elaborates on Decatur’s response that military men were “not at liberty to decline an invitation,” by explaining that as gentlemen, an officer’s duty to protect his personal honor was compulsive – it was even more important than his life or moral beliefs. In Decatur’s mind, this was because of his status as an actual warrior, but for most men it was part of being a gentleman (and therefore, an heir to the warrior aristocracy). Some officers like Macdonough

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<sup>29</sup> Mckee, “Pathology of a Profession,” 12.

<sup>30</sup> Decatur to Barron, 31 October 1819, in Decatur and Barron, *Correspondence*, 9. This response seems odd because Decatur had been extensively involved in duels throughout his naval career, and issued many challenges himself. If his statement was sincere, then his opinion of dueling must have changed as he matured. Alternatively, his statement might not reflect his views, but those of the other senior Captains who found the practice necessary but undesirable. Decatur remarks in his letters to Barron that he expects his letters will be read by more people than just Barron because he believes that Barron is discussing the content with some of his colleagues in the Navy.

<sup>31</sup> Barron to Decatur, 30 November 1819, in Decatur and Barron, *Correspondence*, 17-18.

obviously identified with a different code of personal honor espoused by many religious institutions – where honor was based on moral righteousness, and not superior to it. But as these remarks and the multitude of duels demonstrate, the views of those who considered dueling a necessary part of being a gentleman prevailed in the early Navy.

If the officers were unable or reluctant to suppress dueling, their civilian leaders could have banned the practice instead. However, many political figures expressed their disapproval but were unwilling to interfere for a variety of reasons. Secretaries of the Navy Robert Smith (1801-1809) and Paul Hamilton (1808-1813) both condemned the practice but did nothing. Christopher McKee argues that their lack of anti-dueling policy was because they deemed it too great a stretch of the *Act for Better government of the Navy*, and because they feared that other officers would not convict a duelist in a court-martial.<sup>32</sup>

After the Burr/Hamilton duel in 1804, which helped turn the nation against dueling, almost nothing was done to end the practice. Later that year, a midshipman named Cornelius DeKraft was sent home from the Mediterranean for killing a fellow midshipman, and ordered to report to Washington D.C. – presumably because of his duel. But the government did not punish DeKraft, because even after the public outcry against dueling, the government still believed that these affairs of honor were important for an officer to maintain his identity. In fact, Congressman Joseph Nicholson of Maryland, the father of the dead midshipman, asked the Navy not to punish DeKraft, citing the “prevalent example of older, wiser, and more exalted men.”<sup>33</sup> Congress – the only group who had unquestionable power to outlaw dueling – demonstrated that it did not consider ending the practice a priority in the Navy. In the aftermath of the Burr/Hamilton duel,

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<sup>32</sup> McKee, “Pathology of a Profession,” 13. The secretaries had the power to fire people without courts, but courts could be convened by squadron commanders, so an officer who was abroad would likely be court-martialed and set free for dueling.

<sup>33</sup> Toll, *Six Frigates*, 253.

Congress banned dueling in the Army in 1806, but did not alter anything about the dueling policy in the Navy of this period.<sup>34</sup> The reason for this discrepancy is not obvious, but the fact that Congress did not change the Navy's regulations suggests that legislators considered the practice important to the Navy's ability to fulfill its duties. By 1806, the nation was in a period of peace, and the Army consequently had little occasion to defend the national honor. As the Napoleonic wars continued to rage in Europe, however, the Navy was still needed to protect the sovereignty of the flag at sea and interact with often unfriendly governments

### **Dueling and Personal Honor among Junior Officers**

Although the boundaries between different types of honor were blurry during this period, many duels were still based primarily on matters of personal honor. Officers issued challenges when they felt that they had been defamed, their rights had been abused, or their courage questioned. These affairs of honor demonstrate the centrality of these men's self-perception as gentlemen to their identities as officers. While other conflicts in the corps also show the value of personal honor to the officers, the challenges they issued reveal that being a gentlemen was, in many cases, more valuable than the men's lives.

When the officers were younger, protecting their reputation generally meant defending their courage or otherwise proving that they were worthy of being considered officers and gentlemen. This often led to extremely petty or even childish duels – one lieutenant was killed in 1803 over “preference in a simple game of billiards.”<sup>35</sup> There are numerous examples of duels between Preble's Boys when they were midshipmen and lieutenants, but only a few must be examined to highlight the major characteristics of dueling among these officers. One such incident occurred

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<sup>34</sup> Ibid., 217.

<sup>35</sup> Barron to SB quoted in McKee, “Pathology of a Profession,” 10.



in October 1802 between Navy Lieutenant Richard Lawson and Marine Corps Captain James McKnight, Stephen Decatur's brother-in-law.<sup>36</sup> After a long-standing dispute, Lawson challenged McKnight to a duel at three paces while the two were serving on the *Constellation* near Leghorn, Italy. At such a short distance, it would be almost impossible to miss a shot, so Lieutenant David Porter, McKnight's second, refused. McKnight called Lawson a coward and "an Assassin for proposing so short a distance," and Lawson responded by circulating a note to the other officers on the ship that he had "proved [McKnight] a coward."<sup>37</sup> The pair would not abandon the dispute with these accusations of cowardice still standing, so they agreed to duel at the longer (but still extremely dangerous) distance of six paces. McKnight was killed in the first exchange of fire. This duel was typical of the duels between the younger members of the corps, because it demonstrates the compulsion that many felt to demonstrate their courage publicly. In the words of Christopher McKee "no nineteen-year-old midshipman, one who had never established his bravery through combat, could in that society have his courage challenged and still remain a member in good standing of his peer group."<sup>38</sup>

The need of many untested midshipmen to prove their courage to their fellow officers caused a similar fatal duel in August 1808. The officer's commanding officer, Commodore John Rodgers, wrote Secretary of the Navy Robert Smith:

I at present am unable to acquaint you of the origin of the quarrel of these two young men. But from the information I have been able to collect ... it was something of a very trivial nature. Indeed it would appear that they went out rather from motives of bravado than anything else, and after getting on the ground were ashamed to return without fighting.<sup>39</sup>

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<sup>36</sup> Lorenzo Sabine, *Notes on Duels and Dueling: Alphabetically Arranged with a Preliminary Historical Essay* (Boston: Crosby, Nichols, & Company, 1859), 243.

<sup>37</sup> Robert J. Allison, *Stephen Decatur: American Naval Hero, 1779-1820* (Amherst, MA: University of Massachusetts Press: 2005), 34; Toll, *Six Frigates*, 220-221.

<sup>38</sup> McKee, *A Gentlemanly and Honorable Profession*, 404.

