

Brina J. Agranat. THOROUGH AND EFFICIENT REPAIR: REBUILDING IN THE AMERICAN SAILING NAVY. (Under the direction of William N. Still, Jr.) Department of History, September 1993.

This work is a contextual study of the practice of rebuilding ships of war in the American sailing Navy. It refutes Howard I. Chapelle's longstanding "administrative rebuilding" argument which contends that through the first half of the nineteenth century the United States Navy illegally diverted funds and clandestinely built new ships to replace existing vessels when confronted with an unsupportive Congress. Although not disputing the reality that in several cases substantially new, or even completely new hulls were constructed to replace existing hulls unfit for repair, the author contends that previous efforts to quantify the process of individual episodes of rebuilding fail to address or to interpret accurately the administrative, political, and fiscal context in which a long succession of rebuilding efforts, considerably more numerous than those embraced by Chapelle's "administrative rebuilding" scheme, were undertaken.

The objective of this study is, therefore, to provide an historical framework in which individual episodes of rebuilding should be examined and interpreted. Central to that framework is the nineteenth-century Navy's wholistic

approach to vessel maintenance and repair, which perceived the vessel as an entirety wherein the hull represented but a single component part. Within that framework, as well, the author considers the changing administrative and accounting structure of the Navy, Congressional and naval fiscal policy, foreign and domestic affairs, and the Navy's political situation through time, to demonstrate that while rebuilding may have been an ongoing practice in the United States Navy, it was approached and pursued on a case by case basis according to the situation of each individual vessel and the requirements of the Navy at the time.

Rebuilding could encompass hulls which existed as well as those which did not. Some vessels were entirely rebuilt and others only partially, according to no particular pattern or administrative directive. Congress often played an integral role in the determination to rebuild. Moreover, although Congress was well apprised of the Navy's rebuilding efforts, the various modifications made to the Navy's approach to rebuilding through the period of the sailing Navy were instigated at the behest of the Navy Department and the Executive, not the Congress. At all times through the period of the sailing Navy, rebuilding was pursued legally and within an administrative and fiscal structure which clearly recognized rebuilding as either an extreme in vessel repair or a third, intermediate option between repair and new construction. Frauds and abuses which may have occurred on

occasion were not unique to rebuilding programs, but were endemic to an expanding and increasingly burdened system of naval governance.

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American Sailing Navy

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PREFACE

That the inaccuracies of the "administrative rebuilding" argument have stood so long, and, indeed, been permitted to infiltrate the canons of American naval history, is in no small part due to the meager and cursory efforts of historians to examine critically the internal and external dynamics of the Navy through our first extended peacetime period following the War of 1812. More than a simple clarification of the practice of rebuilding in the United States Navy, this work attempts to explore a neglected--or worse, misinterpreted--period of American naval history. I trust I have in some ways succeeded, and that others will join me.

ACKNOWLEDGEMENTS

Had it not been for Professor William N. Still, Jr.'s suggestion, when I asked to write a piece on Northwest Coast shipwrecks, that I look at American naval vessels in that vicinity, I would never have discovered the *Peacock* nor had cause to delve into the intricacies of naval rebuilding. Having first set me to the task which would prove so challenging, however, Professor Still proceeded to introduce me into the voluminous, occasionally tedious, but nevertheless intriguing world of naval records, showed me the ropes as it were, and then kept me on track while I endeavored to make sense of it all. He, along with professors Michael Palmer, Carl Swanson, and Richard Stephenson offered critical guidance in seeing this work to completion.

My research efforts in the nooks and crannies of naval records benefited greatly from the kind and courteous assistance of archivists and librarians at some of our most esteemed repositories of the written word. Richard von Doenhoff and his staff at the National Archives in Washington, D.C. brought me cartloads of boxes and dusty volumes without which I could never have found the answers I sought. At the New York Regional Records Center, Joel

Buckwald went out of his way to be helpful. Likewise the staffs at the Naval Historical Center, the Princeton University Library, the New York Historical Society, and the many other places I visited were uniformly friendly, dedicated, and helpful.

Finally, I must thank my family, who I am sure have heard more about appropriations, expenditures, and the details of naval administration than they ever cared to know, and especially my daughter, Rachel, who has grown up sharing a cast of characters from another world in another time and brings me little peacocks from wherever she goes.

Chapter One

Introduction

This work began as a study of two United States naval vessels that wrecked at the mouth of the Columbia River on the Pacific coast of North America during the 1840s. The second class sloop of war U.S.S. *Peacock* ran aground at the northern entrance to the river on 18 July 1841, on what has ever since been known as Peacock Spit. Five years later, the United States schooner *Shark* ran aground on Clatsop Spit on the opposite bank of the Columbia River. The *Peacock* had been one of five vessels that departed Hampton Roads, Virginia, three years earlier, on the first government-sponsored voyage of exploration. She had been engaged in surveying the river entrance when the ship ran aground. Ironically, the *Shark's* commander, Lieutenant Neil Howison, had been using a chart based upon the *Peacock's* survey, which was already out of date, when his ship struck.

While researching the historical background of both of these vessels, however, I encountered an apparent contradiction with regard to the age of the *Peacock* at the time the ship was wrecked. Primary source documents predating the ship's loss dated her original construction to

the War of 1812, while later documents gave the year of her construction as 1828. Perplexed, I shifted the focus of my research toward reconciling this apparent conflict in the hope of determining whether there were indeed two ships *Peacock*, or just one.

Initially, Howard I. Chapelle's *History of the American Sailing Navy*¹ appeared to provide a suitable answer. According to Chapelle, the early nineteenth century Navy undertook a clandestine program to construct new ships in the place of old ones under the guise of vessel repair. The *Peacock* had been one such ship. As Chapelle explained it, the original War of 1812 *Peacock* entered the New York Navy Yard in 1827, ostensibly for repairs, only to be broken up so that a new sloop of war could be built in her place. Thus were ships "administratively rebuilt".

Critical to Chapelle's "administrative rebuilding" argument was his contention that, in rebuilding ships of war, the United States Navy abandoned all interest in reusing materials from the original vessels after about 1820. Moreover, according to Chapelle, in financing its rebuilding projects the Navy utilized funds which Congress had intended for other purposes. In rebuilding the *Peacock*, Chapelle

¹ Howard I. Chapelle, *The History of the American Sailing Navy* (New York: W.W. Norton, 1949; reprint ed., New York: Bonanza Books, n.d.), hereinafter cited as Chapelle, *Sailing Navy*.

claimed, the Navy's sole objective had been to build an efficient fighting ship, with no regard whatsoever for the original vessel. The Navy justified this apparently illegal act by its need to maintain an adequate and efficient naval force in the face of severe Congressional restrictions upon the naval appropriation. Among the other vessels listed by Chapelle as rebuilt by the Navy under this "administrative rebuilding" program were the *John Adams*, the *Erie*, and the most famous of them all, the *Constellation*.

The controversy over the "Constellation Question," as it came to be known, rages to this day over the age and "authenticity" of the U.S.S. *Constellation*, now a museum ship at Baltimore, Maryland. Chapelle strongly opposed the original restoration program adopted by the *Constellation* Restoration Committee, arguing that the corvette that survived into the modern age bore no relation, physical or otherwise, to the Navy's original eighteenth-century frigate. Chapelle maintained that the surviving vessel was, in fact, a new ship built in the mid-nineteenth century to replace the original *Constellation* through the Navy's "administrative rebuilding" program. In Chapelle's view, the restoration undertaken on the vessel was nothing less than a travesty of naval architecture. The Committee, on the other hand, argued that the surviving ship represented a substantially altered vessel, but one which still retained claim to 1790s

origination. While accepting Chapelle's overall "administrative rebuilding" argument, the proponents of the "original" *Constellation* held that the criteria for "administrative rebuilding" did not apply in the specific case of the *Constellation*.

The argument over the true age of the *Constellation* generated intense emotions on both sides, rising to the status of a political issue within the field of naval history. A new generation of contenders has inherited the dispute. When I initially determined to research and chronicle the rebuilding of the *Peacock* I was, not surprisingly, cautioned against criticizing Chapelle, whose reputation in the field of maritime history is surpassed by few. Under no circumstances should I involve myself in a discussion of the *Constellation* Question. The mere mention of the vessel, I was told, could unleash untold demons.

I continued to research the rebuilding of the *Peacock*, heedful of my professors' warnings. As my investigations progressed, however, I located records that documented the reuse of original materials in the rebuilding of the *Peacock*. Furthermore, the content and tone of the correspondence relating to the incident clearly indicated that not only did the Navy consider the old ship in the process of rebuilding the new one, but that while there were indeed two ships *Peacock*, contemporary naval officers and administrators

perceived a physical, sentimental, and intellectual continuity between the old vessel and the new one.

This, of course, conflicted with Chapelle's assessment of the *Peacock's* rebuild. Since Chapelle had not cited his sources, I thought that perhaps he had not seen the same documents which I had found. I concluded that a study of the rebuilding of the *Peacock* could shed new light on the policy and process of "administrative rebuilding". Perhaps, I hypothesized, the rebuilding of the *Peacock* had been different in some way from the other "administratively rebuilt" vessels.

My hypothesis was quickly bolstered by the available evidence. The rebuilding of the *Peacock* did proceed somewhat differently from the rebuilding of the other vessels which, according to Chapelle, had been "administratively rebuilt". The *Peacock* was rebuilt for the specific purpose of embarking upon the United States' first government-sponsored voyage of exploration. Although funds had not yet been appropriated by Congress for that object, the Navy undertook to rebuild the *Peacock* in anticipation of eventual legislative support. Just as the expedition prepared to depart, however, Andrew Jackson was elected to the Presidency on a program of fiscal restraint. Jackson's first Secretary of the Navy, John Branch, canceled the planned expedition shortly after acceding to office.

The actions of the previous administration with regard to preparations for the expedition, including the rebuilding of the *Peacock*, were subjected to intense scrutiny by the new Congress. While Congress objected to the expenses incurred by the Navy Department in preparing the expedition, it concluded its investigation without finding anything suspicious in the expenses incurred in "repairing" the *Peacock*. Indeed, the only amount expended for the *Peacock* which the Navy reported as being chargeable to the expedition was a sum of less than two thousand dollars for the construction of a temporary spar deck to house an additional complement of scientists and naval personnel.

In this respect, then, Chappelle's assertion that rebuilding was successfully and clandestinely accomplished using funds appropriated for vessel repair, against the intent of Congress, seemed to be validated by the investigation into the preparations for the exploring expedition. It could be said that the Navy had secretly and successfully built a new sloop of war to replace a fifteen-year old ship, even after a Congressional investigation, by purporting that the expenses incurred in the vessel's rebuild were no different than those which would have been necessary to repair her for regular naval service. Moreover, the stringent attitude toward naval funding that had resulted in the cancellation of the exploring expedition was the exact

same attitude which Chapelle identified as the cause of the Navy's adoption of the "administrative rebuilding" program.

There was, of course, another possible explanation. Congress may not have found fault with the Navy's rebuilding of the *Peacock* because it did not object to the practice. At the time, however, this appeared to be rather unlikely, given Chapelle's extensive and seemingly detailed analysis of the "administrative rebuilding" program which, over the forty-odd years since its initial publication, had come to be accepted as a naval truism, even by those who disagreed with him over the *Constellation*.² Surely at least the proponents

² On the wide acceptance and republication of Chapelle's "administrative rebuilding" argument within the naval historical profession, see, for example, K. Jack Bauer, "Naval Shipbuilding Programs, 1794-1860," *Military Affairs* (Spring 1965):29-40, hereinafter cited as Bauer, "Naval Shipbuilding," p. 35; *Dictionary of American Naval Fighting Ships*, 8 vols. (Washington, Government Printing Office, 1959-1981), hereinafter cited as *DANFS*, passim., and more recently, Paolo E. Coletta, ed., *American Secretaries of the Navy, 1775-1972*, 2 vols. (Annapolis, Md.: Naval Institute Press, 1980), hereinafter cited as Coletta, ed., *Secretaries of the Navy*, vol. 1, passim.; and Donald L. Canney, *The Old Steam Navy, Volume 1: Frigates, Sloops, and Gunboats, 1815-1885* (Annapolis, Md.: Naval Institute Press, 1990), hereinafter cited as Canney, *Old Steam Navy*, pp. 50-61. Edwin M. Hall's essay on Samuel L. Southard in Coletta, ed., *American Secretaries of the Navy*, vol. 1, incorrectly dates the initiation of the practice of rebuilding ships of war to the rebuilding of the *Peacock* (p. 138). Whether or not cited directly, Chapelle's influence on the presentation and interpretation of instances of rebuilding is readily evident in each of these works. It would scarcely be an overestimation to state that in the majority of naval historical works published since the appearance of *Sailing Navy*, that deal with early to mid-nineteenth century shipbuilding in the United States Navy, Chapelle's "administrative rebuilding" theory has received widespread

of the "original" *Constellation* would have found the flaws in Chapelle's "administrative rebuilding" scheme if there had been any to find.

Based upon this preliminary research, it became my intention to examine in detail the rebuilding of the sloop of war *Peacock* within the context of the preparations for the exploring expedition and the subsequent Congressional investigation. I hoped to locate new information that might help explain the process by which the Navy was able to "administratively rebuild" the *Peacock* (with Congress none the wiser) and why it felt compelled to do so. Certain incongruities remained between Chapelle's "administrative rebuilding" scheme and the specific circumstances surrounding the rebuilding of the *Peacock*, but these, I was confident, could be attributed to varying research methods and more than forty years' difference in the availability of primary source documents.

Even so, some questions about the "administrative rebuilding" of the *Peacock* remained perplexing. Why, for example, would the Navy Department have risked the detection of its diversionary fiscal practice in rebuilding a ship for something as widely reported as the first government-sponsored exploring expedition, especially when funding for that object had not yet been obtained? In effect, the Navy

acceptance.

could have been caught diverting funds in two directions: from repairs to rebuilding, and from naval operations to preparing the expedition.

The rebuilding of the *Peacock*, enmeshed between the otherwise unrelated programs of "administrative rebuilding" and preparations for the exploring expedition, presented interesting complexities not found in other cases of rebuilding. Proceeding from the view that the rebuilding of the *Peacock* was in some ways typical and in other ways an exception to the Navy's general practice of "administratively rebuilding" vessels, I wrote the first draft of my research. Not surprisingly, the readers expressed some confusion over the context of the rebuilding of the *Peacock* and how the various issues and circumstances surrounding the vessel were related. They suggested that I prepare an introductory chapter to explain the means by which the rebuilding of the *Peacock* connected "administrative rebuilding" to the Navy's preparations for the exploring expedition.

As I began to write this introduction, however, a nagging sense that all was not right persisted. Further research into the background and history of "administrative rebuilding" increased my doubts. Going beyond the *Peacock*, I found more and more information relating to the other "administratively rebuilt" vessels that did not correspond to Chappelle's interpretation of events. Over time, the nagging

sense grew into suspicion. I began to consider that perhaps, rather than drawing his conclusions from historical events, Chapelle had, consciously or not, shaped historical events to confirm his conclusions. The reason? Who can say? Perhaps an unfamiliarity with certain details of naval administration, maybe an unrealistic desire to draw broad generalizations from insufficient data or research, and possibly, to furnish additional support to his stance regarding the *Constellation*.

At that point it was time to start over from the beginning and look more broadly at the whole issue of "administrative rebuilding". Systematically testing each of Chapelle's assertions regarding the rebuilding of specific vessels as well as the overall scheme of rebuilding, I found repeated instances in which his recounting of events, and particularly, his presentation of the intent of the participants, were either inaccurate or substantially distorted.

This process of research and testing culminated in the realization that my original hypothesis had been in error. I had assumed, as the proponents of the "original" *Constellation* argument, for the most part, had done, that Chapelle's "administrative rebuilding" theory was valid, but that the specific case of the *Peacock* presented certain exceptions. By now I had concluded that such was not the

case. In reality, the "administrative rebuilding" program depicted by Chapelle never existed. The Navy's practice of rebuilding vessels of war was much more complex, and at the same time much simpler, than Chapelle's tale of "administrative rebuilding" erroneously suggested.

As long as researchers focused their inquiries on individual vessels, however, the degree to which Chapelle had misrepresented the behavior and intent of the Navy Department and its officers remained obscured. Conflicts between the "administrative rebuilding" theory and the documentary evidence in the cases of particular vessels could readily be dismissed as small-scale exceptions, without calling the larger rule into serious question. Evidently, Chapelle's theory had been accepted because those who challenged it focused their scrutiny on the rebuilding of a particular vessel, rather than on the whole argument. The questions which would have proven the fallacy of "administrative rebuilding" had never been asked.

For many naval historians this largely peacetime period, covering roughly the years between the War of 1812 and the Civil War, evinces little of interest other than the transition from sail to steam, the Mexican War, and a few exploratory cruises and minor operations. Few historians would question, therefore, Chapelle's suggestion that the Navy's "administrative rebuilding" program evolved

systematically and consistently over the course of more than half a century. Were that the case, however, the "administrative rebuilding" policy would represent one of the only constants of the time. We are examining, after all, an aspect of the Jacksonian era--a period of intense social, political, economic, and technological change. In its administration alone, the Navy underwent two significant reorganizations: the establishment of the Board of Navy Commissioners in 1815, and its subsequent abolishment and replacement by the Bureau system in 1842.

There can be no disputing the fact that the United States Navy rebuilt many of its early vessels. But what does that statement really tell us? A more pertinent and informative question is: What did the Navy mean, precisely, when it used the term 'rebuilding'? More than merely a question of semantics, this small point is basic to any examination of the Navy's practice of rebuilding ships of war, both in the broad sense, and with regard to particular instances of rebuilding.

A critical failure, both for Chapelle and for later proponents of variations on his "administrative rebuilding" theme³, is the inability to recognize that the term

³ See, for example, Dana Wegner, *Fouled Anchors: The Constellation Question Answered*, with appendices by Colan Ratliff and Kevin Lynaugh (Springfield, Va.: National Technical Information Service, 1991), hereinafter cited as Wegner, *Fouled Anchors*.

'rebuilding' had particular meaning for those engaged in such efforts, and that the use of that term in the nineteenth century Navy meant something quite different from the manner in which it is bandied about in modern times. Moreover, both the specific meaning and the application of the term 'rebuilding' was modified more than once through the period of the sailing Navy according to the political vagaries of the time. At no time, however, did usage of the term 'rebuilding' in the American sailing Navy equate with Chapelle's portrayal of "administrative rebuilding".

Perhaps another significant reason why historians and researchers have been unable to achieve a thorough and accurate understanding of the Navy's practice of rebuilding ships of war is their approach to research. Almost uniformly, both proponents and opponents of the "administrative rebuilding" of particular vessels, most notably the *Constellation*, have focused their studies on comparisons of ships' plans, lists of timbers, and similar architectural data. While these data are certainly important and relevant to *quantifying* the process of rebuilding a specific vessel, by their nature they can reveal little about the *context* in which such rebuilding was undertaken. To comprehend the larger issues--What did it mean to rebuild a ship? Why were some ships rebuilt and why were other ships not rebuilt? How did rebuilding fit into the Navy's overall

program for vessel construction, maintenance, and repair? What forces outside of the Navy influenced the practice of rebuilding ships of war? And how did the Navy, and the nation, perceive the identity of rebuilt ships?--it is essential to go beyond technical specifications for individual vessels.

Admittedly, this is no small task. Thus, my "introductory chapter" evolved into the more voluminous pages which follow--a reassessment of Chapelle's "administrative rebuilding" argument and the ensuing debate, and a systematic and contextual examination of the practice of rebuilding ships of war in the sailing Navy. Chapter Two, An Introduction to 'Administrative Rebuilding', takes a systematic look at Chapelle's argument and reviews some of the major contributions to the subsequent literature on the subject relating primarily to the specific case of the *Constellation*. Chapter Three provides an introductory contextual framework for contemporary naval administration, appropriation, and expenditure. Chapter Four examines rebuilding in the early years of the Navy. Rebuilding in the early years of administration by the Board of Navy Commissioners is covered in Chapter Five. Chapter Six examines the circumstances surrounding a critical executive policy shift toward rebuilding under the leadership of Andrew Jackson's first Secretary of the Navy, John Branch.

Rebuilding through the remainder of Jacksonian administration is discussed in Chapter Seven. Chapter Eight looks at the significant period of the early 1840s and the factors which influenced naval and national attitudes toward ships of war. Chapter Nine examines naval rebuilding in the aftermath of those altered attitudes. Chapter Ten chronicles the transition to steam and the end of rebuilding in the American sailing Navy. The study concludes in Chapter Eleven.

This is an administrative history. Perhaps to emphasize the contextual, as opposed to the technical nature of my approach, I have strenuously avoided comparisons between ships' plans. Some readers may find this inexcusable, but then it is not my objective to determine, by modern standards, whether a rebuilt ship was quantifiably equal to or different from the original. Rather, I would argue, the essential question is, How did the Navy and the nation, at the time, perceive the rebuilt ship in relation to the original? Was it something new? Something old? Or something else? As will be seen, the answer differed at different points in time. Yet the two themes which recur more often than any other in explaining the decision to rebuild particular vessels of war in the early Navy, contrary to the assertions of Chapelle and others, are sentimental attachment and the efficient use of existing materiel. Clearly, understanding contemporary perception is critical to

assessing the reasoning behind the decision to rebuild, partially or completely, any particular vessel.

If one issue plagued me more than any other through the course of this study, it was the suggestion that generations of naval administrators successfully conspired against the nation's elected representatives and practiced consistent and habitual deception. Some may say I am being naive. What they likely fail to grasp, however, is that naval administration during the first quarter of the nineteenth century was different from naval administration by the last quarter of the nineteenth century, and altogether different from the bureaucracy and secrecy of the modern day. Without question, fraud was a serious problem for the Navy, even then. But for most of the period of the sailing Navy, it was a scattered problem, practiced by individuals employed in the Navy's far-flung agencies, not an institutional problem pervading the highest levels of naval administration. If nothing else, this study should stand as a vindication of nineteenth century naval administrators from the aspersions cast against them by Howard I. Chapelle and those who continue to offer up "administrative rebuilding" as a viable argument.⁴

⁴ In his recent publication, Dana Wegner moves away from Chapelle's statement that the rebuilding of the *Constellation* was illegally financed. While Wegner errs in his understanding and interpretation of the evidence which he cites (see below), he is to be credited for at least

Regrettably, it has proven impossible to examine the practice of rebuilding ships of war in the Old Navy without including a discussion of that volatile subject, the *Constellation*. Some who hold views on the "Constellation Question" may skip all the background and flip directly to Chapter Ten in the hope of finding a definitive statement on the presence or lack thereof of physical continuity between the original frigate and the rebuilt sloop of war. Others will note the absence of ships' plans and detailed comparisons of technical specifications and dismiss this work entirely. Either way, they have missed the point. This work is not intended to be a treatise on naval architecture. Rather, it is an argument in favor of nineteenth century, not twentieth century, standards of perception, and most importantly, it presents the historical context in which individual cases of rebuilding should be examined.

Those who define a ship as an assemblage of timbers and fastenings will no doubt find this study remarkably unsatisfying. For them it offers few answers. Those who recognize, however, as did those who sailed aboard our historic ships of war and were graced by their splendor, that a ship's identity is a product not only of its hardware, but also of that very subjective and sentimental trait, its

recognizing some inaccuracy on Chappelle's part (Wegner, *Fouled Anchors*, p. 66).

"essence," will, it is hoped, conclude this work enriched with a new and improved perspective on nineteenth century naval administration and the practice of rebuilding ships of war in the sailing Navy.

Chapter Two

An Introduction to "Administrative Rebuilding"

The concept of "administrative rebuilding" was introduced into American naval historiography by the noted late maritime historian Howard I. Chapelle in his 1949 landmark study, *The History of the American Sailing Navy*.¹ *Sailing Navy* represented the first systematic examination of the design and construction of American naval vessels during the Age of Sail. By Chapelle's definition, "administrative rebuilding" was a policy instituted by the Navy Department early in the nineteenth century as a means of circumventing Congressional restrictions on new vessel construction. Through "administrative rebuilding", vessels which were unworthy of further repair were broken up, and new vessels built in their places, utilizing funds appropriated by Congress for vessel repair. As Chapelle explained:

By retaining the ship on the register as 'rebuilt' the legal question of building a new vessel without proper authorization was avoided. The morality of this method of avoiding compliance with the intent of Congress is of relatively small moment; the Board [of Navy Commissioners] had the practical

¹ Chapelle, *Sailing Navy*, passim.

problem of maintaining an effective navy with insufficient funds²

In *Sailing Navy*, Chapelle traced the initiation of the "administrative rebuilding" policy to the repair and lengthening of the sloop of war *Erie* at the New York Navy Yard in 1820. Later vessels, according to Chapelle, were rebuilt to entirely new designs, resulting in ships that differed in model, and in some cases class, from the originals.³ The *Erie* was followed by the rebuilding of the sloop of war *Peacock* (1828), the frigates *John Adams* (1829-1830) and *Macedonian* (1832-1836), the sloop of war *Cyane* (1836-1837), and the frigates *Congress* (1836-1839) and *Constellation* (1853-1854).⁴ By Chapelle's estimation, "the 'rebuilding' system was eventually to reach extraordinary heights and misled not only Congress but also the public as to the true age of some of the ships of the Navy."⁵

² Chapelle, *Sailing Navy*, p. 356. From 1815 to 1842 the ministerial duties of the Navy Department were performed by a Board of Navy Commissioners composed of three senior captains of the Navy appointed by the President of the United States, subject to the authority of the Secretary of the Navy.

³ Chapelle, *Sailing Navy*, p. 336.

⁴ Chapelle, *Sailing Navy*, pp. 356-362, 397-398, 404, 466-469.

⁵ Chapelle, *Sailing Navy*, p. 356.

As the author of numerous books and articles on naval and maritime history, as an editor of *The American Neptune*, and as Curator of Transportation, then Historian Emeritus, of the Smithsonian Institution's National Museum of American History, Howard I. Chapelle earned his reputation as one of the leading authorities on American naval and maritime technology.⁶ Indeed, *Sailing Navy* remains the definitive comprehensive one-volume source on the design and construction of the early ships of the United States Navy. Chapelle's facts, figures, and conclusions have, for the most part, remained unchallenged until recently.

The notable exception is Chapelle's "administrative rebuilding" argument, although the debate on this issue has focused almost entirely on a single vessel: the frigate, later sloop of war, *Constellation*. The controversy began shortly after the close of the Second World War, when the Navy transferred the *Constellation* to a Baltimore group for restoration. The *Constellation* Restoration Committee maintained that the vessel docked in Baltimore was essentially a modification of the original 1790s frigate. Chapelle argued that the surviving corvette bore no connection to the eighteenth century frigate. In his view,

⁶ For an overview of Chapelle's professional accomplishments, see W. M. P. Dunne, "An Inquiry into H. I. Chapelle's Research in Naval History," *The American Neptune* 49 (Winter 1989): 39-40, hereinafter cited as Dunne, "Chapelle."

it was an entirely new vessel built to a new design through "administrative rebuilding": "the ship lost her identity by the process of having her model, dimensions, appearance, and rate entirely altered in her 'rebuilding' in 1853-54. She was constructed as what was then accepted to be a modern and efficient man-of-war."⁷ Based upon comparisons between the plans of the original frigate and the nineteenth century corvette, Chappelle concluded that "accepting this completely altered ship as the original is as unreal as it would be to accept a cap and ball revolver as one of Washington's dueling pistols on the grounds that the gun contained a couple of screws salvaged from the original flintlock."⁸

Heated debate over the true age of the *Constellation* was carried on in the pages of various journals and newspapers, on radio, and at professional meetings,⁹ for another twenty years, culminating in the publication of *The Constellation Question* in 1970.¹⁰ After agreeing to publish Chappelle's

⁷ Chappelle, *Sailing Navy*, p. 468.

⁸ Chappelle, *Sailing Navy*, p. 468.

⁹ A fuller elucidation of the various contributions to the *Constellation* debate may be found in Wegner, *Fouled Anchors*, pp. 6-59.

¹⁰ Howard I. Chappelle and Leon D. Polland, *The Constellation Question* (Washington, D.C.: Smithsonian Institution Press, 1970), hereinafter cited as Chappelle and Polland, *Constellation Question*.

manuscript detailing his position on the *Constellation's* identity, the Smithsonian Institution Press offered the *Constellation* Restoration Committee the opportunity for rebuttal. The counter-argument, written by Leon D. Polland, then Chief of Construction and Repair of the *Constellation*, follows Chappelle's text in *The Constellation Question*. Polland, citing both documentary and archaeological evidence, argued that the *Constellation* at Baltimore was a modification of the original frigate, which had undergone several conversions and repairs, including being razeed and lengthened by twelve feet in 1853-1854.

Two more recent articles, both of which appeared in *The American Neptune*, support the association between the 1790s frigate and the surviving vessel. In "U.S.S. *Constellation*, 1797-1979," Evan Randolph draws on vessel plans and correspondence between the Gosport (Norfolk, Virginia) Navy Yard and the Navy's Bureau of Construction, Equipment, and Repair to calculate that "Roughly 34% of the total timbers of the new [1853-1854] *Constellation* were from the old ship."¹¹ Refuting Chappelle's assertion that "The sentimental question of whether or not they [rebuilt vessels] have portions of the

¹¹ Evan Randolph, "U.S.S. *Constellation*, 1797-1979," *The American Neptune* 39 (October 1979): 235-255, hereinafter cited as Randolph, "*Constellation*," p. 252; the Navy's Bureau System replaced the Board of Navy Commissioners in 1842.

original ship in them is of small moment,"¹² Randolph notes that the Navy abandoned proposals to rebuild the *Constellation* as a steam auxiliary or a 240-foot long ship, and concludes that "the navy wished to convert her into a sloop of war because this was the most efficient use of her materials, while at the same time retaining the famous *Constellation* and modernizing her so that she became a formidable modern sailing ship."¹³

W.M.P. Dunne's "An Inquiry into H.I. Chapelle's Research in Naval History," questions Chapelle's research and conclusions on several issues, including the "administrative rebuilding" of the *Constellation*.¹⁴ Dunne objects to Chapelle's claim that, almost invariably, rebuilding involved the total destruction of the old ship and its replacement by a completely new vessel. As a preface to his main focus on the *Constellation*, Dunne cites Chapelle's specific examples of the *Erie* and the *John Adams* and argues that both vessels, though rebuilt, were not replaced. The "new" vessels, according to Dunne, were modifications of the original hulls. The *Erie* was "rebuilt and lengthened four feet between 1820

¹² Chapelle, *Sailing Navy*, pp. 468-469.

¹³ Randolph, "*Constellation*," p. 253.

¹⁴ Dunne, "Chapelle," see esp. pp. 41-45.

and 1823."¹⁵ For the *John Adams*, Dunne cites his own earlier article: "Retaining only her original main timbers, the new flush-decked ship bore little resemblance, from the waterline up, to the proud frigate that had departed from South Carolina waters thirty-two years earlier, although below the waterline her underbody remained unchanged."¹⁶ Based on his examination of plans and construction records for the *Erie* and the *John Adams*, Dunne concludes that "Chapelle's 'rebuilding' theory [in each case] . . . is inaccurate and his charge of 'administrative fiction' is purely specious."¹⁷

Dunne finds Chapelle's statements regarding the age and identity of the *Constellation* to be equally erroneous. While he concurs that the surviving ship "would best be characterized today as representing its 1850s first-class corvette configuration," Dunne asserts "that the frigate was the basis for the corvette; not a newly-constructed hull, and thus the artifact [the *Constellation*] has justifiable claims to 1797 origination."¹⁸ Dunne attributes Chapelle's

¹⁵ Dunne, "Chapelle," p. 41.

¹⁶ W. M. P. Dunne, "The South Carolina Frigate: A History of the U.S. Ship *John Adams*," *The American Neptune*, 47 (Winter 1987): 22-32, hereinafter cited as Dunne, "*John Adams*," p. 29.

¹⁷ Dunne, "Chapelle," p. 42.

¹⁸ Dunne, "Chapelle," p. 42.

inaccuracies to poor research methods compounded by the brisk pace at which he undertook his work. "Time," writes Dunne, ". . . was his personal devil and may explain the lack of research foundation underlying the structure of his published hypotheses."¹⁹ Nevertheless, Dunne suggests, had Chapelle ever ventured to examine the physical evidence preserved in the hull of the *Constellation*,²⁰ he would have found both eighteenth and nineteenth century workmanship and materials. Chapelle's argument was based almost entirely on limited documentary evidence, emphasizing comparisons between the vessels' plans. On this point Dunne particularly faults Chapelle for his habit of redrafting and altering original vessel plans according to his own interpretation. In so doing, he argues, Chapelle invalidated his own conclusions, which were based upon comparisons between his redrawn versions rather than the original documents.²¹

In the effort to disprove Chapelle's assertions regarding the age and identity of the *Constellation*, however, researchers have neglected the overall question of

¹⁹ Dunne, "Chapelle," p. 44.

²⁰ Wegner states that Chapelle had, in fact, visited the *Constellation* on several occasions (Wegner, *Fouled Anchors*, p. 87). As Wegner also notes, variations in workmanship and materials evident in the hull of the *Constellation* offer no conclusive temporal significance.

²¹ Dunne, "Chapelle," pp. 40-44.

"administrative rebuilding." With the exception of Dunne's limited discussion of the *Erie* and the *John Adams*, naval historians, including those involved in the debate over the *Constellation*, have generally accepted Chapelle's concept of the development and implementation of a clandestine "administrative rebuilding" policy. Even Polland presented Chapelle's theory in *The Constellation Question*, which, though not cited, is clearly based upon *Sailing Navy*:

This apparent setback . . . was closely followed by the realization that several vessels had been "administratively rebuilt" by the Navy in the decades preceding the Civil War. Funds for new naval shipbuilding were nonexistent being almost entirely cut off by an apathetic Congress.

That austere body, however, neglected to consider the resourcefulness of the Navy and approved funds for repairs, reconstructions, and conversions. Later evidence testifies that several old ships-of-war had entered various Navy Yards in a program designed to modernize the fleet but in the process had mysteriously disappeared, broken up completely and an entirely new ship substituted, bearing the original name. Thus was an old ship "Administratively Rebuilt"²²

Polland did not dispute Chapelle's "administrative rebuilding" theory. Rather, he argued that Chapelle's mistake lay in including the *Constellation* among those vessels to have been "administratively rebuilt." Unlike the *Constellation*, wrote Polland, "in no case had the Navy denied the fact that in several cases new ships had replaced the

²² Chapelle and Polland, *Constellation Question*, pp. 108-109.

originals."²³ Furthermore, "what happened to the *Peacock*, the *Adams*, the *Macedonian*, the *Congress*, the *Cyane*, etc., is of passing moment. It follows that this writer will not consider valid here, evidence pertaining to ships other than the *Constellation*."²⁴

When Chapelle's claims with regard to the age and identity of the *Constellation* are examined within the context of his entire rebuilding scheme, however, it becomes evident that much of his argument is predicated upon prior statements about earlier vessel rebuilds. Writing in 1949, Chapelle says of the *Erie* (1820): "While it appears that some of the original ship was saved in the rebuilding, nevertheless the *Erie* was practically a new ship when again launched."²⁵ In rebuilding the *Erie*, "the redesigning was partial, but it was an easy step to the use of a completely new design, producing an entirely different model and even class of ship in the guise of 'rebuilding.'"²⁶

²³ Chapelle and Polland, *Constellation Question*, p. 109. As will be seen, this statement is not entirely correct.

²⁴ Chapelle and Polland, *Constellation Question*, p. 67.

²⁵ Chapelle, *Sailing Navy*, p. 336.

²⁶ Chapelle, *Sailing Navy*, p. 336.

By the time the *Peacock* was rebuilt, "there was no question in the minds of the Navy Board of preserving the old *Peacock* either in form or dimensions; the only concern of the Board was to build a satisfactory replacement,"²⁷ although Chappelle allows that some of the *Peacock's* original metal might have been reused.²⁸ In the case of the *John Adams*,

'rebuilding' had now reached the state where a ship was not only 'rebuilt' on a new design or to new dimensions, but was even in a different class! That such administrative fiction as carrying this sloop on the register as a 'rebuilt' frigate could exist is sufficient evidence of the attention Congress was then giving to naval affairs, and also of the bureaucratic evasion of budget requirements²⁹

Next, the *Macedonian* "had been unserviceable for years but had been carried on the naval registers as a convenient method of obtaining maintenance funds . . . something would have to be done about this ship, at the expense of some other old creak. Otherwise embarrassing questions might be asked in Congress."³⁰ The *Macedonian*, Chappelle states, was rebuilt as a frigate after a wait of three years, "as funds had to be accumulated" ³¹

²⁷ Chappelle, *Sailing Navy*, p. 356.

²⁸ Chappelle, *Sailing Navy*, p. 358.

²⁹ Chappelle, *Sailing Navy*, p. 360.

³⁰ Chappelle, *Sailing Navy*, p. 360.

³¹ Chappelle, *Sailing Navy*, p. 362.

After the *Macedonian*, the *Cyane* was "administratively rebuilt" at the Boston Navy Yard as the sister to the *Levant*, an "admittedly new ship."³² The Congress "had been soaking up maintenance funds until it had been discovered that she might be used as a budget justification to obtain funds for 'rebuilding' old ships into wholly new and useful men-of-war. There need be no attempt to reproduce the old ship in any way; only her official register need be kept intact."³³ Finally, the *Constellation* "was rebuilt into what was then a modern ship of war without any attempt to preserve the original, and the only reason her register was maintained, by means of an administrative fiction, was to enable the work to be done without the need of applying to Congress for authority and funds to build an entirely new ship."³⁴

In *The Constellation Question*, Chappelle dated the initiation of the "administrative rebuilding" policy back to the repair and modification of the frigate *Adams* prior to the War of 1812. The *Adams* was "cut in two amidships, and pulled apart 15 feet, and a new section of hull inserted, then torn down and her topsides rebuilt to make her a flush-decked

³² Chappelle, *Sailing Navy*, p. 397.

³³ Chappelle, *Sailing Navy*, pp. 402-404.

³⁴ Chappelle, *Sailing Navy*, p. 468.

sloop-of-war."³⁵ Thereafter, he wrote, the rebuilding of the *Erie* exhibited "difficulties in attaching new work to old . . . and again the practical difficulties met with in retaining any of the old structure were apparent."³⁶ Chapelle credited Samuel Humphreys with designing the ship intended to replace the *Peacock* in 1827, when he claimed the old ship was broken up. The new ship was laid down in 1828, at which time "no attempt was made to retain any material from the old ship, in spite of her notable career, for the ship's construction was for a practical requirement; sentiment did not enter into the matter."³⁷ Writing of the *John Adams*, Chapelle stated: "It was also found that the accumulated maintenance funds that had been allotted to her were . . . insufficient . . . so other maintenance funds were tapped to allow a 2nd class sloop-of-war . . . to be built."³⁸ After waiting three years to accumulate sufficient funds to deal with the *Macedonian*, Chapelle wrote, "Congress . . . authorized a somewhat larger naval appropriation, part of which was used in 'rebuilding'

³⁵ Chapelle and Polland, *Constellation Question*, p. 14.

³⁶ Chapelle and Polland, *Constellation Question*, p. 15.

³⁷ Chapelle and Polland, *Constellation Question*, p. 15.

³⁸ Chapelle and Polland, *Constellation Question*, p. 15.

the *Macedonian* and also in 'rebuilding' the prize-ship sloop *Cyane* in 1834."³⁹

The *Cyane* was followed by the *Congress*, then the *Constellation*, and finally the seventy-four gun *Franklin*, rebuilt as a screw steam frigate between 1853 and 1864. Chapelle concluded that "the rebuildings after 1820 were not 'great repairs' and alterations in old ships; rather, the so-called rebuildings were in fact new construction in every instance."⁴⁰ Given the problems involved in joining old and new materials, "It is not surprising, then, to find that out of nine cases of United States Navy administrative 'rebuilding,' only the two earliest ships were intended to retain any of their old structure."⁴¹

Sequentially, Chapelle's statements regarding the rebuilding of the *Adams*, the *Erie*, the *Peacock*, the *John Adams*, the *Macedonian*, the *Cyane*, the *Congress*, the *Constellation*, and the *Franklin*, present an overwhelming argument in support of his vision of an ongoing clandestine program to modernize the United States Navy by replacing old and worn out vessels with new and efficient warships.

³⁹ Chapelle and Polland, *Constellation Question*, p. 15.

⁴⁰ Chapelle and Polland, *Constellation Question*, p. 16.

⁴¹ Chapelle and Polland, *Constellation Question*, p. 16.

Progressing from the repair and conversion of the *Adams*, through the lengthening and almost total restructuring of the *Erie*, the substitution of a new sloop-of-war *Peacock* for the original, to the construction of new vessels of different designs and/or classes for the *John Adams*, the *Macedonian*, the *Cyane*, the *Congress*, the *Constellation*, and the *Franklin*, Chapelle interpreted each rebuilding event as an evolutionary step towards the epitome of "administrative fiction." Chapelle's argument is so convincing that, despite his failure to cite documentary evidence to support his claim, naval historians have generally accepted his view of "administrative rebuilding" for more than forty years.

The argument is convincing, but is it right? Was Chapelle correct in asserting that after two attempts at "great repairs", incorporating old and new vessel structure (the *Adams* and the *Erie*), the Navy abandoned both the intent and the practice of retaining old material, and opted instead for new ship construction, as a matter of policy? Was he justified in portraying the Board of Navy Commissioners and the naval hierarchy as a group of law-breaking but practical-minded men who, over a period of forty years, purposely and habitually hoarded and diverted federal funds to build new ships for the Navy against the expressed wishes of Congress, and then publicly lied to the government and the nation to cover their actions? Is this image of collusion, conspiracy,

and misappropriation of funds an accurate portrait of United States naval administration in the pre-Civil War years?

Quite simply, the answer is no. While Chapelle's "administrative rebuilding" theory, on a very basic level, is founded on actual events, his arguments hinge on a progression of inaccurate, misrepresentative, and oversimplified statements. He woefully distorted the facts, while substantiating his argument with assertions that, in many cases, are pure conjecture.

That the reader should impart significance to Chapelle's system of "administrative rebuilding" when considering his argument with regard to the *Constellation* is clearly evident when Chapelle asked: "Why should the *Constellation* have received different treatment, with the existing precedents?"⁴² Once he demonstrated, through his evolutionary scheme of "administrative rebuilding", that the Navy discarded the practice of joining new material to old after the rebuilding of the *Erie* in 1820, Chapelle could dismiss the contention that the *Constellation* was cut in two and lengthened by twelve new feet of hull as inconsistent with an established, long-term naval policy.

Whether the fact that Chapelle's "administrative rebuilding" theory seems tailor-made to sustain his argument

⁴² Chapelle and Polland, *Constellation Question*, p. 37.

with regard to the *Constellation* is the result of misrepresentation of historical evidence, intentional or otherwise, or inadequate documentary research, is less significant than the fact that the argument over the *Constellation* has obscured the larger question of Chapelle's "administrative rebuilding" theory. As a result, historians have misunderstood an important aspect of early naval administration--the rebuilding and repair of vessels of war--ever since the publication of *Sailing Navy*. Though there has been some inquiry into Chapelle's statements with regard to the rebuilding of specific vessels such as the *Constellation*, and to a more limited extent, the *Erie* and the *John Adams*, researchers have avoided delving deeper into the basic structure of his "administrative rebuilding" argument.

Chapelle's interpretation of the "administrative rebuilding" system is, however, fundamentally flawed. The practice of rebuilding American naval vessels did not develop along an evolutionary sequence, nor was it the product of an established administrative policy either to circumvent restrictions on new ship construction or to replace old vessels unilaterally. The United States Navy never engaged in a systematic effort to mislead Congress as to the nature of its rebuilding activities. In fact, the Navy regularly informed Congress, through the Executive, of the status of

vessel repair programs and on occasion sought special appropriations to fund the rebuilding of particular ships.

Part of the problem with Chapelle's argument stems from his apparent attempt to define rebuilding differently from the definitions prevalent in the United States Navy during the early nineteenth century. Moreover, Chapelle seems to have differentiated between "administrative rebuilding" and rebuilding in general, although the criteria which he used to distinguish between the two are unclear. To Chapelle, "administrative rebuilding" seems almost invariably to have involved a deviation in rate, construction, or design from the original, in addition to the substitution of new material. From this position he leaped to the statement that in rebuilding vessels after 1820 the Navy exclusively avoided both the intent and the practice of retaining and reusing original materials. Yet while he discussed "administrative rebuilding" extensively in *Sailing Navy*, several vessels are described in either the index or the text as having been "rebuilt", without any elaboration as to how these rebuildings do or do not relate to the "administrative rebuilding" system.⁴³ Chapelle emphasized that "administrative

⁴³ See, for example, p. 234: "The schooners *Vixen*, *Enterprise*, and *Nautilus* and the cutter-schooner *Ferret* were all rerigged as brigs between 1806 and 1811, and some of these craft were extensively rebuilt." See also in the Index, p. 536, regarding the *Constitution*: "rebuilt, 1833," and p. 543, regarding the *Hornet*: "rebuilt and widened 10", 1811."

rebuilding" was paid for by monies appropriated for vessel repair. Yet these other vessels, which Chapelle did not include in his scheme, were also rebuilt using appropriations for vessel repair. The case of the *Enterprise* illustrates the discrepancy within Chapelle's own interpretation of the evolution of "administrative rebuilding." In *Sailing Navy*, Chapelle wrote that the *Enterprise* "had been rebuilt in the Mediterranean, was again rebuilt [1811], and this time both her model and dimensions were changed."⁴⁴ The date is contemporaneous with the lengthening and conversion of the *Adams*, the modifications clearly deviated from the original *Enterprise*, yet while Chapelle added the *Adams* to his "administrative rebuilding" scheme in *The Constellation Question*, he neglected the *Enterprise*. True, as either a schooner or a brig, the *Enterprise* was an inferior vessel to a frigate or a sloop of war, but surely an analysis of the rebuilding of this vessel would have provided some indication of intent or experience on the part of those involved and thus contributed to a thorough study of the practice of rebuilding in the early Navy.

Regardless, Chapelle's approach is inappropriate because the United States Navy in the early nineteenth century did not distinguish between different types of rebuilding. If

⁴⁴ Chapelle, *Sailing Navy*, p. 234; modifications to the *Enterprise* included being riggered as a brig.

the naval hierarchy, as the purported originators of the "administrative rebuilding" scheme, did not embrace this distinction, is it appropriate for historians to do so a century and a half after the fact? Given that the issue of intent is an essential component of the "administrative rebuilding" argument, the answer must be in the negative.

Most recently, the specific debate over the *Constellation* entered the computer age, through the efforts of Dana Wegner, Curator of Ship Models, and his associates at the U. S. Navy's David Taylor Research Center in Bethesda, Maryland. Apparently motivated by the publication of Dunne's 1989 article in *The American Neptune*, and the discovery of a builder's half-model labelled *Constellation* at the Naval Academy Museum, Wegner assembled an interdisciplinary team to explore the *Constellation* question.⁴⁵ The results of their research are presented in the ambitiously-titled report, *Fouled Anchors: The Constellation Question Answered*. Wegner's investigation is essentially twofold: a reassessment of the *Constellation* question controversy focusing on the principal participants and reported documentation up to that time, and a re-examination of the *Constellation* question itself, utilizing the newly-discovered half-model,

⁴⁵ Wegner, *Fouled Anchors*, p. vii.

comparisons of ships' plans, and substantial secondary and limited primary documentary research.⁴⁶

Assisted by specialists from numerous federal agencies, Wegner demonstrates that the bulk of the documentation used by Polland and the Baltimore Committee to assert a 1790s origination for the surviving *Constellation* consists of forgeries and fraudulent alterations to authentic documents.⁴⁷ "There was found no genuine evidence in all of this study's research," he reports, "to indicate that any question over the authenticity of the ship existed before Howard Chapelle's early pronouncements." Furthermore, "all documentation dated before 1946 aggressively espousing the 1797 origin of the sloop-of-war *Constellation* or alluding to any controversy was proven or likely fakery."⁴⁸ Wegner attributes the majority of these forgeries to a single individual, possibly an employee of the *Constellation* Restoration project, and perhaps the person noted by Polland (in his previously unexamined papers) to be in possession of an authenticating National Archives

⁴⁶ Wegner's statement that his team "did study all of the available evidence," is overly ambitious (*Fouled Anchors*, p. viii). The majority of Wegner's primary sources relate to his discussion of the controversy over the *Constellation*. For his analysis and interpretation of the *Constellation* question itself, he relies heavily upon secondary source materials and vessel plans.

⁴⁷ Wegner, *Fouled Anchors*, pp. 68-79, 85; italics his.

⁴⁸ Wegner, *Fouled Anchors*, p. 85.

rubber stamp.⁴⁹ Why, despite his suspicions, did Polland remain oblivious to the activities of the forger? Defending Polland's integrity, Wegner depicts a man both driven and overworked. In a manner reminiscent of W. M. P. Dunne's assessment of Howard I. Chapelle, Wegner writes, "Perhaps Polland would have broadened his views if he had the time . . ."⁵⁰

Moving beyond the controversy to the vessel itself, Wegner dismisses Polland's contention that the *Constellation* was cut in two and lengthened twelve feet amidships, "knowing that the concept of adding length to a ship amidships seemed to relate primarily to metal ships."⁵¹ Based upon the examination of plans for lengthening the frigates *Sabine* and *Santee* on the stocks, Wegner and his associates argue that efforts to lengthen wooden warships in the American Navy were confined to the areas of the bow and stern and would not have been attempted amidships.⁵²

Wegner's team also compared the design record for the *Constellation* with four nineteenth-century naval architectural treatises, concluding that "all of the

⁴⁹ Wegner, *Fouled Anchors*, p. 54.

⁵⁰ Wegner, *Fouled Anchors*, p. 89.

⁵¹ Wegner, *Fouled Anchors*, p. 79.

⁵² Wegner, *Fouled Anchors*, pp. 79-80.

available genuine evidence is fully consistent with the design process applied to new warship construction. The sloop of 1855 was not, in any significant way, a conversion of the frigate of 1797."⁵³ A computer analysis of the *Constellation's* 1795 construction plan, an 1853 pre-rebuilding frame survey, and Chief Naval Constructor John Lenthall's 1853 design for the sloop of war *Constellation*, likewise concluded that two distinct vessels, rather than a single conversion, were represented.⁵⁴

Wegner offers new documentary evidence to support his conclusions, as well. Citing the log of the Gosport (Norfolk, Virginia) Navy Yard and official Navy Department correspondence, Wegner reports: "On February 22, 1853, the old frigate was moved from the dock to the North Slip and the following day at 1:00 pm was hauled out of the water and up the masonry-faced incline into the weather."⁵⁵ By 15 May, the process of cutting up the old *Constellation* had commenced, and in mid-September 1853, the Commandant of the yard requested permission "to auction off the old timbers." In the meantime, the keel had been laid and construction began

⁵³ Wegner, *Fouled Anchors*, p. 131.

⁵⁴ Wegner, *Fouled Anchors*, pp. 155-158.

⁵⁵ Wegner, *Fouled Anchors*, p. 4.

on the new sloop-of-war *Constellation*.⁵⁶ "The frigate *Constellation*," Wegner concludes, "clearly was no more."⁵⁷

According to Wegner, Chapelle had not known about the Gosport log, or the Navy Department correspondence relating to the *Constellation*, "until *The Constellation Question* was too far along" to make use of it.⁵⁸ Thus, Chapelle "probably intuitively sensed he was right, but he was unsuccessful in communicating his thoughts forcefully."⁵⁹

Wegner acknowledges that Chapelle's insistence that the Navy carried out the "administrative rebuilding" of the *Constellation* using funds for vessel repair, in violation of Congressional budgetary restrictions, "has never rung true."⁶⁰ Researching the store returns for the Gosport Navy Yard, Wegner's attention was drawn to a column entitled "Gradual Increase, Repairs, Etc.," under which materials expended on the sloop of war *Constellation* were charged to the appropriation under that head. "Chapelle," Wegner concludes,

⁵⁶ Wegner, *Fouled Anchors*, pp. 4-5.

⁵⁷ Wegner, *Fouled Anchors*, p. 4.

⁵⁸ Wegner, *Fouled Anchors*, p. 88.

⁵⁹ Wegner, *Fouled Anchors*, pp. 87-88.

⁶⁰ Wegner, *Fouled Anchors*, p. 66. Presumably, Wegner is referring primarily to Dunne's argument regarding the *Erie*, *John Adams*, and *Constellation* in Dunne, "Chapelle."

"focused only on the word 'repairs.'"⁶¹ Thus, he suggests, it was Chappelle's "misunderstanding of the Gradual Increase Act [that] led him to speculate that the new *Constellation* of 1855 was a secret withheld from Congress."⁶²

Wegner attributes the origin of the Gradual Increase Act under which the sloop of war *Constellation* was built to the Act of 1816 for the Gradual Increase of the Navy, renewed in 1827 as an Act for the Gradual Improvement of the Navy. Renewed again in 1833, after 1840, Wegner states, "the appropriation was renewed annually in the regular naval appropriation acts."⁶³ Under these respective Acts of Congress, vast stores of ship timber and other materiel were stockpiled in the Navy yards. When the Navy built the new *Constellation*, Wegner contends, it was "free to utilize the stockpile . . . and cover its labor costs from the Gradual Increase annual appropriation. The Act of March 3, 1827 clearly permitted it."⁶⁴ Chappelle, Wegner explains, "apparently was unaware of the modification of the Gradual Increase appropriation enacted in 1827 and based his opinion

⁶¹ Wegner, *Fouled Anchors*, p. 66.

⁶² Wegner, *Fouled Anchors*, p. 88.

⁶³ Wegner, *Fouled Anchors*, p. 3.

⁶⁴ Wegner, *Fouled Anchors*, p. 4.

upon the original language of the 1816 legislation."⁶⁵ Refuting Randolph, Wegner argues that the frigate timbers which Randolph cites as remaining from the original *Constellation* were actually new timbers drawn from the frigate stockpile.⁶⁶ "There was no evidence," he states, "that any material was transferred directly from the old ship to the new." In fact, the only used timber that went into the new *Constellation*, Wegner notes, were "204 white oak knees drawn from stock."⁶⁷

On the basis of his investigation, Wegner concludes that the original *Constellation*, completed in 1797, was "brought to the Gosport Navy Yard, then dismantled in 1853 in the North Slip and her timbers auctioned off. At about the same time, the second *Constellation* was built at Gosport about 600 feet away in Ship House B." This second *Constellation*, a sloop of war, was designed by Chief Naval Constructor John Lenthall "as a completely new ship," employing "the name of the old." Rather than reusing timber from the original *Constellation*, the Navy used stockpiled timber "to build a new sailing ship to replace an old one." Modifying Chapelle's original "administrative rebuilding" argument,

⁶⁵ Wegner, *Fouled Anchors*, p. 88.

⁶⁶ Wegner, *Fouled Anchors*, pp. 81-82.

⁶⁷ Wegner, *Fouled Anchors*, p. 5.

Wegner contends: "This was permitted under the Act of 1827 and did not require Congressional approval. The plan was not a deliberate secret."⁶⁸

Like Chapelle, Wegner presents naval historians with a convincing and seemingly irrefutable argument. But is he right? To be sure, Wegner deserves credit for discovering the fraudulent nature of so many documents which clouded the controversy over the *Constellation* in the past. He is to be commended, as well, for recognizing error on Chapelle's part in asserting that the rebuilding of the *Constellation* was illegally financed. In the process, however, Wegner unknowingly commits the proverbial sin of moving one step forward and two steps back.

To suggest a definitive solution to the contradictions of Chapelle's "administrative rebuilding" argument on the basis of a single vessel, whether the *Constellation* or any other, is to misunderstand entirely the complexity of nineteenth-century political life and naval administration. Wegner falls into the same trap that confined Chapelle: he accepts only two possible definitions for naval rebuilding--vessel repair or new construction. Unable to reconcile the record of the *Constellation* with a literal interpretation of vessel repair, both Chapelle and Wegner adopt the definition of unilateral new ship construction. The possibility that

⁶⁸ Wegner, *Fouled Anchors*, p. 90.

the definition of rebuilding might have changed through time, or that it might have represented a third alternative not equal to either of the other two, completely escapes consideration. Moreover, both Chappelle's and Wegner's contention that the hull is the sole determinant of a vessel's identity, is a modern axiom that is incongruous with nineteenth century attitudes and perceptions.

Wegner argues that it was Chappelle's confusion over the various appropriations for the Gradual Increase of the Navy, and specifically the language and provisions of the Act of 1827, which led him to believe, mistakenly, that the rebuilding of the *Constellation* was pursued illegally. Sidestepping the obvious point that Wegner has no precise way to know exactly what Chappelle did or did not see or misunderstand, given the absence of citations in *Sailing Navy* and the unimpressive twenty-eight endnotes, listing primarily secondary sources, in Chappelle's contribution to *The Constellation Question*, the Act of 1827, as will be seen, is entirely irrelevant to the authorization for naval rebuilding. Wegner's argument completely ignores the many instances of rebuilding in the American Navy prior to 1827. Neither can it explain those vessels rebuilt both before and after 1827 that *did* utilize funds appropriated for vessel repair. Nor, finally, does it account for the fact that the Navy requested special appropriations from Congress to

rebuild several vessels during the 1830s, requests that would have been superfluous and entirely unnecessary in light of Wegner's statement that "the Navy was entitled, even encouraged, to build ships from materials acquired under the terms of the appropriation as modified in 1827."⁶⁹ Once again, an overly narrow focus on a single vessel--the *Constellation*--has led researchers to misconstrue not only the context in which that particular vessel was rebuilt, but to overlook, as well, the fallacious reasoning underlying the entire "administrative rebuilding" argument.

In Wegner's case, not only does he misunderstand and misuse the record of naval appropriations, he presents a contextual framework of American naval vessel repair that lacks even the semblance of validity. Regardless of whether or not a lengthening of the original hull was pursued in the case of the *Constellation*, the statements of Wegner and his associates, Colan Ratliff and Kevin Lynaugh, that the lengthening of vessels amidships is a practice of metal ship construction and that the lengthening of existing wooden ships would be confined to the bow and stern regions, decries the case of the *Adams*, which even Chappelle recognizes was cut in two amidships and lengthened by the addition of fifteen

⁶⁹ Wegner, *Fouled Anchors*, p. 66.

feet at the Washington Navy Yard in 1812.⁷⁰ Ignoring the Adams, Kevin Lynaugh writes that "No evidence has been found which supports modifying an existing (active) U. S. naval wooden vessel into an entirely new design."⁷¹ Likewise, Lynaugh's assertions that "The only major modification performed on [wooden] vessels was to raze or remove the upper gun deck,"⁷² and that "when wooden ships were repaired, it was to local damage of bow and stern posts, keel shoes, rotted or damaged hull planking, or a limited number of broken or rotted frames, and beam knees, not a large scale redesign 'cut and paste' effort,"⁷³ are directly contradicted by the long record of extensive repairs and partial or total rebuildings compiled by the many wooden ships of the American Sailing Navy. The carefully cut and assembled pieces of Wegner's puzzle simply do not fit.⁷⁴

Let us assume, for the sake of argument, that Wegner is correct in asserting that the sloop of war *Constellation* was intended to be new construction from the outset, legitimately

⁷⁰ Chapelle, *Constellation Question*, p. 14.

⁷¹ Wegner, *Fouled Anchors*, p. 158.

⁷² Wegner, *Fouled Anchors*, p. 158.

⁷³ Wegner, *Fouled Anchors*, p. 160.

⁷⁴ For additional criticisms of *Fouled Anchors* see W. M. P. Dunne, "'The Frigate Constellation Was No More': Or Was She?" *The American Neptune* 53 (Spring 1993).

funded with neither the need, nor the pretense, for secrecy or diversion, and that the only link, physical, intellectual, or otherwise, between the old frigate and the new sloop of war was the name. How then, are we to interpret the following report of Samuel Hartt, Chief of the Bureau of Construction, Equipment, and Repair, to the Secretary of the Navy, dated nearly two months after the destruction of the old *Constellation* and the commencement of the new ship:

The frigates "Macedonian" and the "Constellation" have been razed to first-class sloops of war, and will be found arranged under that head. The former has been completed, and joined the squadron in the China seas; the latter *is still in progress of repairs* at the navy yard at Gosport.⁷⁵

According to Wegner, the Navy has no need for secrecy. Yet nowhere does Hartt mention that an entirely new ship to be named *Constellation*, having no connection whatsoever to the original, is under construction. To the contrary, Hartt directly implies that the original ship is being repaired, not that a new ship is being built.

Does this mean that the Navy did illegally divert funds to the construction of a new *Constellation*? Does it mean that the Navy didn't really build a new ship? Not necessarily. What it does mean is that there are larger

⁷⁵ Samuel Hartt to J. C. Dobbin, 1 November 1853, in U. S., Department of the Navy, *Report of the Secretary of the Navy*, 5 December 1853, in Ex. Doc. 1, 33rd Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1853*, p. 546; emphasis mine.

issues surrounding the rebuilding of the *Constellation* than have yet been considered. Within that larger framework, the *Constellation* is merely one of many ships that at one time or another were rebuilt, partially or completely, by the United States Navy. Within that larger framework, the 1850s is one small time sequence within nearly a century of variable naval administration and rebuilding practice. Without examining the details of that larger framework, within the proper context of nineteenth-century standards of behavior and perception, the individual pieces of the rebuilding puzzle will never fit together.

Chapter Three

**Context: Administration, Appropriation,
and Expenditure**

By the Act of 30 April 1798 Congress voted to establish the Navy under the superintendence and administration of a civilian Secretary of the Navy. From that time until shortly after the close of the War of 1812, responsibility for the varied business of the Navy Department, ranging from the deployment of the officers, seamen, and vessels of the Navy, to ship construction, equipage, armament, and repair, as well as victualling, supplying vessels, and overseeing the naval courts, rested solely with the Secretary of the Navy.¹

During the War of 1812, however, Secretary of the Navy William Jones complained that this arrangement burdened him with details and duties that "divert[ed] his attention from the sound direction of the great and efficient objects of the

¹ Dudley W. Knox, *A History of the United States Navy* (New York: G. P. Putnam's Sons, 1936), hereinafter cited as Knox, *U.S. Navy*, pp. 45-46; Charles Oscar Paullin, "Naval Administration Under the Navy Commissioners, 1815-1842," *U.S. Naval Institute Proceedings* 32 (1907): 602-603, hereinafter cited as Paullin, "Naval Administration."

establishment"2 To remedy the situation, Jones proposed the establishment of a Department of Construction, as well as a five-member Board of Naval Inspectors composed of three naval officers and two civilians. The Board of Inspectors would be appointed by the President of the United States with the approval of the Senate, and be subject to the authority of the Secretary of the Navy. Under Jones' plan the Secretary of the Navy would assign specific duties to each member of the Board according to a five-part classification of the naval business. Class one embraced the general correspondence of the Board, including the preparation of reports, estimates, and statements, as well as the direction of the flotilla service on the New Orleans station. Class two embraced the correspondence and records of naval officers, including the superintendence of naval courts, and the direction of the flotilla service on the Southern station. Class three embraced the superintendence of business relating to naval ordnance, as well as the transportation of personnel, stores, and provisions, and the direction of the flotilla service in the Patapsco and

² U.S., Congress, House, *Re-organization of the Navy Department, Increase of the Captains and Additional Sloops of War*, 6 February 1813, Naval Affairs 101, 12th Cong., 2nd sess., *American State Papers*, vol. 23, p. 285; for an evaluation of Jones' performance as Secretary of the Navy, see Edward K. Eckert, *The Navy Department in the War of 1812* (Gainesville, Fla.: University of Florida Press, 1973), and Paullin, "Naval Administration," pp. 602-605.

Delaware Rivers, and at New York. The Inspector assigned the duties of the fourth class of naval business would oversee victualling, sustenance, and medicine, as well as direct the flotilla service on all the stations from New York eastward and on Lake Champlain. The fifth and final class embraced the equipment of vessels, excluding those items included in the other four classes, or in the Construction Department, and included as well the direction of the naval service on Lake Ontario and the upper Lakes.³ Jones' proposal, while preserving the ultimate authority of the Secretary of the Navy, delegated most of the responsibility for the daily business of the Navy to the Board of Inspectors and the naval constructors.

Congress, after deliberating further on the subject and soliciting the opinions of several of the Navy's senior captains, passed an act establishing a Board of Navy Commissioners in February 1815. The three-member Board, appointed by the President from among the senior captains of the Navy, was given collective responsibility for the ministerial duties of the Navy Department relating to ship construction, armament, equipment, and repair, including the superintendence of navy yards and stations, as well as the

³ U.S., Congress, Senate, *Re-organization and Extension of the Navy, the Establishment of a Board of Inspectors, and a Naval Academy*, 16 November 1814, Naval Affairs 116, 13th Cong., 3rd sess., *American State Papers*, vol. 23, pp. 320-324.

procurement of naval stores and materiel. The Secretary of the Navy retained all authority over naval officers, discipline, and vessel deployment.⁴

The Board of Navy Commissioners endured for twenty-seven years, during which time sixteen captains served terms ranging from less than one month to just under ten years (Table 1). Commodore John Rodgers was by far its most influential member. He presided over the Board for a total of nineteen years: from the Board's establishment in April 1815 until December 1824, and from October 1827 until May 1837, serving under four Presidents (James Madison, James Monroe, John Quincy Adams, and Andrew Jackson) and six Secretaries of the Navy (Benjamin W. Crowninshield, Smith Thompson, Samuel L. Southard, John Branch, Levi Woodbury, and Mahlon Dickerson).

⁴ U.S., Congress, House, *Re-organization of the Navy Department*, 9 January 1815, Naval Affairs 121, 13th Cong., 2nd sess., *American State Papers*, vol. 23, pp. 354-359; U.S., Congress, *Laws of the United States . . .*, vol. 4, chap. 717, pp. 791-792; Paullin, "Naval Administration," pp. 603-611.

Table 1: Commissioners of the Navy, 1815-1842 (From Hamersly, *Navy Register*, p. 2).

John Rodgers	23 April 1815 to 15 December 1824 8 October 1827 to 1 May 1837
Isaac Hull	25 April 1815 to 30 November 1815
David Porter	25 April 1815 to 31 December 1822
Stephen Decatur	30 November 1815 to 22 March 1820
Isaac Chauncey	31 December 1822 to 15 December 1824 29 July 1833 to 27 January 1840
Charles Morris	3 March 1823 to 1 September 1825 15 May 1826 to 1 June 1827 14 July 1832 to 1 June 1841
William Bainbridge	15 December 1824 to 20 June 1827
Jacob Jones	15 December 1824 to 7 August 1826
Lewis Warrington	5 January 1827 to 20 June 1830 4 November 1840 to 31 August 1842
Thomas Tingey	8 October 1827 to 27 October 1827
Daniel T. Patterson	13 October 1828 to 1 July 1832
Charles Stewart	3 November 1830 to 5 June 1833
Alexander S. Wadsworth	29 May 1837 to 9 September 1840
John B. Nicolson	8 June 1840 to 1 March 1841
William M. Crane	6 May 1841 to 31 August 1842
David Connor	29 July 1841 to 31 August 1842

While the delegation of duties within the Department improved the overall administration of the naval business, the collective responsibility assigned to the Board of Navy Commissioners proved less than ideal. As the Navy expanded and the Board's responsibilities grew more complex, its members complained that with each member "possessing the same rights, each charged with the same duty, each equally responsible, consultation becomes indispensable; disagreement in opinion may exist; argument on both sides is adduced; and

finally, the decision is made, but not, possibly, till one, two, or more days, shall have elapsed."⁵ The Board, comprehending that it functioned on two levels of administrative responsibility--"the decision of a fundamental principle . . . [and] the carrying [of] that principle into effect,"--suggested that its organization be modified to allow the former to remain a collective responsibility, while authority for the latter, embracing the building and equipment of vessels, the construction of docks, arsenals, storehouses, and wharves, and the victualling and clothing of the Navy, would be categorically assigned to the members of the Board on an individual basis.⁶ Congress declined to act upon these recommendations.

Towards the end of its existence the Board of Navy Commissioners was the focus of intense criticism directed against the Navy Department, although many of the complaints related to objects that were not within the purview of the Navy Board. Low morale among the officers of the Navy was more the result of uneven leadership by the succession of men who held the office of Secretary of the Navy, while the blame

⁵ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1829*, Naval Affairs 394, 21st Cong., 1st sess., *American State Papers*, vol. 25, hereinafter cited as *Navy, Annual Report, 1829*, p. 397.

⁶ *Navy, Annual Report, 1829*, p. 397.

for political interference and irregular funding belonged with Congress. Charges of mismanagement of the naval business should have been laid at the feet of the Secretary of the Navy and the President, to whom the Board of Navy Commissioners was subordinate and under whose authority transfers between appropriations were made, as provided for by several Acts of Congress. By the same token, Congress had created and perpetuated the system of naval appropriations while neglecting to authorize an adequate clerical force to maintain the Navy's accounts. The Navy Commissioners were criticized on the House floor for alleged waste in building and repairing the ships of the Navy, as well as for its system of placing vessels in ordinary.⁷ Yet the Navy

⁷ U.S., Congress, House, Speech of Thomas King on the bill to reorganize the Navy Department, 30 August 1842, 27th Cong., 2nd sess., *The Congressional Globe* XI: 970-972. For further discussion and an evaluation of the service of the Board of Navy Commissioners, see Paullin, "Naval Administration," and Leonard D. White, *The Jacksonians: A Study in Administrative History, 1829-1861* (New York: The Macmillan Co., 1954; The Free Press, 1965), hereinafter cited as White, *The Jacksonians*, esp. pp. 213-250. For a detailed discussion of the circumstances which precipitated such charges, see Chapter Eight, below. Placing a vessel "in ordinary" was the equivalent of modern day mothballing. The procedure was explained in the 1818 Naval Rules and Regulations:

When a ship intended for ordinary is cleared of her provisions, stores, sails, and rigging, and the yards and spars are properly disposed of, (all of which must be done by her officers and crew), the commandant of the yard shall, when the crew are removed or paid off, take charge of, and secure her at proper moorings, placing on board the necessary number of men to attend to her preservation; and, if particularly instructed to that effect by the

Commissioners had voiced many of the same complaints, and others, years earlier in their efforts to simplify their labors and obtain a more workable system of naval appropriations.⁸

Congress responded to the charges against the Navy Department by voting to abolish the Board of Navy Commissioners in August 1842. In its stead, Congress established a system of five naval Bureaus: The Bureau of Navy Yards and Docks; the Bureau of Construction, Equipment, and Repair; the Bureau of Provisions and Clothing; the Bureau of Ordnance and Hydrography; and the Bureau of Medicine and Surgery.⁹ Under the new system, each Bureau Chief, although

Board of Navy Commissioners, and not otherwise, he will cause awnings to be spread, or sheds to be erected, over her. He will see that all ships in ordinary are wet at proper times, and pumped out as often as occasion may require. (U.S., Congress, Senate, *Rules, Regulations, and Instructions, for the Naval Service*, 20 April 1818, Naval Affairs 510, 15th Cong., 1st sess., *American State Papers*, vol. 23, p. 511)

⁸ See, for example, John Rodgers to John Branch, 31 March 1829, and accompanying documents, in *Navy, Annual Report, 1829*, pp. 366-374. See also, U.S., Congress, House, *Plan for a Reorganization of the Board of Navy Commissioners*, 28 January 1830, Naval Affairs 408, 21st Cong., 1st sess., *American State Papers*, vol. 25, pp. 492-493.

⁹ By the Act of 5 July 1862, Congress modified and augmented the Bureaus of the Navy as follows: Bureau of Yards and Docks, Bureau of Equipment and Recruiting, Bureau of Navigation, Bureau of Ordnance, Bureau of Construction and Repair, Bureau of Steam Engineering, Bureau of Provisions and Clothing, and the Bureau of Medicine and Surgery. (U.S., Congress, *An Act to Reorganize the Navy Department of the*

subordinate to the Secretary of the Navy, functioned independently with individual responsibility for the naval business within his domain. The positions of Chief of the Bureau of Yards and Docks and Chief of the Bureau of Ordnance and Hydrography were to be held by naval captains. A naval surgeon would serve as Chief of the Bureau of Medicine and Surgery. Either an officer or a naval constructor would head the Bureau of Construction, Equipment, and Repair. Superintendence of the Bureau of Provisions and Clothing was left to either a naval or a civilian appointment. Bureau Chiefs were appointed by the President, subject to the approval of the Senate.

The Bureau System was intended to improve efficiency and accountability within the Navy Department. It was the structure and organization of the Board of Navy Commissioners that had been the object of complaint, not the Commissioners themselves. Thus, three of the first five new Bureaus were headed by the last three Navy Commissioners, while a fourth was headed by the former secretary to the Navy Board. Commodore Lewis Warrington served as Chief of the Bureau of Yards and Docks from its inception until May, 1846; Commodore William Crane headed the Bureau of Ordnance and Hydrography

United States, approved 5 July 1862, in *Statutes at Large*, vol. 12, chap. CXXXIV, pp. 510-512; Thomas H. S. Hamersly, *Complete General Navy Register of the United States of America, From 1776 to 1887* (New York: T.H.S. Hamersly, 1888), hereinafter cited as *Hamersly, Navy Register*, p. 3).

from its inception until March, 1846; and Commodore David Connor superintended the Bureau of Construction, Equipment, and Repair from the time of its establishment until March, 1843. Charles W. Goldsborough, secretary to the Board of Navy Commissioners for nearly twenty years, headed the Bureau of Provisions and Clothing until his death in 1843.¹⁰

As with naval administration, the system of naval appropriation, expenditure, and accounting underwent several modifications through the early part of the nineteenth century. Naval appropriations during this period generally fall into two categories: regular appropriations and special appropriations. The regular appropriations bill for the Navy, like that of the Army, the Postal Service, and the other agencies of government, was

intended to carry on public objects already sanctioned by law, the policy of which has been decided in our previous legislation. It is upon this ground that a bill to establish new forts, or to improve new harbors, is never incorporated in one for the completion of those which have been

¹⁰ Hamersly, *Naval Register*, pp. 3-5; Geoffrey S. Smith, "An Uncertain Passage: The Bureaus Run the Navy, 1842-1861," in, *In Peace and War: Interpretations of American Naval History, 1775-1984*, 2nd ed., ed. Kenneth J. Hagan (Westport, Ct.: Greenwood Press, 1984), pp. 79-84; *The Congressional Globe*, 27th Cong., 2nd sess., pp. 892, 970-972; Robert Greenhalgh Albion, *Makers of Naval Policy, 1798-1947*, edited by Rowena Reed (Annapolis, Md.: Naval Institute Press, 1980), hereinafter cited as Albion, *Naval Policy*, p. 137.

before commenced, the necessity and policy of which have been sanctioned by law.¹¹

By embracing this distinction between appropriations covering items already sanctioned by law and those proposing new objects, Congress hoped to avoid delays in funding the regular business of government while it debated the adoption of new programs and expenditures. While this system generally succeeded in providing the necessary operating funds to the various agencies of government without protracted debate, there were exceptions. The naval appropriations bill for 1836 languished in the House of Representatives for weeks as Congressmen delivered lengthy speeches on topics ranging from accusations of anti-Jacksonian sentiments in Congress and the Executive branch, to questions of foreign policy, the banking issue, and the Battle of Tippecanoe. All this while ostensibly debating the propriety of halving the appropriation for the navy yard at Portsmouth, New Hampshire (Kittery, Maine).¹²

In the beginning, the regular appropriations for the Navy were relatively simple. The Act of 1800 subdivided the

¹¹ U.S., Congress, House, Speech of Joseph M. White on the bill making appropriations for the Navy, 6 April 1836, in *Register of Debates in Congress*, 24th Cong., 1st sess., column 3191.

¹² *Register of Debates in Congress*, 24th Cong., 1st sess., columns 2668-2682, 2780-2863, 3017-3143, 3151-3219.

naval appropriation into twelve separate heads: Pay of Officers; Subsistence of Officers; Pay of Seamen; Provisions; Contingent Expenses; Hospitals, Medicines, etc.; Revenue Cutters in Naval Service; Pay of the Marine Corps; Subsistence of the Marine Corps; Clothing of the Marine Corps; Military Stores; and Contingent Expenses of the Marine Corps.¹³ Over time, several of these basic operational heads were subdivided, combined, or modified, while additional heads were frequently added to fund short-term expenditures, as well as certain ongoing projects. The Act making appropriations for the Navy for 1831, for example, included twenty-three separate line items. This Act appropriated operational funds for the Navy under the heads of: Pay and Subsistence of Officers and Seamen; Pay of Superintendents, Naval Constructors, and the Civil Establishment of the Navy Yards and Stations; Provisions; Repairs of Vessels in Ordinary, and Wear and Tear of Vessels in Commission; Medicine, Surgical Instruments, Hospital Stores, and Expenses on Account of the Sick; Repairs and Improvements of Navy Yards; Defraying Expenses; Contingent Expenses; Pay of the Marine Corps and Subsistence of the Officers of the Marine

¹³ Albion, *Naval Policy*, pp. 115-116. Appropriations for the salaries and expenses of the administrative offices of the Navy (the Secretary of the Navy and his clerks, and later the Navy Commissioners and their clerks, as well), were included in the Acts appropriating funds for the general support of the Government.

Corps; Subsistence of Non-Commissioned Officers, Musicians, Privates, and Washerwomen on Shore, of the Marine Corps; Clothing of the Marine Corps; Contingent Expenses of the Marine Corps; Military Stores; and Medicines for the Marine Corps. Additional heads in the 1831 naval appropriation provided for: the wharf building at Pensacola; suppression of the slave trade; support for Africans liberated from a captured slaver at New Orleans; relocating a monument at the Washington Navy Yard; and compensation to certain individuals for expenses incurred on account of the Navy.¹⁴ The following year, Congress split the appropriation for repairs and improvements at the various navy yards into seven separate line items.¹⁵

Funds for objects not already sanctioned by law were appropriated by separate Acts of Congress. In 1822, for example, Congress authorized the sum of \$160,000 for the purchase or construction of additional vessels to be employed

¹⁴ U.S., Congress, *An Act Making Appropriations for the Naval Service, for the Year One Thousand Eight Hundred and Thirty-One*, 2 March 1831, in *Register of Debates in Congress*, 21st Cong., 2nd sess., Appendix, columns 85-87.

¹⁵ U.S., Congress, House, *An Act Making Appropriations for the Naval Service, for the Year One Thousand Eight Hundred and Thirty-Two*, 24 February 1832, in *Register of Debates in Congress*, 22nd Cong., 1st sess., Appendix, p. ii.

in the suppression of piracy in the West Indies.¹⁶ Under this appropriation the Navy acquired a steamboat, eight small schooners, five barges, and a transport, to augment the West India Squadron.¹⁷ Subsequent appropriations for these special objects were either incorporated into the existing heads of appropriation (Pay and Subsistence of Officers and Seamen, and Wear and Tear of Vessels in Commission, for example), or added as separate line items to the regular appropriations bill.

In April 1816, in response to the Navy's much heralded performance during the War of 1812, Congress passed an Act for the Gradual Increase of the Navy. This Act authorized an additional naval appropriation of one million dollars annually for eight years for the construction of nine ships of the line to rate not less than seventy-four guns each, and twelve frigates of no less than forty-four guns each. The Act also authorized the Navy to procure steam engines and non-

¹⁶ U.S., Congress, *An Act Authorizing an Additional Naval Force for the Suppression of Piracy*, 20 December 1822, in *Register of Debates in Congress*, 17th Cong., 2nd sess., Appendix, column 1337.

¹⁷ U.S., Department of the Navy, *Condition and Disposition of the Navy*, Naval Affairs 258, 18th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as *Navy, Annual Report, 1823*, p. 1095. These vessels were the steam galliot *Sea Gull*, the schooners *Greyhound*, *Jackal*, *Fox*, *Wild Cat*, *Beagle*, *Ferret*, *Weasel*, and *Terrier*, the barges *Mosquito*, *Gnat*, *Midge*, *Sand Fly*, and *Gallinipper*, and the storeship *Decoy*.

perishable materials for the construction of three steam batteries. By 1820, however, a move for fiscal retrenchment had replaced the post-war fervor. On 3 March 1821, Congress amended the Act for the Gradual Increase of the Navy by extending its term from three years to six, and reducing the annual appropriation under that head to \$500,000.

Two subsequent Acts of Congress, in 1827 and 1833, respectively, each authorized an additional standing appropriation of \$500,000 annually for six years for the "Gradual Improvement of the Navy."¹⁸ Unlike the Act for the Gradual Increase of the Navy, the Gradual Improvement Acts did not authorize the construction of new or additional ships

¹⁸ Paullin, "Naval Administration," pp. 614-616; U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1826*, 5 December 1826, Naval Affairs 319, 19th Cong., 2nd sess., *American State Papers*, vol. 24, hereinafter cited as *Navy, Annual Report, 1826*, p. 727; U.S., Congress, *An Act in Addition to the Act for the Gradual Improvement of the Navy of the United States*, 2 March 1833, in *Register of Debates in Congress*, 22nd Cong., 2nd sess., Appendix, pp. 18-19; U.S., Congress, House, *Suspension of the Standing Appropriation for the Gradual Increase of the Navy*, 7 March 1820, Naval Affairs 181, 16th Cong., 1st sess., *American State Papers*, vol. 23, pp. 648-652; U.S., Congress, House, *Increase of the Navy*, 5 January 1821, Naval Affairs 189, 16th Cong., 1st sess., *American State Papers*, vol. 23, p. 676; U.S., Congress, House, *Annual Expenditures for the Gradual Increase of the Navy, and the Progress Made in Building Since 1816*, 26 February 1824, Naval Affairs 243, 18th Cong., 1st sess., *American State Papers*, vol. 23, pp. 945-946. See also, U.S., Congress, House, *Retrenchment in the Expenditures for the Navy and Marine Corps*, 17 January 1821, Naval Affairs 192, 16th Cong., 2nd sess., *American State Papers* vol. 23, pp. 683-684.

of war. Rather, in keeping with the conservative attitudes demanded by a mounting national debt, the 1827 Act for the Gradual Improvement of the Navy instructed the President only to "cause to be procured," appropriate timber for the "construction of vessels of the various classes now recognized in the Navy of the United States," and for three steam batteries. The President was further directed to "take the proper measures for having the said timber duly seasoned and preserved, so as to be fit for immediate use."¹⁹ The Acts for the Gradual Improvement of the Navy were directed toward improving the general condition of naval infrastructure--supplies of timber and materiel, and equipment and facilities in the various Navy yards. Thus, additional provisions of the Act of 1827 authorized the establishment of live oak reserves, the construction of two dry docks and a marine railway, and the development of a program for the general improvement of the Navy yards.²⁰

Under the Acts for the Gradual Increase and the Gradual Improvement of the Navy, the Navy continued to acquire materials with which to construct new ships. Only ships

¹⁹ U.S., Congress, *An Act for the Gradual Improvement of the Navy of the United States*, 3 March 1827, in *Register of Debates in Congress*, 19th Cong., 2nd sess., hereinafter cited as U.S., Congress, *Act for the Gradual Improvement of the Navy, 1827*, Appendix, p. xxiii.

²⁰ U.S., Congress, *Act for the Gradual Improvement of the Navy, 1827*.

authorized by the Act for the Gradual Increase of the Navy were launched or completed, however. Although the Act of 1833 represented a renewal of the Act of 1827, neither of the two Acts for the Gradual Improvement of the Navy represented an extension or modification of the Act of 1816 for the Gradual Increase of the Navy (modified in 1821). The Act for the Gradual Increase of the Navy authorized procurement and construction, whereas the Acts for the Gradual Improvement of the Navy, as far as warships were concerned, related solely to the procurement of materiel. Thus, the Acts for the Gradual Improvement of the Navy did not actually authorize the construction of vessels from timbers procured.

Moreover, not until 1840, when whatever funds and materiel remaining under these various Acts (along with several others) were combined into a single head of appropriation for Gradual Increase, Repairs, &c., were timbers and other items procured under the Acts for either Gradual Increase or Gradual Improvement considered to be interchangeable. Thus, throughout the 1830s the annual reports of the Navy Department furnished separate statements of progress for the separate heads of Gradual Increase and Gradual Improvement. In 1836, for example, the Navy's *"Statement of the measures which have been taken to carry into effect the laws for the gradual increase of the navy, which were approved on the 29th April, 1816, and the 3d*

March, 1821," listed the ships of the line *Columbus*, *North Carolina*, and *Delaware*, and the frigates *Brandywine* and *Potomac*, completed and in service; the ship of the line *Ohio*, launched in 1820 and presently repairing and fitting for service; the frigate *Columbia*, recently completed and ready for sea; the *Pennsylvania*, under construction; and five ships of the line and six frigates on the stocks.²¹ Under the separate "Statement of the measures which have been taken to carry into effect the laws for the gradual improvement of the navy, which were approved 3d March, 1827, and 2d March, 1833," the Department listed complete live oak frames delivered at Charlestown (Boston, Massachusetts) for two ships of the line, two frigates, and one sloop of war; at New York for one frigate; at Philadelphia for two frigates and one sloop of war; at Washington, D. C. for one frigate and one sloop of war; and at Gosport (Norfolk, Virginia) for two ships of the line, one frigate, and one sloop of war. Additionally, the Navy reported contracts in force for the live oak, white oak, and yellow pine timber required for five ships of the line, seven frigates, six sloops of war, five schooners, and three steamers. The Navy also reported the procurement of supplies of iron and copper under the expanded

²¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 3 December 1836, in H. Ex.Doc. 2, 24th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1836*, p.482.

provisions of the Act of 1833, which allowed for purchasing items other than timber that were required for building vessels, and expenditures relating to the construction of drydocks, yard improvements, and live oak reservations.²²

In any given year, therefore, the Navy received its operating funds through more than a dozen heads of appropriation that were provided for by multiple Acts of Congress. The confusion arising from this arrangement was compounded further by the fact that the Navy's regular appropriations bill rarely passed both Houses of Congress to be signed into law before two, and often more, months into the year.²³ Under these conditions, the Navy Secretary and the Commissioners of the Navy were frequently compelled to allow expenditures for various objects without knowing precisely what amount or category of appropriations would eventually be authorized to pay for them. As Secretary of the Navy Samuel L. Southard complained in 1825:

for nearly one-half of the year, the Department acts in perfect ignorance of the law under which it is bound to act. Expenditures are made, under one form, when they ought to have been made under

²² Navy, *Annual Report, 1836*, pp. 482-484.

²³ Until 1843, the Navy's regular appropriation was intended to cover its expenses for the calendar year. During incoming Congressional years, however, the session did not begin until 4 March; in outgoing years, Congress had to pass appropriations bills by 3 March. On 26 August 1843, Congress enacted the fiscal year ending 30 June. (Albion, *Naval Policy*, p. 123).

another. The law is, necessarily, not complied with, because it is passed after the act is performed. Infinite confusion is created in settling the accounts The accounting officers do all that capacity and labor can accomplish, but they cannot settle an account according to the forms of a law not yet in existence; nor can they, every year, alter the items, open new books, meet the errors resulting from this cause in accounts transmitted from a distance, and yet settle the accounts of the year within the year.²⁴

A substantial portion of the Navy's annual appropriation was expended not by the Secretary or the Commissioners of the Navy, but by the Navy's pursers and agents in foreign ports. These individuals were often absent from the country for periods of two or more years, during which time "their accounts cannot be settled; nor can it be known whether they have expended the money properly, or the appropriations of the year are exhausted."²⁵ The Navy's system of expenditure and accounting was thus left open to frequent errors and accusations of intentional abuse, particularly under the head

²⁴ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, With the President's Message, Showing the Operations of the Department in 1825*, 6 December 1825, Naval Affairs 268, 19th Cong., 1st sess., *American State Papers*, vol. 24, hereinafter cited as *Navy, Annual Report, 1825*, p. 101.

²⁵ U.S. Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1827*, 4 December 1827, Naval Affairs 339, 20th Cong., 1st sess., *American State Papers*, vol. 25, hereinafter cited as *Navy, Annual Report, 1827*, p. 53.

of contingent expenses.²⁶ While the Secretary of the Navy awaited the passage of the appropriations bill and struggled with the delays and complications inherent in administering a navy over long distances, the Navy agents, "unavoidably ignorant of the terms of the law under which the expenditure is to be made . . . draw and expend the money under one item, when they should do it under another." In practice, Southard offered as an example, the Navy Agents "draw, under pay of the navy, whatever is to be paid to the officers and men, although a large portion of it is for their provisions and subsistence, and is estimated for under those heads." As a consequence, "The head of pay is consequently exhausted before the end of the year; that of provisions is not: so of other items - and there is no remedy."²⁷

In 1809, and again in 1820, Congress authorized the President of the United States to make certain transfers between specific heads of appropriation to alleviate, at

²⁶ On the subject of contingent expenses, see, for example, U.S., Congress, House, *On the Expediency of Certain Allowances and Expenditures from Appropriation for Contingent Expenses of the Navy Department, for the Year 1829*, 5 May 1830, Naval Affairs 420, 21st Cong., 1st sess., *American State Papers*, vol. 25, pp. 574-575; and U.S., Congress, House, *On the Regulation and Proper Distribution of the Contingent Expenses of the Navy and the Navy Department*, 22 February 1831, Naval Affairs 449, 21st Cong., 2nd sess., *American State Papers*, vol. 25, pp. 915-916.

²⁷ Navy, *Annual Report*, 1827, pp. 52-53.

least partially, the imbalances in the Navy's accounts. As Congress altered the various heads of appropriation, however, these laws became obsolete.²⁸

In 1824, Samuel Southard recommended that Congress either pass the appropriation bill earlier in the session, or establish a fiscal year to end on 1 April, by which date the appropriations should be passed. He also recommended the consolidation of several of the heads of appropriation into a fewer number that would be continued permanently.²⁹ Successive Secretaries of the Navy attempted to direct Congress' attentions to the deplorable state of the Navy's accounts, as well. John Branch's annual report for 1829 included a communication from the Treasury Department stating that the Navy still had upwards of forty accounts outstanding.³⁰ When Levi Woodbury made his first annual report of the Navy's condition in 1831, its unsettled accounts totalled more than \$7,000,000, an amount more than twice the Navy's regular appropriation for that year.³¹ In

²⁸ Navy, *Annual Report*, 1827, pp. 52-53.

²⁹ Navy, *Annual Report*, 1825, p. 101.

³⁰ Navy, *Annual Report*, 1829, p. 378.

³¹ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1831*, 6 December 1831, Naval Affairs 457, 22nd Cong., 1st sess., *American State Papers*, vol. 26, hereinafter cited as Navy, *Annual Report*, 1831, p. 9.

1832, Congress once again authorized the President to transfer funds between heads of appropriations for the naval service, though only through the close of the next session of Congress. This Act, however, did not specify or restrict the heads under which transfers could be made.³² In 1834, Congress renewed the Act of 1832, extending it indefinitely.³³

Naval personnel were not entirely to blame for the Navy's accounting woes, however. In keeping with the Act of Congress of 3 March 1809, the Treasury Department reportedly modified the method of accounting for the labor and materials expended in the construction and repair of the Navy's ships of war. Before 1809, the Navy's records of expenditure under each head of appropriation were maintained separately for each vessel.³⁴ Thereafter, however, expenditures were charged

³² U.S., Congress, *An Act to Authorize the President of the United States to Direct Transfers of Appropriations in the Naval Service, Under Certain Circumstances*, 3 July 1832, in *Register of Debates in Congress*, 22nd Cong., 1st sess., Appendix, p. xxix.

³³ U.S., Congress, *An Act to Authorize the President of the United States to Direct Transfers of Appropriations in the Naval Service, Under Certain Circumstances*, 1834, in *Register of Debates in Congress*, 23rd Cong., 1st sess., Appendix, p. 350.