<sup>39</sup> *Ibid.*

Another (particularly dramatic) confrontation between junior officers occurred on the *United States* during the Quasi-War in 1798, when Midshipman Stephen Decatur jokingly called his close friend Midshipman Richard Somers a “fool” in response to Somers’ remark about the outfit Decatur was wearing. Neither of the pair thought anything of the exchange until the next day, when five or six of the other junior officers refused to dine with Somers on the grounds that he had been cowardly by accepting Decatur’s insult.<sup>40</sup> Decatur offered to serve dinner to the whole party and assure them that he had not intended an insult, but Somers responded that “They have allowed themselves to suspect my courage. I must convince them that they are mistaken, and my only course is to fight them all.”<sup>41</sup> Somers challenged all of them, and fought three duels in sequence. By the third duel, he was so badly injured that he had to fight while sitting down, with Decatur supporting his pistol arm. After this duel, the rest of the officers decided to end the affair, agreeing that Somers had proved his courage.<sup>42</sup>

While this duel was not exactly typical of all the officers, it is important to understanding the corps for three reasons. Firstly, during this first year of the seagoing Navy (and this early stage in its first war) the officers as a group had almost no experience in battle, and so were especially determined to prove their courage. Secondly, Decatur continued his career in the Navy and participated in several more affairs of honor. This duel – one of the earliest in which he was involved – demonstrates his background in dueling during his youth, and helps demonstrate contrast in his feelings on the practice by the time he had matured. Finally, a duel as bold and exciting as this one captures the romantic sensibilities of the time, and would almost certainly serve as a model of honorable behavior to those officers who heard the story. As Charles Stewart’s biographer explained, Stewart watched a duel that Decatur fought on Stewart’s first

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<sup>40</sup> Toll, *Six Frigates*, 220; Lewis, *The Romantic Decatur*, 197-8.

<sup>41</sup> Lewis, *The Romantic Decatur*, 197.

<sup>42</sup> Toll, *Six Frigates*, 220.

war cruise in 1799, and the duel became Stewart's most vivid memory of the cruise.<sup>43</sup> In the relatively small community of the Navy, where men were confined to ships for months at a time with few sources of entertainment but each other's company, officers certainly shared stories such as this with their peers. Therefore, in an environment like the Navy's, it is likely that Somers' duel became something of a legend and an ideal of dueling for the young officers.

### **Duels and Personal Honor among Senior Officers**

For the officers of the generation who reached the senior ranks of master commandant or captain, challenges were issued with more care. The disputes resulted from the intense value that the officers placed on their public reputation. This was partly because those who were successful and popular with the public and their peers were especially likely to be posted at a profitable navy yard or a command that carried the possibility of prize money – a system that encouraged officers to amplify their reputations as much as possible to look better than their rivals. Additionally, because the officers all valued honor so much, even a senior officer could be viewed with disrespect by peers and civilian associates if too great an insult was ignored. Nevertheless, challenges did not usually reach the dueling field because the senior officers had already proved their courage in battle; instead, many of the duels were peacefully arbitrated by the principals and their seconds, or the disputes died out before the arrangements could be made. The number of captains in this generation was fairly small, but even so, many of the same officers seemed to be involved in the disputes.

John Rodgers seemed especially prone to these conflicts. He assumed command of the Mediterranean Squadron in 1803 after his frustratingly passive superior, Commodore Richard Morris, was relieved. Almost immediately, however, Commodore Edward Preble arrived with

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<sup>43</sup> Berube and Rodgaard, *A Call to the Sea*, 14.

orders to relieve Rodgers.<sup>44</sup> Rodgers was doubtless angered by losing exclusive leadership of the Barbary War (and the credit for success and prize-money that would accompany the command). His frustration at being superseded even caused him to challenge Preble to a duel.<sup>45</sup> Nevertheless, he followed his orders to return to the United States, where he petitioned the Secretary of the Navy to send him back to the war. His pleading letter reveals how desperately Rodgers wanted the honor and glory associated with victory: “[I] should be greatly mortified, if the *Congress* did not share a part of the Credit to be derived, in the reduction of Tripoli by inscribing a lasting & Honorable remembrance of her name on its Walls.”<sup>46</sup> The Secretary agreed to reassign him to the Mediterranean in *Congress* in spring 1804.

Although Rodgers was pleased to return to the fight, he was almost certainly disappointed that he still did not have the opportunity to lead the war. He served as second in command to Commodore Samuel Barron – elder brother of Captain James Barron, who was also serving in the Mediterranean Squadron. Samuel fell ill in September, which could have been the opportunity Rodgers was looking for to command the squadron. However, Barron did not relinquish his command immediately– preferring instead to use his brother as an intermediary in his duties. Rodgers felt cheated; he blamed James for privately convincing Samuel to retain his command while “assuring [Rodgers] with the gravity of a Judas that he had been endeavoring to prevail on his brother to resign.”<sup>47</sup> Little evidence currently exists to support the belief that James Barron actually undermined Rodgers’ reputation to his brother. In fact, Samuel had temporarily placed Rodgers in command of the squadron after he had first fallen ill in fall 1804,

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<sup>44</sup> John H. Schroeder, *Commodore John Rodgers: Paragon of the Early American Navy*. (Gainesville, FL: University Press of Florida, 2006), 34-5.

<sup>45</sup> Toll, *Six Frigates*, 252. The amount of time which passed before they both returned to the US and could make arrangements seems to have allowed the dispute to fizzle out before the duel was actually arranged. See Schroeder, *Commodore John Rodgers*, 53-54.

<sup>46</sup> Rodgers to Smith, 30 August 1804, quoted in Schroeder, *Commodore John Rodgers*, 41.

<sup>47</sup> Latshaw, “Flawed Judgment,” 387-8; Lewis, *The Romantic Decatur*, 221.

and handed it over to Rodgers again in May 1805 – assuring Rodgers that he had full confidence in him.<sup>48</sup>

These details notwithstanding, Rodgers attacked Barron’s character repeatedly. After the war, Rodgers told his friends – including officers such as Captain William Bainbridge, “My Character ... has been aspersed in the most gross manner.”<sup>49</sup> Rodgers blamed Barron for these attacks to his reputation, and Barron replied that he would “call on him to answer in a proper place and time.” Rodgers asked his friend Lieutenant David Porter to tell Barron that “if I do not hear from him, I shall impute it to a want in him of what no Gentleman – one who wears a uniform – should be deficient in” (courage).<sup>50</sup>

Rodgers’ desired confrontation never occurred, however. Both men were captains, and had less need to prove their courage by dueling. James Barron had not yet endured the shame of the *Chesapeake* incident, and could therefore take his time getting around to the duel; he too had become sick, and he told Rodgers that he would not be able to travel to Washington, D.C. for their encounter until he recovered.<sup>51</sup> During this delay, Rodgers married his fiancé of over a year, which must have distracted him from the dispute and made the possibility of his death or injury seem more acute. Perhaps most importantly, the men’s seconds took their job of avoiding an altercation seriously. Rodgers’ second, Commodore Thomas Tingey, wrote to Barron’s second that he hoped that the delay caused by Barron’s illness would “give such time for reflection as to prevent the most probably fatal recourse that has been heretofore contemplated.”<sup>52</sup> After the wedding, Tingey assured Rodgers that he could not “gain an atom by

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<sup>48</sup> Schroeder, *Commodore John Rodgers*, 41, 44-5.

<sup>49</sup> Rodgers to Lear, 17 May 1806, quoted in *Ibid.*, 53.

<sup>50</sup> Toll, *Six Frigates*, 260.

<sup>51</sup> Thomas Tingey to Franklin Wharton, 26 August 1806, James Barron Papers, Box 1:36, Manuscript Division, Earl Gregg Swem Library, College of William and Mary, Williamsburg, Va.