³⁴ U.S., Congress, *An Act to further amend the Several Acts for the Establishment and Regulation of the Treasury, War, and Navy Departments*, 3 March 1809, in *Annals of Congress*, 10th Cong., 2nd sess., columns 1833-1835. See also, communication on accountability in the Navy Department, 25 February 1809, in, U.S., Congress, Senate, *Annals of Congress*, 10th Cong., 2nd sess., columns 1776-1777.

to the specific heads of appropriation, without reference to the particular vessel upon which the expenses were incurred. Given the varied nature of naval appropriations, this method of accounting for the Navy's expenditures in Treasury created more problems than it solved.

In the peacetime periods which preceded and followed the War of 1812, Congressional naval policy emphasized stockpiling naval materiel rather than constructing vessels to completion. Successive Acts of Congress authorized the procurement of frames and other timbers for vessels that were not to be launched until they were actually needed in commission. Several vessels, primarily frigates and ships of the line, were kept on the stocks in various stages of completion, or as piles of ship timbers stored in the yards, in timber ponds, or under roofs and timber sheds, for years, even decades. Over long periods, these timbers were subject to damage, weathering, and decay. Wood preservation technology was still relatively primitive and long term storage was complicated by the extreme seasonal climatic shifts at the Navy's northern yards. Rather than allow these valuable materials to rot indefinitely, the Navy intermittently used them to build and repair its ships in ordinary and in commission, particularly when there were delays in procuring new materials by contract.

The act of taking a particular timber out of a storage shed in the yard and fitting it into a vessel under repair was relatively simple, however, when compared to the effort required to account for that act financially. In strict accounting, for example, for a timber procured in 1819 and charged to the appropriation for the Gradual Increase of the Navy, to be used to repair a vessel in commission in 1833, would necessitate a repayment in the amount of the value of that timber from the head of Repairs of Vessels to that of the Gradual Increase of the Navy. The Commandant of the yard was generally instructed merely to report transfers of materials between heads of appropriation, not necessarily by vessel, in keeping with the provisions of the Act of 3 March 1809. The complexity of the problem thus created is illustrated in the explanation offered by the Fourth Auditor of the Treasury for his inability to provide Congress with a precise accounting of the cost of building certain ships for the Navy:

the acts passed on the 25th February, 1799, entitled, 'An act for the augmentation of the navy,' and 'An act authorizing the purchase of timber for naval purposes;' and the third section of 'An act concerning the naval establishment,' passed the 30th March 1812, placed in the several navy yards and stores large quantities of timber and other materials, preparatory to carrying into effect the provisions of the beforementioned acts. The seventy-fours and ships of war, authorized by the act of 25th February, 1799, were not immediately built, the materials, however, remained in the stores and navy yards, and were afterwards

applied, according to the class of the vessels which have since been built, particularly of those authorized by the first section of an act, entitled 'An act to increase the navy of the United States,' passed 2d January, 1813; and, in many cases, were removed from one navy yard to another, as they were wanted; hence the impracticability of ascertaining, in this office, what materials were used for each vessel.³⁵

Although in many cases, records for specific vessels were kept in the individual navy yards and transmitted in whole or in part to the Navy Commissioners' office, this information was not necessarily filed with the Treasury Department. Consequently, Congress was often frustrated in its attempts to obtain specific data from Treasury on the costs of building or repairing particular vessels of war. More often, that information, if available, had to be obtained directly from the Department of the Navy. Even the Navy Department could not always ascertain the specific building or repair costs of particular vessels.³⁶

³⁵ Constant Freeman to Smith Thompson, 18 December 1822, in U.S., Congress, Senate, *Expense of Building Each Vessel Authorized by Act of January 2, 1813, &c*, 3 January 1823, Naval Affairs 217, 17th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 217 (17-1), p. 825; see also, U.S., Congress, House, *Vessels Repaired, and the Expenses Incurred, From 1st January, 1809, to 1st October, 1811*, Naval Affairs 88, 12th Cong., 1st sess., *American State Papers*, vol. 23, p. 254. The Fourth Auditor of the Treasury was specifically charged with maintaining the Navy's accounts.

³⁶ See, for example, Statement C in U.S., Congress, House, *Vessels Built by the United States Since 1826*, 12 January 1843, H.Doc. 49, 27th Cong., 3rd sess., hereinafter cited as H.Doc. 49 (27-3), p.7. See also, Chapter Eight,

Transfers of naval materiel were by no means restricted solely to within the Navy Department. Shortly before Congress declared war in 1812, for example, Commodore William Bainbridge, commandant of the Boston Navy Yard (Charlestown, Massachusetts), complained to the Secretary of the Navy that agents from the War Department had "made destructive work with some of the best wale pieces, plank, & Timber of the 74s." He went on to suggest "the propriety of desiring the Secretary of War, to have the quantity returned with as little delay as possible - as the want of it may subject the Naval operations here to inconvenience and extra expences [sic], which might be attributed to neglect, and extravagance [sic] in the Navy, when in fact it would be the fault of the War Department."³⁷

Congress, while repeatedly faulting the Navy for the miserable state of its accounts, was never able to enact a satisfactory system of maintaining the financial records of the Navy within the demands and constraints of that service. As a result, the Navy's accounts in Treasury remained consistently chaotic. Unable to resolve the Navy's accounting

below.

³⁷ William Bainbridge to Paul Hamilton, 14 April 1812, in William S. Dudley, ed., *The Naval War of 1812: A Documentary History*, vol. 1 of a projected three-volume series (Washington, D.C.: Department of the Navy, Naval Historical Center, 1985), hereinafter cited as Dudley, *Naval War of 1812*, vol. 1, pp. 91-92; emphasis his.

problem, Congress instead reorganized the administration of the Navy by abolishing the Board of Navy Commissioners and instituting the Bureau system.³⁸

Under these circumstances, had the members of the naval hierarchy wanted to divert funds to build new warships secretly and outside the knowledge and authority of Congress, they should have done quite well. Indeed, were there no naval or Congressional documents to demonstrate that such was not the case, the "administrative rebuilding" argument would almost certainly retain plausibility. The naval and Congressional records are quite clear, however. It is true that the Navy rebuilt vessels and that on occasion this involved the replacement of the old hull with a completely new one, but there simply was no "administrative rebuilding" program, nor was there any collusion on the part of the Secretary of the Navy, the Board of Navy Commissioners, or the commandants of the yards. Accounting irregularities that may have arisen out of particular episodes of naval rebuilding were more symptomatic of the general malaise surrounding the Navy's recordkeeping system in Treasury, than

³⁸ There were some other issues raised in Congress over the reorganization of the Navy Department, but the primary topic of debate was the question of fiscal accountability. See, for example, *The Congressional Globe* XI, 27th Cong., 2nd sess., pp. 854-855, 892, 970-973. See also the related debate over the Naval Appropriations Bill; Paullin, "Naval Administration"; and White, *The Jacksonians*, pp. 213-250.

the products of any conspiracy in the Navy Department.

Chapter Four:

Early Rebuilding in the United States Navy

The practice of rebuilding vessels of war did not originate in the American Navy. Not surprisingly, the infant United States Navy "profited by . . . experience and pursued the same system" as Great Britain and France, whose navies, Commodore John Rodgers, President of the Board of Navy Commissioners, reported in 1830, "to the extent of their wants, are now in high condition - and they will keep them so by building repairing and rebuilding their ships, whenever necessary."¹ The rebuilding of Royal Navy vessels has been studied by Brian Lavery, who dates the practice back to the sixteenth century.² As in the American Navy, rebuilding in the Royal Navy was rather broadly defined, and "might mean anything between the building of an entirely new ship containing

¹ John Rodgers to John Branch, 11 August 1830, in Letters Sent by the Board of Navy Commissioners to the Secretary of the Navy, Entry 213, Record Group 45 (Naval Records Collection of the Office of Naval Records and Library), National Archives, Washington, D.C., hereinafter cited as LSNVCom - SecNav, RG 45, NA.

² Brian Lavery, "The Rebuilding of British Warships, 1690-1740: Part I," *Mariner's Mirror* 66 (1980): 5-15, hereinafter cited as Lavery, "Rebuilding of British Warships, I"; and Brian Lavery, "The Rebuilding of British Warships, 1690-1740: Part II," *Mariner's Mirror* 66 (1980): 113-127, hereinafter cited as Lavery, "Rebuilding of British Warships, II."

a certain amount of material from the remains of her predecessor to a mere increase in beam by 'furring' the timbers and replanking."³ British vessel rebuilds became more frequent and extensive through the last decade of the seventeenth century, due to an increasing awareness of the ineffectiveness of earlier, less extensive repairs. In 1691, the Royal Navy practiced rebuilding on two levels. Vessels rebuilt "from the bottom up" were stripped of all plank and the decayed timbers underneath replaced. In extreme cases, a vessel rebuilt in this manner might retain only a quarter of her original frame timbers. Less radical rebuilds were restricted to the area of the vessel's upperworks, down to approximately five strakes below the lower wales.⁴ Although design modifications were often incorporated into the rebuilding process, such changes were introduced on an individual, rather than on a policy basis.⁵

After 1702, Royal Navy ships were more commonly broken up in a dock and rebuilt on a slip. This shift, in turn, modified the criteria for selecting vessels to be rebuilt. Prior to the adoption of this method of rebuilding, ships that were to be rebuilt were not broken up completely. While the retention of

³ Quoted in Lavery, "Rebuilding of British Warships, I," p. 5.

⁴ Lavery, "Rebuilding of British Warships, I," pp. 7-8.

⁵ Lavery, "Rebuilding of British Warships, I," p. 9; Lavery, "Rebuilding of British Warships, II," passim.

sound original materials was always desirable for reasons of economy, vessels rebuilt prior to 1702 were expected to have sound bottoms, in addition to some quantity of reusable materials. Thereafter, however, the opposite was true and rebuilding in the Royal Navy was considered only when a ship's bottom was not sound. Meanwhile, the 'great repair,' the next step down from rebuilding, took on new meaning as well, becoming the equivalent of the earlier practice of rebuilding from the bottom up, without taking the ship to pieces.⁶

The practice of retaining original materials also underwent modification. Over time, the amount of original material saved from the old ship decreased as the Royal Navy became more selective, recognizing that some timbers which might appear intact were, nevertheless, advancing toward decay and would become unsound more quickly than new material. In 1717 the British Admiralty abolished the practice of reusing timbers for channels, wales, interior planking, certain beams and knees, and other critical hull components.⁷ The Royal Navy also broadened its perception of the reuse of original material. Whereas earlier rebuilds incorporated the old timbers of a vessel into the hull of its replacement, reusable timbers from later ships

⁶ Lavery, "Rebuilding of British Warships, I," pp. 11-12.

⁷ Lavery, "Rebuilding of British Warships, II," pp. 115-116.

could be "applied in their rebuilding or any other services of the yard."⁸ As the regulations governing the reuse of materials relaxed, rebuilding methods became more liberal. Vessels could be broken up in one yard and rebuilt in another, with the reusable materials transferred to the new building site.

With increasing frequency, the Royal Navy delayed the actual rebuilding of the vessel. In 1717 the British Admiralty proposed that vessels that required rebuilding should be broken up and "such part of their timbers and other materials as are fit to be made use of in the rebuilding of them laid apart, and the remainder applied to other uses."⁹ At the same time, the Admiralty instructed that the names of any such vessels were to be retained on the Navy List "until time and opportunity will admit of their being rebuilt."¹⁰ As a result, the Royal Navy List frequently contained the names of vessels that were in need of rebuilding, but were, in actuality, "small, and probably diminishing, piles of timber in the dockyards."¹¹ As Lavery states: "It is often believed that rebuilding was used to conceal

⁸ Quoted in Lavery, "Rebuilding of British Warships, II," p. 116.

⁹ Quoted in Lavery, "Rebuilding of British Warships, II," p. 124.

¹⁰ Quoted in Lavery, "Rebuilding of British Warships, II," p. 124.

¹¹ Lavery, "Rebuilding of British Warships, II," p. 124.

the building of a new ship, but in the 1730's the reverse was true - it obscured the fact that a ship did not exist."¹²

The practice of rebuilding vessels was largely abandoned by the Royal Navy by the late 1730s due to shifts in vessel policies and increasing demands on the dockyards as war threatened with Spain (the War of Jenkins' Ear). In 1729, the Royal Navy decided to replace its fifty-gun ships with ships rating sixty guns, an increase in vessel size of more than 300 tons that went beyond the practical scope of rebuilding. Faced with an immediate need for many of its vessels that awaited rebuilding, the Royal Navy began to issue contracts for the construction of new ships "in the room of" the old ones. At the same time, the dockyards were too busy to deal with those vessels that required to be broken up and rebuilt. Some of these ships were converted into hulks or otherwise utilized in the best economical fashion, while the Royal Navy contracted for new ships to replace them. According to Lavery, no new rebuilding projects were initiated by the Royal Navy after 1742.¹³

The British Admiralty's view that "when Parliament voted a ship, they voted it for ever, and not just for the life of the actual vessel constructed,"¹⁴ was in many ways mirrored in the

¹² Lavery, "Rebuilding of British Warships, II," p. 124.

¹³ Lavery, "Rebuilding of British Warships, II," pp. 124-126.

¹⁴ Lavery, "Rebuilding of British Warships, II," p. 115.

United States Navy's wholistic approach to vessel repair. Recognizing that "the cost of the hull of a vessel of war, if estimated separately, does not amount to more than one third of her actual value, when in a state of readiness and completion for sea," the early United States Navy viewed each of its ships of war as the sum total of its parts, of which the hull was only one.¹⁵ Therefore,

In every instance in which either the Hull armament, masts, spars, sails rigging cables anchors, or boats or any other article forming a part of their equipment might be found so defective, as to justify the belief, that it would be most prudent and economical to rebuild, reconstruct, or replace either, or any of them, the Law itself was thought, and those who made it, intended, this should be done.¹⁶

From that perspective, the partial or total rebuilding of a vessel's hull, perhaps involving modifications or improvements "suggested by experience," represented an extreme method of repairing one component of the total vessel, thereby extending the practical usefulness of the entire ship, including all of its component parts.

"The practice of giving to our ships, very extensive repairs, or in other phraze [sic], of more than one half rebuilding them," wrote Commodore Rodgers in 1830, "has prevailed

¹⁵ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

¹⁶ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

since the establishment of the Navy."¹⁷ The repairing of ships, he explained,

whilst it involves most of the duties to be performed in building them, imposes other duties, not included in building. The state of the ship to be repaired, is one, and this can only be done by a thorough examination of all her parts; inspecting all her stores, remedying any deficiencies that may be found in her structure, introducing improvements that may have been suggested by experience, &c. are other duties.¹⁸

The earliest ships of the Navy required extensive repairs in large part due to the frequent use of green and unseasoned timber in their construction and repair, as the early United States Navy suffered from inadequate stores of seasoned timber at the various navy yards. Unseasoned timber was much more prone to rot and decay, thereby accelerating the need for, and increasing the expense of, repairing the Navy's vessels of war.¹⁹

¹⁷ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

¹⁸ "Report of the Navy Commissioners," 13 November 1829, in "Documents Accompanying the President's Message," in U.S., Congress, *Register of Debates in Congress*, 21st Cong., 1st sess., Appendix, column 58; also found in *Navy, Annual Report, 1829*, p. 397. A manuscript copy of this letter can be found in Commodore John Rodgers Microfilm Reel 2, 1812 to 1835, and undated, New York Historical Society, New York, N.Y. (originals owned by Mr. Frederick Rodgers), hereinafter cited as Rodgers Microfilm, NYHS.

¹⁹ U.S., Congress, House, *Increase of the Navy*, 17 December 1811, Naval Affairs 87, 12th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 87 (12-1), p. 249. It is also likely that some of the Navy's methods for long-term timber storage, particularly immersion in timber ponds, accelerated eventual decay and contributed to the increased frequency and expense of repairs in later years.

In practice, the naval constructors found it difficult to prepare precise estimates of the extent and cost of vessel repairs in advance of the actual work. This was especially true with regard to ships that were expected to require "repairs of consequence."²⁰ Often, adjustments in the estimates for both labor and materials were required once the vessel was actually opened up and "thoroughly examined in her hull, masts, spars, rigging, sails, water casks, &c. and the precise state of each particular ascertained."²¹ Vessels which were not expected to require large repairs might, after thorough examination and preliminary repair work, be found so decayed as to require extensive repairs, even rebuilding. Despite their best efforts, the naval constructors were not always able to gauge correctly the level of work required beforehand.

Once repair work was begun, however, the Navy usually continued it to completion. While the cost of giving to each of its vessels a "thorough repair" when required for service could be relatively high, the Navy justified the expense by "the fact,

²⁰ U.S., Department of the Navy, *Estimate for Repairs of Vessels, Store Rents, Pay of Armorers, Freight, and Contingent Expenses, for 1806*, 11 April 1806, Naval Affairs 55, 9th Cong., 1st sess., *American State Papers*, vol. 23, p. 151.

²¹ U.S., Congress, House, *Repairing Frigates; Expenses of Keeping in Service Each Class of Vessels; and a Comparative Statement of the Cost of Building and Maintaining in Service a Frigate and Gunboat*, 12 June 1809, Naval Affairs 77, 11th Cong., 2nd sess., *American State Papers*, vol. 23, p. 200.

that all the vessels repaired . . . have been so much improved in their armaments, their other fitments, and their sailing, that the most experienced practical men would pronounce them to be, at this time, greatly superior, in all respects, to what they were when first fitted out from the stocks."²²

During 1811 and 1812, as war with Great Britain loomed over the horizon, extensive repairs were carried out at the Washington Navy Yard on the brigs *Vixen* and *Hornet*, the frigate *Constellation*, and gunboat No. 59, as well as the frigate *Adams*. The frigates *Congress* and *Constitution*, and the sloop of war *Wasp*, received less extensive repairs, also at the Washington yard, while the schooner *Enterprise* was repaired twice, the second time more extensively than the first. Most large repairs to naval vessels in the years preceding the War of 1812 were performed at the Washington Navy Yard, as it was the best equipped for such service.²³

²² U.S., Department of the Navy, *Condition of the Naval Force, and the Application of Appropriations Made for the Naval Service and Marine Corps*, 5 December 1809, Naval Affairs 78, 11th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as *Navy, Annual Report, 1809*, p. 201.

²³ U.S., Congress, House, *Condition of the Several Navy Yards*, 1 December 1814, Naval Affairs 118, 13th Cong., 3rd sess., *American State Papers*, vol. 23, hereinafter cited as *NavAff 118 (13-3)*; Taylor Peck, *Round-Shot to Rockets: A History of the Washington Navy Yard and the United States Naval Gun Factory* (Annapolis, Md.: Naval Institute Press, 1949), hereinafter cited as *Peck, Round-Shot to Rockets*, p. 44.

The brig *Vixen* was hauled up on the wharf at the Washington yard during the fall of 1810. In January 1811 she was entirely recoppered and relaunched. Thereafter her repairs included several new gun deck beams and "entire new upperworks, gun deck, orlop deck, and all the interior store rooms, cabin, ward room &c. in the joiner's department complete."²⁴ Her rigging was refitted, spars and sails were repaired or replaced as required. She was given new cables and new paint and nearly an entire new equipment of ammunition and stores. She sailed on 30 May 1811, "in every respect completely fitted for sea."²⁵

After the *Vixen* was launched, the brig *Hornet* was hauled up on the wharf on 10 January 1811:

her upper works, second and third futtocks, beams, breast hooks, and main transom, being all entirely rotten, as were also the major part of her first futtocks, many of her floor timbers, and all her plank, excepting only five or six strakes near the keel. She was, therefore, completely rebuilt, with new interior compartments, and joiner's work throughout; new coppered and relaunched on the 11th May. Rigged as a ship, with an entire new set of masts, spars, rigging, and cables; her sails altered and repaired as far as practicable, with many new supplies therein; painted throughout, supplied with new cabin furniture, and nearly her whole equipment of ammunition, stores, &c &c.²⁶

²⁴ NavAff 118 (13-3), p. 341.

²⁵ NavAff 118 (13-3), p. 341.

²⁶ NavAff 118 (13-3), p. 341.

When she sailed on 20 September 1811, the sloop of war *Hornet* was "virtually a complete new ship."²⁷

While the *Hornet* was being rebuilt, her sister ship, the sloop of war *Wasp*, arrived at the yard for repairs. All she required, however, was new caulking, copper, and paint, and a few other minor repairs. In addition, her rigging was refitted and her stores replenished. Thomas Tingey, commandant of the Washington Navy Yard, made a point of noting that the *Wasp*, built at the Washington yard by workmen on daily pay to the same draught and at the same time that the *Hornet* was built by contract at Baltimore, was found to have only one unsound timber prior to her careening, while the *Hornet* required to be entirely rebuilt.²⁸

The schooner *Enterprise*, which had previously been laid up in ordinary at Norfolk, Virginia, arrived at the Washington yard for the first of two repairs in February 1811.²⁹ She was careened, her copper cleaned and repaired, and she received interior alterations to allow her masts to be shifted back. Her rigging and sails were refitted, with replacements provided where necessary. In addition, she was given minor repairs in her hull,

²⁷ NavAff 118 (13-3), p. 341.

²⁸ NavAff 118 (13-3), pp. 341-342.

²⁹ U.S., Department of the Navy, *Condition of the Navy*, 17 December 1810, Naval Affairs 82, 11th Cong., 3rd sess., *American State Papers*, vol. 23, hereinafter cited as *Navy, Annual Report, 1810*, p. 229.

and was recaulked, painted, and supplied with new armament, ammunition, provisions, and ship's stores.³⁰

The *Enterprise* returned to the Washington yard in October 1811. At that time, she was hauled out, "cut down, and stripped to her floor timbers; entirely rebuilt, coppered, launched, and rigged a brig. Having had her hull much improved in rebuilding, was furnished with a new set of masts, spars, sails, rigging, and stores."³¹ The *Enterprise's* long light guns were replaced with carronades and two heavy chase guns, complete with new gun and carronade carriages and related apparatus.³²

The frigate *Congress*, according to Commodore Tingey, "had, in the preceding year [1810]; a thorough repair in the carpenter's work of her hull, nearly equal to rebuilding."³³ In 1811 her interior joiner's work was refitted and modifications were made in her deck arrangements. She received new masts, spars, sails, rigging, cables, boats, water casks, gun carriages, apparatus, and stores, and left the yard "a better ship than when first launched."³⁴

³⁰ NavAff 118 (13-3), p. 341.

³¹ NavAff 118 (13-3), p. 342.

³² NavAff 118 (13-3), p. 342.

³³ NavAff 118 (13-3), p. 342.

³⁴ NavAff 118 (13-3), p. 342; see also, Thomas Tingey to Paul Hamilton, 22 June 1812, in *Dudley Naval War of 1812*, vol. 1, pp. 144-145.

Repairs to the Navy's ships of war continued at the Washington Navy Yard during 1812. In February, the frigate *Constellation* was removed from ordinary and

stripped down to the lower futtocks, many of which, and some of her floor timbers, replaced with new, from thence rebuilt up entirely new; being much improved by an extension of fourteen inches more beam at the main breadth. Her hull being finished, she was masted and careened keel out on both sides; the new copper bolts which had been driven through her bottom all ring riveted; three new metal rudder braces fixed to her stern post, and a new rudder made; new coppered, with the exception of a few strakes near the keel; her interior, joiner's work all new fitted complete; had entire new water casks, gun and carronade carriages and apparatus, together with new masts, spars, rigging, and cables, sails, boats, and all her stores. Was completely rigged, fitted for sea, and, in the fall of the year, left the yard a better ship in every respect than when first from the stocks³⁵

While repairs proceeded on the *Constellation*, gunboat No. 59 was hauled up on the wharf, "cut down to her floor timbers, and thence rebuilt with much improvement; coppered, launched, and rigged completely new, with sails, boats, water casks, and all her armament and stores."³⁶ The rebuilt gunboat was fitted out and renamed the cutter *Scorpion*.

In April 1812 the frigate *Constitution* was careened, recoppered, and given a new foremast and bowsprit, with some alterations made to her spars.³⁷ The *Constitution's* new

³⁵ NavAff 118 (13-3), p. 342.

³⁶ NavAff 118 (13-3), p. 342.

³⁷ NavAff 118 (13-3), p. 342.

bowsprit, although new to that vessel, had previously belonged to the *Constellation*. The *Constitution's* repairs were relatively minor, while those to the *Constellation* were more extensive, so the latter's bowsprit was transferred to the former, enabling the *Constitution* to proceed to duty. A new bowsprit would be obtained for the *Constellation* while her repairs progressed.³⁸

Finally, the thirty-two gun frigate *Adams* was hauled out in June 1812. She was then "stripped down to the lower futtocks, was cut asunder at dead flat, and lengthened fifteen feet, thence was entirely rebuilt new, coppered, and launched; having complete new masts, spars, sails, rigging, cables, &c. and boats, water casks, gun carriages, and all particulars thereto appertaining . . ."³⁹ The *Adams* was rebuilt as a corvette rating twenty-four guns.⁴⁰

By the onset of the War of 1812, therefore, the practice of rebuilding ships of war was already well established in the

³⁸ Thomas Tingey to Paul Hamilton, 1 July 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 183.

³⁹ NavAff 118 (13-3), p. 342.

⁴⁰ U.S., Congress, Senate, *Condition of the Navy, and the Progress Made in Providing Materials and Building Ships*, 18 March 1813, Naval Affairs 111, 13th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 111 (13-2), p. 308. Several secondary sources, including Chappelle's *Sailing Navy* (p. 531), rate the newly-rebuilt *Adams* as a twenty-eight gun frigate. See, for example, J. Fenimore Cooper, *History of the Navy of the United States of America*, 2 vols., 2nd edition (Philadelphia, Pa.: Lea and Blanchard, 1840), hereinafter cited as Cooper, *History of the Navy*, vol. II, p. 192; and *DANFS*, vol. 1, p. 9.

United States Navy. Contrary to Chapelle's assertion that "the first vessel to be rebuilt was the 28-gun frigate *Adams*,"⁴¹ naval records document that at least six other vessels, ranging in size from the cutter *Scorpion* (gunboat No. 59) to the frigate *Constellation*, were either completely or partially rebuilt at the Washington yard in the three years prior to the rebuilding of the *Adams*. This is not to say, however, that the Navy had any established "rebuilding policy." The rebuilding of these vessels proceeded from the Navy's desire to give to each vessel "thorough repairs" to the degree required for good and useful service. The replacement of unsound timbers complemented the retention of sound original structure, while certain design modifications were introduced on a case by case basis where warranted by experience. Other than on the level of "very extensive repairs," the Navy's use of the term "rebuilding" implied no particular administrative distinction. Likewise, modifications in design did not signify anything more sinister than structural improvements introduced during vessel repair. Not surprisingly, even those vessels identified by the Navy as "completely rebuilt" during this early period retained substantially sound bottoms, to a greater or lesser degree, reminiscent of the practice of the early

⁴¹ Chapelle and Polland, *The Constellation Question*, p. 14.

eighteenth century Royal Navy. The United States Navy had no dock at this time, and wharf space was increasingly in demand.⁴²

Individual variation from one case of rebuilding to the next followed the specific requirements of each vessel. Beyond that, there was nothing in the Navy's approach to the total or partial rebuilding of the *Scorpion*, the *Enterprise*, the *Hornet*, the *Vixen*, the *Congress*, or the *Constellation*, to differentiate it from Chapelle's interpretation of the "administrative rebuilding" of the *Adams*. It is interesting to note, however, that when these six rebuilding episodes are incorporated into Chapelle's "administrative rebuilding" scheme, his argument loses some of its effectiveness: "It is not surprising, then, to find that out of fifteen cases of United States administrative 'rebuilding,' only the eight earliest ships were intended to retain any of their old structure."⁴³ The suggested evolutionary process of "administrative rebuilding" becomes even less apparent when, for example, the complete rebuilding of the *Hornet* is correctly placed before the repair and partial restructuring of the *Adams*.

Where was Congress while all this rebuilding was under way? Far from being unaware of the Navy's repair activities, Congress not only supported them, but moved to expand them. In the early

⁴² NavAff 87 (12-1), p. 249.

⁴³ The numbers fifteen and eight have been substituted for Chapelle's nine and two, respectively, from Chapelle and Pollard, *Constellation Question*, p. 16.

months of 1812 Congress debated the propriety of increasing the Navy's force in commission. The original bill before Congress provided for the construction of ships of the line and additional frigates. Congress, however, preferred that the Navy make maximum use of its existing resources before it would authorize new construction. After considerable debate Congress eliminated all the provisions for new ship construction from the bill.⁴⁴ It did, nevertheless, act to increase the naval force in commission by mandating the repair and return to service of the Navy's several frigates in ordinary. The first section of the Act of Congress of 30 March 1812, *Concerning the Naval Establishment*, appropriated \$300,000 and authorized the President "to cause to be immediately repaired, equipped, and put into actual service, the frigates Chesapeake, Constellation, and Adams."⁴⁵

In December 1811, the Navy had estimated the probable expense of repairing the thirty-six gun frigate *Chesapeake* at \$120,000, somewhat more than half of her original total cost of

⁴⁴ U.S., Congress, Debate on the bill Concerning the Naval Establishment, in *Annals of Congress*, 12th Cong., 1st sess., passim; see also, Dudley, *Naval War of 1812*, vol. 1, pp. 50-52.

⁴⁵ U.S., Congress, *An Act Concerning the Naval Establishment*, 30 March 1812, in *Annals of Congress*, 12th Cong., 1st sess., columns 2261-2262, hereinafter cited as *Act Concerning the Naval Establishment*, 30 March 1812. For discussion and analysis of the debate over provisions for new vessel construction, see Craig L. Symonds, *Navalists and Antinavalists: The Naval Policy Debate in the United States, 1785-1827* (Newark, Del.: University of Delaware Press, 1980), hereinafter cited as *Symonds, Navalists and Antinavalists*, esp. pp. 148-170.

\$120,000, somewhat more than half of her original total cost of \$220,677.80.⁴⁶ The thirty-six gun frigate *Constellation* was also estimated to require \$120,000 to repair and fit her for sea duty, slightly more than a third of her original total cost of \$314,212.15. Repairs to the thirty-two gun frigate *Adams* had been estimated at \$60,000, an amount nearly equal to three quarters of her original total cost of \$76,622.27. Despite the high cost of repairs proposed for these vessels, particularly the *Adams*, the Navy expressed its opinion that "no doubt is entertained of the *Chesapeake*, the *Constellation*, and the *Adams* being worthy of repair." Congress concurred, clearly considering it preferable to repair the Navy's existing ships in ordinary before authorizing new ones.⁴⁷

The relatively high initial estimate for the cost of repairs to the *Adams* proved overly optimistic, however. When repairs were actually begun upon the frigate in June 1812, Commodore Thomas Tingey, commandant of the Washington Navy Yard, reported that the yard's master shipwright had found the *Adams* to be in need of "such a general repair, that it will be necessary

⁴⁶ The *Chesapeake* was built as a small forty-four, but actually carried fewer guns. (Dudley, *Naval War of 1812*, vol. 1, p. 10ff).

⁴⁷ U.S., Congress, Senate, *Number of Vessels in Service, and Estimates of Repairing and Fitting for Service Those in Ordinary*, 21 February 1812, Naval Affairs 91, 12th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 91 (12-1), p. 265; see also, NavAff 87 (12-1), p. 250.

to haul her up; as it is almost impossible to get at the work so low down as it is necessary to go."⁴⁸ Based upon his own examination of the hull of the vessel, Tingey expressed his opinion, "from her extreme state of decay that to repair her afloat, will be by far more expensive than to build a new ship. At the same time it appears extremely doubtful whether in attempting to heave her up, we may not destroy her altogether"⁴⁹ By that time, however, Congress had already specifically mandated the *Adams'* return to service. The Navy had no choice but to proceed with the vessel's repairs.

Itemized records of labor and materials expended in repairing the frigates *Constellation* and *Adams* were destroyed when the Washington Navy Yard was burned in August 1814 in anticipation of an assault by British forces. Records from the Boston yard, however, give the actual cost of repairs effected on the frigate *Chesapeake* as \$105,991.07, exclusive of articles delivered to the ship from the yard (see Tables 2 and 3).⁵⁰ In typical naval fashion, repairs to the *Chesapeake* were hampered by a shortage of suitable seasoned timber at the Boston yard. In April 1812, the commandant of the Navy yard at Charlestown,

⁴⁸ Thomas Tingey to Paul Hamilton, 13 June 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 132.

⁴⁹ Thomas Tingey to Paul Hamilton, 13 June 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 132.

⁵⁰ NavAff 118 (13-3), pp. 328-332.

Massachusetts, Captain William Bainbridge, requested permission from the Secretary of the Navy to borrow for the *Chesapeake* frame timber originally procured and stored for a seventy-four gun ship of the line.⁵¹

In answer to the Navy's repeated requests for general stores of ship timbers, the third section of the Act of 30 March 1812 also provided for an annual appropriation of \$200,000 for three years "towards the purchase and supply of a stock of every description of timber required for ship building and other naval purposes."⁵² The Act further specified, however, "that the first appropriation thereof be made in the purchase of timber suitable for rebuilding the frigates *Philadelphia*, *Gen'l Greene*, *New York*,

⁵¹ William Bainbridge to Paul Hamilton, 14 April 1812, in Dudley, *Naval War of 1812*, vol. 1, pp. 92-93. According to Joshua Humphreys, naval constructor of the United States Navy until 1801, approximately 40,000 cubic feet of timber for seventy-fours were delivered to the Boston yard between 1800 and 1802. (Joshua Humphreys to Adam Seybert, 5 September 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 457). While the yard may have lacked timber suitable for repairing the *Chesapeake*, it apparently had an excess of timber that was no longer fit for use in the Navy's vessels of war. In June 1812, Bainbridge suggested that the "Several hundred Tons of Timber lying in decay in the Pond here entirely unfit for Ship purposes," might suit for a wharf, "and that if it was begun immediately it would lessen the expence [sic] of repairing the *Chesapeake*" (William Bainbridge to Paul Hamilton, 10 June 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 131).

⁵² Act Concerning the Naval Establishment, 30 March 1812.

and Boston."⁵³ Had any question of the propriety of rebuilding existed before, this Act, by which Congress not only consented

Table 2: Schedule of Timber and Copper Used to Repair the Frigate *Chesapeake* at the Navy Yard, Charlestown, Massachusetts, 19 May to 7 December 1812 (from NavAff 118 (13-3), p. 329).

97 tons, thirty-eight feet, oak timber
 613 1/2 feet, oak knees
 186 feet, scantling
 205 feet, one inch carlings
 Oak Plank:
 Fifteen feet, half-inch plank
 107 feet, two and one-half inch plank
 249 feet, three inch plank
 830 feet, three and one-half inch plank
 2,175 feet, four inch plank
 2,344 feet, four and one-half inch plank
 1,220 feet, five inch plank
 122 feet, five and one-half inch plank
 172 feet, six inch plank
 128 feet, seven inch plank
 163 tons, nine feet, pine timber
 Pine Plank:
 310 feet, two and one-half inch plank
 1,250 feet, three inch plank
 2,629 feet, three and one-half inch plank
 3,638 feet, four inch plank
 105 feet, half-inch boards
 48 feet, one inch boards
 33 pounds, copper ruffs
 528 pounds, one and one-eighth inch copper bolts
 3 casks, sheathing nails
 1,215 pounds, one and one-quarter inch copper bolts
 284 pounds, nine inch copper spikes
 808 pounds, ten inch copper spikes
 22,127 pounds, sheet copper

⁵³ Act Concerning the Naval Establishment, 30 March 1812.

Table 3: Schedule of Expenses for Repairs to the Frigate *Chesapeake* at Charlestown, Ma., April to December 1812. (from NavAff 118 (13-3), p. 330).

For timber	\$ 6,526.38
For labor	23,914.41
For iron work	9,155.60
For copper and composition work, etc. .	6,782.58
For canvas, twine, and making sails . .	11,530.22
For masts and spars	2,329.12
For cordage	23,877.44
For block and pump bills	2,810.90
For coopers	1,430.13
For paints and oil	694.01
For plumber	812.20
For teaming and wharfage rents	527.36
For mathematical instruments	1,323.75
For boats	812.98
For oakum	769.85
For small arms	304.58
For bills hardware, chandlery, paints, and contingent armament	<u>12,389.56</u>
Total	\$ 105,991.07

to the practice but directed it, effectively eliminated all doubts. The rebuilding programs authorized by Congress through the Act of 30 March 1812 ranged in extent from the near total replacement of a vessel's structure to the reconstruction of an existing vessel to the same or new design. Most significantly, this Act of Congress also affirmed the principle of rebuilding vessels of war for sentimental reasons of national honor, whether or not the ship remained in existence.

Rough estimates for the repair of the frigates *New York* and *Boston* had been submitted to Congress by the Navy Department in

December 1811 along with those for the frigates *Chesapeake*, *Constellation*, and *Adams*. All five of these vessels were then laid up in ordinary: the *Chesapeake* at the Boston Navy Yard (Charlestown, Massachusetts), and the *Constellation*, *Adams*, *New York*, and *Boston* in the Eastern Branch (Anacostia River) of the Potomac River at the Washington Navy Yard.⁵⁴ In estimating the cost of repairs to the *New York* and the *Boston*, however, Secretary of the Navy Paul Hamilton noted that,

By some it is at this time thought that neither the *New York* nor the *Boston* are worthy of being repaired; but I hope that, on opening them, we shall find them otherwise Should they be found to be too rotten to repair, I shall consider it as a serious misfortune, for they have been constructed upon the most approved models for vessels of their rates.⁵⁵

The thirty-six gun frigate *New York* was estimated to require repairs in the amount of \$120,000, equal to the estimate for the *Constellation*, a frigate of the same rate, but slightly more than three-quarters of the *New York*'s original total cost of \$159,639.60. The *New York* had originally been partially built with inferior timbers. Of her white oak floors and first futtocks, "twenty-six of the floors (those in the extremes) and the whole of the first futtocks, must be replaced with new."⁵⁶ Her second, third, and top timbers were of live oak, cedar, and

⁵⁴ Navy, *Annual Report, 1810*, p. 229.

⁵⁵ NavAff 87 (12-1), p. 250.

⁵⁶ NavAff 91 (12-1), p. 266; see also NavAff 87 (12-1), p. 250.

locust, and these, particularly the live oak timbers, appeared "tolerably sound."⁵⁷ In the remainder of the vessel: "The fore and after end of the keelson, all the ceiling, decks, beams, knees, wales, upper works, and part of her bottom plank, will require to be new."⁵⁸ The opinion of the master and foreman of the carpenters at the Washington yard that, possibly, some of the *New York's* knees might "answer again, or suit for a smaller vessel," indicates that the retention of sound material in the interests of economy extended not only to the actual vessel rebuilding, but to any other applications that might be found as well.⁵⁹

Repairs to the *Boston*, a frigate rated for thirty-two guns, were estimated at \$60,000, roughly half her original total cost of \$119,570.04.⁶⁰ The *Boston's* frame was built entirely of white oak, and though her floors and first futtocks appeared to be in better condition than the rest, her "second and third futtocks, top timbers, stern frame, and all forward, together with most of

⁵⁷ NavAff 91 (12-1), p. 266.

⁵⁸ NavAff 91 (12-1), p. 266.

⁵⁹ NavAff 91 (12-1), p. 266.

⁶⁰ NavAff 91 (12-1), p. 266; NavAff 87 (12-1), p. 250. That same year, the Navy estimated the cost of building and equipping a new thirty-two gun frigate at \$128,000.

her ceiling, seams, knees, wales, upper works, decks, and part of her bottom plank must be new."⁶¹

Despite the extent of repairs known to be required for both the *New York* and the *Boston*, even before they had been opened up for minute inspection (and Navy Secretary Paul Hamilton's cautionary comment that some in the Navy did not consider either vessel worthy of repair), Congress appropriated funds to procure timber for their rebuilding, clearly considering them to be worthy of continuation at that time.

In providing for the purchase of materials suitable for rebuilding the *General Greene*, however, Congress was acting along somewhat different lines. The *General Greene*, originally rated as a twenty-four gun frigate and later reclassified as a thirty-two, had been built in 1799 under the direction of a public agent at Warren, Rhode Island, at a total cost of \$105,492.42.⁶² The *General Greene* saw service in the Quasi-War with France and was one of thirteen frigates retained by the Navy following the

⁶¹ NavAff 91 (12-1), p. 266.

⁶² U.S., Department of the Navy, *Naval Force and Expenditures*, 26 December 1798, Naval Affairs 14, 5th Cong., 3rd sess., *American State Papers*, vol. 23, pp. 58-59; U.S., Congress, House, *Increase of the Navy*, 27 November 1812, Naval Affairs 96, 12th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 96 (12-2), p. 278. Chapelle and Hamersly rate the *General Greene* as a twenty-eight gun frigate. Chapelle says the *General Greene* was built under contract by Benjamin Talman and James De Wolf (Hamersly, *Naval Register*, p. 903; Chapelle, *Sailing Navy*, pp. 144-145).

cessation of hostilities in 1801. Only seven of the frigates retained were to be kept in active service, however. The other frigates, including the *General Greene*, were dismantled and placed in ordinary at the Navy's several yards.⁶³ While in ordinary at the Washington Navy Yard, the *General Greene* served as a hospital ship and later as a storeship.⁶⁴

Although Congress originally favored their retention, the House subcommittee on the Navy recommended in March 1802 that the *General Greene*, along with the frigate *Adams*, "not being constructed upon approved models for ships of war, and going out of repair, ought to be sold . . . and the proceeds applied to building or purchasing smaller vessels" ⁶⁵ This recommendation neglected to take into account the political situation in the Mediterranean, however. While the United States Navy had been occupied with the Quasi-War, the Barbary Corsairs,

⁶³ U.S., Congress, House, *Naval Establishment, and its Expenses*, 15 January 1801, Naval Affairs 21, 6th Cong., 2nd sess., *American State Papers*, vol. 23, p. 74; Knox, *U.S. Navy*, p. 55. The other frigates retained were the *Philadelphia*, the *New York*, the *Essex*, the *Boston*, the *John Adams*, the *United States*, the *Constitution*, the *President*, the *Constellation*, the *Congress*, the *Chesapeake*, and the *Adams*. The schooner *Enterprise* was also retained.

⁶⁴ Henry B. Hibben, *Navy-Yard, Washington. History from Organization 1799 to Present Date*. U.S., Congress, Senate, Ex.Doc. 22, 51st Cong., 1st sess., 1890, hereinafter cited as Hibben, *Navy-Yard, Washington*, pp. 28, 42.

⁶⁵ U.S., Congress, House, *Navy Yards*, 10 March 1802, Naval Affairs 27, 7th Cong., 1st sess., *American State Papers*, vol. 23, p. 84.

who had previously harassed American shipping in the Mediterranean before reaching an agreement on tribute with the fledgeling American government, directed their attentions once again toward American merchantmen. On 10 May 1801, the Pasha of Tripoli declared war on the United States.⁶⁶ In response, the Navy moved to increase its force in the Mediterranean. The frigate *Adams* was needed for service, so any thoughts of her disposal were postponed indefinitely while the *Adams* was repaired and refitted for sea duty at New York at a cost of \$48,520.52. She sailed for the Mediterranean in the summer of 1802.⁶⁷

In December 1804 the Senate proffered a bill authorizing the sale of the *General Greene*. The measure stalled in the House, however, where debate centered on the second section of the bill, which authorized and appropriated \$50,000, "in case the public exigency should require it," to build or purchase two small vessels of war (in lieu of the *General Greene*). On 26 March 1804, unwilling to compromise on the two sections of the proposed bill, the House postponed further consideration of the measure until the next session of Congress, effectively killing

⁶⁶ For a detailed analysis of the background and events of the wars between the United States and the Barbary States and the role of the U.S. Navy, see Glenn Tucker, *Dawn Like Thunder: The Barbary Wars and the Birth of the U.S. Navy* (Indianapolis, In.: Bobbs-Merrill, 1963), hereinafter cited as Tucker, *Dawn Like Thunder*.

⁶⁷ NavAff 87 (12-1), p. 253; DANFS, vol. 1, p. 9.

the bill forever.⁶⁸ The frigate was eventually removed from the Navy List and converted into a storeship at the Washington Navy Yard.⁶⁹

Given the House subcommittee's earlier doubts about the design and condition of the *General Greene* and the lack of repairs to the vessel in the ensuing years, Congress' authorization in March of 1812 for the procurement of timber for rebuilding the frigate was clearly predicated upon the understanding that the vessel would be redesigned, and that the retention and reuse of sound timber, if any, would be minimal.

While the case of the *General Greene* differed somewhat from that of the *New York*, or the *Boston*, the three frigates shared at least one particular trait which the *Philadelphia* did not: they were all still in existence. The *Philadelphia*, on the other hand, was only a memory, albeit legendary.

The thirty-eight gun frigate *Philadelphia*, under the command of William Bainbridge, had been on station in the Mediterranean cruising against the Barbary pirates when she accidentally ran aground off Tripoli Harbor on 31 October 1803. Countermeasures included heaving most of the ship's guns overboard in an effort to lighten the vessel and back it off the

⁶⁸ U.S., Congress, Debate on the bill authorizing the sale of the *General Greene*, *Annals of Congress*, 8th Cong., 1st sess., columns 212, 216, 779, 802-804, 878, 1237.