<sup>52</sup> Thomas Tingey to Franklin Wharton, 1 January 1807, James Barron Papers, Box 1:36, Manuscript Division, Earl Gregg Swem Library, College of William and Mary, Williamsburg, Va. Commodore Tingey was a veteran of

the result of such a contest as this,” and that all that would be necessary to end the affair respectably was “a small and honorable acknowledgement” of his amity to Barron.<sup>53</sup> Although Rodgers continued to dislike James Barron, he chose to issue such an acknowledgement, and Barron reciprocated. The seconds then circulated a notice stating that the men had settled their differences on terms “highly honorable to both parties.” Attached to this notice was a letter from one of their friends to Captain Rodgers, stating:

It has been intimated to me ... that captain Barron does not now perceive the necessity of calling on you ... but feels himself injured by the style of your reply. As I am sure that neither you nor any other person can entertain a suspicion dishonorable to captain Barron; it is the opinion of your friends, that you have only to say, that your reply was the hasty suggestion of the moment ... that was excited by so unexpected [*sic*] a notification. They think that you may say this with honor, and that by so doing you will put an end to an affair of much concern to your friends, and particularly so to the secretary of the navy.... I would not recommend to you a measure that I thought you could not adopt with honor.<sup>54</sup>

Efforts like this by the officers’ seconds and other friends helped prevent the Rodgers/Barron dispute from ending in a duel. Additionally, Rodgers’ marriage and his realization that he did not need to duel to defend his reputation represent two of the other reasons why Rogers (and most other senior officers) did not resort to gunplay. Furthermore, public opinion was not a major source of compulsion to duel, because knowledge of the dispute was limited mainly to some of their colleagues and personal friends, and neither captain was particularly famous at this point in their careers. The remark by Rodgers’ friend about the Secretary of the Navy’s concern suggests that the publicity that a duel might attract could actually damage the image of the Navy, and that possible fatalities would hurt the service by thinning out the fairly small group of captains.

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the Revolutionary war and one of the senior officers in the Navy at the time. Barron’s second was Lieutenant Colonel Franklin Wharton – the commandant of the Marine Corps.

<sup>53</sup> Tingey to Rodgers, 6 February 1807, quoted in Schroeder, *Commodore John Rodgers*, 56.

<sup>54</sup> John Sticker to John Rodgers, 31 January 1807, in McManemin, *The Barrons*, B:15.

One instance where a captain did participate in a duel with another officer occurred on October 19, 1817. After marine Captain John Heath published his pamphlet condemning Commodore Perry and his lenient trial, the dispute between the two officers remained the subject of public attention. Heath accused Perry of “the most consummate arrogance, and ... a spirit of the rankest malevolence.” Perry, for his part, considered Heath “destitute of truth, of honor & of spirit.”<sup>55</sup> Under mounting pressure from the public for a resolution to the dispute, Perry accepted a challenge from Heath, and chose Stephen Decatur as his second. When the two men met in Hoboken, New Jersey, only one shot was fired. Heath missed his opponent; Perry who despised dueling, had only accepted the duel on the secret condition that he would not fire (which Decatur announced after Heath had pulled the trigger).<sup>56</sup>

The duel was unorthodox in several ways. First, it was not fully acceptable in the Navy for officers like Heath to challenge their superiors, and for their superiors to accept (although Heath had been dismissed from the Marine Corps in an 1817 personnel reduction). Secondly, it was even rarer for captains with military victories to their credit to accept a duel at all. Even though their sense of honor might make them feel obliged to duel, the need to protect their reputation among their peers and the public was considerably lessened, which removed much of the impetus. Finally, refusing to fire a shot was almost unheard of in American duels at this time.<sup>57</sup> In the public, however, with both a Christian disdain and tacit acquiescence in the practice, many considered Perry’s actions to be admirable. In an address to the House of Representatives, Speaker of the House Henry Clay acknowledged that “the public mind remained agitated and unappeased until the recent atonement, so honorably made by the gallant commodore.”<sup>58</sup> Heath

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<sup>55</sup> Skaggs, *Oliver Hazard Perry*, 186-187.

<sup>56</sup> Tucker, *Stephen Decatur*, 175.

<sup>57</sup> Skaggs, *Oliver Hazard Perry*, 189.

<sup>58</sup> *Ibid.*, 190.

also accepted this outcome as a vindication of his honor, and the dispute between the two dissipated.

### **Duels and Collective Honor**

Although many affairs of honor occurred within the corps, most of the challenges issued over insults to collective honor were, predictably, against outsiders. As one might guess, insults to collective honor were directed at a group with which an officer identified, rather than against his character personally. Although defending the flag and the Navy were integral sources of an officer's status, older officers rarely, if ever, dueled over matters of collective honor. Dueling foreigners or outsiders in the name of the Navy or the nation was an excellent way for younger officers to prove their courage. Captains, on the other hand, usually had families and a secure reputation, so there was no need to risk their lives over petty insults.

Stephen Decatur was involved in two duels concerning the honor of the US Navy. The first occurred in 1799 shortly after his promotion to lieutenant on the *United States*. Several of the sailors under his command attempted to join a merchant ship, and when Decatur went aboard to retrieve the men, the vessel's chief mate cursed him and the Navy.<sup>59</sup> Decatur's father advised him that he had to seek redress for this disrespect. When the chief mate refused to apologize, Decatur chose his friend Richard Somers to serve as his second, and a duel was arranged. The mate missed his shot, and Decatur wounded his opponent in the hip (as he had intended, according to his shipmate Lieutenant Charles Stewart).

Later, while serving as first lieutenant of the *Essex* during the first Barbary War 1801, Decatur had another altercation in defense of the Navy. Supposedly, while the ship was docked in Barcelona under the command of Captain William Bainbridge, many citizens of the city

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<sup>59</sup> Lewis, *The Romantic Decatur*, 190-191; Berube and Rodgaard, *A Call to the Sea*, 14-15.



praised her orderly appearance compared to the vessels of the Spanish Navy.<sup>60</sup> Several junior Spanish officers were offended at this, and began harassing the American officers when they passed the Spanish guard boat to go ashore. One night Bainbridge's barge was detained and the Spaniards requested that he board their boat. He refused and rowed away, defying numerous curses and threats from the officers. Captain Bainbridge responded with a letter to the leader of Spanish naval forces in the region, complaining that his treatment was "so inconsistent with the character of the officers of the American Navy that I did not feel disposed to submit to it, although exposed in an unarmed boat."<sup>61</sup> Bainbridge's second-in-command, Stephen Decatur, was not so tame in his response. When he was detained by the same guard boat a few nights later, he advised the commanding officer that he would return in the morning. Decatur went back to the ship in the morning to challenge the Spanish commander who had detained them, but when he found out that their commander was ashore, Decatur replied: "well then, tell him that Lieutenant Decatur of the frigate *Essex* pronounces him a cowardly scoundrel, and that, when they meet on shore, he will cut his ears off."<sup>62</sup> In spite of Decatur's blatant provocation of a duel, the Spanish authorities were able to prevent the dispute from reaching the shore through negotiations with the US consul and by issuing an order that the Spanish Navy "treat all the officers of the United States with courtesy and respect."<sup>63</sup>

The dramatic contrast in the courses taken by Captain Bainbridge and Lieutenant Decatur provide another example of the differences in dispute resolution between captains and junior officers. Although both Bainbridge and Decatur cared greatly about their honor and were only five years apart in age, Bainbridge – as a captain – was more secure in his status. He had nothing

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<sup>60</sup> Tucker, *Stephen Decatur*, 27.

<sup>61</sup> Lewis, *The Romantic Decatur*, 192.

<sup>62</sup> *Ibid.*, 193.

<sup>63</sup> *Ibid.*, 193-4.

to gain personally by dueling, especially if he was able to resolve the situation using the other, diplomatic means available to him. Decatur had not yet achieved his great personal success in burning the *Philadelphia* and the accompanying promotion to captain. Furthermore, the Navy Department would probably have been far less accepting of Bainbridge dueling because, as a captain, he would be more conspicuous and less expendable than a lieutenant.

Additionally, in cases like this, where the Navy's honor was challenged overseas, the honor of the service came to equate to the honor of the nation – foreign officers were treated as representatives of their country, and therefore insulting an officer was comparable to insulting a diplomat. This strong relationship between the honor of the Navy and the national honor is one of the reasons that the corps sought to defend the reputation of the service and its members' privileges as officers. Most of the duels fought over national honor were with British officers or officials – presumably because of the increased interaction facilitated by a common language and the diplomatic tensions between the two nations. There are numerous records of friendly interactions between Americans and Britons, but the tensions between the two groups often induced eager younger officers to duel.<sup>64</sup> In 1804, one midshipman even wrote that the two groups of officers “meet on shore but to fight & insult each other.”<sup>65</sup> The problem continued even after the War of 1812. In June 1819, for example, Lieutenant Robert Stockton and Purser Benjamin Bourne of the Mediterranean Squadron fought a series duels with the British garrison of Gibraltar.<sup>66</sup>

As was often the case, Stephen Decatur was involved in one of the most sensational examples of dueling over national honor. The incident occurred in 1803 while William Bainbridge's younger brother Joseph was on liberty at Malta. While attending a theatre

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<sup>64</sup> Toll, *Six Frigates*, 221.

<sup>65</sup> *Ibid.*

<sup>66</sup> Skaggs, *Thomas Macdonough*, 176.

performance with a shipmate, the midshipman heard an Englishman remark that “Those Yankees will never stand the smell of powder.” The two officers went into the lobby to decide on how to address the insult, but the Englishman followed them, rudely brushing past Joseph’s shoulder three times until the aggravated midshipman punched him in the face.<sup>67</sup> The next day, the aggressor – a skilled duelist and private secretary of the Governor of Malta – sent a challenge to Bainbridge, and Lieutenant Decatur asked to serve as his second. Because Joseph had never fought a duel and was not an especially good shot, Decatur insisted on the dangerous distance of only four paces. When the other second remarked “this looks like murder, sir,” Decatur retorted “No, sir, this looks like death, but not like murder.” When the two parties met shortly thereafter, the Englishman was mortally wounded and Bainbridge escaped unscathed.<sup>68</sup>

Bainbridge could have refused the duel and, after the squadron sailed, been safe from any threats similar to those that Decatur had used to against the Spanish officer. However, this course of action would have forfeited his honorable reputation among the other gentlemen of Malta and even his fellow officers. Bainbridge’s duel was as much about proving his personal honor as it was defending the honor of the flag or the corps. Nevertheless, conflicts with outsiders such as this had characteristics that made them different from those within the service. Because the corps was fairly small, officers working closely with their peers could very easily step on each other’s toes and offend each other’s personal honor. However, while personal honor was a matter of ranking individuals and protecting status, collective honor helped unify the officers behind the same source of validation. In this regard, collective honor was a less divisive source of legitimacy for the officers.

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<sup>67</sup> Toll, *Six Frigates*, 222; Lewis, *The Romantic Decatur*, 194.

<sup>68</sup> Lewis, *The Romantic Decatur*, 195.

## **Barron and Decatur**

The duel between Commodores James Barron and Stephen Decatur had been a long time coming. The two men were supposedly very close when Decatur joined the Navy and was posted under Lieutenant Barron on the *United States* in 1798, so historians have long sought to pin down a specific point when their relationship began to deteriorate. Barron seems to have believed that the initial break occurred over a misunderstood conversation between himself, a companion, and Barron in 1806, in which Decatur may have perceived that Barron was criticizing his decision to court a woman named Susan Wheeler – the illegitimate daughter of a wealthy Norfolk businessman. Other evidence suggests that Decatur lost respect for Barron a few weeks later after he avoided the duel with Commodore John Rodgers. Both James and his brother noted that Decatur acted, in the words of Barron’s biographer William Oliver Stevens, “so frankly hostile” towards James the next time the two met that the Barron brothers felt the need to call on him for an explanation (although the visit did little to improve their relations or even clear up the reason for Decatur’s behavior).<sup>69</sup>

The most visible cause of the enmity between the pair was the *Chesapeake-Leopard* affair. Decatur was stationed in Norfolk at the time of the court of inquiry, and attended many of the hearings. He decided during the inquiry that he blamed Barron for the incident, but was ordered by Secretary of the Navy Robert Smith to sit as a judge in Barron’s court-martial anyway on a panel presided by Rodgers.<sup>70</sup> The court’s sentence ruined Barron: with no income except some small earnings from a few minor inventions, Barron was forced to command merchant ships in Europe. When the War of 1812 broke out, the impoverished captain was stranded in Copenhagen while struggling to support a sick wife and six children. When he eventually

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<sup>69</sup> Stevens, *An Affair of Honor*, 57; Latshaw, “Flawed Judgment,” 386-388.

<sup>70</sup> Tucker, *Stephen Decatur*, 93-4.

scraped together enough money to return in December 1818, the Navy Board of Commissioners consisting of Rodgers, Decatur, and David Porter (all members of his court-martial) refused to return him to active duty.<sup>71</sup>

The Navy at this period was characterized by a high level of competition between officers as the Navy was downsized after the War of 1812. There were not enough captain billets to go around, which in turn slowed promotion for junior officers. Furthermore, with fewer opportunities for prize money, the captains competed with each other for the most lucrative posts.<sup>72</sup> This sense of competition played a role in keeping Barron out of the Navy. In a letter to Barron on in 1819, Decatur explains that he rejected Barron's application for an active duty assignment partly because "there was not employment for all the officers who had faithfully discharged their duty to their country in the hour of trial; and that it would be doing an act of injustice to employ you, to the exclusion of any one of them."<sup>73</sup> Furthermore, Decatur himself had an interest in barring Barron from the Navy. If Barron returned, he would be one of the few officers in the Navy who would be senior to Decatur.<sup>74</sup> Decatur clearly had very little respect for Barron, and the thought of taking orders from the disgraced captain must have appalled him.

By this point, Barron believed he had suffered too much at the hands of Decatur and his allies, and when he heard rumors that his antagonist had been insulting him in the company of junior captains, Barron wrote to Decatur demanding redress. Their letters leading to the duel are among the most revealing documents available on the ideology of honor and duty in the early officer corps. Both men not only laid out their reasons for their enmity toward each other, but openly wrote for an audience in the expectation that their words would be circulated. The two

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<sup>71</sup> McManemin, *The Barrons*, B:21-23.