⁶⁹ Peck, *Round-Shot to Rockets*, p. 43.

reef. The attempt proved ineffective, however. The *Philadelphia* was soon under attack from nine enemy gunboats with several more approaching. Unable to muster sufficient firepower to defend his ship, Bainbridge ordered his men to flood the powder magazine, sabotage the pumps, and scuttle the ship. Then he surrendered to the Tripolitans. Unfortunately, the *Philadelphia* failed to fill completely. Within two days, the Tripolitans had repaired the frigate, and, aided by a strong wind that blew the ship off the reef, towed the *Philadelphia* into Tripoli Harbor within view of the frigate's imprisoned officers and crew. Shortly thereafter, the *Philadelphia's* guns were recovered as well.⁷⁰

The United States Navy could ill afford to allow the Tripolitans to use one of its own armed frigates against it. In a daring exploit, Lieutenant Stephen Decatur, commanding the United States ketch *Intrepid* (formerly the captured Tripolitan *Mastica*), led a force of seventy-four officers and men into Tripoli Harbor on the night of 16 February 1804. Finding the *Philadelphia* moored near the Bashaw's castle in a position to guard the city against attack, Decatur and his men successfully

⁷⁰ Tucker, *Dawn Like Thunder*, pp. 209-235. The surrender of the *Philadelphia* marked the second time in the history of the United States Navy that one of its ships was surrendered. During the Quasi-War, the *Retaliation* (formerly the *Croyable*) was surrendered to the French by her commander, who, by coincidence, was William Bainbridge.

boarded the frigate, loaded her with combustibles, and set the ship afire, then retreated to safety.⁷¹

By the time Congress authorized the procurement of timbers to rebuild her, the remains of the frigate *Philadelphia* had lain at the bottom of Tripoli Harbor for more than seven years. There could be no question of reusing sound timbers from the old vessel. The potential seaworthiness of the original frigate was hardly an issue, nor could anyone argue the relative costs of repairing the old ship against those of an entirely new vessel. In rebuilding the *Philadelphia* the Navy would, of necessity, construct a completely new ship.

Yet even though the authorization for the *Philadelphia* was inherently different from the authorization for the *New York*, the *Boston*, and the *General Greene*, Congress did not address the one ship in any manner different from the others. By equating the rebuilding of the *Philadelphia* with the rebuilding of the other frigates, Congress sanctioned and adhered to the Navy's flexible definition of rebuilding, and indeed, broadened it to include the construction of a totally new vessel to replace one that no longer existed. Furthermore, in authorizing the procurement of materials to rebuild the *Philadelphia*, Congress, not the Navy, created the justification for rebuilding ships for reasons of sentiment and national honor. Sentiment, although Chappelle might have denied it, would serve again as motivation for rebuilding

⁷¹ Tucker, *Dawn Like Thunder*, pp. 249-280.

American sailing vessels of war. Continuity between the old and new frigates *Philadelphia* would not be based upon any physical connection; rather, the tie would be purely an emotional one.

Although the majority of the members of both Houses of Congress clearly favored the provision directing the procurement of timbers for rebuilding the frigates *Philadelphia*, *New York*, *Boston*, and *General Greene*, the simple fact of its passage does not eliminate the possibility that the issue might have been a controversial one. In fact, however, it was not. Debate on the third section of the Act of 30 March 1812, authorizing the stockpiling of naval materiel, was nonexistent. On the other hand, the question of authorizing funds to build new frigates was hotly debated. The House eventually voted to strike out all provisions for new frigate construction by a close vote of sixty-two to fifty-nine. The third section of the Act, by comparison, passed the House easily by a vote of eighty-two to thirty-seven.⁷² While the third section of the Act of 30 March 1812 did not appropriate sufficient funds to complete the rebuilding of the four frigates, its passage, coupled with the failure of the provisions for new frigate construction, evinces Congress' willingness to bolster prior investments in naval materiel even when the costs approached or equalled new construction programs which were unable to muster adequate Congressional support.

⁷² U.S., Congress, House, Debate on the bill Concerning the Naval Establishment, *Annals of Congress*, 12th Cong., 1st sess., p. 999 and passim.

The provisions of the third section of the Act of 30 March 1812, directing the procurement of materials to rebuild the frigates *Philadelphia*, *New York*, *Boston*, and *General Greene*, would never see fruition, however. Within three months the United States was at war with Great Britain. Less than two weeks after Congress declared war on 18 June 1812, Secretary of the Navy Paul Hamilton responded to an Inquiry from Langdon Cheves, chairman of the House subcommittee on the Navy, with a recommendation for an increased appropriation of \$400,000 for repairs to vessels of war that might be damaged in action against the enemy. Furthermore, he suggested the propriety of authorizing an additional \$466,250 to cover the potential expense of purchasing and putting into commission any warships that might be captured from the enemy.⁷³

Once war was declared, the Navy yards were kept busy fitting out the Navy's ships for service and keeping them in good repair. In addition to the repairs of vessels at the Washington Navy Yard during 1812 abovementioned, the frigates *John Adams*, *Chesapeake*, *President*, *Congress*, *Constitution*, and *United States*, the sloop of war *Hornet*, the brigs *Nautilus*, and *Argus*, as well as several gunboats, underwent repairs at the Navy yard at Charlestown, Massachusetts, primarily during the first six months of the year. The *President* and the *John Adams*, as well as the

⁷³ Paul Hamilton to Langdon Cheves, 30 June 1812, in Dudley, *Naval War of 1812*, vol. 1, pp. 176-178.

Nautilus, also received repairs at the New York Navy Yard during 1812, as did the frigate *Essex*, the sloop of war *Alert*, the ketch *Vesuvius*, ten fireships, and seventeen gunboats. Vessels repaired at the Philadelphia yard during the latter half of 1812 included the frigate *Essex*, the sloop of war *Wasp*, and nineteen gunboats. Sixteen gunboats were repaired and fitted out at the Norfolk (Gosport, Virginia) yard, also during the last six months of 1812.⁷⁴ By early February 1813, Secretary William Jones reported a deficit for the Navy under the head of "repairs of vessels" of more than \$218,000.⁷⁵

By contrast, by the end of January 1813 there was a balance of almost \$190,000 remaining from the \$200,000 originally appropriated to purchase materials under the third section of the Act of 30 March 1812 for rebuilding the frigates *Philadelphia*, *New York*, *Boston*, and *General Greene*.⁷⁶ Several factors account for the delay in expending this appropriation. The Navy apparently feared a timber shortage as a result of the enemy blockade, and preference would have been given to vessels that were actually to be employed in the war. Moreover, in the opening days of 1813 Congress authorized a substantial

⁷⁴ NavAff 118 (13-3): *passim*.

⁷⁵ U.S., Congress, House, *Deficit in the Naval Appropriations*, 7 February 1813, Naval Affairs 102, 12th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 102 (12-2), pp. 286-289.

⁷⁶ NavAff 102 (12-2), p. 287.

shipbuilding program for new frigates and ships of the line which demanded the Navy's immediate attention.

By November 1812, the British had begun a blockade of southern U.S. ports which provided much of the timber used for building, rebuilding, and repairing America's ships of war at the Navy's northern yards. The potential threat to the Navy's timber supply caused concern. On 7 November 1812, Commodore Thomas Tingey, "Conceiving it proper that speedy arrangements should be made for furnishing the Navy Yard at Portsmouth, New Hampshire [Kittery, Maine], with suitable materials for rebuilding one of the frigates, agreeably [sic] to appropriations made the last session of Congress,"⁷⁷ presented the Secretary of the Navy with bids from both Georgia and New Hampshire for furnishing timber to the yards at Portsmouth and New York. The prices for southern pine from Savannah (\$.48 per cubic foot for square timber and \$.90 per cubic foot for sawn timber) were considerably higher than those for yellow pine from the Portsmouth area (\$.33 per cubic foot for square timber and \$.25 to \$.37 1/2 per cubic foot for various descriptions of sawn timber), prompting Tingey's comment that

The obvious great difference in the price, and the certainty of obtaining the timely supplies, in the one case, and uncertainty in the other - leaves only the consideration whether - the intrinsic value of the southern materials, over the other - will justify that difference of expence [sic], risque [sic], and

⁷⁷ Thomas Tingey to Paul Hamilton, 7 November 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 561.

uncertainty. I conceive it my duty respectfully to state my opinion that it will not - if the materials are carefully selected in the north, by a judicious and experienced person.⁷⁸

Aside from the question of the availability of timber, Tingey's letter merits interest for another reason. Tingey served as commandant and Navy agent at the Washington Navy Yard, wherein the *New York* and the *Boston* remained in ordinary and the hulk of the *General Greene* was used as a storeship. Yet Tingey sought to supply rebuilding timber to the yard at Portsmouth. The Portsmouth Navy Yard was at that time the poorest equipped of all the Navy's six yards, while the Washington yard was the best suited for large repairs.⁷⁹ Most likely, the best equipped yards were reserved for construction and repairs with higher priority--ships in commission and those building for the Navy's war fleet. In the midst of war, the Navy's busier yards probably also lacked the storage space that would have been taken up by materials for rebuilding a ship the size of a frigate. Possibly, as well, the Navy planned to distribute the rebuilding of the four frigates among several different states, a gesture of political patronage common with new ship construction programs.

In fact, the Navy had intended to rebuild the *New York* by

⁷⁸ Thomas Tingey to Paul Hamilton, 7 November 1812, in Dudley, *Naval War of 1812*, vol. 1, pp. 561-562.

⁷⁹ Dudley, *Naval War of 1812*, vol. 1, p. 91.

contract at Baltimore, Maryland. In November 1812 Master Commandant⁸⁰ Charles Gordon, along with the Navy agent at Baltimore, negotiated terms with a master shipbuilder for the rebuilding of the frigate *New York*. The builder offered to rebuild the frigate either by the ton or by days worked (for the builder to superintend construction while the Navy paid for materials and expenses). Gordon recommended that the Navy conclude an agreement to rebuild the *New York* by the ton, "The U.S. to furnish all the Copper, all the joiners work, the wharf and ware houses. The builder to furnish all the timber, spars, & workmen."⁸¹ With such an arrangement, Gordon predicted, "the builder no doubt would procure the timber much lower on his own account, than he would for the U.S."⁸² Moreover, Gordon suggested,

If Mr [Thomas] Turner will inform us of the price pr [sic] Ton of any of the Ships built by the Ton it will be enable us to fix upon the very lowest price possible. For I assure you the builder is extremely anxious that she should be the first at Sea, the fastest ship & promises that if she is not as well

⁸⁰ The rank of Master Commandant was replaced by that of Commander in 1837. Masters Commandant generally held command of the Navy's sloops of war.

⁸¹ Charles Gordon to Paul Hamilton, 17 November 1812, in *Dudley, Naval War of 1812*, vol; . 1, p. 593.

⁸² Charles Gordon to Paul Hamilton, 17 November 1812, in *Dudley, Naval War of 1812*, vol. 1, p. 593.

built as any ship in service he will forfeit the whole.⁸³

As with earlier ships, the rebuilt *New York* was intended to retain the substantially sound bottom of the original, although the Baltimore builder, eager to secure the contract to rebuild the frigate, had "a stern, stem & keel already engaged in case the old ones should prove rotten."⁸⁴

In late November 1812 Gordon sent five gunboats from the Chesapeake Bay flotilla to the Washington yard to escort the *New York* to Baltimore in preparation for her rebuilding. By then, apparently, the Navy had finally determined that the *New York* no longer merited repair.⁸⁵ On Tingey's recommendation, the Secretary of the Navy ordered the five gunboats reassigned to Norfolk.⁸⁶ Meanwhile, Tingey needed a place to house seamen arriving for the crew of the *Adams*, which was still repairing at

⁸³ Charles Gordon to Paul Hamilton, 17 November 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 593. Thomas Turner was the accountant for the Navy.

⁸⁴ Charles Gordon to Paul Hamilton, 17 November 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 593.

⁸⁵ Dudley, *Naval War of 1812*, vol. 1, p. 612.

⁸⁶ See endorsement on letter from Thomas Tingey to Paul Hamilton, 3 December 1812, in Dudley, *Naval War of 1812*, vol. 1, pp. 613-614. The five gunboats were the No. 135, the No. 136, the No. 139, the No. 142, and the No. 143.

the yard. The *New York*, no longer seaworthy and having no other plans, provided a suitable choice.⁸⁷

Through the summer and fall of 1812, several of the Navy's ships fought successful engagements against enemy vessels on the high seas, earning increased support for the Navy in Congress. On 2 January 1813, the President signed into law "An Act to Increase the Navy of the United States," which appropriated \$2,500,000 for the construction of four ships rating not less than seventy-four guns (ships of the line) and six ships rating not less than forty-four guns (frigates).⁸⁸ That Act was followed in March 1813 by a supplementary Act authorizing the expenditure of an additional \$700,000 to build, man, and equip six sloops of war for sea duty, as well as an unspecified number of additional discretionary vessels for the Great Lakes fleet.⁸⁹

While the Navy proceeded with the construction of the new ships of the line, frigates, and sloops of war authorized by Congress, the procurement of timber for rebuilding the four

⁸⁷ Thomas Tingey to Paul Hamilton, 4 December 1812, in Dudley, *Naval War of 1812*, vol. 1, p. 614.

⁸⁸ U.S., Congress, *An Act to Increase the Navy of the United States*, 2 January 1813, in *Annals of Congress*, 12th Cong., 2nd sess., Appendix, columns 1315-1316. For discussion and analysis of the debate over increasing the Navy, see Symonds, *Navalists and Antinavalists*, pp. 171-184.

⁸⁹ U.S., Congress, *An Act Supplementary to the Act for Increasing the Navy*, 3 March 1813, *Annals of Congress*, 12th Cong., 2nd sess., Appendix, column 1352; see also, Symonds, *Navalists and Antinavalists*, pp. 184-191.

frigates stalled. By early 1813, only \$23,000 had been expended (at Baltimore) of the \$200,000 originally appropriated. Consequently on 22 February 1814, Secretary of the Navy William Jones reported to the Senate that,

as there is no appropriation or authority to rebuild those frigates, and as the Philadelphia is not in existence, and the General Greene, New York, and Boston, are rotten worthless hulks, that would cost much more, in proportion to their value, to rebuild them, than to build new frigates of a better class, and vastly superior construction, a part of that timber has been applied to the building of the forty-four and the sloops of war at Baltimore, and the seventy-four and forty-four at Philadelphia.⁹⁰

Shortly before half past eight on the night of 24 August 1814, Thomas Tingey reluctantly ordered the Washington Navy Yard set afire as the British moved through the capital city. His instructions had been delivered personally by Secretary of the Navy William Jones earlier that afternoon. Within moments the fire consumed the new frigate *Columbia*, nearly ready for launching, as well as the new sloop of war *Argus*, lying at the wharf with most of her ammunition and equipment on board. The following morning the British entered the yard, setting fire to whatever buildings remained unscathed. That same day, however, a tornado reportedly blew through the yard and squelched the flames while causing additional damage on its own.

When Commodore Tingey and his men returned to the yard after the British had moved on, only the new schooner *Lynx*, two

⁹⁰ NavAff 111 (13-2), p. 305.

gunboats, and a large yard cutter remained of the yard's usable vessels. Although the hulk of the *New York* had seemingly escaped the conflagration, in the assessment of the damage to the yard and its property which followed the Navy's reoccupation of the yard, the *New York*, as well as the *Boston* and the *General Greene*, were written off as irreparable.⁹¹

The Washington Navy Yard was rebuilt under Tingey's direction and limited salvage was undertaken on the charred remains of the *Columbia* and the wreck of the *Argus*. On 24 December 1814 the Treaty of Ghent was signed, ending the war. Benjamin Crowninshield succeeded William Jones as Secretary of the Navy, and in early February 1815 James Madison signed into law the Act establishing the Board of Navy Commissioners.⁹²

⁹¹ Peck, *Round-Shot to Rockets*, pp. 60-67. For background and description of the events leading up to the burning of the Washington Navy Yard, see pp. 47-60.

⁹² Peck, *Round-Shot to Rockets*, pp. 67-71.

Chapter Five

Early Rebuilding Under the Board of Navy Commissioners, 1815-1828

Under the early administration of the Board of Navy Commissioners, the Navy continued its practice of giving to its vessels thorough repairs, which included the occasional rebuilding, in much the same way as it had before the War of 1812. As before, the Navy provided for these activities in its general estimate under the head of "Repairs of Vessels in Ordinary and Wear and Tear of Vessels in Commission."

During this early period of naval administration by the Navy Board the head of naval appropriation for Repairs and Wear and Tear of Vessels covered all repairs to all existing naval vessels--those in service and those dismantled and stored in ordinary. It applied, as well, to intermittent repairs required by those new vessels building under the Act of 1816 that were "launched in ordinary," rather than placed directly into commission, when a move for fiscal retrenchment followed the national Panic of 1819.¹ Moreover, it included

¹ Repairs for vessels building "on the stocks" may also have been paid for out of funds for construction, not repair. See, for example, U.S., Congress, House, *Expenditure, Naval Appropriation for 1825*. 6 February 1826, H.Doc. 73, 19th Cong., 1st sess.: "Repairs and building of sloops of war,

the expenses of removing vessels from ordinary and preparing them for service when the Navy anticipated the need for such action. Estimates under this head were generally prepared according to the expected deployment of vessels for the upcoming year and the estimated cost for necessary repairs to each. These funds were appropriated as a total sum, however, not according to each specific vessel, so the Navy Department retained discretionary control over the actual expenditure of monies appropriated for vessel maintenance and repair.

The postwar peacetime Navy was characterized by single or small group vessel deployment in keeping with the Navy's developing distant station policy. By the time of the Mexican War, nearly all of the Navy's regular peacetime operations had been grouped into loosely-organized cruising squadrons. The Navy's first permanent cruising force was established in the Mediterranean in the fall of 1815. It included the frigates *United States* and *Constellation*, and the sloops of war *Erie* and *Ontario*. In 1821 the West India Squadron was formed to combat piratical aggression in the Caribbean Sea and Gulf of Mexico. By the 1820s, naval vessels cruising in the Pacific were administratively grouped into the Pacific Squadron. The Brazil Squadron was formed in 1826 to protect merchant shipping in South American waters.

which have been, or may be, authorized to be built, Act 3d March 1825."

The East India Squadron was established in 1835 in response to increased trade with the Far East. In 1841 the West India Squadron was absorbed into the newly-established Home Squadron. The Africa Squadron was established in 1843 as a part of the United States' increased commitment to suppress the slave trade following the ratification of the Webster-Ashburton Treaty. Until that time, American naval vessels cruised fairly regularly along the African coast as part of the West India Squadron, or as a detour on the journey to or from other assignments.²

The Navy's primary objectives during this peacetime period were the convoy and protection of American commerce against piratical aggression, the suppression of the slave trade, diplomatic support, and miscellaneous surveys. Generally, the Navy could anticipate the size and scope of the force in commission necessary to pursue its stated objectives from year to year, as well as plan for those ships required to relieve others on station. Occasionally, however, the Navy was compelled by circumstance or Congressional mandate to increase the United States' force in commission beyond that provided for in the Navy's general

² Harold and Margaret Sprout, *The Rise of American Naval Power, 1776-1918* (Princeton, N.J.: Princeton University Press, 1944), hereinafter cited as Sprout and Sprout, *American Naval Power*, p. 95; Dudley W. Knox, *U.S. Navy*, pp. 139-140.

estimate. Such an increase could necessitate removing a vessel from ordinary and putting it back into commission.

Invariably, however, vessels kept in ordinary for any length of time required repairs, frequently quite extensive, before they could be returned to service. The Navy's maintenance policy, arising no doubt from the system of federal appropriation, precluded the repair of ships in ordinary until they were actually needed in commission. Vessels which returned from duty in need of either small or large repairs, if not immediately required for service, were dismantled and put into ordinary. Repairs were delayed until the ship was to be put back into commission, by which time its decayed condition had been further exacerbated by the length of time spent idle and largely neglected.

Returning vessels in ordinary to active service could be quite costly, especially for those ships requiring extensive repairs, which might involve partial or complete rebuilding. Unexpected repairs to its vessels in ordinary and in commission could also cause the Navy to exceed its annual appropriation under the head of Repairs and Wear and Tear of Vessels. In that circumstance the President was routinely authorized to transfer funds between heads of appropriation during the periods when Congress was not in session. Transfers between heads were repaid when funds became available, or from the following year's appropriation. The

law required only that such transfers be recorded and reported to the House of Representatives at the beginning of the next session of Congress. Conversely, when funds remained unexpended at the end of the year, they could be carried into the accounts for the following year, or after an extended period, carried over to the surplus fund. Intermittently, however, Congress reappropriated monies from the surplus fund back to the Navy.

Thus, the head of appropriations for Repairs of Vessels in Ordinary and Wear and Tear of Vessels in Commission had rather broad applications in the early nineteenth century United States Navy. Moreover, as Commodore John Rodgers recalled in 1830, "the terms 'repairing' and 'Rebuilding' have in practiced been considered as synonymous [*sic*]," although the label "rebuilt" was generally applied only to vessels that had very extensive repairs, involving anywhere from more than half the ship to its entirety.³ It follows, then, that in planning and in practice, the Board of Navy Commissioners applied the appropriation for Repairs of Vessels in Ordinary and Wear and Tear of Vessels in Commission to all vessel repairs, including rebuilding. "The terms 'Repairing Vessels'," Rodgers noted, "have also in practice, been considered as providing for the procurement of

³ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

new masts entire - new boats - new sails - new rigging, and stores of every description, whenever required by our public ships; and they obviously provide for giving to any of them any degree of repair which may be needed."⁴ On that basis, the Navy Board considered the head of appropriation for Repairs (and Wear and Tear) to be

of such comprehensive import, that the appropriations under that head, were judged to be legally applicable not only, to the partial repair of our Ships, but when necessary to their thorough, and efficient repair, - such as would make them equal at least to the ships of the same class of any other nation, with which they might come in contact, and at the same time render them capable of performing with safety and certainty, any service that might be required of them.⁵

Following the War of 1812, several years elapsed before the Navy undertook to rebuild any of its vessels of war. The Navy closed the war with more vessels in its possession than it required for peacetime operations. A number of the ships acquired by the Navy during the war that were afterwards "considered unfit for naval purposes," were eventually sold or converted into support vessels. Several other ships, including most of the Great Lakes fleet, were laid up in a

⁴ John Rodgers to John Branch, 2 August 1830, in LSNVCom - SecNav, RG 45, NA.

⁵ John Rodgers to John Branch, 2 August 1830, LSNVCom - SecNav, RG 45, NA.

state of preservation, some indefinitely.⁶ In January 1819, for example, the Navy Commissioners reported to the Senate that seven of the Navy's ships of war, though "fit for home service, . . . will be unworthy of extensive repairs."⁷ The brig *Spark*, and the schooners *Nonesuch*, *Hornet*, *Lynx*, *Asp*, *Despatch*, and *Firebrand*, were originally merchant ships that had been acquired by the Navy for war service, "and from the bad materials with which they have been constructed will require extensive repairs in eighteen months."⁸ The *Lynx* was condemned in March 1819, and later burned.⁹ The *Firebrand* wrecked off the Mississippi coast shortly thereafter in July 1819 with a loss of thirty-six men.¹⁰ The *Hornet* and *Despatch*

⁶ U.S., Congress, Senate, *Naval Force on the First of January, 1816*, 5 January 1816, Naval Affairs 133, 14th Cong., 1st sess., *American State Papers*, vol. 23, pp. 379-380.

⁷ U.S., Congress, Senate, *Additional Sloops and Schooners, and the Number fit for Service, or Worthy of Repair*, 16 February 1819, Naval Affairs 171, 15th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 171 (15-2), p. 616.

⁸ NavAff 171 (15-2), p. 616. The Navy had not yet established standards for the quality and types of timber that were acceptable for its smaller ships, although by this time the Commissioners were recommending that in the future small vessels should be built of live oak, particularly in the frame timbers.

⁹ *DANFS*, vol. 4, p. 173.

¹⁰ *DANFS*, vol. 2, p. 406.

were sold in 1820; the *Asp*, *Nonesuch*, and *Spark* had all been sold by 1826.¹¹

In the years immediately following the War of 1812 the Navy yards were amply busy procuring materials and building the nine ships of the line and ten frigates authorized by the Act of 29 April 1816, for the "Gradual Increase of the Navy." By December 1820 one ship of the line had been completed and sent to sea, three others had been launched, and two more were on the stocks. In addition, three frigates were building and a large part of the materials required for the remaining ships had been delivered to the various building yards.¹²

The financial Panic of 1819, however, led to a move for retrenchment in the federal expenditure which quickly overtook Congressional willingness to proceed with the authorized increase of the naval force. The Act of 1821 slowed construction of the Navy's new large ships. At the

¹¹ *DANFS*, vol. 1, p. 68; vol. 3, p. 367; vol. 2, p. 267; vol. 5, p. 104; Navy, *Annual Report, 1826*, p. 727. In 1818, as well, the Navy ordered the U.S. bomb ketch *Spitfire*, "entirely rotten, lying a ground at the Navy Yard Gosport," cut up, as it obstructed a portion of the south wharf. (Benjamin Homans to John Rodgers, 7 September 1818, in Letters Sent by the Secretary of the Navy to the Board of Navy Commissioners, Entry 8, hereinafter cited as LS^{Sec}Nav - NavCom, RG 45, NA).

¹² U.S., Congress, House, *Increase of the Navy*, 5 January 1821, Naval Affairs 189, 16th Cong., 2nd sess., *American State Papers*, vol. 23, p. 677,.

construction of five twelve-gun schooners.¹⁵ Through the Act of 20 December 1822, the Navy purchased eight small schooners, a storeship, five cutters, or barges, and a small steamboat.¹⁶ The Act of 3 March 1825 authorized the construction of ten new first class sloops of war.¹⁷ Finally, the Act of 17 May 1826 authorized the purchase of the frigate *Liberator*, renamed the *Hudson*, in lieu of one of the frigates authorized by the Act of 1816.¹⁸

Of the abovementioned Acts, only the Act of 1816 and the related Act of 1826 authorized a general increase in the size

¹⁵ These were the *Alligator*, *Dolphin*, *Grampus*, *Porpoise*, and *Shark* (Bauer, "Shipbuilding Programs," p. 34).

¹⁶ These were the schooners *Beagle*, *Fox*, *Greyhound*, *Ferret*, *Jackall*, *Terrier*, *Weasel*, and *Wildcat*, the storeship *Decoy*, the cutters *Mosquito*, *Gnat*, *Midge*, *Sand Fly*, and *Gallinipper*, and the steam galliot *Sea Gull*. U.S., Congress, *An Act Authorizing and Additional Naval Force for the Suppression of Piracy*, 20 December 1822, in *Register of Debate in Congress*, 17th Cong., 2nd sess., Appendix, column 1337.

¹⁷ These were the sloops of war *Boston*, *Concord*, *Fairfield*, *Falmouth*, *Lexington*, *Natchez*, *St. Louis*, *Vandalia*, *Vincennes*, and *Warren* (Bauer, "Naval Shipbuilding Programs," p. 35); U.S., Congress, *An Act to Authorize the Building of Ten Sloops of War, and for Other Purposes*, 3 March 1825, in *Register of Debates in Congress*, 18th Cong., 2nd sess., Appendix, p. 117.

¹⁸ U.S., Congress, *An Act Supplementary to "An Act for the Gradual Improvement of the Navy of the United States,"* 17 May 1826, in *Register of Debates in Congress* 19th Cong., 1st sess., Appendix, p. xix. The *Liberator* had been built by the New York firm of Smith and Dimon for the Greek government, which was then unable to pay. (Bauer, "Shipbuilding Programs," p. 35).

of the Navy for no immediate operational purpose. The other three Acts, by contrast, were passed in direct response to the Navy's pressing need for additional vessels. The five schooners authorized by the Act of 1820, like the various vessels procured under the Act of 1822, were specifically intended for service against piracy in the West Indies and off the coast of Africa (relating to the slave trade). Likewise, the Navy's ten new sloops of war were built to satisfy an immediate need for vessels of that class in the various cruising squadrons, as well as for the Navy's other varied peacetime objectives.

This distinction is important. Chapelle implies that Congress was so unresponsive to the interests of the Navy that any application for new ship construction outside of the limited pre-existing program would have been rejected. Hence the necessity for a clandestine "administrative rebuilding" program. And yet, several times during this early period, Congress authorized both the construction of new ships of war and the purchase of existing vessels in response to the Navy's justifiable and immediate need. These programs, primarily for smaller vessels, were pursued systematically and without undue delay. Only the completion of the larger vessels authorized by the Act of 1816 was slowed. The construction of these vessels, however, was not directed toward countering any immediate threats or pursuing immediate

peacetime objectives, but rather toward preparing for the long-term contingency of future war with a European power.

Had Congress unilaterally opposed new ship construction, Chapelle's "administrative rebuilding" program would indeed have provided the Navy with a means to obtain new ships. But the basic assumption upon which this argument rests--that new ships were not "officially" possible--is in error. When the Navy could justify its need for new ships, legislative sanction was available and it was generally received. Congress did respond to naval interests during this period, albeit on a modest scale. Not every proposal for new ship construction received an appropriation and Congress did modify its program for the "Gradual Increase of the Navy" into one for its "Gradual Improvement." But such long-term programs involved the larger vessels of war, primarily frigates and ships of the line, which were not in great demand for the Navy's peacetime operations. On the other hand, the Navy's constant need for smaller vessels was not neglected. When the Navy needed new ships, Congress voted an appropriation to build or purchase them.

In 1824, for example, the Navy argued for the construction of ten new first-class sloops of war. Maintaining that sloops of war "are competent to most of the objects for which our navy is employed in a time of peace, and often save the necessity of keeping in commission vessels

of a larger class," so that "economy requires an addition to their number," the Navy Department also cited the great "disproportion . . . between the number of sloops and the number of the larger vessels."¹⁹ Although the Act authorizing the construction of ten new first-class sloops of war did not pass until 1825, it did pass.

Chapelle's generalization on Congressional support for new ship construction conceals another basic flaw underlying his "administrative rebuilding" argument: he completely ignores the system and structure of naval appropriations through the first half of the nineteenth century. This neglect does more than just perpetuate the myth of an unresponsive Congress; Chapelle's neglect of the details and the varied nature of naval appropriations contributes substantially to his distorted and frequently inaccurate portrayal of early nineteenth century naval administration. It is upon this distorted and largely inaccurate portrayal that most of his "administrative rebuilding" argument rests. Dana Wegner's erroneous discussion of the respective Acts of 1816 and 1827 for the Gradual Increase and the Gradual Improvement of the Navy, within the context of the *Constellation*, only further distorts the issue.

¹⁹ U.S., Congress, Senate, *Ten Additional Sloops of War*, 13 January 1824, Naval Affairs 235, 18th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 235 (18-1), p. 899.

As discussed in Chapter Three, naval appropriations throughout most of this period fall into two general categories: regular appropriations and special appropriations. Until 1840, funding for new ship construction (and purchase) programs was invariably initiated through a separate special appropriation. The Navy's regular appropriation never included provisions for new ship construction unless they represented the continuation of commitments previously sanctioned by law through the passage of an earlier special appropriations bill. To say that the naval appropriation allowed for no new construction outside of the existing program is to say very little, for such was the basic structure of the naval appropriation. New ship construction was initiated through the special appropriation, and that avenue of securing Congressional support remained available, and was in fact used by naval interests, throughout this period. Thus, the apparent motivation for "administrative rebuilding"--the need to circumvent Congressional restrictions on new ship construction in order to maintain an adequate naval force--vanishes along with the erroneous supposition that an official application for new ship construction would not have had any chance of securing Congressional support.

It is interesting to note, as well, that the majority of the vessels either entirely or partially rebuilt through the

Navy's system of vessel maintenance and repair during the early years of the Navy Board were the second-class sloops of war and the twenty-four gun corvettes. Had these vessels been completely unworthy of repair and had the Navy wished only to build new ships, then the Secretary of the Navy could have ordered the old and worn out vessels sold at public auction. He could then have explained the Navy's obvious and immediate need for more new sloops of war, as ships of that class were rarely out of commission during this period and only for relatively short periods or for repair, and requested an authorization from Congress, which he most likely would have received. Yet the Navy continued its practice of rebuilding the older sloops of war at the same time that the largest number of new vessels authorized to be built and put into commission were also sloops of war. New construction supplemented, not replaced, vessel maintenance and repair, which included rebuilding.

In 1824, the Navy had but four sloops of war in service, yet it considered this class of vessel most adaptable to its varied peacetime operations. Suited for open seas, the sloop of war was still small enough to maneuver along the coastline. Moreover, though sloops of war exceeded the force of most piratical vessels, an important consideration when confronting an enemy on the high seas, they could also carry and launch boats and crews capable of chasing the smaller

pirate craft into the shallow waters from which they operated. Most importantly, sloops of war cost much less to maintain in commission than the larger frigates.²⁰ During the peacetime period which followed the War of 1812, sloops of war would be required and deployed by the United States Navy in larger numbers than any other vessel type.

The four sloops of war which the Navy possessed in 1824 were the smaller vessels of that class, rated at eighteen guns. All were at least ten years old. The *Hornet* had originally been built at Baltimore in 1805 and rebuilt at Washington in 1811, while the *Erie*, *Ontario*, and *Peacock* had all been constructed hastily during the War of 1812. In addition, the Navy had two twenty-four gun corvettes, the *John Adams* and the *Cyane*, which were considered nearly equivalent to larger sloops of war.

All four of the Navy's sloops of war were in service in December of 1823 when Representative Joel Poinsett of South Carolina proposed that the House Committee on Naval Affairs inquire into the expediency of constructing ten additional sloops of war for the Navy. He supported the Navy's desire to maintain the ratio between its sloops of war and its larger capital ships, as well as to furnish naval officers

²⁰ U.S., Congress, House, *Additional Number of Small Vessels to be Employed for the Suppression of Piracy*, 3 March 1822, Naval Affairs 207, 17th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 207 (17-1), p. 787.

with greater opportunity for command, and therefore advancement. Poinsett's resolution passed the House, as did a similar measure in the Senate.²¹ The Navy estimated that new sloops of war could be constructed for \$85,000 each, inclusive of materials and labor.²² Although the proposed augmentation of the naval fleet was reported back favorably to Congress, action on the bill was delayed.

The proposal was raised again the following year when it was initially incorporated into a bill providing for the suppression of piracy. During the debate in the House, James Buchanan of Pennsylvania moved to reduce the proposed number of sloops of war from ten to five, but his motion was rejected.²³ In the flurry of business that transpired two days later at the close of the second session of the

²¹ U.S., Congress, House, Speech of Joel Poinsett on the resolution respecting ten additional sloops of war, 15 December 1823, in *Register of Debates in Congress*, 18th Cong., 1st sess., columns 830-831.

²² U.S., Congress, Senate, *Ten Additional Sloops of War*, 13 January 1824, Naval Affairs 233, 18th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 233 (18-1), pp. 898-900; U.S., Congress, House, *Ten Additional Sloops of War*, 20 January 1824, Naval Affairs 234, 18th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 234 (18-1), p. 900.

²³ U.S., Congress, House, Speech of James Buchanan on the bill for the suppression of piracy, 1 March 1825, in *Register of Debates in Congress*, 18th Cong., 2nd sess., columns 729-732.

Eighteenth Congress, an Act to authorized the construction of ten new sloops of war was passed and signed into law.²⁴

As the Act of 1821 had slowed construction of the ships of the line and frigates authorized by the Act of 1816 (indeed, some were never completed), the ten sloops of war built under the Act of 1825 represented the largest number of vessels of any class constructed and put into service during the period of naval administration by the Board of Navy Commissioners. These ten new first class, twenty-four gun sloops of war were intended to augment, not replace, the Navy's existing eighteen gun sloops of war. Likewise, the Navy was expected to keep and maintain its two twenty-four gun corvettes (the *John Adams* and the *Cyane*).²⁵ In the decades which followed the War of 1812, thorough repairs for the Navy's surviving second class sloops of war, as well as the two twenty-four gun corvettes, would necessitate for each at least one episode of partial or total rebuilding.

In a few of the earliest cases of rebuilding under the Board of Navy Commissioners, the process did result in the near or total replacement of the existing hull with modifications in design. The majority of these vessels were

²⁴ The Appendix to the *Register of Debates in Congress* for the second session of the Eighteenth Congress lists no fewer than twenty- six Acts approved on 3 March 1825.

²⁵ On the equivalency of corvettes and sloops of war, see NavAff 233 (18-1), P. 898.

only partially rebuilt, however, or were rebuilt on substantially sound bottoms. Moreover, in each case and regardless of the extent of rebuilding, the Navy considered the original hull as part of the rebuilding process and, like the British system, anticipated the potential to reuse materials. Under the early administration of the Board of Navy Commissioners, rebuilding continued to represent the extreme in vessel maintenance: an extensive repair intended to extend the useful life of an existing ship. In rebuilding these older vessels, all of which had seen hard service, modification, modernization, and redesign, particularly when "suggested by experience," were part of the process of ensuring efficient service.

The corvette *Cyane* was apparently the first American naval vessel to undergo "extensive repairs" under the superintendence of the Navy Board. The *Cyane* had been a prize ship, captured from the British by the U.S. frigate *Constitution* during the War of 1812. Following her capture, she was condemned in prize court and advertised for sale. Rather than see her sold, however, the United States Navy elected to purchase the *Cyane* from her captors for the sum of \$40,000.²⁶

²⁶ U.S., Congress, Senate, *Valuation of Ships Captured and Taken into the Naval Service of the United States During the War with Great Britain*, 26 February 1816, Naval Affairs 140, 14th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 140 (14-1), pp. 416-424.

In January 1819, the *Cyane*, lying in ordinary, was reported to be in need of "general repairs."²⁷ Congressional mandates passed late in the session for increased naval activity in the suppression of the slave trade and the punishment of piracy, however, necessitated her return to service, as she was then the only naval vessel in port of an appropriate size. Originally built as a small frigate, the *Cyane* was reclassified a corvette in the United States Navy. The *Cyane* was immediately ordered to be repaired and fitted for sea.²⁸

Upon inspection, however, the *Cyane* was found to require "a total repair, almost equal to the cost of building a ship of her class." As extensive repairs were pending on the *Cyane*, naval constructor Henry Eckford recommended cutting her down, "because she would be a much more efficient ship, cost a deal less Money, and sail much faster."²⁹ The Navy Board declined Eckford's suggestion, finding that "a Sloop of War with two decks [a complete spar-decked sloop] is better suited to the service than a vessel with only one deck."

²⁷ NavAff 171 (15-2), p. 616.

²⁸ John Rodgers to Samuel Evans, 17 March 1819, in New York Navy Yard--Letters Received by the Commandant, Entry 328, hereinafter cited as NYNY-LRC, RG 45, NA.

²⁹ Henry Eckford to Samuel Evans, 13 April 1819, in Letters Received by the Board of Navy Commissioners from Naval Constructors and Engineers, Entry 224, RG 45, NA, hereinafter cited as LRNavCom - NavConst.

Furthermore, "the Cyanne on her original plan is very imposing [sic] in her appearance, her capture in company with another vessel was considered reputable to our national character." Cutting her down, the Commissioners believed, "would lessen the favorable impression on the minds of those who should hereafter see her and give a coloring [sic] of truth to the incorrect statements made by foreign writers as regards the very great inferiority of force on their side." Finally, the members of the Board doubted whether cutting her down would improve either the Cyane's efficiency or her sailing.³⁰ Although not cut down, the Cyane was, according to the Navy's official report, "almost entirely rebuilt, repaired, and equipped,"³¹ and dispatched to the coast of

³⁰ John Rodgers to Smith Thompson, 15 April 1819, LSNavyCom - SecNav, vol. 1, p. 324.

³¹ U.S., Congress, House, *Letter from the Secretary of the Navy to the Chairman of the Committee of Ways and Means Explanatory of the Expenditures of Appropriations for the Naval Service, During the Year 1819*, 20 December 1819, H.Doc. 10, 16th Cong., 1st sess, hereinafter cited as H.Doc. 10 (16-1), pp. 3-4. In April 1819, the Commissioners of the Navy approved Eckford's suggestion to employ white oak, cedar, and southern pine in the Cyane's repair. In June, they instructed Samuel Evans, commandant of the New York yard, to exchange the Cyane's old copper for new with the firm of S. I. Isaacs & Co. Oddly, the Cyane may have sailed unsheathed. In August 1819, the Commissioners wrote Evans that, as they were "apprehensive that the sheathing of the Cyanne would affect, injuriously, her sailing; & should her bottom be sound & free from worms we had rather she should not be sheathed." (John Rodgers to Samuel Evans, 26 April 1819, 9 June 1819, 14 August 1819, NYNY - LRC.

Africa.³²

As the Navy had not anticipated the need to put the *Cyane* back into commission, it had not provided for that expenditure in its estimate for Repairs and Wear and Tear of Vessels for 1819. Yet despite the fact that naval funds had been expended to rebuild the *Cyane* almost entirely, the Navy did not, as the "administrative rebuilding" scenario would suggest, keep this expenditure of funds for rebuilding purposes secret. As required by law, the transfer of funds from "the old balances in the hands of the Treasurer, to the object of repairs and extra pay of the navy," under the authority of the President, was reported to the House by Secretary of the Navy Smith Thompson at the beginning of the next session of Congress. Thompson specifically reported that these funds, expended under the head of Repairs, had been applied to the near total rebuilding of the *Cyane*.³³ His report raised no complaints in Congress, either over the fact that the Navy had almost entirely rebuilt the *Cyane*, or over the fact that expenses so incurred were charged to the head of Repairs of Vessels, for the simple reason that rebuilding was an accepted and recognized method of repairing ships of war for useful service.

³² DANFS, vol. 2, p. 225.

³³ H.Doc. 10 (16-1), p. 4.

In the case of the *Cyane*, as with all rebuilding efforts pursued under the superintendence of the Board of Navy Commissioners, both cost and utility were primary considerations in the determination to repair or rebuild rather than dispose of an existing ship of war. Naval constructors routinely prepared estimates of the expected expense required to restore a decayed vessel to useful and efficient service. Allowances were made for sound extant material that would answer again (in the same ship or for some other purpose), and for items returned to stores. When the estimated cost of a repair approached or exceeded the vessel's original cost or the presumed expense of constructing an entirely new ship of the same class, weight was given to the question of whether, when thoroughly repaired or rebuilt from the existing ship, the vessel would answer as well or better than when first built.

This system relied upon two fundamental assumptions: first, that the survey would reveal most, if not all, the vessel's defects, so that a fairly accurate estimate of the work required could be prepared; and second, that the estimated cost would bear some relation to the actual cost once the work was completed. Unfortunately for the Navy, both assumptions would eventually prove unwise. The Navy Board would grapple with the former problem--the best means

by which to assure an accurate survey--throughout its tenure.³⁴ But it would be almost twenty years before the reality and extent of funds squandered under the second assumption--that the actual cost of repairs would follow from the estimate--would be known by either the Navy or the public at large.³⁵

Until a better system could be devised, however, the Commissioners of the Navy would necessarily rely upon the quality of the surveys conducted under the direction of their subordinates, the commandants of the yards, and the accuracy of the estimates prepared at their request. In the business of expenditure for vessel repair and rebuilding the Commissioners were not even allowed the benefit of experience upon which to evaluate the cost-effectiveness of any particular object. The Board might direct that a vessel be repaired or rebuilt, but the charges for that work were forwarded, not to the Commissioners, but to the Secretary of the Navy, who would order them paid by the Fourth Auditor of the Treasury. Thus, though they authorized work to proceed based upon estimates furnished to them, the Commissioners of the Navy never saw the actual expenditures. And the Secretary, who authorized payment, did so without the benefit

³⁴ See also, Chapter Three, above.

³⁵ See Chapter Eight, below.

of knowing what particular objects should cost according to the estimates.

In determining to repair extensively or to rebuild particular vessels, therefore, neither collusion, nor conspiracy, nor the desire to misappropriate funds was involved. Nor did the Commissioners operate with the intention of replacing old ships with new ones. Restoration to effective service, not replacement, was the primary objective of the extensive repair or rebuilding of existing vessels. It proceeded from the Commissioners' evaluation and acceptance of the information at hand--surveys and estimates conducted and prepared by the constructors at the various building yards. Lacking an organizational structure more conducive to oversight or better methods for assessing a vessel's true condition, the Commissioners had no reason to reject the validity of that information. Within that context the Commissioners, with the concurrence of the Secretary of the Navy, considered extensive repair and rebuilding to represent the responsible maintenance of the nation's investment in its existing ships of war, as well as the fiscally sound pursuit of the public trust.

In February 1819, for example, before concurring with the repair of the brig *Enterprize*, Secretary of the Navy Smith Thompson directed the Navy Board to obtain "a comparative estimate" of the value of the *Enterprize*, "with

the cost of contemplated repairs, to decide whether that vessel when repaired will be worth the amount."³⁶ Subsequently, naval constructor William Doughty estimated that the *Enterprize*, a live-oak built ship, including her fastenings and copper sheathing, "would be worth new," \$9000. But, as she was ten years old and defective, Doughty assessed her current value as \$4000. He estimated the cost of her repairs at \$1000, "making her hull good for the sum of \$5000." He concluded, therefore, that it would be "more economical to repair her than to build another of the same size; provided her qualifications are not very objectionable."³⁷

Similarly in the summer of 1819, when the sloop of war *Ontario*, ordered to be repaired and equipped immediately for service, was found dry rotten, the Navy debated the worthiness of her repair. "From the best estimate that can be formed," the Commissioners reported to the Secretary of the Navy, "it will cost to repair her, the sum of \$21,627." On the other hand, "to build a sloop of war of her Class, exclusively of her equipment would cost between thirty nine and forty thousand Dollars." Considering, however, "that the

³⁶ Smith Thompson to John Rodgers, 6 February 1819, LSNavCom - NavCom, vol. 2, p. 140.

³⁷ William Doughty to John Rodgers, 19 February 1819, in LRNavCom - NavConst.

Ontario is a good model for a vessel of her class; that when repaired she would be nearly as good as a new vessel; that our number of sloops of war is already very limited and that as no authority exists to build vessels of her class," the Board recommended that "it would be more expedient to have her repaired."³⁸

The frigate *United States* was also due for repairs in 1819, having just returned from a lengthy cruise in the Mediterranean.³⁹ Forwarding her commander's report of the frigate's condition to Secretary Thompson, the Commissioners of the Navy noted that, "From his statement it would appear that she might with a partial repair be sent on any service, the performance of which would not require more than six months." Surmising the correctness of the report, the Commissioners nevertheless "beg leave to suggest that it would be most advisable to give her a thorough repair, previous to her being sent to sea . . . , as it would be found that a partial repair now & a thorough repair hereafter would be attended with the most expense."⁴⁰ Surveys held on the *United States* in June confirmed that the frigate was in need

³⁸ John Rodgers to Smith Thompson, 17 July 1819, in LSNVCom - SecNav, vol. 1, . 351.