<sup>72</sup> These events took place about the same time as Commodore Hull's tribunals, for example.

<sup>73</sup> Decatur to Barron, 31 October 1819, in Decatur and Barron, *Correspondence*, 8.

<sup>74</sup> Schroeder, *Commodore John Rodgers*, 157. Decatur would be the second most senior officer after John Rodgers.

men's biting critiques of each, therefore, reflect both their personal feelings and their opinions of the values held by their peers and American society. As Decatur explained in one letter: "The matter, did not deserve so dispassionate and historical a notice as I have given it; and had I believed it would receive no other inspection than yours, I should have spared myself the trouble."<sup>75</sup> Barron replied that "as you have intimated that our correspondence is to go before the public, I feel it a duty I owe to myself, and to the world, to reply particularly to the many calumnious charges and aspersions which your '*dispassionate* and historical notice' ... so abundantly teems; wishing you, sir ... 'distinctly to understand' that it is not for *you* alone ... that I take this course."<sup>76</sup>

Barron complained of Decatur's participation in the court-martial, arguing that "you were to act under the solemn sanction of an oath, to render me impartial justice upon the very testimony ... from which you [had drawn] 'an opinion, *altogether unfavorable to me.*' How such conduct can be reconciled with the principles of common honor and justice, is to me, inexplicable," He further accuses Decatur of speaking "injuriously of [him] to junior officers," and in unfairly barring him from reassignment.<sup>77</sup> Decatur, for his part, accused Barron of cowardice, deceit, and attempting to "fight his character up" by provoking a duel.<sup>78</sup> As their exchanges became increasingly caustic and broke off entirely, Barron finally issued a challenge:

In [your letter] you say that you have not to inform me that you shall pay no further attention to any communication that I may make to you other than a direct call to the field; in answer to which I have only to reply, that whenever you will consent to meet me on fair and equal grounds, ... you are at liberty to view this as that call; ... as for your charges and remarks, I regard them not, particularly your sympathy; you know not such a feeling – I cannot be suspect of making the attempt to excite it.<sup>79</sup>

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<sup>75</sup> Decatur to Barron, 31 October 1819, in Decatur and Barron, *Correspondence*, 9.

<sup>76</sup> Barron to Decatur, 30 November 1819, in Decatur and Barron, *Correspondence*, 10-11.

<sup>77</sup> *Ibid.*, 12.

<sup>78</sup> Decatur to Barron, 29 December 1819, in Decatur and Barron, *Correspondence*, 18.

<sup>79</sup> Barron to Decatur, 16 January 1820, in Decatur and Barron, *Correspondence*, 21.

Decatur replied: “I have received your communication of the 16<sup>th</sup>, and am at a loss to know what your intention is. If you intend it as a challenge, I accept it.”<sup>80</sup> The pair met at Bladensburg, Maryland on March 22, 1820 with their seconds – fellow captains William Bainbridge for Decatur, and Jesse Elliott for Barron – and a party of about three other people. The duel was set to occur at the unusually short distance of eight paces.<sup>81</sup> According to a witness, as the pair took their places, Barron remarked that, “he hoped, on meeting in another world, they would be better friends than they had been.” Decatur replied “I have never been your enemy, Sir.”<sup>82</sup>

This exchange is generally believed to be a signal of both parties’ willingness to reconcile, but Bainbridge and Elliott ignored the remark and ordered both parties to prepare to fire.<sup>83</sup> Both men aimed for each other’s hips, and hit their targets. Both wounds appeared mortal, so as soon as the shots were fired, Elliott fled in Barron’s carriage to avoid arrest. Commodores Rodgers and Porter emerged from nearby, where they had been waiting for the result of the duel. Decatur and Barron seem to have felt at least partially reconciled as they lay together on the ground, and eventually Decatur was taken back to his house, where he died that evening. News of the duels was carried extensively in newspapers throughout America, and both houses of Congress adjourned so that the members could attend Decatur’s funeral (which was in Washington, DC).<sup>84</sup>

On hearing accounts of the incident, Stephen’s widow, Susan, blamed the seconds for the death of her husband, because they did not halt the duel after Barron and Decatur’s verbal exchange. Bainbridge’s position looks especially suspect given how low he was on Decatur’s

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<sup>80</sup>Decatur to Barron, 24 January 1820, in Decatur and Barron, *Correspondence*, 21.

<sup>81</sup> Tucker, *Stephen Decatur*, 181. The short distance was to compensate for Barron’s bad eyesight.

<sup>82</sup> See Hambleton’s memorandum of 22, March 1820 reprinted in Alexander Slidell Mackenzie, *Life of Stephen Decatur, a commodore in the navy of the United States*, vol. 6 of *The Library of American Bibliography 2* (Boston: Charles C. Little and James Brown, 1846), 439-40.

<sup>83</sup> Tucker, *Stephen Decatur*, 181; Stevens, *An Affair of Honor*, 140.

<sup>84</sup> Lewis, *The Romantic Decatur*, 231.

list of desired seconds: Decatur had chosen Bainbridge after Captains Thomas Macdonough, John Rodgers, and Charles Morris had refused on the grounds that the duel was unnecessary.<sup>85</sup> His close friend Richard Somers, his partner in the duels of his youth, had died when his ship mysteriously exploded on a dangerous mission in the First Barbary War.<sup>86</sup> Decatur would probably have asked his friend Captain O.H. Perry (since he had served as a second to Perry in his duel with Heath), but Perry had recently died of yellow fever in Trinidad in August 1819.<sup>87</sup>

Although Decatur considered Bainbridge his friend, many historians share Susan Decatur's belief that Bainbridge harbored a secret "envy and jealousy" of her husband.<sup>88</sup> When Bainbridge was assigned command of the Mediterranean squadron in 1815 for the Second Barbary War, he relinquished his profitable post at the Boston Navy Yard and sailed for Gibraltar, only to find out that Decatur had already secured treaties with Algiers, Tunis, and Tripoli, gaining even more laurels at Bainbridge's expense.<sup>89</sup> If his conduct towards Hull in the Boston Navy Yard controversy is an indicator of his personality, it is easy to believe that Bainbridge resented the unparalleled success of his junior. Similarly, historians also credit Susan Decatur's accusations against Captain Jesse Elliott.<sup>90</sup> Elliott's alleged grievance was that Decatur had supported Perry in a dispute between Perry and Elliott following the Battle of Lake Erie in which Perry had attempted arrange for Elliott to be tried by a tribunal. One historian even calls Elliott "an inveterate intriguer with his own agenda," and argues that he was trying to take out his disdain for Perry on Decatur through Barron.<sup>91</sup>

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<sup>85</sup> Tucker, *Stephen Decatur*, 180; Lewis, *The Romantic Decatur*, 219.

<sup>86</sup> Toll, *Six Frigates*, 247.

<sup>87</sup> Skaggs, *Oliver Hazard Perry*, 208-209.

<sup>88</sup> Lewis 216. For other historians who share this opinion, see Maloney, *Captain from Connecticut*, 314; Toll 456.

<sup>89</sup> Toll, *Six Frigates*, 456.

<sup>90</sup> Maloney, *Captain from Connecticut*, 315.

<sup>91</sup> Tucker, *Stephen Decatur*, 177.



The Barron/Decatur Duel was certainly adopted by the public as another example of the tragic results of dueling, but the extent to which it affected the Navy is less obvious. It was the last duel fought between the officers of this generation (although this might be partly because after Porter's resignation and the relatively young deaths of Perry in 1819, Decatur in 1820, and Thomas Macdonough in 1825, there was less serious competition). A more likely explanation can be found in Susan Decatur's attacks on Bainbridge and Elliott. Commodore Perry had entrusted documents to her husband relating to Elliott's misconduct before he left for South America, (where he died). After Decatur's funeral, Susan published the papers for the purpose of "exposing to the world the real character of Captain Elliott as some punishment for the base and assassin-like part that he acted towards my beloved husband."<sup>92</sup> In a later memorial to the President and Senate, she accused Elliott of fomenting the duel out of "malice and cowardice," and Bainbridge of vengeful jealousy in approving a duel on such dangerous terms.<sup>93</sup> Similar attacks were made from other sources, such as an anonymous letter in a Hagerstown, Maryland newspaper that criticized Bainbridge for failing to halt the duel.<sup>94</sup>

Had these accusations come from a man, the offended officers could have issued a challenge to redress their honor, but there was little a gentleman could do to protect his reputation from a grieved widow of a national icon. The affair clearly damaged their reputations, especially in the somewhat anti-dueling climate that prevailed throughout much of America. In some ways, Susan's agitation robbed the public "affair of honor" of its honor. Curiously, she did not speak ill of Barron who, like her husband, had also risked his life to resolve a conflict of honor.<sup>95</sup> But even if Barron escaped with his reputation somewhat intact, the aftermath of the duel

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<sup>92</sup> Quoted in Lewis, *The Romantic Decatur*, 215.

<sup>93</sup> *Ibid.*, 216-218.

<sup>94</sup> Stevens, *An Affair of Honor*, 146.

<sup>95</sup> *Ibid.*

demonstrated that serving as a second – usually so respectable a role– now carried the risk of drawing accusations of *dishonor* from the family of the victim. As historian Robert Baldwick explains in his book *The Duel*, “The most effective weapon used against dueling ... has undoubtedly been ridicule.”<sup>96</sup>

A final explanation as to how the Barron/Decatur duel helped to suppress the practice could be that the death of Decatur, who was beloved by almost the entire officer corps, demonstrated to the middle-aged men the high price of resolving disputes at gunpoint. One example that illuminates this possibility occurred on the dueling field immediately after the two men had fired, and were both injured on the ground. Rodgers approached Barron and asked gruffly (and without any of the courtesies that were typical of conversation between gentlemen at the time) “are you much hurt?” Rodgers and Barron had not spoken since an earlier instance in which Rodgers had refused to greet Barron, so Barron replied, “Sir, when I last did you the honor to salute you, you did not return the compliment; and until that conduct is atoned for, you need never expect to receive an answer from me.”<sup>97</sup> After the duel, Rodgers demanded an apology or a duel from the still bedridden Barron, but Elliott and Thomas Macdonough were able to craft a compromise letter disavowing any feelings of disrespect between the two men.<sup>98</sup>

Compared to the previous dispute between the two men after the war with Tripoli, it took remarkably little effort to reach an agreement between Barron and Rodgers. Previously, Rodgers’ offense at Barron’s conduct was largely unsupported by evidence, and only a long delay and Rodgers’ new marriage were able to avoid the duel. After the Barron/Decatur duel, however, Rodgers was willing to settle “amicably” to a direct insult comparatively quickly. This change in attitude reveals a new take on dueling among Preble’s Boys in the aftermath of

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<sup>96</sup> Robert Baldrick, *The Duel: A History of Dueling* (London: Spring Books, 1970), 199.

<sup>97</sup> Stevens, *An Affair of Honor*, 141-2.

<sup>98</sup> Schroeder, *Commodore John Rodgers*, 159-160.

Decatur's death. As Porter told Rodgers after Barron had snubbed him, it was "neither the time nor the place for further altercation."<sup>99</sup> In his 1822, Commodore Porter also made a point of condemning dueling as "a practice which disgraces human nature."<sup>100</sup>

Charles Stewart is another example of the shift in ideology among Preble's Boys. He was an old friend of Decatur's, and after Decatur's death Stewart cracked down on dueling among his subordinates.<sup>101</sup> In 1822, when he learned that two of his midshipmen planned to duel, he ended the affair by ordering that any officers involved in a duel would be relieved of their posts and sent home.<sup>102</sup> As mentioned in the previous chapter, a similar incident occurred in 1823 on Stewart's Pacific Cruise when Lieutenant Joshua Sands and another lieutenant planned to go ashore to duel. Stewart issued orders that all officers were to remain on board the ship, and when the two junior officers attempted to leave anyway, he confronted them. The Navy traditionally did little to interfere with officers' dueling, so the lieutenants likely considered it their right as gentlemen officers. However, when confronted by their captain, the second officer obeyed his orders, but Sands left – whereupon Stewart arrested him for six months.<sup>103</sup>

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<sup>99</sup> Stevens, *An Affair of Honor*, 142.

<sup>100</sup> Porter, *Journal of a Cruise*, 222.

<sup>101</sup> Berube and Rodgaard, *A Call to the Sea*, 173. Stewart and Decatur went on their first wartime cruise together.

<sup>102</sup> *Ibid.*, 147.

<sup>103</sup> *Ibid.*, 173.

## Conclusion

Naval Historian Christopher McKee argues that the duel's significance "has certainly been exaggerated in the early Navy," and that it has been studied disproportionately by historians.<sup>1</sup> He cites as evidence the fact that only one percent of the officers who left the Navy before 1815 were victims of duels. He further states that "dueling was all but entirely confined to the younger members of the corps," because the younger officers were insecure in their identity.<sup>2</sup> However, McKee's assessment of dueling in the early Navy has several major shortcomings.

Firstly, McKee's "one percent" statistic is misleading, because it includes everyone who resigned, was fired, or died. However, McKee is unclear as to why dueling fatalities should be evaluated in the context of people leaving their jobs. When dueling casualties are examined in terms of deaths, the number is substantially higher. Using his numbers for this period, five percent of all deaths in the officer corps came from dueling, or seven and nine percent of deaths not attributed to natural causes.<sup>3</sup> More importantly, even these higher statistics do not account for the fact that many participants in duels did not die. The point of a duel was to resolve a dispute; some duels did not have a single injury, so only examining deaths resulting from duels does not adequately represent the extent of the practice.

Secondly, by choosing the end of the War of 1812 as the cutoff period, he isolates one of the most tumultuous periods in the officer corps, when there were a number of duels and challenges for duels issued between Preble's Boys. In fact, these senior officers of the Navy after the war

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<sup>1</sup> McKee, "Pathology of a Profession," 9

<sup>2</sup> Ibid., 10.