³⁹ DANFS, vol. 7, p. 416.

⁴⁰ John Rodgers to Smith Thompson, 21 May 1819, LSNVCom - SecNav, vol. 1, p. 331.

of "a thorough repair."⁴¹ The *United States* was therefore dismantled and laid up in ordinary to await more opportune circumstances for prosecuting her repair.

Like the decision to rebuild, the preference for thorough repairs as a peremptory measure against the more expensive contingency of double-spending for partial, and then thorough repairs, became the hallmark of the Navy Board. Eventually, that approach would lead to more and more frequent and expensive repairs, with a schedule of thorough repairs on a par with what would be expected for perhaps equally frequent, but less extensive, partial repairs.⁴² Again, however, that was a conclusion to be drawn from hindsight. In favoring the extensive repair or rebuilding over the short-term partial repair or wholesale replacement with new ships, the Commissioners of the Navy proceeded logically according to the information available to them, within a common perception of fiscal responsibility.

While the *Cyane* was being rebuilt in 1819, the sloop of war *Erie* was completing her fourth year on foreign station in the Mediterranean,⁴³ and the Navy anticipated that she would

⁴¹ John Rodgers to Smith Thompson, 19 June 1819, LSNavyCom - SecNav, vol. 1, p. 338.

⁴² See Chapter Eight, below.

⁴³ *DANFS*, vol. II, p. 363.

require substantial repairs on her return.⁴⁴ In December 1818, the *Erie's* commander had reported that the ship was "defective in her hull." Commodore Charles Stewart, commanding the Mediterranean Squadron, ordered the *Erie* surveyed at Messina. Under the supervision of Captain Thomas MacDonough of the United States frigate *Guerriere*, the survey found, among other defects, four knees of the gun deck entirely gone and her port timber rotten.⁴⁵ Temporary repairs were effected on station, and upon the arrival of her relief, the *Erie* sailed for home.⁴⁶ When she reached the United States in January, 1820, the *Erie* was dismantled and laid up for repairs at New York, awaiting the proper season.⁴⁷

Thereafter, the ship was surveyed and the cost of her repairs was estimated at just under \$58,000,⁴⁸ an amount

⁴⁴ NavAff 171 (15-2), p. 616.

⁴⁵ Charles Stewart to Thomas MacDonough, 15 December 1818 and reply, 18 December 1818, in Old Subject File, hereinafter cited as OSF, Box 94, RG 45, NA.

⁴⁶ John Rodgers to Smith Thompson, 23 May 1819, LSNavCom - SecNav, vol. 1, p. 332.

⁴⁷ Smith Thompson to John Rodgers, 28 January 1820, LSNavCom - NavCom, RG 45, NA, vol. 2, p. 157.

⁴⁸ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

which exceeded her original cost (at Baltimore) of \$56,174.36.⁴⁹ In July, 1820, the Navy Commissioners reported to Secretary of the Navy Smith Thompson that, "From the representations from the Commandant of the Navy yard at New York, it appears that the repairs of the Erie will cost within one thousand dolls [sic] of the expense of building a new vessel of the same rate." They requested Thompson to inform them, "whether under these circumstances, the Erie shall or shall not be repaired?"⁵⁰

As demands on the unexpended funds in the appropriation for Repairs were great, a decision with regard to the *Erie* was delayed while priority was temporarily assigned to the frigate *United States*. Any funds remaining thereafter that were not required "for the general purposes of the service," would be applied to "procuring the materials, all of the best quality suitable either for the repair of the Erie or building a new vessel of similar class."⁵¹ Meanwhile, the

⁴⁹ U.S., Congress, Senate, *Expense of Building Each Vessel Authorized by Act of January 2, 1813, &c*, 3 January 1823, Naval Affairs 217, 17th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 217 (17-2), p. 829. See also, John Rodgers to Samuel Evans, 7 July 1820, in Letters Sent by the Board of Navy Commissioners to Commandants, Entry 216, hereinafter cited as LSNVCom - Cmdts, vol. 2.

⁵⁰ John Rodgers to Smith Thompson, 18 July 1820, in LSNVCom - SecNav, vol. 1, p. 451.

⁵¹ John Rodgers to Smith Thompson, 27 July 1820, in LSNVCom - SecNav, vol. 1, pp. 452-3.

Navy entered into a contract with Thomas M. Newell for a complete live oak frame for the "repair of the UStates Ship the Erie."⁵² In anticipation, naval constructor William Doughty prepared and delivered to New York a complete set of moulds, providing for timbers "larger than they are required to be when put in the ship." Specifically, Doughty was instructed to allow for an increase in beam of eighteen inches, "so as to answer either for the Erie or for a larger vessel should it be hereafter determined to build one in her place."⁵³

The moulds for the *Erie* were delivered to the New York Navy Yard in March 1821. A notation on the back of the cover letter by constructor William Doughty reported that "By the instructions given for cutting this timber, it was directed that the timber should be sided and moulded one inch more than here called for, and each end of every timber to be cut Six inches longer than the moulds &c require."⁵⁴ The decision had been made to repair, by that meaning to rebuild, the

⁵² John Rodgers to Samuel Evans, 23 October 1820, in NYNY - LRC.

⁵³ John Rodgers to William Doughty, 27 July 1820, in Miscellaneous Letters Sent by the Board of Navy Commissioners, Entry 217, hereinafter cited as Misc.LSNavCom, vol. 2, p. 209. See also, John Rodgers to William Doughty, 30 December 1820, in Misc.LSNavCom, vol. 2, p. 273.

⁵⁴ Notation signed by William Doughty in John Rodgers to Samuel Evans, 12 March 1821, NYNY - LRC.

Erie, and to lengthen her in the process.⁵⁵ Doughty informed Samuel Evans, commandant of the New York yard, that "there were also three additional frames directed to be got so as to enlarge the ship if necessary, viz. O, 1 & A." Furthermore, "as it is not known where the ports will come, it was directed that all the top and half toptimbers should have their edges square above the port sill."⁵⁶

Repairs on the *Erie* were finally initiated in the late spring of 1821.⁵⁷ On 7 June the Commissioners of the Navy ordered the *Erie* "to be broken up & her repairs commenced . . . so soon as a sufficient quantity of materials shall have been received to authorize a commencement." In addition to the frame furnished by Newell, the Board had contracted for

⁵⁵ See, for example, William Doughty to John Rodgers, 26 May 1821, enclosing an inventory of moulds shipped to New York "for the purpose of rebuilding the Sloop of war *Erie*," with "a statement of copper required for repairing the U.S. Ship *Erie*," in LRNavCom - NavConst.; and John Rodgers to Samuel Evans, 29 May 1821, forwarding a copy of the inventory of the moulds "for the purpose of rebuilding the sloop of war the *Erie*," in NYNY - LRC. See also, subsequent correspondence between Rodgers and Evans regarding the *Erie* through 1821 and 1822, and William Doughty to David Porter, 9 September 1822, reporting "the principal dimensions of the Sloop of War *Erie* as rebuilt," in LRNavCom - NavConst.

⁵⁶ Notation signed by William Doughty in John Rodgers to Samuel Evans, 12 March 1821, NYNY - LRC.

⁵⁷ Workmen at the New York yard had previously repaired the *Erie*'s sails during January and February 1821. ("Weekly Report of Work Done at the United States Navy Yard New York," hereinafter cited as "Weekly Returns," New York, 1 January 1821 through 3 February 1821, OSF Box 518, RG 45, NA).

"keel & keelson pieces & nearly all the white oak required," from Doctor James Tongue, deliverable within sixty days; for "all the Yellow pine of every description" from a Mr. King, to be delivered in season; for treenails from a Mr. Lloyd; and for knees from Isaac Perkins of Connecticut.⁵⁸ Workmen began cutting down the *Erie* and taking out her iron during the week of 16 June 1821.⁵⁹ The process of cutting down the ship continued through the late summer.⁶⁰

On 23 August 1821, however, the Commissioners ordered that "the repair of the *Erie* be suspended," due, once again, to heavy demands upon the appropriation for Repairs and Wear and Tear of Vessels.⁶¹ Evans was authorized, in the interim, to sell at auction any old or scrap iron unsuitable for use in the yard, as well as "all the unserviceable junk not required for the ships in ordinary or hereafter to be repaired." The proceeds were to be applied "to paying for

⁵⁸ John Rodgers to Samuel Evans, 7 June 1821, NYNY - LRC.

⁵⁹ "Weekly Returns," New York, week of 16 June 1821, OSF Box 518, RG 45, NA.

⁶⁰ "Weekly Returns," New York, 23 June 1821 through 1 September 1821, OSF Box 518, RG 45, NA.

⁶¹ John Rodgers to Samuel Evans, 23 August 1821, in NYNY - LRC.

the materials required in the repair of the Erie."⁶² Through the winter of 1821, workmen were intermittently employed in removing the old iron from the *Erie's* knees and frame.⁶³

Repairs to the *Erie* resumed in 1822. In February of that year, the Navy reported to the Senate Committee on Naval Affairs that the *Erie* was still undergoing "extensive repairs, which cannot be completed until the close of next autumn."⁶⁴ Although briefly intended to serve in the West Indies, upon the completion of her repairs in 1823, the *Erie* was dispatched to the Mediterranean Squadron.⁶⁵

In 1823, under the leadership of the new Secretary of the Navy, Samuel L. Southard, the Navy instituted the practice of including the annual report of its activities, expenditures, and estimates for the coming year as an addendum to the President's annual message to Congress.⁶⁶

⁶² John Rodgers to Samuel Evans, 24 August 1821, in NYNY - LRC.

⁶³ "Weekly Returns," New York, 17 November 1821, 24 November 1821, 22 December 1821, OSF Box 518, RG 45, NA.

⁶⁴ U.S., Congress, Senate, *Cost and Utility of Small Vessels*, 8 February 1822, Naval Affairs 206, 17th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 206 (17-1), p. 786.

⁶⁵ NavAff 207 (17-1), p. 787; DANFS, vol. 2, p. 363.

⁶⁶ Previous reports on the condition of the Navy and its vessels had been provided to Congress, either directly or through the Executive, intermittently since the establishment of the Department. For consistency's sake, these have been

This practice was maintained throughout the period of naval administration under the Board of Navy Commissioners and continued thereafter into the twentieth century (with certain modifications in format). These reports typically included lists of the United States Navy's vessels in ordinary with periodic assessments of their condition.

In these reports one encounters a loosely-defined system of relative terms for vessel condition, based largely upon the extent of repairs required to return each vessel in ordinary to efficient and active service. Thus, vessels were reported to be either fit for service, or requiring small or slight repairs, some repairs, considerable repairs, or extensive to very extensive repairs. The terms "general repairs," "repairs of consequence," and "very much decayed," were also used, referring to vessels which appear to have required (based upon estimated cost or eventual repair) either considerable, extensive or very extensive repairs (which in-

variously abbreviated in the citations as Annual Reports, although that term did not come into actual naval usage until the 1820s. See, for example, *Navy, Annual Report, 1810*. In 1822, the President's message included Secretary of the Navy Smith Thompson's report on the *Condition of the Navy, and Its Operations*, but this report was more limited than the format adopted the following year, and related primarily to naval operations against pirates in the West Indies (U.S., Department of the Navy, *Condition of the Navy, and Its Operations*, 3 December 1822, Naval Affairs 212, 17th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as *Navy, Annual Report, 1822*, pp. 803-814. See also, Edwin M. Hall, "Samuel Lewis Southard," in Coletta, *Secretaries of the Navy*, vol. 1, p. 132.

cluded rebuilding). Some vessels reported to be "very much decayed," were still considered to be worth repairing. Others, however, were deemed unworthy of repair; these would eventually be consigned to support status, broken up, auctioned off, or allowed to rot. There is no evidence to suggest that these reports were altered in any way to conceal the true condition of the vessels in question.

In 1823, for example, the forty-four gun frigate *Guerriere*, built at Philadelphia during the War of 1812 and lying in ordinary at the Gosport (Norfolk) Navy Yard, was reported to require "repairs." In the meantime, she served as a schoolship for midshipmen.⁶⁷ The forty-four gun frigate *Java*, also built during the War of 1812, and like the *Guerriere*, named to commemorate a capture by the U.S. frigate *Constitution* in the first months of the War, was "very much decayed."⁶⁸ The thirty-six gun frigates *Constellation* and *Macedonian*, meanwhile, required "some repairs."⁶⁹

The following year, the Navy reported that the *Java*, employed as a receiving vessel at Charlestown (Boston Navy Yard), Massachusetts, "is much decayed, but is worthy of

⁶⁷ Navy, *Annual Report, 1823*, p. 1096; *DANFS*, vol. 3, pp. 181-182.

⁶⁸ Navy, *Annual Report, 1823*, p. 1096; *DANFS*, vol. 3, p. 509.

⁶⁹ Navy, *Annual Report, 1823*, p. 1096.

repairs." The *Constellation* had been repaired in the meantime and was intended for service in the West Indies, but the *Guerriere*, the *Congress*, and the *Macedonian*, all at the Gosport (Norfolk) Navy Yard, now required "extensive repairs." The Navy recommended commencing repairs to these four vessels during 1825, and of the \$450,000 which the Navy requested, and received, under the head of Repairs of Vessels in Ordinary and Wear and Tear of Vessels in Commission for 1825, \$230,000 were designated for repairs to the *Java*, the *Guerriere*, the *Congress*, and the *Macedonian*.⁷⁰

Repairs to the *Java*, built at Baltimore at an original total cost of \$232,767.38 (of which \$94,994.72 were expended for building the hull under contract to Flannigan & Parsons), were estimated at \$80,000.⁷¹ Repairs to the *Guerriere*, built at an original total cost of \$306,158.56 (of which \$73,508.56 were paid for timber), were estimated at \$65,000.⁷² Repairs to the *Congress*, launched at Portsmouth in 1799, and the *Macedonian*, a prize ship built by the British in 1810 and captured off the Canary Islands by the frigate *United States*

⁷⁰ U.S., Department of the Navy, *Condition of the Navy and Marine Corps*, 7 December 1824, Naval Affairs 249, 18th Cong., 2nd sess., *American State Papers*, vol. 23, hereinafter cited as *Navy, Annual Report, 1824*, pp. 1014, 1022.

⁷¹ NavAff 217 (17-2), p. 828; *DANFS*, vol. 3, p. 508; *Navy, Annual Report, 1824*, p. 1022.

⁷² NavAff 217 (17-2), pp. 827-828; *Navy, Annual Report, 1824*, p. 1022.

in 1812, were estimated at \$45,000 and \$40,000, respectively.⁷³

Repairs to all four of these vessels were indeed commenced in 1825: the *Java* at Charlestown, the *Guerriere* and the *Macedonian* at Gosport, and the *Congress* at the Washington Navy Yard.⁷⁴ The *Macedonian's* repairs were completed during 1825, and the frigate was assigned to the newly-formed Brazil Squadron.⁷⁵ Not until late 1827 were the *Congress* and the *Guerriere* reported to be "thoroughly repaired," and ready to receive crews.⁷⁶

Repairs required by the *Java* proved quite extensive and were likewise not completed until 1827, after which she was dispatched to the Mediterranean. By the time her repairs were completed, the *Java* had received new knight heads and hawse pieces, all new fore and after cant frames, about 200 new futtocks, nearly all new toptimbers and stantions, a new stern post scarp, four new transom timbers and all new

⁷³ DANFS, vol. 2, p. 163; vol. 4, p. 178; Navy, *Annual Report, 1824*, p. 1022. The United States of America paid \$200,000 for the *Macedonian*, including her "tackle, apparel and furniture, and the arms, stores, and ammunition taken on board the same," after the vessel was condemned in prize court in April 1813 (NavAff 140 (14-1), pp. 425-426).

⁷⁴ Navy, *Annual Report, 1825*, p. 126.

⁷⁵ Navy, *Annual Report, 1826*, p. 772.

⁷⁶ Navy, *Annual Report, 1827*, pp. 50, 75.

counter timbers. All her orlop and spar deck beams, planks, clamps, and knees were new, while half her berth and gun deck beams, planks, and clamps, and all her berth deck knees were renewed. In addition, her rail, strings, bulwarks, channels, magazine platform, waterways, galleries, head, cutwater, spirketting, hold ceiling, stern plank, bottom plank, interior and exterior between-port plank, caulking, copper, joiners' work, masts, spars, launch, quarterboat, and lifeboat were all new.⁷⁷ The total cost of repairs to the Java was later reported to have been \$138,628.13.⁷⁸

Although the duration of repairs can be somewhat indicative of their extent, as in the case of the Java, it was not unusual for repairs to be spread out over a relatively long period of time--even years--in order to distribute their cost across several appropriations. In some cases, as well, particularly in the northern yards, it was necessary to suspend work during the winter months. The Navy was not hoarding funds to pay for these repairs any more than it hoarded funds to divert to rebuilding efforts. Such was simply the nature of the Navy's system of appropriation and expenditure.

⁷⁷ "Statement of the Repairs done to the Frigate Java, Commenced repairing 3rd April 1825 - Ship sailed 9th June 1827," 11 August 1829, OSF Box. 98, RG 45, NA.

⁷⁸ H.Doc. 49 (27-3).

Other than the *Java* and the *Guerriere*, which were undergoing repair, the only vessels reported in ordinary at the close of 1826 were the ships of the line (excepting the *North Carolina*, in service in the Mediterranean) and several of the frigates authorized by the Acts of 1816 and 1826 which had not yet been to sea.⁷⁹ During that year, however, the brig *Spark*, "being so far decayed that it 'was not for the interest of the United States to repair her,'" was sold, as was the storeship *Decoy*, "such arrangements having been made as rendered her no longer useful." The schooner *Fox* "in such a state that she could not any longer be profitably employed as a cruising vessel," had been converted into a receiving vessel at Baltimore.⁸⁰

Also in 1826, under the leadership of Commodore William Bainbridge, the Commissioners of the Navy proposed to improve the Navy's system of vessel survey. "Under existing arrangements," they complained, such essential information as "the extent of the repairs which the state of the ship actually requires to fit them [sic] for the service for which they [sic] may be needed, whether partial repairs will not be sufficient, and whether the ships have reached that state of decay which renders a thorough repair absolutely necessary,

⁷⁹ Navy, *Annual Report, 1826*, pp. 772-773.

⁸⁰ Navy, *Annual Report, 1826*, p. 727.

whether repairs be indispensably necessary or not, whether a vessel might not safely be sent to sea for a few months or longer without any material repair," could be procured "only in a limited degree." Presently, the Commissioners explained, they were "compelled to select from a body of officers and others not always competent and seldom painstaking enough to make a thorough survey." Nevertheless, "the reports of such Surveyors, imperfect and unsatisfactory as they are, form the grounds on which the orders of the Board are predicated - for the repair of ships, and no doubt lead to expenses and delays, which might be avoided," as well as "embarrassments and inconveniences."

As a remedy, to "insure much more accuracy, and promote greater order, despatch and economy," the Commissioners proposed "to select and have near them a Naval Constructor in whose talents and integrity they could entirely confide, and who would be at all times ready to receive their directions." The Chief Naval Constructor would "examine minutely every vessel reported to require repairs, prior to proceeding on such service, he would be put in possession of the views of the Department in regard to the particular vessel to be examined, and he would report such repairs as would be sufficient to enable such vessel to perform any particular service for which she might be intended." Moreover, the Constructor "having general duties extending to all the

Yards," he would "act free from all bias. His official responsibility would tend to insure a scrupulous, faithful, and impartial discharge of the important trust which would be committed to him."⁸¹

The Secretary of the Navy concurred with the Board's recommendation. Samuel Humphreys received his appointment as Chief Naval Constructor shortly thereafter. Humphreys assumed his duties as Chief Naval Constructor at an opportune moment. Within a year, several of the Navy's older ships of war would return home in need of extensive repairs and the Commissioners of the Navy would rely upon Humphreys' wisdom and experience to guide them in determining the appropriate course of action.

Late in 1827, the corvette *Cyane* returned to the United States from an extended cruise off the coast of South America. "It will be absolutely necessary," the Commissioners informed Secretary Southard, "that the *Cyane* should receive a thorough repair before it would be safe to send her to sea."⁸² She was placed in ordinary at Philadelphia, where Southard solicited the opinion of Commodore William Bainbridge, now commandant of the Philadelphia Navy Yard, as to whether it

⁸¹ William Bainbridge to Samuel Southard, 24 July 1826, in LSNVCom - SecNav, vol. 3, p. 3-4.

⁸² John Rodgers to Samuel Southard, 10 November 1827, in LSNVCom - SecNav, vol. 3, p. 123.

would not "be wise to make the repairs [to the *Cyane*] most thorough cutting her down and making a sloop of her."⁸³

Also, in 1827, the sloop of war *Peacock*, returned from the Pacific and was placed in ordinary at New York, where she was reported to require "new sails, and considerable repairs in hull, and standing and running rigging." The frigate *United States*, also lately returned from the Pacific and lying in ordinary at New York, required "considerable repairs in hull, and some repairs in sails, masts and spars," though her "standing and running rigging [were] generally in good order." The frigate *Constellation*, recently returned from the West Indies, lay in ordinary at Norfolk in need of "a thorough repair." The corvette *John Adams*, also in ordinary at Norfolk following her return from the West Indies, was reported to require "extensive repairs in her hull, sails and rigging." Furthermore, the Commissioners noted, the *John Adams* "must be hove down to examine her bottom."⁸⁴

At the end of 1827, as well, repairs were pending on the schooner *Shark*, which had returned to New York following cruises along the African coast and the fishing grounds of the North Atlantic. On 1 November 1827, Samuel Hartt, naval

⁸³ Samuel Southard to William Bainbridge, 30 June 1827, in *Letters Sent by the Secretary of the Navy to Officers*, Microcopy 149, hereinafter cited as M-149, RG 45, NA.

⁸⁴ Navy, *Annual Report, 1827*, pp. 74-75.

constructor at the New York Navy Yard, reported that "A number of the beams, futtocks, bow timbers, knight head, apron and main Transom" of the *Shark* were "in a decayed state." Subsequently, however, Isaac Chauncey, commandant of the New York yard, wrote the Navy Commissioners that "the *Shark* requires more thorough repairs than was at first anticipated."⁸⁵ The *Shark's* repairs would not be completed until the following year at a total cost of \$15,651.94. By comparison, the schooner had originally been built at Washington at a cost of \$23,627.42, inclusive of labor and materials.⁸⁶

During 1828, the Navy commenced repairs on a number of its vessels in ordinary, primarily its several older sloops of war. Due to the age of these vessels and their worn condition, they typically required very extensive repairs, ranging from partial to total rebuilding, in order to fit them for service.

First the *Hornet*, having endured several year's cruising in the Caribbean, was extensively repaired and partially

⁸⁵ "Report of the State and Condition of Public Vessels at the U. S. Navy Yard New York, November 1st 1827," OSF Box 68, RG 45, NA. See also, John Rodgers to Isaac Chauncey, 26 November 1827, in LSNavyCom - Cmdts, RG 45, NA, vol. 6, p. 82.

⁸⁶ U.S., Congress, House, *Petty Officers, Seamen, &c., in the Naval Service*, 9 February 1843, H.Doc. 132, 27th Cong., 3rd sess., hereinafter cited as H.Doc. 132 (27-3), p. 186.

rebuilt at the New York Navy Yard during the winter of 1828. Commodore Isaac Chauncey, commandant of the yard, reported that he was "obliged to rebuild her, from the birth deck up, with new Gun Deck, and Beams, and caulked and coppered her, with new copper." Although he cautioned the Department with regard to her future deployment, as "she is now twenty three years old," Chauncey estimated that the *Hornet* "would be a safe vessel to run without repairs for the next six or seven years."⁸⁷ Samuel Hartt, naval constructor at the New York Navy Yard, was more specific in assessing the *Hornet's* limitations:

she is strong in her upper works, but her bottom is not so substantially built as vessels of her class are now built, her frame is not so large, she is not filled between the frames, and her bottom - is planked with heart yellow pine, she was repaired in April last, and there was at that time put into her, 84 new top timbers & 16 half ditto [timbers], the Gun deck was new, water ways including one half the knees, all the beams, carlings-ledges, combings, plank & c., and also the Poop and fore-castle decks, all the plank inside and out, from the lower wale to the rail were put on new, she was calked [sic] all over, hove out and coppered new, part of a set of small spars were new, and the others repaired, and the Boats were all repaired and put in good order.⁸⁸

⁸⁷ Isaac Chauncey to Samuel Southard, 10 July 1828, in Letters Received by the Secretary of the Navy from Captains, 1805 to 1851; 1866 to 1885, Microcopy 125, hereinafter cited as M-125, RG 45, NA.

⁸⁸ Samuel Hartt to Isaac Chauncey, 10 July 1828, enclosed in Isaac Chauncey to Samuel L. Southard, in M-125, RG 45, NA.

In July of 1828, the Navy Department was involved in planning its first Exploring Expedition, which was intended to sail through the Pacific and the Antarctic Seas. The sloop of war *Hornet* had been among those vessels proposed for the Expedition.⁸⁹ The reports of both Hartt and Chauncey on the condition of the *Hornet* were prepared in response to the Secretary of the Navy's inquiry into the suitability of the *Hornet* "for active service on the Exploring Expedition."⁹⁰ Given their reservations about the strength of the *Hornet's* hull, Southard chose to look elsewhere for his exploratory vessel.

The reports of the *Hornet's* condition may have contributed to an intensified effort to ensure that each of the Navy's ships received a thorough and efficient repair for good and useful service. In the years which followed the *Hornet's* repair, repairs to the Navy's other ships in ordinary increased in extent and more often resulted in a completely rebuilt vessel, frequently with modifications in

⁸⁹ On 28 June 1828, for example, *Niles' [Weekly] Register* reprinted an announcement from the *National Intelligencer* stating that the *Hornet* had been ordered to New York to be fitted out for the proposed expedition. The editors expressed their belief that the *Hornet* might, "by removing her heavy armament, and by some other alterations, be made a good discovery ship." (*Niles' [Weekly] Register*, hereinafter cited as *NWR*, 28 June 1828, p. 287, col. 2.

⁹⁰ Samuel Southard to Isaac Chauncey, 3 July 1828, in M-149, RG 45, NA.

design. Samuel Southard, who earlier had suggested cutting the *Cyane* down to a sloop in order to make her repairs "most thorough," and who was known for his interest in all aspects of the naval business, actively supported the Navy Commissioners' rebuilding efforts.⁹¹ Thus, by the time the sloop of war *Peacock* was selected for the Expedition shortly thereafter, her thorough and efficient repair was of uppermost importance to the Navy Department.

Initially, repairs to the eighteen-gun, second-class sloop of war *Peacock* were delayed by the repairs to both the *Shark* and the *Hornet*.⁹² The *Peacock* had been placed in ordinary at the New York yard in the fall of 1827, after a lengthy cruise in the Pacific during which she received significant damage to her hull through colliding with a whale.⁹³ The initial survey on the vessel was conducted in November 1827, at which time Isaac Chauncey, commandant of the New York yard, reported that she would require "thorough

⁹¹ See John Rodgers to John Branch, 11 August 1830, in LSNavCom - SecNav, RG 45, NA. On Southard's activities as Secretary of the Navy, see Michael Birkner, *Samuel L. Southard: Jeffersonian Whig* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1984), hereinafter cited as Birkner, *Southard*, pp. 108-110.

⁹² See John Rodgers to Isaac Chauncey, 26 November 1827, and 27 November 1827, in LSNavCom - Cmdts, RG 45, NA.

⁹³ *DANFS*, vol. 5, p. 241. An extract of Captain Thomas ap Catesby Jones' report on the accident appears in *The Army and Navy Chronicle*, hereinafter cited as *ANC*, II.10 (March 1836):159.

repairs," and estimated that four months would be required to repair her and get her ready for sea.⁹⁴

Documents relating to the repair of the *Peacock* clearly contradict Chapelle's assertion that the sloop of war was broken up in 1827, as well as his statement that the Navy did not consider the original vessel when rebuilding her. The ship was not hauled out of the water until 1 March 1828.⁹⁵ Nor was the new design, incorporating "some alteration in draft, of the after body of the *Peacock*," completed or forwarded to the Navy yard until mid-May 1828. John Rodgers wrote Chauncey at the beginning of May: "you will not commence *the repairs* till the draft is forwarded to you."⁹⁶ Repairs did not begin until June 1828. The new draft, wrote Rodgers, "differs very little from *that by which she was originally built*, that difference being principally in the after body."⁹⁷ That the reuse of materials, though limited,

⁹⁴ See postscript to "Report of the State and Condition of Public Vessels at the U.S. Navy Yard New York November 1st 1827," in OSF, Box 68, RG 45, NA; Isaac Chauncey to the Board of Navy Commissioners, 21 November 1827, in Letters Received by the Board of Navy Commissioners from Commandants, Entry 220, hereinafter cited as LRNavCom - Cmdts, RG 45, NA.

⁹⁵ Isaac Chauncey to the Board of Navy Commissioners, 1 March 1828, in LRNavCom - Cmdts, RG 45, NA.

⁹⁶ John Rodgers to Isaac Chauncey, 3 May 1828, in LSNavCom - Cmdts, RG 45, NA; emphasis mine.

⁹⁷ John Rodgers to Isaac Chauncey, 17 May 1828, in LSNavCom - Cmdts, RG 45, NA; emphasis mine.

was also to be considered in rebuilding the *Peacock* is evident from Rodgers' instructions later that summer that, "The capstan is to be on the gun deck where it formerly was, and such of the rigging and stores that are perfectly good, and in your opinion suited to the service she is intended to perform, may be used."⁹⁸

When the *Peacock* was finally selected for the Exploring Expedition in July 1828, the Commissioners ordered that she "be repaired with all possible expedition, and with a view to send her upon the proposed exploring expedition."⁹⁹ Thereafter, additional modifications were incorporated into the instructions for rebuilding the vessel to improve her suitability for a voyage through difficult climes. She was given "a light spar deck with a view to give more accomodation [*sic*] to her officers and crew and carrying with convenience the greatest possible quantity of provisions and stores."¹⁰⁰ The *Peacock* was entirely rebuilt with a live oak frame obtained from the promiscuous timber in the yard, as well as a number of frame pieces originally procured for the steam batteries, and a few floors purchased from private

⁹⁸ John Rodgers to Isaac Chauncey, 28 August 1828, in LSNVCom - Cmdts, RG 45, NA.

⁹⁹ John Rodgers to Isaac Chauncey, 14 July 1828, LSNVCom - Cmdts, RG 45, NA.

¹⁰⁰ John Rodgers to Isaac Chauncey, 22 July 1828, in LSNVCom - Cmdts, RG 45, NA.

yards.¹⁰¹ By the time she was completed in November 1828, Hartt reported,

The Sloop of War Peacock has been thoroughly Repaired[.] The Hull is all new, except 10 knees of the Birth deck, the Cross piece for the Cable Bitts and the drum and pall heads of the Capstan. A part of the Iron work, copper spiiks [sic] & Bolts & rudder Braces were used in her repairs. The Joiners work, masts, Spars & Boats are all new.¹⁰²

The total cost of rebuilding the Peacock, which had originally been built under contract during the War of 1812 for \$75,644.30, was more than \$80,000.¹⁰³

Niles' [Weekly] Register reprinted a description of the rebuilt Peacock from the *Statesman* on 8 November 1828:

She bears the name of the old Peacock, repaired, but is, in reality, in every respect, a new ship, prepared expressly for the intended expedition. Her length is one hundred and eighteen feet; breadth, thirty-two feet six inches, with a spar deck of seven feet, and measuring about five hundred and twelve tons. The frame is very strong,

¹⁰¹ See John Rodgers to Isaac Chauncey, 3 April 1828, and 17 May, 1828, in LSNavCom - Cmdts, RG 45, NA; and Isaac Chauncey to Board of Navy Commissioners, 30 April 1828, in LRNavCom - Cmdts, RG 45, NA.

¹⁰² Samuel Hartt to Isaac Chauncey, "Special Return of the Repairs of the U.S. Sloop of War Peacock Commenced Repairing at the U.S. Navy Yard New York in June and Completed in November 1828," in Isaac Chauncey to the Board of Navy Commissioners, 3 December 1828, OSF Box 102, RG 45, NA.

¹⁰³ U.S., Congress, Senate, *Exploring Expedition to the Pacific Ocean and South Seas*, 16 February 1829, Naval Affairs 387, 20th Cong., 2nd sess., *American State Papers*, vol. 25, hereinafter cited as NavAff 387 (20-2), p. 314. Of the total amount of labor and materials of \$81,790.23, the Navy deducted \$11,923.86 for materials returned to stores.

and of the best seasoned live oak. Her timbers are entirely solid, bolted one into the other, and caulked, as high as the birth deck, before planking, so that she might have been launched, and crossed the Atlantic, without planking or sheathing inside or out.¹⁰⁴

The extent of the *Peacock's* repairs were thus widely reported shortly after their completion. Less than a month later, Samuel Southard also mentioned the *Peacock's* repairs in the Navy's annual report for 1828: "There was no vessel belonging to our navy which, in its then condition, was proper to be sent upon this expedition," he wrote. "The *Peacock* was therefore selected . . . to be repaired and supplied with conveniences suited to the object."¹⁰⁵

That the rebuilding of the *Peacock* had produced nearly an entirely new vessel was no secret to anyone. The Navy made no attempt to conceal the extent of the ship's repairs, paid for out of the Navy's appropriation for Repairs of Vessels and Wear and Tear of Vessels in Commission. Moreover, the following year, when Congress launched an investigation into impropriety in the Navy Department's actions with regard to the Exploring Expedition, Congress

¹⁰⁴ "Antarctic Expedition," *NWR* 8 November 1828, pp. 162-163.

¹⁰⁵ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1828*, 2 December 1828, Naval Affairs 370, 20th Cong., 2nd sess., *American State Papers*, vol. 25, hereinafter cited as *Navy, Annual Report, 1828*, p. 211.

concluded with the Navy's contention that the only expense incurred in rebuilding the *Peacock* that was not properly charged to Repairs was a sum of less than \$2,000 for the construction of the temporary spar deck.¹⁰⁶ The Senate did find that the cost of the *Peacock's* repairs represented "an amount which most assuredly could not have been necessary for the repair of a sloop-of-war destined for any ordinary service."¹⁰⁷ But the Senate did not object to the fact that the ship had been rebuilt, only to the special consideration given to her repairs to suit her for the expedition:

The *Peacock* has been fitted out in a manner different from, and at a cost greatly beyond, what would have been necessary in preparing her for an ordinary cruise. We are expressly informed that, among other things, a 'temporary spar deck' has been provided at an expense of \$1,943.21, which will have to be removed before she can again be used as a cruising ship.¹⁰⁸

It did not matter, wrote the Committee on Naval Affairs, that expenditures incurred for the expedition may have been for "objects which may hereafter be converted to the use of the navy, should the expedition not receive the sanction of

¹⁰⁶ NavAff 387 (20-2), *passim.*; U.S., Congress, Senate, *On the Policy and Objects of the Exploring Expedition to the Pacific Ocean and South Seas*, 23 February 1829, Naval Affairs 391, 20th Cong., 2nd sess., *American State Papers*, vol. 25, hereinafter cited as NavAff 391 (20-2), *passim.*

¹⁰⁷ NavAff 391 (20-2), p. 340.

¹⁰⁸ NavAff 391 (20-2), p. 341.

Congress."¹⁰⁹ The Executive had exceeded his authority in transferring money "appropriated for the 'repairs,' 'provisions,' &c of the navy, towards an exploring expedition not sanctioned by law."¹¹⁰

As the rebuilding of the *Peacock* neared completion, another of the Navy's older sloops of war, the *Ontario*, recently returned from nearly four years' cruising in the Mediterranean, was also due for repairs.¹¹¹ In October 1828, Isaac Chauncey recommended to the Navy Commissioners that the *Ontario* "will require hauling up, and undergoing a thorough repair, and the present would be a proper time, to do the work well."¹¹² The *Ontario*, built of white oak, required "extensive repairs in her hull, masts, and spars."¹¹³

Orders to repair the *Ontario* were issued on 4 November 1828.¹¹⁴ Workmen at the New York yard "commenced ripping down" the ship on 8 November; she was "Hauled up to Repair"

¹⁰⁹ NavAff 391 (20-2), p. 341.

¹¹⁰ NavAff 391 (20-2), p. 340.

¹¹¹ *DANFS*, vol. 5, p. 160.

¹¹² Isaac Chauncey to the Board of Navy Commissioners, 24 October 1828, in LRNavCom - Cmdts, RG 45, NA.

¹¹³ Navy, *Annual Report, 1828*, p. 234.

¹¹⁴ John Rodgers to Isaac Chauncey, 4 November 1828, in NYNY - LRC.

on the 22nd.¹¹⁵ In January 1829, the Commissioners inquired "whether the futtocks procured for the Sloop of War under Gradual improvement will not answer with but little alteration, for the Ontario." If so, Chauncey was authorized to use them, and instructed to furnish a statement to the Navy Board, so that the Commissioners could replace them at a later date.¹¹⁶ The *Ontario* was rebuilt upon her own sound bottom, however, as evinced by Isaac Chauncey's inquiry during March 1829,

whether it would not be advisable to copper the Ontario upon felt? because in backing out the bolts, spikes, and treenails, in her bottom, the holes are somewhat enlarged, and in driving others, they may not in all cases fit as close as in new wood, consequently may be liable to leak, by covering the bottom with felt, that difficulty would be obviated.¹¹⁷

The rebuilt *Ontario* was launched on 26 May 1829; her repairs were completed by the following August. Her hull received new: the rail, wales, between-port plank, eight strakes of the bottom plank, keel shoe, clamps, ceiling, forward deadwood, stemson, keelson, breasthooks, and mast steps. New frame timbers in the square body included: seven

¹¹⁵ "Special Return of the Repairs of the U.S. Sloop of War Ontario at the U.S. Navy Yard New York, OSF Box 101, RG 45, NA, hereinafter cited as "Special Return, Ontario, 1829."

¹¹⁶ John Rodgers to Isaac Chauncey, 13 January 1829, in NYNY - LRC, RG 45, NA.

¹¹⁷ Isaac Chauncey to the Board of Navy Commissioners, 5 March 1829, in LRNavCom - Cmdts, RG 45, NA.

floor timbers, 401 first futtocks, seventeen second futtocks, eighty-seven third futtocks, and all her toptimbers and half-toptimbers except four. New frame timbers in her cant body included: two half floor timbers, fourteen first futtocks, one second futtock, five third futtocks, all the toptimbers and half-toptimbers, all the knights heads and hawse timbers, and four counter timbers. Her new rounded stern was furnished with new stern plank inside and out, new quarter galleries and a curved taffrail. On the berth deck, the *Ontario* received all new beams, lodging knees, plank, and waterways. Half of her carlings and one-eighth of her ledges were also new. On the gun deck, all the beams, forty-five lodging knees, forty-four dagger knees, seventeen lap knees, two rider knees, all the carlings and ledges, waterways and plank were new. On the poop & forecastle, all the beams, five lodging knees, six iron knees, all the carlings and ledges, waterways and plank were also new. She was furnished with new magazine and store rooms, and new lockers below the berth deck. Her joiners work (except part of the steerage and forward store room bulkheads), including steering wheel, binnacles, cabin and wardroom furniture were all new. She was newly-caulked, inside and out, and newly-coppered upon felt. She received, as well, an entire new set of masts and spars (except one main yard, one spanker boom, and gaff), two new truck carriages, fifteen slides (six more were repaired),

and twenty-one beds for carronades, and an entire new set of six ship's boats.¹¹⁸

The Navy's total expenditure in rebuilding and reequipping the *Ontario* amounted to \$70,532.¹¹⁹ By comparison, the *Ontario's* original construction cost at Baltimore during the War of 1812 was \$59,343.69, of which \$25,600.82 were paid for building the hull under contract.¹²⁰

By the end of 1828 repairs had also been commenced on the frigate *Constellation* at Gosport (Norfolk). Her repairs would eventually cost \$171,138.36.¹²¹ The corvette *John Adams* was "stripped for repair," which would begin upon completion of repairs to the *Constellation*.¹²² Several other of the Navy's ships in ordinary also awaited repair, some quite extensive. The frame of the frigate *Constitution*, at Boston, was believed to be sound, but she required "new planking, from the wales inclusive to the rail; new ceiling in the hold, and new berth deck and orlop decks, beams and knees, spar deck new planked, galleries and head, &c.; caulking and

¹¹⁸ "Special Return, Ontario, 1829," OSF Box 101, RG 45, NA.

¹¹⁹ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

¹²⁰ NavAff 217 (17-2), p. 828.

¹²¹ H.Doc. 49 (27-3), p. 4.

¹²² Navy, *Annual Report, 1828*, p. 234.

coppering throughout." The frigate *United States*, completing her second year in ordinary at New York, now required "very considerable repairs." In addition, "The ceiling in the magazine, and the clamps below the orlop deck, beams and knees, and the wales, are partially decayed." The *United States* required new caulking throughout, her gun carriages were unfit for service, and her masts and spars were defective. The frigate *Macedonian* had just returned to Norfolk from the Brazil station and required "a thorough and extensive repair." Finally, the corvette *Cyane* not only required "extensive repairs," but that they "be commenced at an early day."¹²³

Clearly, the Navy's practice of rebuilding ships of war did not proceed as part of an evolving clandestine program to secretly replace old and worn out vessels with new ships using misappropriated funds. Rather, the act of completely rebuilding a ship of war represented the extreme in vessel repair. Partial rebuilding represented a lesser extreme, but it was still an extensive repair. The fact that in a few specific instances rebuilding resulted in a hull which bore little or no substantive physical connection to the original cannot be argued. But neither can the role of sentiment be undervalued, for the documents reflect a clear perception of continuity between the original ships and their rebuilt

¹²³ Navy, *Annual Report, 1828*, pp. 233-234.

versions on the part of participants in the rebuilding process. Time and time again, as when John Rodgers referred to the draft "by which she [the *Peacock*] was originally built," rather than the draft by which the former vessel was built, the correspondents themselves refute Chapelle's assertion that "sentiment did not enter into the matter."¹²⁴ Quite to the contrary, sentiment was the very heart of the matter.

Just as the practice of rebuilding ships of war was not indicative of conspiracy within the Department of the Navy, neither did it represent a systematic program to substitute new ships for old. The documents support John Rodgers' assertion that "rebuilding" and "repairing" were considered to be synonymous and there is nothing to suggest otherwise; the two words appear interchangeably throughout the Navy's internal and external correspondence relating to different episodes of partial and total rebuilding during this period. Furthermore, as has been shown, each episode of rebuilding proceeded according to its own agenda, not as part of an ongoing policy to modernize the Navy. Some vessels were redesigned, others only partially modified. Some ships were completely rebuilt, others only partially. The systematic, chronological progression in the extent of repairs suggested by Chapelle is not supported by the evidence.

¹²⁴ Chapelle and Polland, *Constellation Question*, p. 15.

None of this is embraced by Chapelle's "administrative rebuilding" theory. In fact, he neglected to include many of the vessels rebuilt by the Navy, particularly under the administration of the Board of Navy Commissioners, in his "administrative rebuilding" scheme. Chapelle moved from the lengthening of the *Erie* to the total replacement of the *Peacock*, and from there to the outrageous folly of rebuilding the frigate *John Adams* into a sloop of war. If the *Cyane*, the *Hornet*, and the *Ontario* are conservatively added to Chapelle's calculation (ignoring, for the moment, the other vessels whose repairs approached or exceeded their original cost or the cost of constructing a replacement, as well as the *Peacock*, where the reuse of materials, although minimal, was clearly intended), his argument becomes increasingly untenable: "It is not surprising, then, to find that out of eighteen cases of United States administrative 'rebuilding,' only the eleven earliest ships were intended to retain any of their old structure."¹²⁵

The case of the *John Adams*, in particular, dispels much of the evolutionary aspect of Chapelle's "administrative rebuilding" argument. The *John Adams*, in point of fact, had

¹²⁵ The numbers eighteen and eleven replace Chapelle's nine and two, respectively, from Chapelle and Pollard, *Constellation Question*, p. 16.

become a corvette by at least 1809.¹²⁶ Thus, this leap in "administrative rebuilding" in which the Navy not only built a new ship, but changed its rate, occurred a full twenty years before Chapelle cited it as "sufficient evidence of the attention Congress was then [1829-1830] giving to naval affairs, and also of the bureaucratic evasion of budget requirements."¹²⁷

Finally, the suggestion that rebuilding was improperly financed through the appropriation for Repairs of Vessels and Wear and Tear of Vessels in Commission is also unsubstantiated. First of all, the practice of rebuilding vessels which required extensive repairs was no secret. Second, estimates for extensive repairs were included in the Navy's estimates for Repairs of Vessels, based upon which Congress voted the appropriation. Expenditures for rebuilding could encompass more than one appropriation, but this was also true for simpler repairs. It did not represent an attempt by the Navy to acquire and hoard funds through deception which it could then divert to other purposes. When either rebuilding or less extensive repair required a transfer between appropriations, records were maintained and

¹²⁶ See U.S. Congress, Senate, *Condition and Disposition of the Naval Force*, Naval Affairs 74, 11th Cong., 1st sess., *American State Papers*, vol. 23, hereinafter cited as NavAff 74 (11-1), p. 193.

¹²⁷ Chapelle, *Sailing Navy*, p. 360.

balances repaid to the same degree of accuracy as with the rest of the Navy's financial business.¹²⁸

Contrary to Dana Wegner's contentions, as well, neither the Act of 1816 for the Gradual Increase of the Navy, nor the Act of 1827 for the Gradual Improvement of the Navy, were in any way connected to the authorization for, nor the financing of, individual instances of rebuilding. Expenditures incurred in the partial or total rebuilding of vessels of war during this period were properly charged to the head of Repairs of Vessels. If the Commissioners had any doubts about this practice, they certainly vanished when Congress failed to find fault after scrutinizing the expenses incurred in rebuilding the *Peacock*.