<sup>3</sup> The number is seven percent if only subtracting known natural deaths from the total deaths in this period. Natural deaths account for about thirty-six percent of known deaths in the officer corps; the figure grows from seven to nine percent if one assumes that thirty percent of the unknown deaths were also caused by natural causes. McKee suggests that more than thirty-six percent of the unknown deaths were likely caused by natural causes. Essentially, by McKee's calculations, the number of dueling fatalities before 1815 was almost certainly higher than even nine percent of deaths not of caused by natural causes. See McKee, "Pathology of a Profession," 2, 16.

were the “younger members of the corps” in the period McKee writes about. In this regard, his analysis ignores generational trends.

Thirdly, while McKee is correct that most duels were fought by young officers (which holds true even including later duels with captains such as Perry, Decatur, and Barron), his analysis ignores the fact that there were many more junior officers than senior officers. The difficulty that the Navy Department had in finding enough captains to staff its tribunals demonstrates how few captains there were in the Navy. Furthermore, by looking only at duels, McKee again places too much emphasis on the duel itself. As the examples of conflicts between the officers show, there was no shortage of challenges issued (or threatened) among Preble’s Boys. These challenges came from captains who, like the junior officers, felt insecure in their identity. While an officer might respond to a challenge out of a sense of obligation, the captains like Barron or Elliott who issued challenges put their life on the line because they felt a need to prove themselves. Maturity mostly seems to have changed the specific motives for dueling. As the officers aged, married, and had children, the causes of their duels shifted subtly from their need to obtain recognition for their bravery to their hypersensitivity about their reputations as gentlemen. They were understandably reluctant to shoot each other for minor differences such as billiard games or innocent name-calling. Since the duel was no longer the end goal (and the officers had already demonstrated their courage in battle), there was no need for these conflicts to end on the dueling field, and they were usually avoided by the older officers. Only when a man’s bravery was called into question (for a defeat or capitulation, such as the surrender of the *Chesapeake* to the *Leopard*) or when the seconds neglected their responsibility to reach a compromise (as many believe happened in the Barron/Decatur duel) did the older officers find themselves on the dueling field.

After the Barron/Decatur duel, affairs of honor became less common among Preble's Boys because they were no longer as secure a means to maintain an officer's honorable reputation. Additionally, officers such as Charles Stewart took a firmer role on suppressing the practice among their juniors: in this regard, Lieutenant Sands served as more than just an example of Preble's Boys disciplining the lieutenants; his arrest and court-martial represent a broader movement among the Navy's leaders beginning after the Barron/Decatur duel to enforce discipline over personal honor. The same ideological shift in the Navy Department and the senior officers punished David Porter one year later for his publications that damaged the public perception of the service in order to protect his reputation.

The influence of these changes, of course, should not be overstated. The Barron/Decatur duel brought the tragic repercussions of dueling home to the Navy in the way the Burr/Hamilton duel did not; but like the Burr/Hamilton duel in American society, it did not put an end to the practice. Few substantial efforts were made to ban dueling in the naval regulations until 1840, and the practice was not actually banned until 1862.<sup>4</sup> However, the changes that took place between 1820 and 1825 held shaped the trajectory of the ideological development of the Navy officer corps. Some of Preble's Boys had long careers where they continued the Navy's efforts to subordinate personal honor to discipline, particularly among younger officers. Several of Preble's Boys such as Barron served as commandants of the Navy's first shore schools for officers, which were established in beginning in the 1830s.<sup>5</sup> Charles Stewart was also a strong advocate for the US Naval Academy at Annapolis, which was founded in 1845.<sup>6</sup> Historian William Oliver Stevens refers to the early Navy as "the days when there was no Naval Academy to set a tone for the Service, to teach obedience and subordination.... This fiery individualism

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<sup>4</sup> Siegel, *Judge Advocate General's Corps*, 51; Berube and Rodgaard, *A Call to the Sea*, 205.

<sup>5</sup> Henry L. Burr, *Education in the Early Navy* (Philadelphia, PA: Temple University, 1939), 148,159.

<sup>6</sup> Berube and Rodgaard, *A Call to the Sea*, 61.

led to heart-burnings and jealousies between officers of rank over promotion, claims, counter claims, and ... to personal feuds that split the Service wide apart.”<sup>7</sup> It seems almost certain that some of the captains used the educational institutions to impart discipline and a restrained sense of honor on their charges.

Furthermore, Preble’s Boy’s didn’t fully leave the Navy in the decades after their service. Besides those like Barron, Hull, and Stewart who remained for a further fifteen or twenty years after this period, their progeny continued their legacy. Officers such as Lieutenant John “Mad Jack” Percival, a protégé’s of Hull’s who served with him at the Boston Navy Yard, carried their values forward with them as they advanced to the rank of captain.<sup>8</sup> In a passage that could just as easily been written by Hull himself, Percival wrote in 1839, “the spirit which is in many instances manifested in the service ... with frequent appeals made through the public prints to public opinion, is striking at, if not sapping the very foundation of the service.”<sup>9</sup> Other officers had younger siblings who sought to emulate their older brothers and learn from their mistakes. Oliver Hazard Perry’s brother, Mathew Calbraith, for example, became a captain and commanded the expedition that opened Japan to foreign trade in 1854. The younger Perry was particularly conscious of his family’s history of difficulties with unruly subordinates.<sup>10</sup> Finally, a startling number of Preble’s Boys had sons or nephews who became highly distinguished naval officers in the US and/or Confederate Navies. The list includes Commodore Rodgers’ son, Rear Admiral John Rodgers; Commodore James Barron’s adopted Nephew, Commodore Samuel Barron III; and Commodore Porter’s son Admiral David Dixon Porter and the commodore’s

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<sup>7</sup> Stevens, *An Affair of Honor*, xv.

<sup>8</sup> Maloney, *Captain from Connecticut*, 366.

<sup>9</sup> *Ibid.*, 458.

<sup>10</sup> John H. Schroeder, *Matthew Calbraith Perry: Antebellum Sailor and Diplomat* (Annapolis, MD: Naval Institute Press, 2001), 10-11. Besides the Heath affair, Oliver had served with his father during the Quasi-War on a ship which suffered from an outbreak of yellow fever. Several midshipmen demanded the trial of Perry’s father for his mismanagement of the outbreak, and he was suspended for three months and censured by the court.

adopted son Admiral David Farragut.<sup>11</sup> Farragut would later remark before the Battle of Mobile Bay, “We have no better seamen in the service today than those gallant fellows Bainbridge, Decatur, Hull, Perry, Porter, and Charles Stewart.”<sup>12</sup>

## Coda

Today, the role of personal honor and the US military officer corps is still a contentious issue in certain matters of government policy. The honor of Preble’s Boys was – at its core – a *boys’* code, in that it governed only gentlemen. Women could not usually participate in conflicts of honor in a meaningful way; at most they could witness its performance, and even then, their judgment was suspect. James Barron once wrote that he believed gentlemen should “touch as delicately as possible, upon reports said to come from females, intended to affect injuriously the character of any one; and that ... I should never think of introducing *them* as authority [to witness the deeds or words of a gentleman]. Females ... ought to have nothing to do in controversies of this kind.”<sup>13</sup> Men like Barron distrusted women in the belief that they were easily deceived or hopelessly naïve. This mentality required gentlemen to treat women with a certain measure of protective care. As Fletcher Pratt explains, for gentlemen in the early 1800s, “it was indelicate to mention any woman’s name, orally or in writing, unless she was being born, married, or dying.”<sup>14</sup> This treatment of women extended decades past the lives of Preble’s Boys.