By 1830, however, the Navy would begin to define rebuilding more explicitly, and the practice of including estimates and expenditures for rebuilding ships of war under the head of Repairs of Vessels would cease. These changes did not come about due to a shift in the Congressional attitude toward the Navy. Rather, they were the direct result of the election of Andrew Jackson to the presidency in 1828 and his appointment of John Branch to succeed Samuel

¹²⁸ See, for example, Southard's order to William Bainbridge, commanding the navy yard at Philadelphia, regarding frames for building the sloop of war *Vandalia*: "For the present lot is to be taken from 'Gradual Increase' and a strict account kept, that it may be refunded." (Samuel Southard to William Bainbridge, 30 June 1827, M-149, RG 45, NA).

Southard as Secretary of the Navy.

Chapter Six

Transition, 1829-1830

In 1828, John Quincy Adams lost his bid for reelection to Andrew Jackson, hero of the Battle of New Orleans and successful captor of Spanish West Florida. Jackson had campaigned on a program of limited government and fiscal retrenchment. Among the first casualties of Jackson's election was the naval Exploring Expedition, which had reached the final stages of preparation before its impending departure. Although Jackson did not take office until March of 1829, Jacksonian sentiment had already permeated Congress, where an investigation into the Navy Department's preparations for the expedition was launched in early February. Congress concluded that the Navy had acted prematurely in preparing and manning ships to sail on a voyage of discovery, since no Act or appropriation had been passed to authorize it, merely a resolution stating its desirability.¹ Shortly thereafter, John Branch, Andrew

¹ NavAff 387 (20-2); NavAff 391 (20-2). See also, U.S., Congress, House, *Authorization of the Naval Exploring Expedition in the South Seas and Pacific Ocean, and of the Purchase and Payment for Astronomical and Other Instruments for the Same*, 17 March 1830, Naval Affairs 415, 21st Cong., 1st sess., *American State Papers*, vol. 25, hereinafter cited as NavAff 415 (21-1).

Jackson's first Secretary of the Navy, canceled the expedition altogether, restoring its ships and officers to other duty.²

John Branch, a North Carolinian who resigned his seat in the Senate to assume the office of Secretary of the Navy in March 1829,³ was among the least qualified men to hold that position.⁴ Jackson's biographer wrote that Branch was primarily known for giving good dinner parties, and that he was selected for the office "because it was felt that something must be done to promote the social prestige of the new party."⁵ In keeping with the Jacksonian approach to government, Branch moved to streamline the Navy, eliminate waste, and reduce excess, be it in the Navy's accounts or in the number of naval officers. Branch's interest in the

² John Branch to John Rodgers, 1 August 1829, in LRNavCom - SecNav, RG 45, NA; see also John Branch to Isaac Chauncey, 18 March 1829, in M-149, RG 45, NA.

³ D.L. Corbitt, *Secretaries of the U.S. Navy: Brief Sketches of Five North Carolinians* (Raleigh, N.C.: State Department of Archives and History, 1958), hereinafter cited as Corbitt, *Secretaries of the Navy*, p. 7.

⁴ According to Paullin, "Branch actually resolved to send a frigate into the Pacific Ocean to pass Cape Horn in the month of June in order that it might have the benefit of a summer passage; and once he gravely asked an officer of the navy on what part of the coast of South America the island of Barbadoes was situated." ("Naval Administration," p. 598).

⁵ John Spencer Bassett, *The Life of Andrew Jackson* (2 vols., New York: MacMillan, 1915; 1 vol. reissue, New York: MacMillan, 1928), p. 414.

latter subject, the number of officers in the Navy, was apparently triggered by the fact that Samuel Southard, known for his use of political patronage, had engineered the appointment more than 100 midshipmen during the last few weeks of the Adams administration.⁶ Branch eventually annulled several of his predecessor's appointments, but his suspicion of those who entered the Navy through the junior officer's rank remained.⁷

In 1830, Branch submitted to Congress his proposal to fix a permanent naval peace establishment - the number and grade of officers and seamen for the Navy - which represented not only a substantial reduction from the number which then filled the Navy's rolls, but a reduction as well from the numbers contained in earlier proposals submitted by Samuel Southard and Smith Thompson, when the Navy had comparatively fewer men.⁸ Branch's program reduced the number of captains

⁶ Herbert Ershkowitz, "Samuel L. Southard: A Case Study of Whig Leadership in the Age of Jackson," *New Jersey History* 1970: 5-24; Paullin, "Naval Administration," p. 627; Hall, "Southard," p. 133. See also, "List of Mid_n appointed 2nd Feby 1829," in Box 82, Samuel L. Southard Papers, Princeton University Library, Princeton, N.J., hereinafter cited as Southard Papers.

⁷ On the annulment of appointments, see, for example, Joseph A. Underwood to Samuel Southard, 5 May 1829, Southard Papers, Box 31.

⁸ U.S., Congress, Senate, *Plan for a Peace Establishment for the Navy*, Naval Affairs 414, 21st Cong., 1st sess., *American State Papers*, vol. 25, hereinafter cited as NavAff 414 (21-1). For Thompson's 1822 proposal, see

from thirty-seven to thirty, the number of masters commandant from thirty-four to thirty, the number of lieutenants from 258 to 200, and the number of midshipmen from 476 to 400, with additional reductions in the numbers of sailing masters, surgeons, surgeon's mates, pursers, boatswains, gunners, and carpenters. Branch declared his opposition to the swelling naval ranks in his annual report for 1829, where he cited the opinion of an unidentified "distinguished naval character":

It is now twenty-eight years since a judicious pruning was given to the navy; a period sufficient to admit some useless suckers to repose under the shade of its virtues and its valor. The time would, therefore, seem to have arrived, to correct some of the evils of the service, . . . by ridding it of the useless and insubordinate portion of its materials.⁹

Though he proposed reductions in all but one of the Navy's ranks (the exception being a proposed addition of two in the number of sailmakers), Branch primarily objected to

U.S., Congress, House, *Plan of a Peace Establishment for the Navy and Marine Corps*, 10 December 1822, Naval Affairs 214, 17th Cong., 2nd sess., *American State Papers*, vol. 23, pp. 815-817; see also, U.S., Congress, House, *Report of the Committee on Naval Affairs, Accompanying the Bill to Fix the Naval Peace Establishment*, 20 January 1823, 17th Cong., 2nd sess. For Southard's 1824 proposal, see U.S., Congress, House, *Plan for a Naval Peace Establishment*, 30 January 1823, Naval Affairs 236, 18th Cong., 1st sess., *American State Papers*, vol. 23, pp. 906-917. For Southard's 1828 proposal, see U.S., Congress, Senate, *Report of the Secretary of the Navy, With a Plan for a Naval Peace Establishment of the United States*, 15 January 1828, S.Doc. 36, 20th Cong., 1st sess. None of these proposals received the approval of Congress.

⁹ Navy, *Annual Report, 1829*, p. 352.

excess in the number of junior officers, the lieutenants and midshipmen who, when not aboard ship, were likely to "retire amongst their friends . . . and contract habits of idleness or dissipation."¹⁰ Three years later, serving in the House of Representatives, Branch recommended reducing the number of midshipmen even further to 380. "While he had held the office of Secretary of the Navy," Branch informed his fellow Congressmen, "he had made very few appointments, having been satisfied that the appointment of supernumerary officers of that grade was only calculated to place the most promising young men in a state of idleness."¹¹

On assuming the position of Secretary of the Navy, Branch applied himself to the task of cleaning house in the Department, dismissing clerks and, in company with Amos Kendall, another Jackson man appointed to replace Tobias Watkins as Fourth Auditor of the Navy, scrutinizing the Navy's accounts for evidence of past indiscretions.¹² The

¹⁰ NavAff 414 (21-1), p. 541.

¹¹ U.S., Congress, House, Speech of John Branch on the naval appropriation bill, 9 February 1833, in *Register of Debates in Congress*, 22nd Cong., 2nd sess., col. 1667.

¹² Jackson held particular animosity for Southard, arising from an episode at a dinner party hosted by John S. Wellford of Fredericksburg, Virginia, at which Southard's praise of James Monroe's conduct with regard to the Battle of New Orleans was taken by Jackson as an insult to his own heroic exploits. See Andrew Jackson to Samuel L. Southard, 5 January 1827, in John Spencer Bassett, ed., *Correspondence of Andrew Jackson*, 7 vols. (Washington, D.C.: Carnegie

impact of the new administration was felt immediately. Charles Hay, the Navy Department's Chief Clerk, as well as a Southard loyalist, wrote Southard at the end of March: "Times here horrible. All looked upon as rogues." Amos Kendall, Hay complained, had "assumed all Watkin's letters and sent the private letters to the P.[ost] O.[ffice] to have the postage charged."¹³

The entire Department was in an uproar over arrearages in the Navy's accounts for 1828 totaling more than \$450,000.¹⁴ The Navy Commissioners had explained that this deficiency in the fund for the Gradual Increase of the Navy was due in large part to the "heavy draft upon it by the purchase of the frigate Liberator, now the Hudson, amounting to \$41,310, . . . the substitution of iron water tanks for casks, making a difference of rather more than \$200,000, . . . with the application, in cases of urgent necessity, by the commandants

Institution of Washington, 1928; reprint ed. New York: Kraus Reprint Co., 1969), hereinafter cited as Bassett, *Corresp. of Andrew Jackson*, vol. 3, pp. 329-330; Samuel L. Southard to Andrew Jackson, 9 February 1827, and Andrew Jackson to Samuel L. Southard, 6 March 1827, in Bassett, *Corresp. of Andrew Jackson*, vol. 3, pp. 342-344, and pp. 345-348. On Jackson's desire to see Southard implicated in malfeasance in office, see Andrew Jackson to John C. McLemore, April 1829, and Andrew Jackson to Richard K. Call, 18 May 1829, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 20, and p. 34.

¹³ Charles Hay to Samuel Southard, 28 March 1829, Southard Papers.

¹⁴ This request appears as line item nine on p. 219 in Navy, *Annual Report, 1828*.

of navy yards, of materials belonging to it to other objects."¹⁵

This explanation did not satisfy the new Secretary of the Navy. Navy Commissioners Lewis Warrington and Daniel Patterson were "as mad as the devil and will have nothing to say to the Deficit,"¹⁶ Hay reported, while John Rodgers, "began to kootoo around him, and add to the suspicions with which the fool criticized the Deficit."¹⁷ Meanwhile, Hay wrote Southard, in his capacity as Chief Clerk he had prepared a condensed statement "of various branches of the business, such as the Present foreign squadrons, home stations, rendezvous, &c &c so that a man with half an idea could have leapt into operation at once," but under the new administration, "this was not the object - the business of the govt which involved, the interests of thousands was scornfully overlooked, until the roguery of the Deficit could be exposed, and the astuteness of the new head at once made

¹⁵ John Rodgers to Samuel Southard, 24 November 1828, in *Navy, Annual Report, 1828*, p. 228.

¹⁶ Charles Hay to Samuel Southard, 28 March 1828, Southard Papers.

¹⁷ Charles Hay to Samuel Southard, 19 April 1828, Southard Papers.

manifest."¹⁸ Hay assessed Branch (though "nought in malice")
as

the most pure, entire and original fool, that ever graced the genus He has no more conception of the great interests the policy or the diversified duties assigned him than he has of sanscrit [sic]; nor will he ever have. He has, however, a marvellous [sic] idea of the dignity of the station; a most overseerlike mode of managing clerks, nearly 'a la mode des negres'; and a very comfortable opinion of the talents astuteness and entire competency of one Gov Branch.¹⁹

With such an opinion of his new superior, Hay was not long for his position. In the midst of an inquiry over Southard's purchase of land for the Navy near the Gosport yard, Hay was dismissed.²⁰ Other dismissals followed. Branch alienated many within the Navy Department. Even John Rodgers was driven to despair.²¹

Kendall's final report recommended legislative standardization of the rates of pay and emoluments in the naval service. It also served as a partisan attack against

¹⁸ Charles Hay to Samuel Southard, 19 April 1828, Southard Papers.

¹⁹ Charles Hay to Samuel Southard, 9 April 1828, Southard Papers.

²⁰ Charles Hay to Samuel Southard, 9 and 17 April 1828, 19 April 1828, Southard Papers; see also R. B. Maury to Samuel Southard, 1 April 1828, Southard Papers.

²¹ K. Jack Bauer, "John Rodgers: The Stalwart Conservative," in James C. Bradford, ed., *Command Under Sail: Makers of the American Naval Tradition, 1775-1850* (Annapolis, Md.: Naval Institute Press, 1985), p. 236.

earlier administrations, highly critical of the Navy's practice of transferring funds between heads of appropriation and between years. Rather than agree with "most of those experienced in the public accounts" that the Navy's financial woes were attributable to "the system of specific appropriations," Kendall toed the party line and was "not prepared to admit that it is so much the fault of the system, as of its administration." Kendall's report accused the Adams administration, in particular, of incompetence and criminal negligence in the Navy's accounts: "Let any member of Congress or other person, however talented and intelligent," Kendall challenged, "enter this office and attempt to ascertain for what purpose the public money has been paid during the last four years."²²

Branch's interest in the Navy's financial condition diverted his attentions, at least temporarily, from the Navy's other affairs. In December 1829 he recommended the suspension of all programs for new ship construction, believing that the public funds would be more efficiently spent if the Navy were to

discontinue, for the present, the building of ships-of-war, unless for some specific object or immediate emergency; to provide for the thorough repair of the ships in ordinary; for the erection of the necessary sheds for their protection; and for the establishment of a police at each of the naval

²² Amos Kendall to John Branch, 30 November 1829, in *Navy, Annual Report, 1829*, p. 380.

stations, to superintend and enforce the employment of the means recommended by the Board of Navy Commissioners for their preservation.²³

Branch had not solicited the advice of the Navy Commissioners in preparing this recommendation, although he did refer to their reports of the condition of vessels in ordinary, several of which had never been to sea but were in need of repairs, and several others of which required repairs of a substantial nature. The ships of the line *Columbus*, *Independence*, *Washington*, and *Franklin* were in need of extensive repairs, while the *North Carolina* was decayed in her decks and outside planking. The frigates *United States*, *Constitution*, and *Macedonian* still awaited extensive repair, as did the corvettes *Cyane* and *John Adams*.²⁴ Moreover, in September 1829, the Navy Commissioners had informed Branch that the *Alert* had been hauled up onto the flats at Norfolk to prevent sinking and that "the tide now ebbs and flows into and out of her." Being "in such a state of decay as to render her altogether unworthy of Repairs," the Commissioners recommended "that she be broken up and her copper, and other valuable materials preserved - were she offered for sale it is more than probable that she would not bring one fourth of

²³ Navy, *Annual Report*, 1829, p. 349.

²⁴ Navy, *Annual Report*, 1829, pp. 353-354.

the value of her materials."²⁵ Ever mindful of fiscal responsibility, Branch concurred.²⁶

Despite his concern for the condition of the Navy's ships of war, Branch apparently did not pay too close attention to the progress of their repair, for he did not discover until late July of 1830 that the *John Adams* was undergoing complete rebuilding at the Gosport (Norfolk) yard.²⁷ Orders to repair the corvette *John Adams* had been issued by the Board of Navy Commissioners, with Southard's concurrence, in November 1827,²⁸ "as she was then wanted for the public service."²⁹ The initial survey had found the ship in need of new outside planking from the copper to the rail, as well as repairs to the main deck, and the replacement of much of her rigging and sails. In addition, the *John Adams'* main and fore masts and two topsail yards were condemned, as

²⁵ John Rodgers to John Branch, 14 September 1829, in LSNVCom - SecNav, RG 45, NA.

²⁶ John Branch to John Rodgers, 16 September 1829, in LRNavCom - SecNav, RG 45, NA.

²⁷ John Branch to John Rodgers, 30 July 1830, in LRNavCom - SecNav, RG 45, NA.

²⁸ John Rodgers to John Branch, 2 August 1830, in LSNVCom - SecNav, RG 45, NA. The order to repair the *John Adams* is contained in a letter from John Rodgers to James Barron, 19 November 1827, enclosed in John Rodgers to John Branch, 11 August 1830, in LSNVCom - SecNav, RG 45, NA.

²⁹ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

were the ship's long gun carriages. Finally, as her officers had reported that the ship had been on shore, the ship required to be hove down for inspection. Repairs to the *John Adams* were initially estimated at \$17,089.³⁰

After receiving the initial estimate, the Commissioners ordered the *John Adams* repaired immediately. The Gosport yard commenced repairs to the *John Adams* on 23 November. She was stripped of plank from the rail to the copper and workers began dressing out the wales and waterways. With her planking removed, however, the corvette was found to be in much worse condition than her initial survey had indicated. On 30 November 1827, Francis Grice, the naval constructor, reported that

many of her top timbers are decayed and cut to pieces with holes, and such as were put in, on a former repair, were put in, without scarcely any regard to scarfs, and there is but little connection with the top and bottom, the futtock heads are so much cut to pieces, that they must be replaced which cannot properly be done, without removing the plank to their heels, the clamps also are discovered to be decayed, and must come out, as well as the corner counter timbers, also nine of her gun deck beams, and the principal part of the framing of the gun deck, the upper piece of the

³⁰ Robert M. Rose, Francis Grice, James B. Pott, et al. to James Barron, 13 November 1827, (2 letters) enclosures in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

stem is also defective and will require a new piece.³¹

Francis Grice concluded that "the expense of repairing the ship would be greater, in my opinion, than she is worthy of."³² James Barron forwarded Grice's report to the Navy Commissioners, adding his own opinion that "a survey would now condemn the *John Adams*." Barron suspended work on the *John Adams* to await the Commissioners' reply.³³

Upon the receipt of Barron's letter containing Grice's report on the *John Adams*, the Navy Commissioners ordered Chief Naval Constructor Samuel Humphreys to Norfolk, with instructions to examine "thoroughly and minutely" both the *Constellation* and the *John Adams* and to report their condition to the Board. In addition, the Commissioners directed Humphreys to prepare estimates "of the expense of thoroughly repairing each and of building such ships anew," so that they might "form a satisfactory opinion whether it

³¹ Extract of letter from Francis Grice to James Barron, 30 November 1827, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

³² Extract of letter from Francis Grice to James Barron, 30 November 1827, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

³³ James Barron to John Rodgers, 1 December 1827, enclosure in John Rodgers to John Branch, 11 August 1830, in LSNavCom - SecNav, RG 45, NA.

would be most conducive to the public interest to repair them or build new vessels of the same classes."³⁴

On his arrival at Norfolk, Humphreys found the *John Adams* stripped of plank from the rail below the heads of the third futtocks. He completed his inspection and reported back to the Commissioners verbally in mid-December. A written statement of his findings was submitted to the Navy Commissioners on 1 January 1828. Humphreys reported that, "The upper plank new on, is decayed in part, and it will be necessary to take off that plank, and those below, as far as the heels of 3rd futtocks, say sixteen strakes below port sill, the fore hoods and after hoods of six strakes next below the sixteen strakes." Humphreys concurred with Francis Grice's assessment of the *John Adams*' weak scarf arrangement. "The heads and heels of many timbers nearly in the range of birth deck have been so badly arranged in the frequent repairs which this ship has had," he reported, "that in order to give the necessary scarf to the timbers, and to connect together in a substantial manner, the lower and upper parts of the ship, it will be necessary to put in a number of 3rd futtocks and toptimbers." To do the work properly, Humphreys advised that the ship ought to be hauled out of the water.

³⁴ John Rodgers to Samuel Humphreys, 6 December 1827, in MiscLSNavCom, RG 45, NA. See also, John Rodgers to James Barron, 6 December 1827, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

"Besides the bad arrangement of heads and heels of timbers near the birth deck," he noted, as well, that "many of the timbers are decayed and split, and most of them are injured by auger holes."³⁵

On the interior, Humphreys found the inside planking decayed from the rail to the birth deck, with additional repairs required in the ceiling below the birth deck. The birth deck itself was sound, as was the keelson, but twenty-three gun deck beams required replacement, as did the carlings, ledges, combings, head ledges, bitts and gun deck plank. Humphreys concluded that "To repair the ship completely, she must have at least, one hundred and seventy new timbers, sixteen strakes of new plank on each side below port sill, the fore hoods and after hoods of six strakes next below the sixteen strakes, twenty three gun deck beams, new gun deck clamps, water ways, deck plank, rails and plank between the ports inside and out."³⁶

Humphreys estimated the cost of repairs to the ship, including the expenses of hauling out and launching, at

³⁵ "Exhibit Shewing the State and Condition of the United States Ship John Adams, Now Lying at the Navy Yard Gosport Va," 1 January 1828, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

³⁶ "Exhibit Shewing the State and Condition of the United States Ship John Adams, Now Lying at the Navy Yard Gosport Va," 1 January 1828, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

\$32,862. He estimated the cost of building a new ship of the same rate at \$65,000.³⁷ Based upon Humphreys' report, the Commissioners replied to Barron on 19 December 1827, ordering that repairs to the *John Adams* be delayed until after the completion of repairs to the *Constellation*. At the same time the Commissioners suggested that the *John Adams*' repairs might be completed "more economically and advantageously" by hauling the ship out of the water.³⁸

Orders to commence repairs to the *John Adams* were not issued until December 1828. By that time the Navy had determined "that the public interest would best be subserved by rebuilding her." The *John Adams* was "cut down" in January 1829. The Board contracted for a new live oak frame for the ship and forwarded the draft and building instructions in mid-March. By the time John Branch discovered the existence of the rebuilt vessel, she was nearly ready to be launched.³⁹

Upon learning "that a ship has lately been put upon the stocks at the Navy Yard Norfolk Virg^a to be built in Lieu of the old Ship the *John Adams*, which has been represented as

³⁷ "Exhibit Shewing the State and Condition of the United States Ship *John Adams*, Now Lying at the Navy Yard Gosport Va," 1 January 1828, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

³⁸ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

³⁹ John Rodgers to John Branch, 2 August 1830, in LSNavCom - SecNav, RG 45, NA.

unfit for further service; and that the funds for the building of this vessel have been drawn from the appropriation for the 'Repairs of Vessels,'" Branch ordered the Commissioners to furnish him with a statement of the facts relating to the ship's construction.⁴⁰ Rodgers responded on 2 August, reviewing the circumstances under which it had been determined to rebuild the *John Adams*. The form of the *John Adams*, Rodgers explained, "was very objectionable, and rendered her far less efficient, than a ship of her class ought to be."⁴¹ The Commissioners had based their decision to rebuild the *John Adams* upon the results of Humphreys' minute examination of the vessel, as well as the understanding, "known to every experienced professional man," that her hull represented only a third of her total value. The Commissioners were aware, as well,

that the *John Adams*, had one of the best and most efficient armament of any ship of her class in the

⁴⁰ John Branch to John Rodgers, 30 July 1830, in LRNavCom - SecNav, RG 45, NA.

⁴¹ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA. During the years when John Rodgers presided over the Navy Board, it was the Board's practice to send all of its correspondence over Rodgers' signature, even though its decisions were made collectively. Occasional exceptions occurred when he was not in attendance. For simplicity's sake, the Commissioners' collective correspondence is herein attributed to Rodgers. When other officers presided over the Board, they occasionally adopted different conventions. Under the presidency of Isaac Hull, for example, correspondence frequently carried the signatures of all three Commissioners.

service, that her hull was in a decayed state, that her form was highly objectionable, that her defects were numerous, and some of them irremediable, owing to iron having in some instances been used in her construction, instead of copper, and particularly from a want of proper distribution, and connection of the several materials, of which she was constructed.⁴²

Rather than attempt to repair or improve a hull perceived to be irreparable, the Commissioners ordered her rebuilt. "Indeed," Rodgers responded, "to render her an efficient ship in every respect, no alternative was left to them, short of rebuilding her." Moreover, Rodgers stated, at the time that the Commissioners determined to rebuild the *John Adams*, "they did not, nor do they now, perceive any thing in the Law to prevent her Hull being rebuilt, any more than there was to rebuild, reconstruct, or substitute for her old equipment (masts spars sails boats, anchors, &c) new articles in place of any of them which might be found defective."⁴³ No doubt playing upon Branch's dedication to the elimination of waste and his contempt for even the suggestion of fiscal irresponsibility, Rodgers observed, "It is perfectly true that the Hull of this ship might have been repaired, and that her masts sails rigging &c might have been fished, spliced or repaired, so as to have enabled her to

⁴² John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

⁴³ John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

perform a short cruize [sic], without much risk, but it was utterly impossible to have made her an efficient ship for any length of time, without rebuilding her hull." Moreover, he argued, "to have repaired the Hull under such circumstances, at a cost too, of between thirty and forty thousand dollars, would have subjected the Commissioners to the imputation of professional ignorance, or gross neglect of their duty and wasteful extravagance."⁴⁴

Rodgers confirmed that "The expense of rebuilding this ship, has been defrayed out of the appropriation for 'Repairs of vessels,'" though he noted that "the funds arising from the sale of stores &c on the Lakes appear to be equally applicable to such purpose."⁴⁵ The authorization to dispose of the Navy's Great Lakes Fleet was contained in the Act of 1825 authorizing the construction of ten sloops of war. The Act specifically directed that the proceeds from the sale of the vessels on the Lakes were to be transferred into the

⁴⁴ John Rodgers to John Branch, 2 August 1830, LSNVCom - SecNav, RG 45, NA.

⁴⁵ John Rodgers to John Branch, 2 August 1830, LSNVCom - SecNav, RG 45, NA. Although it may never be possible to determine what documents Chapelle used in his research, this may have been the source for his statement that in rebuilding the *John Adams*, the Navy "found that the accumulated maintenance funds . . . were insufficient . . . so other maintenance funds were tapped to allow a 2nd class sloop-of-war . . . to be built," although the original meaning has clearly been distorted (Chapelle and Pollard, *Constellation Question*, p. 15).

Navy's fund for Repairs of Vessels, which was done.⁴⁶ Thus, Rodgers was justified in stating that monies from the proceeds of the sale of the Great Lakes Fleet were as applicable to the expense of rebuilding the *John Adams* as were monies appropriated for vessel repair, since both belonged to the same fund. Chappelle's suggestion, however, that the Navy Commissioners went searching for additional funds to divert to rebuilding the *John Adams* distorts the facts of the matter to enhance the air of impropriety inherent in his "administrative rebuilding" scheme.

Not surprisingly, there is also no mention in the correspondence of altering the rate of *John Adams*. Rodgers wrote of making the rebuilt *John Adams* "an efficient ship of her class."⁴⁷ The *John Adams* had originally been rated as a twenty-four gun corvette, which the Navy considered to be the near equivalent of a first-class sloop of war. After the ship was rebuilt, she was again rated as a twenty-four gun

⁴⁶ U.S., Congress, *An Act to Authorize the Building of Ten Sloops of War, and for Other Purposes*, 3 March 1825, in *Register of Debates in Congress*, 18th Cong., 2nd sess., Appendix, p. 117. See also, Navy, *Annual Report, 1825*, p. 127.

⁴⁷ John Rodgers to John Branch, 2 August 1830, LSNVCom - SecNav, RG 45, NA.

sloop of war.⁴⁸ Thus, the rate of the *John Adams* was not, nor was it ever intended to have been, altered in her rebuilding.

Rodgers reminded the Secretary of the Navy that "The *Macedonian*, and the *Cyanne* (trophy ships) require rebuilding - the *Constitution* is in a state of great decay, and will require a heavy expenditure to restore her to a condition fit for sea service." In addition, the Commissioners expected that the *Hudson*, which had been built of white oak, "will no doubt be found much decayed on her return, and from what we have heard, the *Guerriere* may be nearly in the same state." Although the Board had already contracted for a new live oak frame for the *Macedonian* and issued orders "to break up that ship, to get from her such materials, as would answer for a new ship," Rodgers informed Branch that he had revoked the order upon the receipt of Branch's inquiry into the rebuilding of the *John Adams*.

Even so, Rodgers maintained the propriety of employing rebuilding as a means to repair the Navy's ships of war. He explained that the practice of rebuilding ships of war had been part of the Navy's system of vessel repair since its inception: "Repairing is interpreted by Lexicographers to mean 'restoring to a sound state' - Rebuilding &c. Hence in 1821 the Sloop of War *Erie* was rebuilt - - and in 1828 & 1829

⁴⁸ See, for example, U.S., Congress, Senate, *Naval Register for 1832*, Naval Affairs 461, 22nd Cong., 1st sess., *American State Papers*, vol. 26, p. 81.

the Peacock and the Ontario were rebuilt out of the appropriation for 'repairs of vessels.'" Moreover, "From the acts of Congress providing for the Gradual Increase of the Navy," Rodgers argued,

the Commissioners have presumed that it was not their intention that the present number of Vessels belonging to the navy should be reduced - or that any one should be totally condemned and her name stricken from the list of our naval force, at least so long as her armament, or any other part of her equipment, should be in such a condition, as to warrant the reconstruction of her Hull; and more particularly under the certainty that when completed, she would at less cost, be in every respect as good as a new ship.⁴⁹

Rodgers' arguments failed to convince Secretary Branch, however, who interpreted the Navy's actions in rebuilding ships of war as another example of the preceding administration's disregard for the specificity of naval appropriations. On 6 August Branch perfunctorily informed the Board of his opinion:

That there is in force at this time no law authorizing the building of vessels of war; That the building of a new Vessel of war to be substituted for one which is unfit for further use, is not authorized by the act of the 11 March 1830 which makes appropriation for the repairs of vessels of war, and that consequently the employment of the funds thereof for the purpose of building new Vessels, is without the sanction of law.⁵⁰

⁴⁹ John Rodgers to John Branch, 2 August 1830, LSNVCom - SecNav, RG 45, NA.

⁵⁰ John Branch to the Board of Navy Commissioners, 6 August 1830, LRNavCom - SecNav, RG 45, NA.

Branch ordered the suspension of all work on the *John Adams* and disallowed any further disbursements for rebuilding from the appropriation for Repairs of Vessels, "until the subject can be presented for the decision of the President of the United States thereon." Careful to avoid the possible waste of usable material, however, Branch did instruct the Navy Board to arrange for the preservation of the new hull of the *John Adams* while it remained on the stocks.⁵¹ In compliance with Branch's instructions, Rodgers immediately ordered Barron to suspend work on the *John Adams*, discharge those employed upon her, and erect a temporary shed for her security and preservation.⁵²

Unsatisfied with Rodgers' initial response and wanting to present Jackson with the information that would enable him to determine the propriety of rebuilding the *John Adams*, as well as "the legality of the application of the funds appropriated for the repairs of Vessels, to such purpose," Branch sent the Board a list of questions on 7 August for their reply.⁵³ He asked to be informed of the date upon which

⁵¹ John Branch to the Board of Navy Commissioners, 6 August 1830, LRNavCom - SecNav, RG 45, NA.

⁵² John Rodgers to John Branch, 6 August 1830, LSNavCom - SecNav, RG 45, NA.

⁵³ John Branch to John Rodgers, 7 August 1830, LRNavCom - SecNav, RG 45, NA.

the rebuilt ship was put on the stocks, and for an explanation of "the material items of difference between the old & the new Vessel," particularly in tonnage, draft of water, and her capacity to carry armament. In addition, he wished to know the condition of the original equipment and whether it was "of the proper size and in such a state of preservation as to justify its being employed in the new one."⁵⁴

The remainder of Branch's inquiries, however, related not to the *John Adams*, but to the Navy's practice of rebuilding ships of war. Branch cited the Act of Congress of 21 April 1806, which provided that "the President of the UStates may direct any of the armed Vessels of the UStates to be sold, whenever he shall be of opinion, that the said Vessel is so much out of repair, that it will not be the interest of the United States to repair the same." If the *John Adams* had been in such bad condition that she was no longer worthy of repairs, Branch wrote, "this fact it is believed should have been reported to the President, that the sale thereof might have been ordered . . . and this

⁵⁴ John Branch to John Rodgers, 7 August 1830, LRNavCom - SecNav, RG 45, NA.

especially should have been done before the old Ship was broken up in search of materials for the new one."⁵⁵

Branch was outraged that "The Building of the new Ships now called the Erie, Peacock & Ontario are deemed as precedents for building the new John Adams!" He questioned whether Congress had authorized the building of these vessels and whether the condition of the original ships had been reported to the President, "for his opinion as to the propriety of subjecting them to sale before steps were taken building them anew?" Was their construction, as well, paid out of the appropriation for repairs? Branch asked. Finally, addressing Rodgers' belief that the Navy had pursued the most financially responsible course, Branch inquired whether rebuilding had produced "any important saving" over what the Navy might have realized "had the old ships been sold according to the provisions of the act of 1806."⁵⁶

Prior to responding to Branch's queries and no doubt sensing the wide gap between the Board's understanding of rebuilding and that of the Secretary of the Navy, Rodgers met with Branch personally on the morning of 11 August. At that time, Rodgers asked permission to make "a full, explicit, and

⁵⁵ John Branch to John Rodgers, 7 August 1830, LRNavCom - SecNav, RG 45, NA.

⁵⁶ John Branch to John Rodgers, 7 August 1830, LRNavCom - SecNav, RG 45, NA.

candid reply . . . and to state . . . all the facts and reasoning which the Commissioners might suppose to have any bearing upon the points connected with the subject."⁵⁷ From Branch's response, Rodgers understood that "too much candour [sic] and frankness could not be observed in discussing questions of national concern - and that the more candid the communication might be, the more agreeable."⁵⁸

With this understanding the Board prepared its response to Branch's inquiry of 7 August. The Commissioners reviewed the circumstances under which they had determined to rebuild the *John Adams*, enclosing copies of the relevant surveys, reports, and correspondence. As to the differences between the original *John Adams* and the rebuilt one, Rodgers replied, "The only essential differences between the old, and the new vessel, consist in improvements in the form of the Hull." The tonnage and draft of water were practically unchanged, other than differences arising from the improvements in hull form, whereas "The rate of the old, and of the new vessel is the same - viz a sloop of the 1st class." The Commissioners reported that the rebuilt ship had a greater capacity to carry armament, "because her timbers are new and put

⁵⁷ John Rodgers to John Branch, 17 August 1830, LSNVCom - SecNav, RG 45, NA.

⁵⁸ John Rodgers to John Branch, 17 August 1830, LSNVCom - SecNav, RG 45, NA.

together, in the most substantial and approved manner; but she is only calculated to sustain the same armament as the old ship - viz twenty 42 pound carronades, and four long 18 poundrs." The Commissioners reported favorably as to the condition of the *John Adams*' original armament, though Rodgers noted that the gun carriages had been condemned three years earlier.⁵⁹

As to why the *John Adams* had not been considered for sale given her unworthy condition, Rodgers reminded Branch that her initial survey had not revealed the true extent of her decay. "Before she was opened," he wrote, "no one, it is presumed would have recommended her sale, when it was thought, by practical men considered competent judges, that she, might be repaired at an expense so inconsiderable compared to the cost of a vessel of her class." After she had been stripped of plank, however, "and her defects fully ascertained to be so extensive . . ., it would have been no easy task to have found a purchaser, who would have given any thing for her near the value of her materials to the Government."⁶⁰

⁵⁹ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

⁶⁰ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

The Commissioners deferred to the former Secretaries of the Navy (Thompson and Southard) on the question of whether the President had been consulted as to the propriety of offering the *Erie*, the *Peacock*, and the *Ontario* for sale. The Navy Board, Rodgers reminded Branch, was required by law to report to the head of the Department, and only he reported directly to the President. If these three sloops of war had been sold, however, "we should have lost the difference between the value of their materials, and the amount for which they would have sold." Moreover, Rodgers noted, "If the question were, would it have been better to have sold those vessels, and built others in their place, than to have returned them, and applied all their useful materials towards rebuilding them, . . . we could not, without utterly disregarding all the admonitions of past experience, have expressed an opinion favorable to their sale." In explanation, Rodgers offered what is probably the best available definition of the Navy's perception of rebuilding prior to 1830:

To build anew, we have material to purchase, or manufacture, but in rebuilding a very large proportion of the materials and equipments of the old vessel (and particularly as are of an imperishable nature) may be brought advantageously into use - her copper, iron, lead, castings, kentledge, anchors &c are of this description - and such of her perishable materials (sails, rigging, water casks, boats &c) as may be in good condition, or as may be worthy of repair, will also generally serve for the vessel rebuilt[.] If her sheet

copper should be too much worn to be again used for its original purpose, still, for castings, it is worth to the Government, as much as new copper, though, probably it would not sell to individuals for more than 3/4ths the price of new. her [sic] bolt copper and spikes, will answer again, or may be made to do so at a trifling expense - her iron may also be wrought to forms, adapting it to valuable purposes in repairing, rebuilding, or building - the same may be said of the lead, tho [sic] this an article of minor value compared to either of the others.⁶¹

Thus, although the Navy occasionally modified the design of vessels in rebuilding them prior to this time, rebuilding was primarily perceived as a means by which the Navy could repair existing ships and retain sound original material. Not only do we have the Navy's reports and records of the various episodes of rebuilding, but also the Navy Commissioners' own expression of their intent, to demonstrate the error in Chappelle's assertion that the Navy wholly disregarded the intent, as well as the practice, of reusing original material in rebuilding ships after 1820 (the *Erie*). Neither is true.

The rebuilding of the *John Adams*, Rodgers informed Branch, "originated under your predecessor, with whose concurrence it was commenced." In deference to Branch, Rodgers cited the Commissioners' awareness of their subordination to the Secretary of the Navy, regretting (although somewhat disdainfully) "that they were not earlier

⁶¹ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA.

apprized [sic] of your construction of the 3rd section of the 'act for fortifying the ports and harbors of the United States, and for building gun boats,' which commits to the President authority to direct the sale of any of the armed vessels of the United States 'whenever he shall be of opinion that the said vessel is so much out of repair that it would not be for the interest of the United States to repair the same.'" And yet, Rodgers wrote Branch (in an apparently cloaked reference to Branch's conduct since taking office), "The state of the ship [the *John Adams*] was reported to him [Southard], and it was reported to you, Sir, in 1829 and time enough to have arrested her repair or rebuilding, if your disposition to reverse the decision of your predecessor had been made known to the Commissioners."⁶² In fact, until the Board received Branch's letter of 7 August, the Commissioners "were under the impression that your views upon this particular subject were in harmony with those entertained by all of your predecessors."⁶³ Furthermore, wrote Rodgers, "this impression was strengthened by the fact of your having concurred in repairing the Sch^r Porpoise at an expense within

⁶² John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

⁶³ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

a few hundred dollars of her original cost, as shewn by the estimate submitted to you."⁶⁴

The Act of 1806, which Branch cited as giving the President the authority to sell vessels no longer worthy of repair, had been passed during the gunboat period of the Navy, explained Rodgers. At that time, almost all the Navy's frigates lay in ordinary, replaced by the gunboats. The provision for the sale of vessels contained in the Act of 1806 gave the President the authority to sell these ships, as "it was thought that if left a few years in that state, our frigates, would become so worthless and rotten as to bring them by the operation of this law, under the hammer of the auctioneer." Then the Barbary Wars intervened, and Congress, by the Act of 31 January 1809, directed the President to repair, equip, man, and employ, several of the Navy's frigates in ordinary. "The policy of the Act of 1806," wrote Rodgers, "was thus in the course of 3 years, by the force of events, completely reversed, and by those with whom it originated - the very vessels intended to have been sold,

⁶⁴ John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA. The *Porpoise* was repaired during 1830 upon her return from, and prior to returning to, the West Indies. (*DANFS*, vol. V, p. 353). In December, 1829, Rodgers had informed Branch that surveys upon the *Porpoise* had revealed the probable cost to repair and fit her for sea as \$21,209.12 (John Rodgers to John Branch, 2 December 1829, LSNavCom - SecNav, RG 45, NA, vol. 3, p. 266).

were specifically saved by name (unusual it is believed in the history of Legislation)."⁶⁵

As further demonstration of the change in the attitude toward the Navy Rodgers cited the Act of 30 March 1812, which "made specific provisions for restoring to the Navy," the frigates *New York*, *Boston*, *Philadelphia*, and *General Greene*, although "the *Philadelphia* had been lost, recaptured and burnt, and the other frigates had for years been sunk and buried in the Eastern Branch [of the Potomac River]." Therefore, Rodgers wrote, "Surely, Sir, none of these vessels, after having been thus expressly retained by Law, could have been sold under the act of 1806, the application of which, to them at least, was thus restrained, if not forbidden."⁶⁶

If any doubt remained of the reversal of the policy espoused by the Act of 1806, Rodgers directed Branch to the fact that Congress later specifically directed the sale of all the gunboats (278) previously authorized. Rodgers further cited "the measures which have been adopted by Congress since the termination of the war [of 1812] to sustain it [the Navy] - all tending to increase, instead of diminishing the number of our ships." In addition, the Act

⁶⁵ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

⁶⁶ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

of 3 March 1827 for the Gradual Improvement of the Navy, wrote Rodgers, "not only provides for adding ships of every class, but for one of the most essential means of thoroughly repairing those already belonging to the navy [through the procurement of materiel]."67

Furthermore, wrote Rodgers, the Act of 1806 "is not in the least degree imperative - every term used is of an advisory, or rather discretionary character - and leaves the President entirely at liberty to execute it or not, as he might judge most expedient for the national interest." Therefore, even when the President might believe a vessel to be unworthy of repair, "he might with perfect propriety refrain from ordering her to be sold." In such a case, Rodgers postulated, nine out of ten times it would not be in the national interest to sell the vessel, "for in all human probability, she would never, under the most advantageous circumstances sell for as much as her materials would be worth to the Government." This would have been the case had the *Erie*, *Peacock*, and *Ontario* been sold, predicted Rodgers, as "vessels of war are but seldom adapted to the merchant service, to which only we could look for purchasers." As evidence Rodgers cited the recent case of a Swedish ship of the line,

67 John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

represented to be in good order (having it is said, been recently repaired at an expense of \$40,000) with all her armament, her sails, rigging, boats, water casks, anchors, kentlege [sic], shot, powder, and other stores, sold about the same time in the port of New York for the sum of fifteen thousand dollars! which was probably not one twenty six part of her original cost, and we have understood that her materials had been estimated at a sum exceeding 50,000\$ and that part of them has been sold at that estimate.⁶⁸

Rodgers reminded Branch once again that other ships of war "may upon being opened be found nearly as defective, as was the John Adams." He predicted that such might be the case for the *Constitution*, "now known to be defective except possibly in the frame timbers," as well as the *Java*, the *Guerriere*, and the *Hudson*, which upon their return "will require extensive repairs, which if left undone for any length of time will reduce them to the same condition." Even now, he reported, the *Macedonian* and the *Cyane*, "are known to be, in as bad condition as was the John Adams." Rodgers cautioned Branch that if these ships were to be sold, rather than repaired, "it would gradually tho' surely reduce our effective force in the scale of naval powers to a state far more humble than it has hitherto occupied, and far short of

⁶⁸ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

the means of protecting our valuable commerce, or answering any of the purposes for which a navy was created."⁶⁹

In a terse letter on 16 August, Branch acknowledged the receipt of the Commissioners' letter of 11 August. "I shall not at present pause to comment," he wrote,

upon the facts professed to be stated therein nor upon the references which you have though proper to draw in relation to them.

The subject will be laid before the President of the UStates on his return to the seat of Government.⁷⁰

It seems that the Secretary of the Navy did not appreciate the Board's lesson in naval history. Apparently offended by some of the tone and content of Rodgers' letter (and probably also looking for additional ammunition against his predecessor), Branch requested that the Commissioners furnish him with copies "of all letters or other documents addressed to you by the present or late Sec.y of the Navy, giving the authority claimed for rebuilding the John Adams, or [in] relation to the repairs of the same."⁷¹

The Commissioners replied that they never received written authority from anyone to rebuild the *John Adams*, as

⁶⁹ John Rodgers to John Branch, 11 August 1830, LSNVCom - SecNav, RG 45, NA.

⁷⁰ John Branch to John Rodgers, 16 August 1830, LRNavCom - SecNav, RG 45, NA.

⁷¹ John Branch to John Rodgers, 16 August 1830, LRNavCom - SecNav, RG 45, NA.

Southard had issued his instructions verbally. Furthermore, wrote Rodgers, "It has generally been the pleasure of the secretary of the navy [referring to Branch] to communicate his decisions to the Board in person and verbally, and the Board has considered them as binding, as they would have been if made in writing."⁷² Slighted again, Branch hastily directed that any further communications between his office and the Board respecting the expenditure of funds should be conducted in writing, much to the gratification of the Navy Commissioners.⁷³

The members of the Board, however, quickly realized that Branch was not pleased with their response of 11 August, and that it would be Branch, and not the Board, who would present the facts and related arguments to Andrew Jackson for his opinion upon his return to Washington. Concerned, Rodgers wrote the Secretary of the Navy on 17 August 1830 to remind him of their conversation of the morning of 11 August. Rodgers requested that when Branch laid the subject of the rebuilding of the *John Adams* before the President, "that the conversation which passed between you and the President of

⁷² John Rodgers to John Branch, 16 August 1830, LSNavCom - SecNav, RG 45, NA.

⁷³ Receipt of the order is acknowledged in John Rodgers to John Branch, 20 August 1830, LSNavCom - SecNav, RG 45, NA.

the Board on the morning of the 11th instant, may at the same time be communicated to the President."⁷⁴

Rodgers' letter arrived too late, however. Branch had already written Jackson briefly on 14 August, informing him of the events which had transpired and recounting his views on the *John Adams*. "On a partial inspection of the Navy Yard at Norfolk as I was returning from North Carolina," Branch apprised the President, "I was surprised to find a new Sloop of war almost ready for launching." Upon inquiring as to the identity of the ship, Branch had "ascertained that she was put on the stocks in March last, and that she was intended to bear the name and supply the place of the *John Adams* reported to the last Session of Congress for repairs."⁷⁵ The Navy Commissioners, Branch indignantly informed Jackson, "have felt authorised [*sic*] to build this vessel in consequence of instructions (verbal I presume) which were given by Mr. Southard." Branch complained that this "unauthorised [*sic*] expenditure" embarrassed him: "First, because we have not one cent appropriated for *building* new Sloops, And [*sic*] secondly by a reference to legislative enactment it will appear that not even a barge has been built in time of War even without

⁷⁴ John Rodgers to John Branch, 17 August 1830, LSNVCom - SecNav, RG 45, NA.

⁷⁵ John Branch to Andrew Jackson, 14 August 1830, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 172; italics original.

the express direction and sanction of Congress, with the exception of two or three cases under the last Dynasty."⁷⁶ Branch reiterated his opinion that "the policy of building new vessels when we already have afloat more than we can employ, repair, or preserve from premature decay may well be questioned as in truth," he reminded Jackson, "it was in your last message to Congress."⁷⁷ Branch further informed Jackson of his action in suspending work upon the vessel, remarking that

"If it is the wish of the government to supply the place of those vessels which may be either lost at sea or may be condem[n]ed as the *John Adams* was as being unfit for repair, let them say so and appropriate accordingly. The nation expects economy in the disbursement of the public monies and they have a right to expect, nay to require their executive officers to execute the law as they find it written and not as they believe it ought to be written."⁷⁸

Awaiting Jackson's counsel, Branch responded to the Board's letter of 17 August with a request for a report of the status of vessel repairs and vessels requiring repairs.

⁷⁶ John Branch to Andrew Jackson, 14 August 1830, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 172; italics original. Branch's last assertion is pure untruth.

⁷⁷ John Branch to Andrew Jackson, 14 August 1830, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 172; italics original. Branch's last assertion is pure untruth.

⁷⁸ John Branch to Andrew Jackson, 14 August 1830, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 172; italics original. Branch's last assertion is pure untruth.

The Commissioners therefore ordered new surveys on all the vessels in the various yards.⁷⁹ On 26 August Branch directed the Board to furnish him with copies of all the correspondence between the Board, Barron, the naval constructors, and anyone else, relating to the rebuilding of the *John Adams*.⁸⁰ On 31 August, the Commissioners recommended that if the *John Adams* were to be required for service in less than three years, she ought to be launched.⁸¹ Branch delayed responding to the Board's recommendation until he received the decision of the President.

The President's decision was not received by the Navy Board until 2 November 1830. At that time Branch reported to the Commissioners that the President had, "after due consideration thereon, desided [sic], that the rebuilding of the *John Adams* out of funds appropriated for the repairs of Vessels &c, was not in conformity to the intentions of the law, and was of course a misapplication thereof." But as the Navy Commissioners had been "bound to obey the directions of the head of the Department (which they urge as the authority for the measure) supported as they were by precedents

⁷⁹ John Rodgers to John Branch, 20 August 1830 and 31 August 1830, LSNavCom - SecNav, RG 45, NA.

⁸⁰ John Branch to John Rodgers, 26 August 1830, LRNavCom - SecNav, RG 45, NA.

⁸¹ John Rodgers to John Branch, 31 August 1830, LSNavCom - SecNav, RG 45, NA.

favoring the procedure," the President held that they possessed "'sufficient justification for them to have commenced the rebuilding [of] this Vessel.'"⁸²

Branch also felt compelled to inform the Board that Jackson had affirmed the propriety of his own actions in "arresting the further disbursement of the fund appropriated for the repairs of Vessels to the purposes of rebuilding." Furthermore, according to Jackson's specific instructions, "hereafter 'no vessel [is to be] rebuilt, until reported to Congress and the same be authorized by a specific appropriation therefor or under annual estimates for the rebuilding of vessels.'"⁸³ The following day, in accordance with orders from the President, Branch directed the Commissioners to order the launching of the rebuilt *John Adams*.⁸⁴

With Andrew Jackson's decision on the *John Adams* and his subsequent instructions on the rebuilding of ships of war, the Navy's practice of rebuilding vessels using funds appropriated under the head of Repairs of Vessels and Wear and Tear of Vessels in Commission ceased. Jackson had not

⁸² John Branch to John Rodgers, 2 November 1830, LRNavCom - SecNav, RG 45, NA.

⁸³ John Branch to John Rodgers, 2 November 1830, LRNavCom - SecNav, RG 45, NA.

⁸⁴ John Branch to John Rodgers, 3 November 1830, LRNavCom - SecNav, RG 45, NA.

determined that rebuilding was wrong, only that it was not repair, and therefore it was inappropriate, in his view, to rebuild ships using funds appropriated for repair. Significantly, Jackson did not concur with Branch in equating rebuilding with new construction. He merely decided that rebuilding was not equivalent to repair.

Although Congress was largely responsible for passing the naval appropriation, that body played no role in determining the impropriety of rebuilding ships of war under the appropriation for Repairs. That was strictly an internal decision within the executive branch of government, orchestrated largely within the Navy Department itself by the Secretary of the Navy, John Branch. Branch's primary familiarity with the naval business was in the realm of accounting, which he approached from a decidedly partisan viewpoint. He could hardly have pranced about Washington decrying the previous administration's failure to adhere to the specificity of the appropriations when the same dubious act was being committed under his very own nose. Previously, however, the use of repair funds for rebuilding ships of war involved neither the suggestion, nor the intent, of impropriety.

Though the decision to alter the Navy's practice of rebuilding vessels of war was an internal one, Branch did not hesitate to inform the Congress of the circumstances which

precipitated it. He also did not hesitate to chastise the Navy Board more severely than even Jackson had done. In the Navy's annual report for 1830, Branch reported:

The Commissioners of the Navy Board, interpreting the act making an appropriation for the repairs of vessels in ordinary, and the wear and tear of vessels in commission, as admitting a greater latitude in its application to naval purposes than, it is believed, was contemplated by the framers of the law, or was admissible by a fair construction of its terms, have caused to be built, out of that fund, a new sloop-of-war, in the place of the 'John Adams,' which had been found defective in the model, and otherwise unfit for repair.

. . . in conformity to your [Jackson's] decision, an order has been issued, requiring that in future the application of this fund shall be confined to the repairs of vessels in ordinary, and the wear and tear of vessels in commission; and that no vessels shall be built or rebuilt, unless authorized by special appropriation.⁸⁵

Howard I. Chapelle termed the rebuilding of the *John Adams* an "administrative fiction" perpetuated by the Navy Department against Congress and the nation. Were this true, however, why would the Navy confess in a public document presented to Congress that it had built a new ship to replace

⁸⁵ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1830*, 7 December 1830, Naval Affairs 429, 21st Cong., 2nd sess., *American State Papers*, vol. 25, hereinafter cited as *Navy, Annual Report, 1830*, p. 754. Interestingly, in his own annual message to Congress, Jackson had initially deliberated including a discussion of the case of the *John Adams*. (See Jackson's Outline of the Second Annual Message, 6 December 1830, in Bassett, *Corresp. of Andrew Jackson*, vol. 4, p. 211). He apparently thought better of the idea, however, as his final draft merely referred attention to the Secretary of the Navy's report. (See Jackson's Second Annual Message in Richardson, *Messages and Papers of the Presidents*, vol. 2, p. 526).

the original *John Adams*, in what Branch reported to be a violation of the law? The Naval Register continued to list the date of the *John Adams*' construction as 1799, but this was due not to the Navy's desire to deceive, but rather to the simple fact that up through this time the Navy viewed rebuilding as the repair or replacement of one component--the hull--not the construction of a new ship. Nevertheless, the fact that the hull of the *John Adams* had been replaced was plainly stated for both Congress' and the public's reading pleasure.

Branch did not mention that rebuilding extended beyond the *John Adams*, but that was hardly necessary since the practice of rebuilding ships of war had already been widely publicized, and in the case of the *Peacock*, investigated by Congress. Rather, Branch's report served a largely political purpose and was directed at enhancing the perception of his (and Jackson's) responsible behavior in managing the public trust and the public funds. Political views, however, like the wind, are subject to frequent changes, and indeed, the Navy's new policy on funding the rebuilding of vessels of war through specific appropriations barely outlived the Jackson administration.

Chapter Seven

Jacksonian Rebuilding

As soon as Andrew Jackson's directive on rebuilding was received by the Navy Department it was put into effect. Any substantial impact was muted, however, by the continuing efforts of John Branch and Amos Kendall to scale down the expense of the Navy. Most immediately, the new directive resulted in an alteration in the preparation and presentation of estimates for the repair of ships of war.

In December 1830, when the Navy Commissioners submitted their report on the status of vessels in ordinary and estimates for repairs, the structure of the estimates differed from that of previous years. Although previously the Navy scheduled vessel repairs according to informal priorities based upon the availability of funds and materiel, as well as how quickly the vessel was needed in service, this information was rarely itemized in the annual estimates. The new structure, however, introduced an explicit prioritized system into the estimate for Repairs of Vessels and Wear and Tear of Vessels in Commission. The Commissioners provided statements of condition and itemized estimates of the cost of repairs for each ship in ordinary separate from the actual

estimate for the ensuing year. The estimate itself then included only those amounts which the Navy intended to expend in the coming year, also itemized by vessel. Under the category of Repairs, the Navy requested funds for only four of its ships in ordinary during 1831: the *Constitution*, the *Potomac*, the *United States*, and the *John Adams* (for the cost of her completion after launching). For those ships in ordinary which required repairs that the Navy did not plan to initiate during 1831 (see Table 4), a new subcategory was added to the estimate to provide "For the preservation, if not repair," of these vessels. Under this category the Navy requested minimal amounts ranging from \$500 (for the corvette *Cyane*) to \$1,500 (for ships of the line) to cover the cost of necessary maintenance and, in some cases, the construction of protective sheds (Table 5).¹

Thus, each of the Navy's vessels was accounted for in one of the three categories of the estimate for the head of Repairs and Wear and Tear for 1831, with one exception: the frigate *Macedonian*. The order to break up the *Macedonian* in preparation for rebuilding her had already been issued by the Board of Navy Commissioners when John Branch's letter inquiring into the rebuilding of the *John Adams* reached the Board in August 1830. The Board had already contracted

¹ Navy, *Annual Report, 1830*, pp. 767-769, 786.

Table 4. Statement of Condition, Estimated Time and Cost of Repair for Ships of the Line *Independence, Columbus, Ohio, Franklin, Washington, Delaware, and North Carolina, Frigate Congress, and Corvette Cyane*, December 1830 (from *Navy, Annual Report, 1830*, pp. 767-769).

SHIP	CONDITION	Cost
INDEPENDENCE	"The frame of this ship is sound. She requires to be planked anew from the lower edge of the wales to the rail; new ceiling, new decks, and magazine; platforms, new head and cutwater; stern new planked; and to be caulked and newly coppered. Some repairs, also, in the several departments. Time necessary to effect the repairs, 200 days."	\$226,706.77
OHIO	"The outside plank from the water to the rail, part of the ceiling, clamps, and waist, on the lower and upper gun and spar decks, is decayed; deck frames are good, but some knees require to be removed, to replace the decayed clamps and waist plank; the copper, which has been taken off from light water, requires to be replaced; bulkheads of the wing passages and store rooms to be put up; magazines, light and bread rooms are to build. The masts and spars, boats and gun carriages, are nearly all yet to make. This is a new ship that has never been fitted out. Time requisite to repair and fit her for sea, 200 days."	171,072.69
DELAWARE	"In this ship, some of the beams, deck planks, clamps, waterways, and spircketting on all the decks, are defective in spots. Some defects are also discovered in the ceiling, and the lower after diagonal riders. Before the condition of the bottom can be stated, the ship must be hove down. Time requisite to effect the repairs, 60 days."	103,892.00 (exclusive of stores)

FRANKLIN	"The outside plank from the water to the rail, the channels and rails, part of the keelson and mast steps, all the ceiling below the orlop, part of the clamps of all the decks, the spirketting and waist of the upper gun deck, the waist above the spar deck, the sides and breast hooks in the hold, part of the waterways, and thick work upon them, all the plank of the spar deck, and part of the other decks, the plank and beams of the magazine, platform, a few of the deck knees and beams, and that portion of the frame timber which is of white oak and mahogany, are all in bad condition, and require to be replaced with new; the bottom requires caulking and coppering anew; the joiners' work requires to be nearly all new, and a new set of masts and spars; five new boats are required, and the others repaired; gun carriages on the spar and main decks must be new, and the residue require slight repairs. Time required to effect the repairs, 200 days."	192,185.16 (exclusive of stores)
COLUMBUS	"The frame of this ship is generally sound. Her wales require to be partly renewed, her decks and sides to be caulked, and her bottom and copper repaired, with other slight repairs in the hull. Time necessary to effect the repairs, 80 days."	101,141.67
NORTH CAROLINA	"In this ship, inside, on the spar and orlop decks, a few beams are decayed; and on all the decks the clamps, waterways and spirkettings are in spots decayed. Outside, the wales and channel wales are generally decayed. Several streaks [sic] below the wales, and one streak [sic] of the counter plank, are also decayed. New main and mizzen channels are requisite. Time necessary to effect her repairs, 120 days."	149,083.00 (exclusive of stores)

CONGRESS	<p>"In the lower hold, the ceiling is generally decayed, and about one-fourth of the frame timbers have been discovered to be defective in the bilge, and the trenails [sic] are generally decayed. On the berth deck, the plank and waterways are generally decayed; on the gun deck, the plank are decayed at the butts and nail heads, and are otherwise defective; three beams are also decayed; on the spar deck, considerable defects appear, as well as decay in the plank and waterways. Outside, the plank from the rail to the water is very much decayed, and the timbers cut with auger holes, and shivered with fastenings. To haul this ship up, and give her a thorough repair, the time requisite, one year."</p>	148,247.00
WASHINGTON	<p>"The state and condition of this ship is the same as that of the Franklin, nearly throughout. Time requisite to effect her repair, 200 days."</p>	186,054.94 (exclusive of stores)
CYANE	<p>"The knight-heads and hawse pieces, the bow or forward cant timbers, the two lower breast hooks, the keelson knee, and the hooks which secure the heels of the after cants, are quite rotten. A part of the after cants, the upper transoms, the corner counter timbers, and a part of the midship ones, are defective. The ceiling plank in the hold, particularly forward and aft, the forward pieces of waterways on the gun deck, and much of the plank between the ports, are defective; as also the waterways and battery plank of the spar deck, and the plank of the gun, berth, and orlop decks. On the outside, the principal part of the wales, strings, and plank, between the ports and the hooding ends, from the water upwards, are more or less rotten. With some exceptions the frame of this ship is sound; as are also the clamps, beams, knees, and ledges of the spar and gun deck. In the berth deck, two or three beams are defective, otherwise the frame of this deck is sound; so, also, is the orlop deck and keelson. The plank on the bottom appears to be good. Time requisite to effect the repairs, not returned."</p>	71,103.61 (exclusive of stores)

Table 5:

"Data on Which the Fourth Item for Repairs of Vessels, &c, in the General Estimate for the Year 1831, is Founded": (from Navy, Annual Report, 1830, p. 786).

For Repairs:		
	CONSTITUTION	\$ 139,353.52
	POTOMAC	92,823.08
	UNITED STATES	82,785.46
	JOHN ADAMS	33,057.44
	Subtotal:	\$ 348,019.50
For the Preservation, if not Repaired, of the -		
	INDEPENDENCE	\$ 1,500.00
	COLUMBUS	1,500.00
	OHIO	1,500.00
	FRANKLIN	1,500.00
	WASHINGTON	1,500.00
	DELAWARE	1,500.00
	CONGRESS	1,000.00
	CYANE	500.00
	NORTH CAROLINA	1,500.00
	Subtotal:	\$ 12,000.00
For the Wear and Tear of the Following Vessels During the Year 1831:		
	GUERRIERE	\$ 17,000.00
	BRANDYWINE	15,000.00
	CONSTELLATION	13,000.00
	CONSTITUTION	15,000.00
	POTOMAC	15,000.00
	UNITED STATES	15,000.00
	HUDSON	15,000.00
	JAVA	10,000.00
	JOHN ADAMS	10,000.00
	ST. LOUIS	10,000.00
	ONTARIO	10,000.00
	LEXINGTON	10,000.00
	FAIRFIELD	10,000.00
	BOSTON	10,000.00
	ERIE	10,000.00
	PEACOCK	10,000.00
	NATCHEZ	10,000.00
	VANDALIA	10,000.00
	FALMOUTH	10,000.00
	WARREN	10,000.00
	VINCENNES	10,000.00
	DOLPHIN	2,500.00
	PORPOISE	2,500.00
	GRAMPUS	2,500.00
	SHARK	2,500.00
	FOX	
	SEA GULL	400.00
	Subtotal:	\$ 10,400.00
	Total:	\$ 615,419.50

for a new live oak frame for the frigate, but the Commissioners suspended their plans to rebuild the *Macedonian* after receiving Branch's letter.² There the matter rested.

In keeping with the new directive on rebuilding, though the Navy Commissioners reported in December 1830 that "The whole of this ship, except her lower futtocks and floors, are in a state of decay, and requires to be rebuilt," at an estimated cost of \$173,133, no monies were requested for the *Macedonian* under any category or head of appropriation for 1831 (see Table 5).³ Since the Navy intended to rebuild the *Macedonian*, any expenditure on this ship from the head of repairs would have been considered a violation of the law by the Secretary of the Navy. On the other hand, Branch would not request an additional appropriation to rebuild the *Macedonian*, since he, personally, equated that with new ship construction, and that would be in direct opposition to his program to streamline the Navy. Rather, Branch once again reiterated his belief that the public good would best be served were the Navy "to retain no more vessels-of-war in commission than are required for the immediate wants of the service, and to cause those which it may be judged proper

² John Rodgers to John Branch, 2 August 1830, LSNavCom - SecNav, RG 45, NA.

³ Navy, *Annual Report, 1830*, p. 769.

should be built to be reserved on the stocks . . . until their services are called for by the national wants."⁴

John Branch's program to streamline the Navy was cut short, however, when he was forced to resign his post in April 1831 amidst the controversy over the "Mrs. Eaton Affair."⁵ Branch's removal was seen as a positive step by many in the Navy. Branch's tenure in office, John Rodgers told John Quincy Adams that same month, had nearly driven him to resign from the service, "so miserably conducted was the administration of the Navy Department."⁶ The protracted disagreement over the rebuilding of the *John Adams* no doubt contributed significantly to Rodgers' dissatisfaction with Branch.

Branch's replacement, Levi Woodbury, adopted a more moderate course in governing the Navy, as well as in settling its accounts.⁷ Whereas Branch had used Jackson's directive on

⁴ Navy, *Annual Report, 1830*, p. 759.

⁵ Corbitt, *Secretaries of the Navy*, p. 8. Branch's wife and daughters refused to invite Peggy Eaton, wife of Secretary of War John Eaton, to a party which they gave, which Jackson deemed an insult and an affront to her social position. See also, W. Patrick Strauss, "John Branch," in Coletta, *Secretaries of the Navy*, vol. 1, p. 148.

⁶ Quoted from Adams' *Memoirs* in White, *Jacksonians*, p. 215.

⁷ Navy, *Annual Report, 1831*, pp. 9-10.

rebuilding to delay, if not eliminate, the practice, Woodbury would use it advantageously for the benefit of the Navy.

Howard I. Chapelle wrote that although she "had been unserviceable for years," the *Macedonian* "had been carried on the naval registers as a convenient method of obtaining maintenance funds."⁸ When the Navy decided to rebuild her in 1832, it was because "something would have to be done . . . at the expense of some other old creak. Otherwise embarrassing questions might be asked in Congress."⁹ According to Chapelle, the Navy waited three years to rebuild the *Macedonian*, in order to accumulate the necessary funds.¹⁰

Reading Chapelle one infers that the *Macedonian* had lain neglected and useless off to the side somewhere in the Navy Yard for an eternity before the Navy finally decided that someone was going to fall through a deck and wonder where all the years' worth of maintenance funds had gone. In fact, however, the *Macedonian* had been in service in the Pacific until 30 October 1828.¹¹ Upon her return to the United States she was placed in ordinary, and at the close of 1828 she was

⁸ Chapelle, *Sailing Navy*, p. 360.

⁹ Chapelle, *Sailing Navy*, p. 360.

¹⁰ Chapelle, *Sailing Navy*, p. 362.

¹¹ *DANFS*, vol. 4, p. 179.

reported to have "Just returned from foreign service - requiring a thorough and extensive repair."¹²

Through late January and early February 1829, workmen at the Gosport yard opened the *Macedonian* up for survey.¹³ A thorough survey was held upon the frigate by naval constructor Francis Grice on 11 February. Responding to yard commandant James Barron's request for an estimate of the cost of necessary repairs, Grice remarked that "the survey alluded virtually amounts to a condemnation." Specifically, "The whole of the Ship with the exception of the lower Futtocks and floors are in a State of decay." Grice cautioned, however, that "Should this ship undergo a repair, it would be bad policy to let those timbers remain, as they are only of White Oak, which would not remain durable as long as the other parts of the frame, which would be of Live Oak." His estimate, therefore, of \$125,000, was "for the hull, complete for sea."¹⁴ In the annual report for 1829 she was reported in

¹² Navy, *Annual Report, 1828*, p. 234.

¹³ Semi-Monthly "Report of Work Done at the United States Navy Yard at Gosport," hereinafter cited as "Semi-Monthly Returns," Gosport, 16-31 January 1829, 1-15 February 1829, OSF Box 520, RG 45, NA.

¹⁴ "Macedonian. Estimate for Repairs & Outfits," 28 September 1830, OSF Box 99, RG 45, NA. Additional estimates of \$4,500 in the sailmaker's department, \$16,120 in the rigger's department, \$5,008 in the gunner's department, \$2,500 in the gun carriage department, \$1,200 in the boat builder's department, \$3,016 in the cooper's department, \$4,500 in the blacksmith's department, \$839 in the armorer's

ordinary at Norfolk, in need of a "thorough and extensive repair."¹⁵

During 1829, however, the Norfolk yard had been occupied with the rebuilding of the *John Adams*. Before that, it was engaged with the repair of the *Constellation*. The *Macedonian* was the next vessel scheduled for heavy repairs, and, in fact, as soon as the *John Adams* was launched, orders were issued to commence the process of rebuilding the *Macedonian*. The Navy Board had already contracted for a new frame for the frigate. Contrary to Chapelle's assertion, therefore, the *Macedonian* had not been "unserviceable for years" when the Navy finally decided to rebuild her. Two years in ordinary was hardly an unusual length of time for a vessel to await repair during this period.

Not until after the Navy Board had issued orders to rebuild the *Macedonian* did John Branch interrupt matters by deciding that rebuilding did not fall within the specificity of the appropriation for Repairs and Wear and Tear. Moreover, until Andrew Jackson moved to differentiate rebuilding from repair, the use of maintenance funds to maintain a vessel awaiting repairs, and the use of repair

department, and \$650 in the painter's department, brought the total estimate to \$173,133. See also, "Estimate for repairs to Frigate *Macedonian* in 1830," OSF Box 71, RG 45, NA.

¹⁵ Navy, *Annual Report*, 1829, p. 354.

funds to effect those repairs, was not indicative of impropriety within the Navy Department as far as Congress, or anyone else, was concerned.

It is true that after the Navy suspended the rebuilding of the *Macedonian* in 1830 it did not resume the work until 1832. But the Navy did not suspend the rebuilding of the *Macedonian* in order to accumulate additional funds through the appropriation for Repairs and Wear and Tear. After Jackson determined that the appropriation for Repairs and Wear and Tear should not be applied to vessels that were to be rebuilt, the Navy deleted the *Macedonian* from the itemized list of ships that it intended to maintain, repair, or even preserve, through that appropriation. How, then, could the Navy have been using the *Macedonian* as an excuse to accumulate extra funds, when it did not ask for funds for the *Macedonian*?

The delay in rebuilding the *Macedonian* resulted directly from the fact that John Branch occupied the office of Secretary of the Navy. As far as Branch was concerned, the Navy's plan to rebuild the *Macedonian* was inconsistent with his program to streamline the Navy. True, the Navy was compelled to wait for the funds to rebuild the *Macedonian*, but this was not because it was trying to accumulate them in increments through the appropriation for Repairs and Wear and Tear. Rather, it was due to the fact that under Jackson's

new directive the Navy had to request rebuilding funds through a special appropriation, and John Branch was unwilling to do so for the *Macedonian*.

In 1830 the Navy Commissioners included a line-item for \$121,421.91 to begin rebuilding the *Macedonian* in the estimates which they submitted to the Secretary of the Navy for the coming year. Branch, however, failed to carry this request over into the final general estimate submitted to Congress for the Navy for 1831.¹⁶

In the interim, the *Macedonian* continued to rot at her moorings. "Recent indications of great weakness in the *Macedonian*," yard commandant James Barron cautioned the Commissioners late in February 1831, "induces me to believe that she cannot long be kept afloat, without an expense much beyond any object that I am aware of."¹⁷ The Commissioners forwarded Barron's report of the condition of the *Macedonian* to Branch, requesting "directions as to the course to be pursued in relation to that ship."¹⁸ When Branch hesitated to reply, the Commissioners asked again. "As no special appropriation [for the *Macedonian*] was made (the provision in

¹⁶ Navy, *Annual Report, 1830*, p. 778.

¹⁷ James Barron to John Rodgers, 21 February 1831, LRNavCom - Cmdts.

¹⁸ John Rodgers to John Branch, 1 March 1831, LSNavCom - SecNav, RG 45, NA, vol. 4, p. 94.

the estimate for the present year for rebuilding that ship, having been stricken out)," Rodgers pressed Branch two weeks later, "the Commissioners are of the opinion that it would be best to take advantage of the rise of water at the spring tides to haul her into as shoal water as possible." Thus situated, he explained, "she could at any time be broken up, and the materials taken out of her."¹⁹ The *Macedonian* was hauled up on the mudflats the following month to await the decision of the Department on her final disposition.

John Branch might have been unwilling to request a special appropriation to rebuild the *Macedonian*, but Levi Woodbury was not. The first time that Woodbury directed the preparation of estimates for the Navy, for the year 1832, he added a request for \$207,984 "to rebuild or repair and equip the frigate *Macedonian*, a live oak frame having already been provided for her."²⁰ Although he was bound to act according to Jackson's directive, Woodbury did not share his predecessor's perception of rebuilding as equal to new construction. The terms rebuilding and repairing were still no longer considered synonymous, but whereas Branch had equated rebuilding with new ships, under Woodbury's

¹⁹ John Rodgers to John Branch, 12 March 1831, in LSNVCom - SecNav, RG 45, NA, vol. 4, p. 99.

²⁰ Navy, *Annual Report, 1831*, pp. 11, 12.

leadership rebuilding represented an intermediate between repair and new ship construction.

Chapelle wrote that the Navy was finally able to begin rebuilding the *Macedonian* in 1832, because "Congress . . . authorized a somewhat larger naval appropriation, part of which was used in 'rebuilding' the *Macedonian* and also in 'rebuilding' the prize-ship sloop *Cyane* in 1834."²¹ Once again, his interpretation is misleading. Woodbury did not request funds to rebuild the *Macedonian* as part of the Navy's general estimate; these funds represented a supplementary request, in keeping with Andrew Jackson's directive on expenditures for rebuilding. Similarly, the money provided for the rebuilding of the *Macedonian* was not included in the Navy's regular appropriation for 1832. Rather, the funds requested by Woodbury to rebuild the *Macedonian* were specially appropriated by a separate Act of Congress, "to Finish the Re-building of the Frigate *Macedonian*," approved on 10 July 1832.²² By ignoring the structure of naval appropriations, Chapelle implied that the Navy managed to sneak past Congress yet another episode of "administrative rebuilding". In actuality, however, Chapelle's vague "larger

²¹ Chapelle and Polland, *Constellation Question*, p. 15.

²² U.S., Congress, *An Act to Finish the Re-building of the Frigate Macedonian*, 10 July 1832, in *Register of Debates in Congress*, vol. 8, Appendix, p. xxxiii.

naval appropriation," was a special appropriation which the Navy applied for, and received, directly from Congress, for the explicitly stated purpose of completing the rebuilding of the *Macedonian*.

Clearly, then, the Navy neither used the *Macedonian* improperly as a means to obtain or accumulate additional maintenance funds, nor did it use unspecified extra funds to finance her rebuilding. Moreover, the Navy did not rebuild the *Macedonian* "at the expense of some other old crock," since the funds used to rebuild her were appropriated by Congress for that specific purpose and were not, therefore, subtracted from the Navy's regular appropriation for Repairs and Wear and Tear. If the Navy secretly intended to replace the old *Macedonian* with a new frigate and feared "embarrassing questions" in Congress, why did it call such special attention to the vessel? Obviously, the Navy had nothing to fear. The condition of the *Macedonian* was explicitly stated, as was the Navy's intent to rebuild her. That this would involve constructing a new hull for the ship was apparent, both from the Navy's statement that it had already procured a new frame for the vessel, as well as from John Branch's explanation of the new directive on financing rebuilding in the Navy's annual report for the preceding year.

And what of the *Cyane*? The corvette *Cyane*, which had already been nearly entirely rebuilt in 1819 (although not in the scheme of "administrative rebuilding"), had been in ordinary at Philadelphia since late in 1827. By 1830, she was already in such poor condition [see Table 4, above] that the only means reported to be employed towards her preservation were "to keep her upper hatchways closed, to prevent the rain, &c, &c, getting into the ship, and occasionally giving the outside a coat of cheap paint."²³ For 1832, however, in addition to requesting additional funds to rebuild the *Macedonian*, Woodbury also asked for \$50,500 "to provide live oak frames to rebuild or repair the frigate *Java* and the corvette *Cyane*."²⁴

The frigate *Java*, Woodbury explained, had just returned from the Mediterranean, and "on a minute survey, was found to be very defective." However, as the *Java* had "been built of inferior materials," Woodbury reported, "expensive repairs on her are not deemed judicious." Why, despite the unworthiness of both the *Cyane* and the *Java*, did Woodbury request funds to facilitate their rebuilding? Practical considerations certainly applied, but sentiment played just

²³ Navy, *Annual Report, 1830*, p. 770. See also, "Corvette *Cyane*. Survey of the defects and detailed estimate for the repairs of," 10 September 1830, OSF Box 93, RG 45, NA.

²⁴ Navy, *Annual Report, 1831*, pp. 11, 12.

as vital a role in the Navy's decision: "As she [the *Java*] bears the name of one of our trophies during the late war," wrote Woodbury, "it is recommended that an appropriation be made for purchasing timber to rebuild her, and another, for a similar reason, to rebuild the *Cyane*."²⁵

In 1831, of course, the United States was still at peace and the Navy kept very few frigates in commission from year to year. Moreover, although retrenchment was no longer the rage, moderation was still the rule for the Navy. Thus, although the Navy had three ships, "whose names are so intimately associated with our naval glory," awaiting rebuilding, Woodbury requested an appropriation to finish only the *Macedonian*, which, he reported, "could be expended with much advantage the two ensuing years."²⁶ Since the Navy only requested funds to purchase frames for the *Java* and the *Cyane* and not to initiate their rebuilding, the Navy's estimate for the head of Repairs and Wear and Tear for 1832 included allowances of \$1,500 for their preservation. Once again, the *Macedonian* was not included in the estimate under this head.²⁷

²⁵ Navy, *Annual Report, 1831*, p. 6.

²⁶ Navy, *Annual Report, 1831*, p. 6.

²⁷ Navy, *Annual Report, 1831*, p. 21.

In addition to the special appropriation for rebuilding the *Macedonian*, therefore, the Navy received a second special appropriation, also on 10 July 1832, "for the purpose of purchasing timber to rebuild the frigate *Java* and the sloop *Cyane*."²⁸ The "part" of the "larger naval appropriation" which Chapelle states was used in the rebuilding of the *Cyane* actually consisted of the *Cyane's* share of this special appropriation to purchase frame timber. In a broad sense, these funds did represent an increase in the Navy's resources, but the Navy did not need to divert them to rebuilding purposes--they were appropriated specifically for rebuilding purposes.

After passage of the special appropriations for the *Macedonian*, the *Java*, and the *Cyane*, in July 1832, the Navy commenced repairs to the former vessel and contracted for new live oak frames for the latter two ships. At the close of 1832, Woodbury reported that "The Acts of Congress, relative to the rebuilding of the *Macedonian*, and the purchase of timber to rebuild, at some future period, the *Java* and the *Cyane*, have both been executed as far as practicable."²⁹ Now

²⁸ U.S. Congress, *An Act to Provide for Rebuilding the Frigate Java and the Sloop Cyane*, 10 July 1832, *Register of Debates in Congress*, vol. 8, Appendix, p. xxxiv.

²⁹ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in 1832*, 4 December 1832, Naval Affairs 486, 22nd Cong., 2nd sess., *American State Papers*, vol. 26, hereinafter cited as

that the *Macedonian* was rebuilding, she no longer appeared on the Navy's annual list of ships in ordinary. Meanwhile, the *Java* had been converted into a receiving vessel until such time as the Navy could undertake to rebuild her.³⁰

By the end of 1833, the Navy reported that "There is building, at the navy yard, Gosport, a frigate of the second class, to replace the *Macedonian*, condemned and broken up under a special act of Congress."³¹ The frigate *Java* and the *Cyane*, now classed as a sloop of war, both remained on the Navy's list of ships in ordinary with the brief notation, "to be replaced."³² Of the remaining ships in ordinary at the close of 1833, the sloops of war *Concord* and *Warren* required "slight repairs," the ship of the line *Columbus* required "moderate repairs," the ships of the line *Independence*, *Washington*, and *Franklin* required "thorough repairs," the

Navy, *Annual Report, 1832*, p. 159.

³⁰ Navy, *Annual Report, 1831*, p. 183.

³¹ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in 1833*, 3 December 1833, Naval Affairs 519, 23rd Cong., 1st sess., *American State Papers*, vol. 26, hereinafter cited as *Navy, Annual Report, 1833*, p. 369. Breaking up the *Macedonian* was apparently not completed until at least 1834. Workmen at the Gosport yard were employed for more than 670 hours during June 1834, according to the yard returns, "docking & cutting down" the old ship. ("Semi-Weekly Returns," Gosport, 1-15 June 1834, 16-30 June 1834, OSF Box 521, RG 45, NA).

³² Navy, *Annual Report, 1833*, p. 368.

sloop of war *Boston* required "considerable repairs," and the ship of the line *Ohio*, and the frigates *Guerriere* and *Congress* required "extensive repairs." In addition, the frigate *Constitution* was reported to be "undergoing a thorough repair," and the frigate *Brandywine*, recently coppered, was nearly ready for sea service. The steam galliot *Sea Gull*, used as a receiving vessel since her return from the West India Squadron in 1825, was "unfit for repairs." Lastly, the frigate *Hudson*, built of white oak with green timbers, had joined the list of ships that required rebuilding.³³

Under Levi Woodbury's stewardship, the Navy's practice of rebuilding ships of war received renewed emphasis. In December 1833 Woodbury stated the Navy's "present policy . . . to launch no more vessels of the same size with those in ordinary, until the latter are worn out." Meanwhile, the progressively worsening condition of the various ships in ordinary convinced the Navy that such was not the ideal state for long-term vessel storage. Branch had proposed to suspend ship construction programs in favor of stockpiling naval materiel for future use. Woodbury continued to advocate the

³³ Navy, *Annual Report, 1833*, p. 368; Navy, *Annual Report, 1831*, p. 31.

collection of shipbuilding stores at the various navy yards.³⁴ He also proposed, however, "to build from time to time and protect on the stocks till wanted, such new vessels as Congress may authorize to be constructed, because in that condition their timber will improve rather than decay, and the expense of taking care of them will be trifling compared with that of vessels in ordinary." Such action, he reported, "had been adopted the past year with the *Macedonian*, now building."³⁵

Indeed, the new *Macedonian* remained on the stocks at Norfolk, with a roof built over her, "in a state of perfect preservation,"³⁶ until 1836, while Congress continued to support her rebuilding. In fact, Congress specifically reserved the funds appropriated for the rebuilding of the *Macedonian* for that purpose, even though her completion was delayed. One of the provisions of an Act approved 30 June

³⁴ In 1833 Congress renewed the Act for the Gradual Improvement of the Navy for another six years. See, U.S., Congress, *An Act in Addition to the Act for the Gradual Improvement of the Navy of the United States*, 2 March 1833, in *Register of Debates in Congress*, vol. 9, Appendix, pp. 18-19.

³⁵ Navy, *Annual Report*, 1833, p. 354.

³⁶ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1835*, 8 December 1835, Naval Affairs 585, 24th Cong., 1st sess., *American State Papers*, vol. 26, hereinafter cited as *Navy, Annual Report*, 1835, p. 753.

1834, was that "no part of the balance of the appropriation heretofore made to rebuild the frigate Macedona (Macedonian) and not yet expended, shall be carried to the surplus [fund] until one year after said frigate shall be launched."³⁷

During 1834 the Navy received another special appropriation of \$181,000 "to rebuild the frigate Congress," along with a similar provision that "no part of said sum shall be carried to the surplus fund, notwithstanding any general provision in any other act to the contrary."³⁸ The *Congress* had been used as a receiving ship at Norfolk for several years after her arrival there in November 1829. An estimate prepared at the Norfolk yard in 1830, of the cost required to fit the frigate for a three years' cruise, listed a new "Hull - complete" at \$111,000.³⁹ A subsequent survey by Francis Grice in April 1834 concluded that the *Congress* was

³⁷ See section ten of U.S., Congress, *An Act Authorizing the Purchase of Live Oak Frames for a Frigate and Sloop of War, and for Other Naval Purposes*, 30 June 1834, in *Register of Debates in Congress*, vol. 10, Appendix, p. 342.

³⁸ U.S., Congress, *An Act to Provide for Rebuilding the Frigate Congress*, 30 June 1834, in *Register of Debates in Congress*, vol. 10, Appendix, p. 344.

³⁹ "Frigate Congress. Estimate for the repairs of conformably to Survey," 24 September 1830, OSF Box 69, RG 45, NA. Additional costs in the gun carriage, blacksmith's, painter's, and armorer's departments brought the total estimate to \$115,079.

"unworthy of repair and ought to be condemned."⁴⁰ Chief Naval Constructor Samuel Humphreys concurred. "The great extent of decay which plainly showed itself, & the probability of further decay being manifested upon the removal of more plank," he explained, "induced the surveyors to recommend a condemnation of this ship in preference to repairing her." Moreover, "The Surveyors were aware of the disadvantages which would be encountered by putting new timbers into an old Ship, on account of the increased expense." Under those circumstances, Humphreys concluded, "they believed that the ship if repaired could not be considered a new one, while the expense of repair would exceed the cost of building a new ship of the same dimensions as the Frigate Congress."⁴¹

Howard I. Chapelle wrote that the *Congress* "had been soaking up maintenance funds until it had been discovered that she might be used as a budget justification to obtain funds for 'rebuilding' old ships into wholly new and useful men-of-war. . . . only her official register need be kept

⁴⁰ Francis Grice to Lewis Warrington, 4 April 1834, in "Frigate Congress. Report of survey by Messrs. Humphreys and Grice and condemnation of the same, and further report by Mr. Humphreys of the defects of, dated 22nd April 1834," OSF Box 76, RG 45, NA.

⁴¹ Samuel Humphreys to John Rodgers, 22 April 1834, in "Frigate Congress. Report of survey by Messrs. Humphreys and Grice and condemnation of the same, and further report by Mr. Humphreys of the defects of, dated 22nd April 1834," OSF Box 76, RG 45, NA.

intact."⁴² Although, like Chapelle's assertions about earlier episodes of rebuilding, this statement has some basis in fact, it still strays far off the mark in its implications.

If the relatively small sum of \$1,000 requested for the preservation of the *Congress* for 1832 is any indication, she was hardly "soaking up" funds.⁴³ Chapelle's "budget justification" can be read either of two ways: either the Navy used the *Congress* to obtain funds to divert to rebuilding, or it used the term "'rebuilding'" deceptively to obtain funds to build new ships. Neither interpretation is accurate, however. The funds provided for the rebuilding of the *Congress* were specifically designated for that purpose and, like the funds received for the rebuilding of the *Macedonian*, the *Java*, and the *Cyane*, were not part of the Navy's regular appropriation. Also like the case of the *Macedonian*, the funds for rebuilding the *Congress* were restricted to that purpose by law, and held in perpetuity, until after her completion. The *Congress* was broken up and removed from the Navy's list of ships in ordinary almost immediately, even though the rebuilt vessel was not launched until seven years after the Navy received the appropriation

⁴² Chapelle, *Sailing Navy*, p. 31.

⁴³ Navy, *Annual Report, 1831*, p. 21.

to rebuild her.⁴⁴ Since the stated policy of the Navy was to procure materials or hold vessels on the stocks until needed, the Congressional appropriation for the rebuilding of the frigate *Congress* embraced the expected delay in her completion. Thus, the delay in rebuilding the *Congress*, like the *Macedonian*, was due not to shortage of funds,⁴⁵ but to the Navy's policy of keeping in service only the minimum number of vessels required. This policy was also soon to change.

The mid-1830s marked a turning point for the Navy. In 1834, Levi Woodbury left the Navy Department to take over the Department of the Treasury. He was replaced by Andrew Jackson's last Secretary of the Navy, Mahlon Dickerson. By the latter half of Jackson's second term, as well, the Navy's political situation had improved markedly. A few years earlier, in 1829 and 1830s, John Branch and Amos Kendall had assailed the practice of transferring funds between appropriations in a partisan attack against the previous administration. By December 1834, however, Mahlon Dickerson

⁴⁴ U.S., Navy, *Annual Report, 1835*, p. 752; *DANFS*, vol. 2, p. 163. The sum of \$4,993.54 was expended to break up the *Congress* in 1834. (H.Doc. 49 (27-3), p. 4) See also, "Semi-Weekly Returns," Gosport, 1834, OSF Box 521, RG 45, NA.

⁴⁵ In January 1838, for example, the Navy reported that it had drawn only \$17,500 from the appropriation for rebuilding the frigate *Congress* during the preceding year, leaving a balance of \$123,900 under that head. See U. S., Congress, House, *Appropriations - Navy Department - 1837*, 24 January 1838, H. Doc. 124, 25th Cong., 2nd sess., hereinafter cited as H.Doc. 124 (25-2).

was complaining of frequent "inconvenience . . . from a want of power to make transfers of materials purchased for the navy under certain appropriations, to the purposes of other appropriations, under which they are more immediately wanted." The power to make such transfers, Dickerson suggested, "would save much time and expense in the building and repairing of our ships."⁴⁶

The United States' increasing commerce with foreign nations also enhanced the Navy's importance, prompting an increase in the naval appropriation by the latter half of the decade. The appropriation for Repairs and Wear and Tear for 1835 represented a sixty percent increase over the amount received in 1834.⁴⁷ In 1831, the Navy had twenty-two ships in commission in four cruising squadrons (Mediterranean, West Indies, Pacific, Coast of Brazil), including six frigates,

⁴⁶ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in 1835* [sic:1834], 2 December 1834, Naval Affairs 564, 23rd Cong., 2nd sess., *American State Papers*, vol. 26, hereinafter cited as *Navy, Annual Report, 1834*, p. 590.

⁴⁷ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Thirty-Four*, 24 January 1834, in *Register of Debates in Congress*, vol. 10, 23rd Cong., 1st sess., Appendix, p. 317; U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Thirty-Five*, 13 February 1835, in *Register of Debates in Congress*, vol. 11, 23rd Cong., 2nd sess., Appendix, pp. 402-403, hereinafter cited as U.S., Congress, *Appropriations, 1835*. Congress appropriated \$974,000 for Repairs and Wear and Tear for 1835, compared with \$590,000 for 1834.

twelve sloops of war and four schooners.⁴⁸ For the support of these ships during 1831 the Navy received \$1,278,694 for the Pay and Subsistence of Officers and Seamen Afloat, \$173,400 for Provisions, and a share of the \$615,400 appropriated for Repairs and Wear and Tear.⁴⁹ Five years later, the Navy would have in commission one ship of the line, four frigates, eight sloops of war, and five schooners, for a total of eighteen ships of war, cruising in five naval squadrons (Mediterranean, West Indies, Pacific, Coast of Brazil, and East Indies).⁵⁰

In December 1835, however, Secretary of the Navy Mahlon Dickerson reported to Jackson that "our naval force in commission is not adequate to the protection of our rapidly increasing commerce."⁵¹ Acting upon Jackson's suggestion, Dickerson directed the Navy Commissioners to prepare an estimate of the annual expense for an increased force of two frigates, three sloops of war, and one steamer in

⁴⁸ U.S. Congress, Senate, *Naval Register for 1831*, 4 January 1831, Naval Affairs 433, 21st Cong., 2nd sess., *American State Papers*, vol. 25, p. 822.

⁴⁹ U.S., Congress, *Appropriations, 1831*.

⁵⁰ U.S., Congress, Senate, *Naval Register for 1836*, 6 January 1836, Naval Affairs 587, 24th Cong., 1st sess., *American State Papers*, vol. 26, p. 799.

⁵¹ Navy, *Annual Report, 1835*, p. 731.

commission.⁵² For the support of this larger naval force, the Navy requested \$1,974,538.91 for the Pay and Subsistence of Officers and Seamen Afloat, \$590,000 for Provisions, and \$950,000 for Repairs and Wear and Tear (funds from which also applied to ships in ordinary).⁵³ Dickerson requested funding for this additional force even though, as he stated, "A large portion of the entire expenditure for the additional force proposed must be incurred, even if it should not be called into service." He explained that

The vessels necessary for such increase of force (except the steam vessels) will, if not so employed, remain at our wharves, affording no benefit to the country, and suffering more from decay than they would do if at sea; and a large portion of their officers necessary for their command, although earnestly asking for service, will remain on shore, receiving pay, but performing no duty; adding nothing to their professional skill, but losing their habits of discipline, which can only be preserved by constant exercise.⁵⁴

These considerations would most likely have met with contempt in the earlier years of Jackson's administration. With Jackson's support, however, under these three respective

⁵² Navy, *Annual Report*, 1835, p. 735.

⁵³ Navy, *Annual Report*, 1835, p. 737.