Perhaps the most obvious recent incident of controversy over the gendered nature of US military officers’ code of honor is the integration of military academies. In particular, the Virginia Military Institute was one of the last military colleges to integrate women (and probably

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<sup>11</sup> Johnson, *Rear Admiral John Rodgers*, 3; McManemin, *The Barrons*, B:22.

<sup>12</sup> Berube, *A Call to the Sea*, 126.

<sup>13</sup> Barron to Decatur, 30 November 1819, in Decatur, *Correspondence*, 11.

<sup>14</sup> Pratt, *Preble’s Boys*, 3.



one of the last public schools in the United States to do so) in 1997.<sup>15</sup> As might be expected in a school designed to produce both military officers and southern gentlemen simultaneously, the VMI always placed an especially strong emphasis on developing an ‘honorable’ cadet corps. Opponents of integrating women into the college argued that their inclusion would hinder the school’s mission of imparting the cadets with a traditional sense of honor, because, if women were admitted and treated equally, then men had little opportunity to display their chivalric grace. By implication, if male cadets were unable to enact the full range of practices traditionally associated with honorable behavior, some proponents of an all-male VMI believed that the cadets could not become ideal military officers.<sup>16</sup>

In a service like the Navy, which places so much emphasis on tradition, the historical connotations of the Navy’s motto of “Honor, Courage, Commitment,” will not likely be forgotten. Since it appears that honor will remain a core value of the Navy for the foreseeable future, the service will almost certainly need to continue its efforts to adapt the meaning and role of officers’ code of honor to suit the changing times.

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<sup>15</sup> The college has Reserve Officer Training Corps programs for all four military branches. See Pat Leahy, “Leadership: ROTC at VMI,” Academics, <http://www.vmi.edu/content.aspx?id=4294972142>.

<sup>16</sup> Rebecca Bridges Watts, *Contemporary Southern Identity: Community through Controversy* (Jackson, MS: University of Mississippi Press, 2008) 34-36; Mary Laura Kludy, "History of the VMI Honor System & Honor Court," VMI Archives, <http://www.vmi.edu/archives.aspx?id=4294973008&libID=4294973005>.

## Appendix

### *Preble's Boys Mentioned in this Paper who Survived the War of 1812*

<i>Names</i>	<i>Date of Birth</i>	<i>Dates of Captain Commission</i>	<i>Especially Renowned Victories or Defeats</i>
<b>John Rodgers</b>	11 July, 1772	5 March, 1799	Commanded Mediterranean Squadron in the First Barbary War
<b>James Barron</b>	15 September, 1768	22 May, 1799	Captain of <i>Chesapeake</i> in encounter with <i>Leopard</i>
<b>William Bainbridge</b>	7 May, 1774	20 May, 1800	<ul style="list-style-type: none"> <li>• Commanded first US warship captured in the Quasi-War</li> <li>• Captured while commanding <i>Philadelphia</i> in 1803</li> <li>• Captured British frigate <i>Java</i> in 1812, Commanded Mediterranean Squadron in the Second Barbary War</li> </ul>
<b>Hugh G. Campbell</b>	?	16 October, 1800	—
<b>Stephen Decatur</b>	5 January, 1779	16 February, 1804	<ul style="list-style-type: none"> <li>• Burned the captured <i>Philadelphia</i> in Tripoli in 1804</li> <li>• Captured British frigate <i>Macedonia</i> in 1812</li> <li>• Commanded Mediterranean Squadron victoriously in Second Barbary War</li> </ul>
<b>Charles Stewart</b>	28 July, 1778	22 April, 1806	<ul style="list-style-type: none"> <li>• Participated in Decatur's raid on <i>Philadelphia</i> in 1803</li> <li>• Captured two British warships in a single engagement in 1815.</li> </ul>
<b>Isaac Hull</b>	9 March, 1773	23 April, 1806	Captured British frigate <i>Guerriere</i> in first equal, single-ship action of the War of 1812
<b>Isaac Chauncey</b>	20 February, 1772	24 April, 1806	Commanded US forces on Great Lakes in the War of 1812
<b>John Shaw</b>	1773	27 Aug, 1807	—
<b>David Porter</b>	1 February, 1780	2 July, 1812	<ul style="list-style-type: none"> <li>• Captured the first British warship of the War of 1812</li> <li>• Raided British commerce in Pacific in War of 1812</li> </ul>
<b>Samuel Evans</b>	?	4 July, 1812	—
<b>Charles Gordon</b>	?	2 March, 1813	Flag captain of <i>Chesapeake</i> in encounter with <i>Leopard</i>
<b>Arthur Sinclair</b>	February 28, 1780	24 March 1813	—
<b>Oliver Hazard Perry</b>	23 August, 1785	10 September, 1813	Commanded victorious American forces at the Battle of Lake Erie in 1813
<b>Thomas Macdonough</b>	31 December, 1783	11 September 1814	Commanded victorious American forces at the Battle of Lake Champlain in 1814
<b>Joseph Bainbridge</b>	10 May 1780	23 September 1814	—
<b>Jesse D. Elliot</b>	July 14, 1782	27 March 1818	Participated in Battle of the Lake Erie in 1813

**Sources:** Commission dates are from: United States Navy, "Officers of the War of 1812: Captains," Naval History and Heritage Command, <http://www.history.navy.mil/wars/war1812/list1.htm>; dates of birth from: *American National Biography Online* (Oxford University Press, 2000), <http://www.anb.org>; several birthdates are not known, and Joseph Bainbridge's date of birth is questionable, as the only location where I found it mentioned was: *FamilyTreemaker Online*, "Joseph Bainbridge: (b. May 10, 1780, d. November 17, 1824)," (Ancestry.com, 2009), <http://familytreemaker.genealogy.com/users/b/u/c/Glenna-Buck-CO/WEBSITE-0001/UHP-0642.html>

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There are several comprehensive secondary sources that cover various aspects of the Navy during the time of Preble's Boys. Christopher McKee's book *A Gentlemanly and Honorable Profession* is essentially the definitive work on the Navy officer corps from the Navy's founding through the War of 1812. McKee's approach is somewhat statistical in nature; he is the only historian that I am aware of to attempt a study of *all* known naval officers in this period. Ian Toll's *Six Frigates* provides a thorough overview of the creation of the Navy (ending after the War of 1812) in political, material, and mythological terms. Because of the relative lack of scholarship on the naval officer corps between the War of 1812 and the American Civil War, I utilized a number of biographies that examined the lives of their subjects beyond 1815. The biographies of David Curtis Skaggs, one of the leading naval historians on the campaigns on the Great Lakes in the War of 1812, were particularly useful, as was Linda M. Maloney's biography of Isaac Hull, which covers the Boston Navy Yard trials and related controversies in extensive detail. Most primary sources were taken from court proceedings published by the Navy Department, the *Niles Weekly Register*, or the James Barron Papers in Special Collections at Earl Gregg Swem Library in Williamsburg, VA.

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