⁵⁴ Navy, *Annual Report*, 1835, p. 732.

heads the Navy would receive for 1836 even more than requested: \$2,318,017.16, \$782,263.75, and \$1,065,000.⁵⁵

By 1835, as well, the Navy had two drydocks in operation, one at Norfolk, and one at Boston, and it planned another at New York. The Navy also proposed to build hydraulic docks or inclined planes (marine railways) at Boston, Norfolk, and Pensacola.⁵⁶ The availability of drydocks greatly enhanced the Navy's ability to repair thoroughly its ships of war, in less time and at reduced cost. Thus, during 1835, the ship of the line *North Carolina* was "thoroughly repaired in her hull" in the dock at Norfolk, while the *Independence* was removed from ordinary and placed in the dock at Boston where her repairs were "progressing with great dispatch."⁵⁷

The *Macedonian*, meanwhile, remained under a ship house on the stocks at Norfolk. In February 1836, the sum of \$123,809.92 still remained unexpended from the appropriation

⁵⁵ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Thirty-Six*, 14 May 1836, 24th Cong., 1st sess., in *Register of Debates in Congress*, vol. 12, Appendix, pp. ix-xi.

⁵⁶ Navy, *Annual Report, 1834*, p. 590; Navy, *Annual Report, 1835*, pp. 748-749.

⁵⁷ Navy, *Annual Report, 1835*, p. 731.

for rebuilding that frigate.⁵⁸ Shortly thereafter, however, interest renewed in the naval Exploring Expedition to the Pacific Ocean and South Seas, which had been canceled in 1829, shortly after Jackson's election to the presidency. Named as flagship, the *Macedonian* was removed from preservation, completed, and like the *Peacock* before her, fitted out as an exploratory vessel.⁵⁹ But also like the *Peacock* before her, the *Macedonian* would not lead the Navy's first exploratory cruise. By the time the expedition finally sailed in 1838, the *Macedonian* had been replaced as flagship by the sloop of war *Vincennes*. The year after the *Macedonian's* completion, however, in compliance with the Act of Congress 30 June 1834, the remaining sum of \$5,111.95 from the appropriation for rebuilding the frigate *Macedonian* was transferred by the Navy to the surplus fund.⁶⁰

By the end of 1836, only seven ships which required extensive repairs, or were deemed unworthy of repair, remained in ordinary. At New York, the ships of the line

⁵⁸ U.S., Congress, House, *Appropriations - Naval Service - 1835*, 4 February 1836, H.Doc. 96, 24th Cong., 1st sess.

⁵⁹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 3 December 1836, Ex.Doc. 2, 24th Cong., 2nd sess.

⁶⁰ U.S., Congress, House, *Appropriations and Expenditures of the Navy Department - 1838*, 31 January 1839, H.Doc. 135, 25th Cong., 3rd sess., hereinafter cited as H.Doc. 135 (25-3).

Washington and *Franklin* required "extensive" and "large" repairs. The frigate *Hudson*, "considered unfit for sea service," was still used as a receiving vessel. At Philadelphia, the old steam galliot *Sea Gull*, also used as a receiving vessel, was likewise unfit for service at sea. At Norfolk, the sloop of war *Vincennes* required "large repairs," and the frigate *Java*, serving as a receiving vessel, was "much decayed." Finally, the frigate *Guerriere* was also "much decayed, and requires to be rebuilt or extensively repaired." The remainder of the Navy's ships in ordinary were either undergoing repair or ready for service.⁶¹ Repairs to the ship of the line *North Carolina* had been completed; the ship had been launched and was nearly ready for sea. The ship of the line *Independence* had been cut down to a razeed, completely repaired, and was nearly ready for service. The *Delaware* and the *Columbus* were both in drydock undergoing repairs. Repairs had also commenced upon the ship of the line *Ohio*.⁶²

In November 1836, Martin Van Buren was elected on the Democratic ticket to succeed Andrew Jackson as President of the United States, having previously served as vice-president through Jackson's second term. Van Buren's naval program

⁶¹ Navy, *Annual Report, 1836*, p. 480.

⁶² Navy, *Annual Report, 1836*, p. 441.

would be very much in keeping with latter Jacksonian naval policy which, by the end of Jackson's second term, was more reminiscent of earlier National Republican (Whig) programs than those of his own first administration. The quintessential Democrat who, in his 1829 inaugural address advocated the "gradual increase of our Navy," and cautioned against standing armies and a sizable standing Navy as "dangerous to free governments in time of peace,"⁶³ advised the nation as he left office on 4 March 1837, that "We shall more certainly preserve peace when it is well understood that we are prepared for war." The Navy, Jackson stated in his farewell address, represented America's "natural means of defense. It will in the end be found to be the cheapest and most effectual, and now is the time," he assured the citizenry, "in a season of peace and with an overflowing revenue, that we can year after year add to its strength without increasing the burdens of the people."

Van Buren retained Mahlon Dickerson as his Secretary of the Navy through at least the first part of his term. Though Dickerson would eventually resign from the cabinet after a flap over the exploring expedition, which he personally

⁶³ J. D. Richardson, ed., *Compilation of the Messages and Papers of the Presidents, 1797-1897*, 53rd Cong., 2nd sess., 1907, H.Misc.Doc. 210; pts. 1-10, 10 vols. (Washington, D.C.: Government Printing Office, 1907), hereinafter cited as Richardson, *Messages and Papers of the Presidents*, vol. 2, pp. 437-438.

opposed,⁶⁴ he maintained the same basic approach to vessel construction, maintenance, and repair that had characterized his tenure in the Jackson administration. This included the rebuilding of ships of war according to Jackson's 1830s directive. Thus, repairs to the *Delaware* were completed during 1837, while the *Ohio* was moved into drydock to complete her repairs. The *Hudson*, the *Java*, and the *Guerriere*, continued in ordinary, unfit for sea service.⁶⁵

In March of 1837 the Navy received an additional appropriation of \$280,000 to build and equip two sloops of war from frames already provided. One of these vessels would be built "to replace the *Cyane*,"⁶⁶ using the frames procured for that purpose under the Act of Congress 10 July 1832. That vessel, building at the Boston Navy Yard, would be a sister to the second sloop, building at the New York yard, to be called the *Levant*.

⁶⁴ W. Patrick Strauss, "Mahlon Dickerson," in Coletta, ed., *Secretaries of the Navy*, vol. 2, pp. 159-162. Van Buren had been forced to transfer responsibility for the expedition to Secretary of War Joel Poinsett, though Dickerson retained nominal authority over the project as Secretary of the Navy. See also, William Stanton, *The Great United States Exploring Expedition* (Berkeley and Los Angeles: University of California Press, 1975), pp. 35-72.

⁶⁵ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 2 December 1837, in H.Doc. 3, 25th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1837*, p. 807.

⁶⁶ *Navy, Annual Report, 1837*, p. 808.

The *Levant*, according to Chapelle, unlike the new *Cyane*, was "an admittedly new ship."⁶⁷ This assertion assumes that the Navy had only two options: new construction and vessel repair. Rebuilding, in Chapelle's view, represented an attempt by the Navy to accomplish the former under the guise of the latter. But in contemporary naval administration, this interpretation was held only by John Branch. After his departure from office, rebuilding represented a third option, not equal to either of the other two. In rebuilding the *Cyane*, the Navy never claimed to be repairing the original hull. In fact, the Navy explicitly stated that it had "commenced, . . . building at Boston," a sloop of war "to be called the *Cyane*,"⁶⁸ that would "replace"⁶⁹ the original vessel. The new *Cyane* was not simply built, however; she was rebuilt, and this implied something different.

Before Jackson's 1830s directive, the rebuilding of an existing ship was embraced within the framework of vessel repair. Factors which influenced the decision to rebuild included the comparative cost of repair versus the cost of building entirely anew, the reusability of materiel (in the

⁶⁷ Chapelle, *Sailing Navy*, p. 397.

⁶⁸ Navy, *Annual Report, 1837*, p. 811.

⁶⁹ Navy, *Annual Report, 1837*, p. 808.

hull as well as in the vessel's other departments), and the anticipated quality of the ship once repaired.

Jackson's 1830s directive removed rebuilding from the realm of repair, however. Thus, in the decade during which the Navy pursued rebuilding projects under Jackson's 1830s directive, rebuilding came closer to new construction in meaning than it had before or ever would again in the American sailing Navy. Factors which had previously influenced the decision to rebuild--by their nature questions of repair--were no longer relevant to Jacksonian rebuilding. Nevertheless, rebuilding remained outside the realm of new construction. Superseding the old questions which had predominated in the decision to rebuild particular vessels, other considerations received greater emphasis. Jacksonian rebuilding largely removed any physical continuity between the old and the new hull of a rebuilt vessel. Not surprisingly, then, as in the earlier case of the *Philadelphia*, where the ship proposed to be rebuilt could have no physical connection to the original, sentiment and national honor became the primary justification for rebuilding ships of war under Jackson's 1830s directive. As Levi Woodbury explained in his initial request for funds to procure frames for the *Java* and the *Cyane*, rebuilding embodied, more than practical considerations, the Navy's desire to preserve the nation's sentimental attachment to

particular vessels. Even when, as in the case of the *Cyane*, the physical continuity between the original and the rebuilt vessel was minimal or nonexistent, rebuilding was a mechanism by which the Navy, and the nation, could maintain a sense of intellectual and emotional continuity.

Thus, by late 1837, Isaac Chauncey reported that the rebuilt *Cyane*, as well as the new sloop *Levant*, were nearly ready for launching, and that their equipment "was also in a state of forwardness."⁷⁰ Both ships were completed during 1838 and sent to sea.⁷¹ Of the \$280,000 appropriated for their construction by the Act of 3 March 1837, a balance of \$332.41 remained on 31 January 1839.⁷² The additional sum of \$11,035.47 was also expended for the *Cyane* during 1837, representing the remaining balance on 1 January 1837 from the original appropriation of \$50,500 for procuring frames for rebuilding the *Java* and the *Cyane*.⁷³

Though the establishment of separate appropriations for the rebuilding of particular ships of war had assuaged, to

⁷⁰ Navy, *Annual Report, 1837*, p. 811.

⁷¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 30 November 1838, S.Ex.Doc. 1, 25th Cong., 3rd sess., hereinafter cited as *Navy, Annual Report, 1838*, p. 636.

⁷² H.Doc. 135 (25-3).

⁷³ H.Doc. 124 (25-2).

some degree, Jacksonian concern for proper adherence to the specificity of the naval appropriations, the practice had the negative effect of further complicating the Navy's accounts. Thus, by the second year of Van Buren's administration, in what represented an almost complete reversal from the earlier Jacksonian naval policies of Amos Kendall and John Branch, Congress reported, without amendment, a bill to consolidate the appropriations for ship construction, rebuilding, and repair programs under one head.⁷⁴ Though the bill failed to make it through Congress before the end of the session, Van Buren's second Secretary of the Navy, James Kirke Paulding, raised the issue again in 1839.

Paulding, unlike most of his more recent predecessors, was fairly well qualified for his position. With twenty years of naval experience, first as secretary to the Board of Navy Commissioners, then as Navy Agent at New York, Paulding proved to be a strong advocate of naval strength and efficiency, though he earned criticism for his conservative and unenthusiastic stance on the expansion of steam technology in the Navy.⁷⁵ When it came to naval

⁷⁴ See discussion on H. R. 571, *Congressional Globe*, vol. 7, pp. 108-109, 115.

⁷⁵ W. Patrick Strauss, "James Kirke Paulding," in Coletta, *Secretaries of the Navy*, vol. 1, pp. 165-170.

administration, however, Paulding supported the Commissioners' requests for fiscal reform.

Specifically, the Board complained of the proliferation of naval accounts, not only in the Department, but in the various building yards, resulting from the need to keep separate records for each of the different appropriations for ship construction, rebuilding, and repair. Moreover, since much of the naval materiel procured under the various Acts was reserved for specific, yet indefinite programs, perishability represented a significant problem for the long term. Most recently, the Navy had received an appropriation of \$400,000 for the construction of six small vessels of less than eighteen guns each, "in addition to materials which might be on hand belonging to other appropriations, and which could be advantageously applied to these."⁷⁶ The consolidation "under one general head, [of] all the special acts which authorize the building or rebuilding of particular vessels, as well as those relating to their repairs," Paulding concurred with the Board, would be "highly advantageous to the service by placing materials for building, repairing, and equipping vessels generally, at the disposal of the

⁷⁶ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 30 November 1839, in ExDoc. 2, 26th Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1839*, pp. 575, 572. Five of these ships, the sixteen-gun sloops of war *Decatur*, *Preble*, *Yorktown*, *Marion*, and *Dale*, were completed in 1839, there being a deficiency of \$80,000 reported to complete the sixth. (H.Doc. 132 (27-3), p. 183).

department for all such purposes, at the precise period they are wanted, and before they deteriorate by time and exposure." Furthermore, he recommended, such modification to the naval appropriation would have the advantage of "greatly simplifying accounts at all the naval stations by disbursing officers, and at the Treasury."⁷⁷

Paulding also advocated commencing the construction of a drydock at New York, from what the Navy Commissioners reported to be the "absolute necessity for such a dock to give proper repairs to the Washington and Franklin ships of the line, and to other large ships which may be obliged to repair at that port, with due regard to economy and their efficiency."⁷⁸ Both the *Franklin* and the *Washington* required "very extensive repairs" which, by this time, could not be effected outside of a drydock.⁷⁹

Congress complied with the Navy's request for the consolidation of the appropriations for ship construction, rebuilding, and repair under one general head with the Act making appropriations for the naval service for 1840. The

⁷⁷ Navy, *Annual Report, 1839*, pp. 538, 541.

⁷⁸ Isaac Chauncey to James K. Paulding, 25 November 1839, in *Navy, Annual Report, 1839*, p. 541. See also, "Explanation of Special Estimate," in *Navy, Annual Report, 1839*, p. 562.

⁷⁹ Navy, *Annual Report, 1839*, p. 571.

third section of the Act of 20 July 1840 further specified that

all remaining balances of appropriations, heretofore made for building, rebuilding, replacing, purchasing, or repairing, vessels of war, or other vessels, for the use of the navy, or for the purchase of timber, ordnance, or any other articles of building, arming, equipping, or repairing vessels of the navy, or for the repairs of vessels in ordinary, and repair, wear and tear of vessels in commission, together with any materials which have been, or may be, collected under any of the said appropriations, be, and the same are hereby, transferred to one head of appropriation, to be called 'the appropriation for the increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission;' and the amount of said appropriation, and of such other as may be made hereafter for like purposes, and the materials which have been, or may be hereafter collected for the same, may be expended and used by the Secretary of the Navy, in building, replacing, arming, repairing, equipping, and employing any vessels which Congress may have authorized, or may hereafter authorize to be built, rebuilt, purchased, or replaced, in such manner as the interests or necessities of the service may require.⁸⁰

Finally, the Act provided that, "whenever in the opinion of the Secretary of the Navy it shall be conducive to the public interest to use any article of provisions, materials, or other stores, for a different appropriation from that under which they may have been purchased for the naval service, it shall be lawful for him to authorize such use"81

⁸⁰ *Congressional Globe*, vol. 8, p. 510.

⁸¹ *Congressional Globe*, vol. 8, p. 510.

In accordance with the Act of 20 July 1840, the remaining balances in the various appropriations previously authorizing vessel construction, rebuilding, maintenance, or repair, were transferred into the new head for the "Increase, Repair, Armament, and Equipment of the Navy, and Wear and Tear of Vessels in Commission."⁸² Closing the books on the various separate and special appropriations which had characterized naval shipbuilding, rebuilding, and repair through the preceding decade, the Board of Navy Commissioners explicitly reviewed the sources of funds which had been used to build and rebuild the Navy's ships of war under their stewardship:

Of the vessels which are now afloat and fit for repair, five ships of the line and three frigates were built under the law for the gradual increase of the navy. One of the frigates [the *Hudson*], no longer fit for sea service, was purchased from the same appropriation. All the other vessels were built, or have been rebuilt, under special appropriations, or from the annual appropriations for "repairs of vessels, & c."⁸³

Until 1830s, rebuilding had been primarily considered as equivalent to an extreme in vessel repair. From the beginning, however, sentiment played a vital role, along with

⁸² U. S., Congress, House, *Appropriations and Expenditures - Naval - 1840*, 30 January 1841, H.Doc. 88, 26th Cong., 2nd sess.

⁸³ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 5 December 1840, ExDoc. 2, 26th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1840*, p. 443; emphasis mine.

practical considerations, in the Navy's determination to rebuild ships of war. No one could have argued that Congressional authorization to procure materials for rebuilding the frigate *Philadelphia* stemmed chiefly from the desire to extend the usefulness of her timbers and equipment. By and large, however, the reuse of materials, be they in a vessel's hull, armament, or outfit, represented an important theme in ship rebuilding endeavors prior to 1830s.

Jackson's 1830s directive on rebuilding effectively removed the practice from the realm of repair, but it stopped short of equating rebuilding with new construction. In the larger view, however, the ten years during which that directive was in force represent an anomalous period in American naval rebuilding. Although with the passage of the Act of 20 July 1840, rebuilding remained a third alternative to new construction or vessel repair, the Navy's approach to rebuilding became closer, once again, to repair than to new construction. Characteristic of rebuilding activities before 1830s, practical considerations continued to apply in rebuilding ships of war after 1840, though they became less overt. Characteristic, as well, of rebuilding efforts during the 1830s, after 1840 sentiment played an increasingly more important role in determining which ships would actually be rebuilt.

The Act of 20 July 1840 threw funding for the entirety of naval materiel into one pot, excepting, of course, special appropriations for new construction which might be passed separately in the future. When the Navy Commissioners prepared the naval estimate under the head of Increase, Repair, Armament, and Equipment of the Navy, and Wear and Tear of Vessels in Commission, for 1841, therefore, they included provisions for all the different types of ship construction and repair which they anticipated for the coming year.

Among other projects, the estimate of \$1,425,000⁸⁴ included funds for the completion of the frigate *Congress* at the Navy Yard at Portsmouth, New Hampshire (Kittery, Maine). The *Congress*, the Commissioners explained, "conforms to the draught which has been proposed for the frigates for which frames have been collected under the law for the gradual improvement of the navy." The Commissioners wished to complete the *Congress*, so they might "ascertain her qualities, that, if defects should be discovered in her

⁸⁴ Navy, *Annual Report, 1840*, p. 415. The Navy would actually receive an appropriation of \$2,000,000 under that head, of which \$500,000 was reserved for "building and equipping war steamers of medium size." (H.R. 544, "For the Naval Service for the Year 1841," *Congressional Globe*, vol. 9, p. 261).

model, they may, if practicable, be remedied before any of the others shall be built."⁸⁵

In addition, the Navy proposed "to make arrangements for rebuilding the frigate *Guerriere*, which has recently been condemned, and ordered to be broken up as unfit for further repair."⁸⁶ Largely for sentimental reasons, the Commissioners of the Navy recommended that "measures be taken for preparing materials to construct another frigate, to take the place and bear the name of the *Guerriere*."⁸⁷

Leverett Saltonstall of Massachusetts demonstrated that Congress correctly understood both the Navy's intent (to replace the old *Guerriere*) and its rationale (to honor a sentimental attachment to the vessel) in recommending to rebuild the frigate *Guerriere*. In his speech to the House of Representatives on the proposed 1841 appropriation for Increase, Repair, Armament, and Equipment of the Navy, and Wear and Tear of Vessels in Commission, Saltonstall argued strongly in favor of the Commissioners' recommendations: "The Commissioners tell us what they want to do," he explained. "They are desirous of replacing the *Guerriere*, a name which

⁸⁵ Charles Morris, Lewis Warrington, and James B. Nicolson to James K. Paulding, 4 December 1840, in *Navy, Annual Report, 1840*, p. 411.

⁸⁶ *Navy, Annual Report, 1840*, p. 412.

⁸⁷ *Navy, Annual Report, 1840*, p. 443.

excites a thrill in every American bosom, as it is associated with our first naval battle, and naval victory - a name which ought to be forever preserved in our Navy."⁸⁸

By the end of 1840, the sloop of war *Natchez* had also recently been condemned and broken up as unfit for further service. The *Washington* and the *Franklin*, meanwhile, continued in ordinary at New York, in need of "very extensive repairs, . . . where there is no dry dock in which they might be placed to repair them."⁸⁹ The *Java* and the *Hudson*, the Commissioners reported, "though condemned as unfit for repair for sea service, will still answer for some harbor use."⁹⁰

The stage was set for the Navy to chart its own course, once again, as far as the repair and rebuilding of ships of war were concerned. Before much could be done, however, forces both within and outside the Navy would compel the Department to reevaluate not only its approach to vessel maintenance, but the very structure of its organization and administration as well.

⁸⁸ U.S., Congress, House, Speech of Leverett Saltonstall on the naval appropriation, 26th Cong., 2nd sess., *Congressional Globe*, vol. 9, Appendix, p. 186.

⁸⁹ Navy, *Annual Report, 1840*, p. 443.

⁹⁰ Navy, *Annual Report, 1840*, p. 443.

Chapter Eight

The Navy and "Harry Bluff"

The early 1840s were years of transition for the Navy dominated by administrative and foreign policy concerns. National government, as a whole, experienced some unsettling moments at the outset of the decade when Martin Van Buren lost his bid for re-election to the Whig candidate, William Henry Harrison. Shortly thereafter, Harrison contracted pneumonia and died, having served but a single month in office. His Vice-President, John Tyler, was at heart a southern Democrat who broke with Jackson over the banking issue. Tyler's presidential refusal to adopt the Whig party platform led to his eventual abandonment by the Whig party faithful.

Rather atypically, there was little contention between the major political parties over the value and utility of the Navy through the presidential campaign of 1840, nor did the Navy suffer much from the presidential upheavals of the following year. By 1840, Americans had endured five years of repetitive threats of impending war with both France and Great Britain, and by then all eyes were focused on defense preparedness in general and the condition of the Navy in

particular. War tensions had begun late in 1835 when diplomatic conflict between the United States and France over payment for French spoliations against American shipping during the Napoleonic Wars reached a crisis point. The United States recalled its legation in France, the French responded in kind two months later,¹ and by January 1836, rumors were rampant of "hostile preparations" in France² and a French fleet "sent upon our coast."³ The threat of war seemed far from remote until Great Britain finally intervened and negotiated a settlement.⁴

Late in 1837, however, the seizure and destruction of the privately-owned American steamer *Caroline* by Canadian militiamen in American waters aggravated tensions between the United States and Great Britain already strained by America's declared neutrality in the Canadian rebellions against

¹ Howard Jones, *The Course of American Diplomacy*, 2nd edition, 2 vols. (Chicago: Dorsey Press, 1988), hereinafter cited as Jones, *American Diplomacy*, vol. 1, pp. 123-124.

² U.S., Congress, House, Speech of Albert Gallatin Hawes, 11 January 1836, in *Register of Debates in Congress*, 24th Cong., 1st sess., vol. X, col. 2162.

³ U.S. Congress, House, Speech of Waddy Thompson, Jr., 13 January 1836, in *Register of Debates in Congress*, vol. X, col. 2185. On the naval implications of war with France, see debates on naval appropriations, 24th Cong., 1st sess., in *Register of Debates in Congress*, vol. X, passim.

⁴ Jones, *American Diplomacy*, vol. 1, p. 124.

British rule. An American, Amos Durfee, was killed in the meleé. The brief Aroostook War followed in 1839 over the disputed boundary between Maine and New Brunswick. Then, late in 1840, Canadian Alexander McLeod was seized by the authorities in New York after publicly claiming (inaccurately, it turned out) to have been the one who shot Durfee. British attempts to secure McLeod's release met with failure and threats of war ensued. Rumors that the British would resort to force to free McLeod led to speculations of naval and military buildup by both British and American forces. The affair dragged on for a year before McLeod finally produced an alibi in court and won acquittal.⁵

Meanwhile, however, France's blockade of Mexico and the LaPlata region severely strained America's maritime trade and spurred calls for an increased and more effective American naval presence. The blockade of Mexico, the *Army and Navy Chronicle* reported, "caused a confinement of the United States ships of war almost exclusively to that coast."⁶ Captain Thomas ap Catesby Jones' unauthorized seizure of Monterey, on Mexico's California coast in 1842, generated

⁵ Jones, *American Diplomacy*, vol. 1, pp. 124-132; see also, Kenneth R. Stevens, *Border Diplomacy: The Caroline and McLeod Affairs in Anglo-American-Canadian Relations, 1837-1842* (Tuscaloosa, Al.: University of Alabama Press, 1989), and ANC 12 (10-21-1841), p. 331.

⁶ ANC 4 (1-23-1840), p. 62.

tense moments between the United States and its southern neighbor.⁷ Foreign policy matters would predominate heavily through much of the decade of the 1840s, threatening war with Great Britain again in 1845 and 1846 over the Oregon boundary question, and leading to declared war with Mexico over American annexation of Texas in 1846.⁸

For years America had delayed the construction and completion of large, formidable warships because the threat of transatlantic war had seemed remote. By 1840, however, the possibility had seemed real, and even imminent, too many times, and the improvement of the Navy became a subject of intense interest for many. Moreover, technological improvements in naval architecture and engineering during the intervening years led many to the conclusion that the United States Navy was not only inadequate, but ill-equipped for the task at hand. Into the fray stepped an ambitious young Navy lieutenant by the name of Matthew Fontaine Maury.

Matthew Fontaine Maury of Virginia entered the Navy as a midshipman in 1825. Over the next eleven years he served aboard the frigate *Brandywine* in the Mediterranean, and the sloops of war *Vincennes* and *Falmouth*, the schooner *Dolphin*,

⁷ *Army and Navy Chronicle and Scientific Repository*, hereinafter cited as ANCSR 1(1-19-1843), cols. 60-61, 1(1-26-1843), cols. 92-93, 1(2-2-1843), col. 123, 1(2-9-1843), col. 156, and 1(5-18-1843), col. 596.

⁸ Jones, *American Diplomacy*, vol. 1, pp. 145-169.

and the frigate *Potomac* in Pacific and East Indian waters, earning his commission as a lieutenant in 1836. Maury was appointed Astronomer and Assistant Hydrographer to the exploring expedition fitting out under the command of Commodore Thomas ap Catesby Jones, but he resigned that position shortly before the reorganized expedition finally sailed under Lieutenant Charles Wilkes, Jr. in 1838. Thereafter, Maury commanded a steamer engaged in surveying the southern coast before an injury sustained in a stagecoach accident briefly interrupted his professional career.

It was toward the end of this period of recuperation that Maury penned a series of essays entitled "Scraps from the Lucky Bag" under the general head of "Our Navy" using the pseudonym of Harry Bluff.⁹ The first four of his "Scraps," which appeared in the *Southern Literary Messenger* in April, May, and December 1840, and January 1841, examined the

⁹ "Lieut. M. F. Maury, U. S. N." *Southern Literary Messenger*, hereinafter cited as *SLM*, 7 (July and August 1841): 560-561. Although Maury continued to publish under the pseudonym of Harry Bluff for several more years, his true identity was revealed soon after the first "Scrap from the Lucky Bag" appeared in print. The *Army and Navy Chronicle* reported in its issue for 14 May 1840, for example, that the article "has been ascribed to the pen of Lieut. Maury." (*ANC X*: 312). His identity was revealed in the *SLM* itself more than a year later in the article cited above.

"feeble condition of the Navy,"¹⁰ and suggested remedies and measures for reform. Much of what Maury found objectionable in the Navy had been the subject of complaint on the part of Secretaries and Commissioners of the Navy for many years. The first "Scrap," for example, argued for higher ranks in the Navy and an expansion of naval forces abroad commensurate with America's increasing commerce and the state of foreign affairs.¹¹ In his second missive, Harry Bluff reiterated his argument for an increase in the number and strength of warships in commission and the adoption of a systematic program for the naval defence of the country. He advocated the employment of armed steamers stationed along the coast to assist merchantmen in time of peace and operate as "a sort of flying artillery at sea" during wartime.¹² To efficiently man this expanded naval force, Bluff argued for reform in the maintenance, promotion, and deployment of officers, and the establishment of naval schools for the education of midshipmen with instruction in mathematics, the natural and physical sciences, cartography, history, philosophy,

¹⁰ Harry Bluff (M.F. Maury), "Scraps from the Lucky Bag, No. II," *SLM* 6 (May 1840): 306, hereinafter cited as "Scraps, II."

¹¹ Harry Bluff (M.F. Maury), "Scraps from the Lucky Bag, No. I," *SLM* 6 (April 1840): 233-240, hereinafter cited as "Scraps, I."

¹² Harry Bluff, "Scraps, II," p. 311.

seamanship, and naval gunnery.¹³ In his third "Scrap," Harry Bluff further expanded his proposal for naval schoolships.¹⁴

Maury's first three essays elicited little in the way of negative criticism and were generally viewed in a positive light by those favorable to the Navy.¹⁵ After all, Maury's recommendations conformed to a large extent to the various complaints, proposals, and recommendations offered by the Navy Department for the betterment and increased efficiency of the Navy over the course of many years.¹⁶ In the person of Harry Bluff, these complaints and proposals were given a new and elegant voice by an individual who seized an opportune moment when American attention was increasingly focused on the Navy in the light of both foreign and domestic affairs.¹⁷ Where caution might earlier have governed proposals to

¹³ Harry Bluff, "Scraps, II."

¹⁴ Harry Bluff, "Scraps from the Lucky Bag, No. III," *SLM* 6 (December 1840):786-800.

¹⁵ A Kentuckian, for example, objected to Maury's preference for instruction in "living" as opposed to "dead" languages, some complained of exaggeration or error in calculating the proper ratios of ships, officers, and crews, while others differed over naval strategy. See "Reply to the 'Lucky Bag'," *SLM* 7 (May & June 1841), pp. 391-2; "Reply to Harry Bluff," *SLM* 7 (March 1841), pp. 209-14.

¹⁶ Maury clearly recognized this. See Harry Bluff, "More Scraps from the Lucky Bag," *SLM* 7 (May and June 1841), hereinafter cited as "Scraps, V," p. 356.

¹⁷ See also, Charles Stewart to Abel P. Upshur, 23 March 1842, printed in *ANCSR* 3 (4-4-1844), pp. 417-432.

increase the size and extent of the Navy, through the pen of Harry Bluff the call for naval expansion became a bold challenge to a nation on the brink of manifest destiny. The "Scraps from the Lucky Bag" were widely disseminated and discussed, published and republished in various journals whose editors advised readers to heed the contents of the Lucky Bag.¹⁸

But it was Maury's fourth "Scrap" from the Lucky Bag which generated the most substantial calls for reform in the Navy. For the subject of what was to be his closing essay, Maury chose "the evils and abuses incident to the system by which the Navy is at present conducted," and proposed "a plan for reorganizing, and putting the Navy on a proper footing."¹⁹

In the opening pages of his fourth "Scrap," Harry Bluff proposed a corps of reserves as an alternative to privateering and argued for equity in courts-martial proceedings pursued by and against the Navy's junior

¹⁸ For example, the first two "Scraps from the Lucky Bag" were reprinted in the *ANC* in June and July of 1840; the third was serialized in the various December issues, wherein the *Chronicle* also reprinted commentary from the *Richmond Courier*, the *Fredericksburg Arena*, and the *Madisonian*, as well as its own editorial assessment. (*ANC* X: 373-377, XI:1-4, 18-20, 369-376, 385-389, 393). See also, "A Green Hand's First Cruise," *SLM* 7 (April 1841): 281-284.

¹⁹ Harry Bluff (M.F. Maury), "Scraps from the Lucky Bag, No. IV," *SLM* 7 (January 1841): 3, hereinafter cited as "Scraps, IV."

officers. He also recommended the dissolution of the revenue marine and the transfer of its duties to the Navy. In his most biting criticism, however, Bluff assailed excessive waste and abuses in the system by which the Navy built and repaired its ships of war.²⁰ It is this criticism for which Harry Bluff is most remembered, for it led finally to the abolishment of the Board of Navy Commissioners and the institution of the Bureau System.

"The experience of every officer, who has had an opportunity of judging," wrote Harry Bluff, "will confirm the statement that the cost of work at the public dock-yards greatly exceeds the cost of similar work at private ship-yards."²¹ Moreover, Bluff questioned the quality of such work. As a case in point he cited the schooner *Pilot*, recently built by the Navy for the exploring expedition at a cost of \$33,000. Before even going to sea, Bluff reported, the *Pilot* was found unsuitable for service and sold for about \$3,000. Adding insult to injury the schooner *Active*, purchased to replace the *Pilot* for \$8,000, was repaired at New York for \$14,000, repaired again at Norfolk, and then she too was sold, again without ever having gone to sea, for

²⁰ Harry Bluff, "Scraps, IV."

²¹ Harry Bluff, "Scraps, IV," p. 15.

\$4,500.²² Similarly, the frigate *United States* was repaired in the fall of 1840 at a cost of \$80,000, whereupon, Bluff revealed, "She was manned, equipped and got ready for sea, when the carpenter reported that some of her timbers were rotten."²³ The *United States* was then surveyed and condemned as unseaworthy. The money thus wasted on the *United States* included not only the \$80,000 expended on the frigate's repairs, but also "the pay of her crew of nearly 500 men and officers, that were on board of her for months--the cost, with the wear and tear of getting her from Boston to New-York, and from New-York to Norfolk--also the pay of her crew while waiting for another ship to be got ready at Norfolk."²⁴

Bluff complained bitterly of the Navy's practice of spending more to repair its ships of war than it originally cost to build them, or what it would have cost to build new ships. He cited the sloop of war *St. Louis*, which originally cost \$80,000 to build and was repaired for \$120,000, after which, he contended, "she would hardly be worth--for the purposes of war--the salt contained in the water she displaces."²⁵ Recent repairs to the schooner *Shark* amounted

²² Harry Bluff, "Scraps, IV," p. 15.

²³ Harry Bluff, "Scraps, IV," p. 17.

²⁴ Harry Bluff, "Scraps, IV," p. 17.

²⁵ Harry Bluff, "Scraps, IV," p. 18.

to more than twice her original cost of \$22,000. He cited, as well, the ship of the line *Ohio*, whose cost in 1823 was given as just over \$294,000, yet by the time she was finally completed in 1839 after many years on the stocks and in ordinary, her actual cost topped \$600,000. "To estimate at these rates the cost of such a ship from first to last," Bluff reproved, "is like calculating the distance of the most remote star that can be seen through the telescope of Herschel." In the case of the *Ohio*, he speculated, "The money which this ship, now on her first cruise, has already cost the Government, if run into bars of silver, would, without hyperbole, be almost enough to ballast the largest of our live-oak built frigates."²⁶ Even allowing that "in consequence of the pulling to pieces (and reassembly) the cost of labor compared with material ought to be greater in repairing than in building,"²⁷ Bluff suspected excesses in the ratio of labor to materials and questionable variations between Navy yards in the cost of vessel repairs.

Complaining not only about the cost of repairs, but also of "the frequency with which repairs are called for," Bluff argued that the durability of warships, built of live oak, should exceed that of merchant vessels, built primarily of

²⁶ Harry Bluff, "Scraps, IV," p. 18.

²⁷ Harry Bluff, "Scraps, IV," p. 19ff.

white oak. And yet while a "white-oak merchantman, carrying cargoes heavier than the battery, the provisions and crew of a man-of-war, usually runs ten or twelve years--frequently much longer--before she is touched," in the Navy, "After a three years [sic] cruise, it is generally deemed necessary under the present system, thoroughly to repair a man-of-war."²⁸ Bluff questioned both the wisdom and the efficiency of the Navy's repair program. "The United States schooner *Dolphin*," he reported, "went to sea in 1821, and was kept out of reach of the *repairing* system. She continued in active service on the Pacific Station and among the Polynesian Islands for FOURTEEN years, and was never once repaired during all that time."²⁹ By comparison, the frigate *Brandywine*, completed in 1825, "has already been repaired three or four times."³⁰

The Navy's inability to build, maintain, or repair its ships of war efficiently, in Bluff's view, could be traced to the establishment of the Board of Navy Commissioners. "A few months ago, when, in the opinion of many, a war with England was more than probable," he related, "an officer in command abroad, anticipating such an event, wrote, that he could

²⁸ Harry Bluff, "Scraps, IV," p. 19.

²⁹ Harry Bluff, "Scraps, IV," p. 19; emphasizes his.

³⁰ Harry Bluff, "Scraps, IV," p. 19.

neither run, nor chase." In the event of confrontation on the high seas, "All that he could do, would be to stand and fight whatever force should choose to attack him, for there was not a vessel in his squadron, except one, that, under the most favorable circumstances, would sail more than *five knots* an hour."³¹

"The vessels of this five-knot squadron are all new ships," Bluff accused. "Whom would you hold responsible for the building of these tubs?" With the present system of naval administration, he informed his readers, "no one [is] amenable" under the law.³² Bluff ascribed fault, not to any single individual within the Navy Department, but to the collective responsibility of the Board of Navy Commissioners: "However distinctly, within the walls of the Navy Department, usage may have drawn the line of demarkation between the duties of Secretary and Navy-Board, however well it may be understood there," he remarked, "you will find but few able to trace it out of that building." Challenging his readers to "Ask officers of the Navy, where the duties of the Navy-Board begin? or where its

³¹ Harry Bluff, "Scraps, IV," p. 20.

³² Harry Bluff, "Scraps, IV," p. 20.

responsibilities end? or where rests its accountability?," Bluff predicted that "no two will agree in their reply."³³

Bluff proposed that the design and construction of the Navy's ships of war either be pursued by contract with merchant builders, in their own yards or in the Navy's well-equipped facilities, or left to the wisdom and discretion of the Naval Constructor.³⁴ "Officers of the Navy," whom, he noted, lacked any training in naval architecture, "should have nothing to do with the ship, until she has passed from the hands of the Constructor into the water."³⁵ The alternative threatened not only to produce poor quality ships, but to undermine the very discipline of the Navy. "Your slow ship," he explained, "is 'an old *droger*'--a mere log in the water. Dull herself, her officers become habitually so; the crew suiting their actions to her's move lazily along,--and thus her character is impressed upon those who serve in her." As a consequence, "when a bad model is constructed for the Navy, those who adopt it entail evils upon the service that are more lasting than the dull ships they build."³⁶

³³ Harry Bluff, "Scraps, IV," p. 19.

³⁴ Harry Bluff, "Scraps, IV," pp. 20-22.

³⁵ Harry Bluff, "Scraps, IV," p. 22.

³⁶ Harry Bluff, "Scraps, IV," p. 21; italics his.

Such abuses, Harry Bluff cautioned his readers, "are not to be corrected by bringing down the pay of a Midshipman, or a Commodore." Rather, "the evils are deeply seated in the system itself, and are not to be removed by merely the plucking of a leaf, or the lopping off of a limb: the axe must be laid at the root--for nothing short of thorough and complete reorganization will do."³⁷ He recommended subdividing the duties of the Board of Navy Commissioners among three naval bureaus, supplemented by separate bureaus for construction and medicine, each empowered with individual authority and responsibility.

Harry Bluff did not end with the Board of Navy Commissioners, however, in calling for the reorganization of the Navy Department. Critical of the civilian appointment of the Secretary of the Navy, "from among politicians, who have never made Naval affairs any part of their study,"³⁸ Bluff characterized the various Secretaries of the Navy upon their arrival in the Department as "uniformed as to the condition of the Navy, ignorant of its wants and usages, and unacquainted with the official character and standing of most of its officers." Thus hampered by ignorance, the hapless Secretary "goes to work in the dark, and, of course,

³⁷ Harry Bluff, "Scraps, IV," p. 19.

³⁸ Harry Bluff, "Scraps, IV," p. 23.

blunders and mismanagement ensue."³⁹ To remedy this defect in the Navy's administration Bluff recommended the establishment of the office of Under-Secretary of the Navy, responsible for "all the details of the service, such as ordering officers on duty, directing the shipment of men, the equipment of vessels for sea, and the like," to be filled by a Post-Captain in the Navy.⁴⁰ Bluff also advised replacing the Bureau clerks with naval officers.⁴¹

By the time the members of Congress reconvened in early December 1840, the "Scraps from the Lucky Bag" beckoned their attention.⁴² The subjects of Harry Bluff's first three missives--higher ranks in the Navy, a broad expansion of naval operations, and the establishment of naval schools--proved overly ambitious for immediate and wholehearted Congressional endorsement. Thus, when the fourth "Scrap"

³⁹ Harry Bluff, "Scraps, IV," p. 24. The subject of particular criticism against the Navy Department during this time was the appointment of Charles Wilkes, Jr., a lieutenant, to command the Exploring Squadron, a post normally reserved for a post-captain in the Navy. Wilkes' appointment over the head of William L. Hudson, a lieutenant senior to Wilkes on the Navy list and yet proffered the comparatively inferior command of the sloop of war *Peacock*, sailing with the squadron under Wilkes' command, exacerbated bad feelings in the Navy and the nation. See, for example, *SLM* 7, p. 872.[quote]

⁴⁰ Harry Bluff, "Scraps, IV," p. 24.

⁴¹ Harry Bluff, "Scraps, IV," p. 25.

⁴² *The Congressional Globe*, vol. 9.

appeared in January 1841, Congress was finally presented with a complaint to which it might immediately respond without political detriment. The question of individual accountability within the existing structure of the Navy Department had been at issue for some time. Of course, Congress was unlikely to strip the civilian Secretary of the Navy of most of his authority and power in favor of a naval officer serving as Under-Secretary. The Board of Navy Commissioners, on the other hand, by nearly unanimous opinion, offered considerable room for improvement.

In December 1839, the Secretary of the Navy had submitted his own plan for the reorganization of the Navy Department into a system of naval bureaus.⁴³ His proposal had not yet received the attentions of Congress, however, by July 1840, when Democratic Congressman Isaac E. Crary of Michigan proposed an amendment to the Navy's annual appropriation bill. Crary advocated the enforcement of individual accountability within the Navy Board by requiring the Commissioners to furnish annually to Congress "a statement of the votes of each member of the board on all proceedings relative to the procurement of naval stores and materials, and the construction, armament, equipment and employment of vessels of war, as well as all other matters

⁴³ U.S., Congress, House, *Reorganization of the Navy Department*, H.Doc. 39, 26th Cong., 1st sess.

connected with the naval establishment of the United States."⁴⁴ Crary's amendment was defeated, however, after several Whig members denied Crary's charge that the Board, "instead of keeping pace with modern improvements, still adhered to their old prejudice, and obstructed much improvement."⁴⁵

Despite its supporters in Congress, dissatisfaction with the Navy Board was widespread long before Lieutenant Maury put his pen to paper. Perennial complaints over naval expenditures and public concern over the Navy's apparently poor condition had been building for several years. The sorry state of the Navy's ships in ordinary received particular attention. "Why are certain ships put down on the register as 'in commission,'" 'Paul Pry' queried in the pages of the *Army and Navy Chronicle*, "when it is positively known that they cannot veer cable on board the frigate *Java* for fear she should sink at her anchors? And why are some of our finest ships of the line [*Washington* and *Franklin*]

⁴⁴ U. S., Congress, House, Proposed amendment to the Naval Appropriation Bill by Isaac E. Crary, 6 July 1840, 26th Cong., 1st sess., *The Congressional Globe*, vol. 8, p. 511.

⁴⁵ U. S., Congress, House, speech of John Reed on the Naval Appropriation Bill, 6 July 1841; speech of [Josiah] Ogden Hoffman on the Naval Appropriation Bill, 6 July 1840; speech of Isaac E. Crary on the Naval Appropriation Bill, 6 July 1841, 26th Cong., 1st sess., *The Congressional Globe*, vol. 8, p. 511.

suffered to remain so long without docking that they will be a total loss to the country?"⁴⁶

Likewise, many found fault with the quality of naval design and construction pursued under the superintendence of the Navy Board. "All the West India Squadron, save the *Levant*," the *Chronicle* opined, "are dull, and unfit for naval purposes."⁴⁷ The rebuilt *Macedonian*, recently returned from a lengthy cruise in the Gulf of Mexico, was adjudged one of the worst ships in the Navy. The editor of the *Chronicle* assailed her as "a beast--one of the most uncertain and slowest crafts in stays or any evolution I ever witnessed."⁴⁸ Comparing the rebuilt *Macedonian* to the *Constellation* of 1797, the *Boston Atlas* described the *Constellation* as "beautiful to look at," whereas the *Macedonian*, "has a clumsy appearance." The *Constellation*, the paper continued, "sails and works well," but the *Macedonian* "is deficient in both these great first

⁴⁶ ANC 10 (4-16-1840), p. 252.

⁴⁷ ANC 10 (4-16-1840), p. 248.

⁴⁸ ANC 10 (4-16-1840), p. 248. In July 1840 the *Chronicle* published a letter from aboard the sloop of war *Warren*, assessing a cruise into Pensacola Bay in company with the *Macedonian*. "I presume some of our crack ships would have gone nine knots," the correspondent wrote, "while we were boiling along with a huge wake at the astounding velocity of four knots, and holding our own with the clipper of a flag ship." (Unattributed letter to the ANC 11 (7-9-1840), p. 25).

attributes of a man-of-war." The Boston paper placed the blame squarely with "the Navy Board, or the Navy Commissioners, for we don't exactly understand the distinction."⁴⁹ Presaging Harry Bluff's fourth assault on the management of the Navy, the *Chronicle* concluded, "It is singular that the Government will rebuild these dull miserable ships, and at an expense that would build new ones."⁵⁰

Calls for reform in the administration of the Navy Department issued unanimously from all quarters. Thus, immediately after Maury's fourth "Scrap" appeared in print, Congress responded to the general dismay over naval affairs and Harry Bluff's particular accusations of irresponsibility and mismanagement in the Navy Department by initiating an inquiry into the Navy's record of vessel construction and repair. Late in January 1841, on the motion of the

⁴⁹ Reprinted in ANC 11 (8-13-1840): 106-107.

⁵⁰ ANC 10 (4-16-1840), p. 248. The case of the *United States*, which Maury would cite repeatedly, elicited considerable comment in naval circles. Because of the delay in the frigate's sailing necessitated by her transfer from New York to Norfolk to be put into drydock for inspection and repair, her commander was compelled to sail to Rio de Janeiro to take charge of the Brazil Squadron in the sloop of war *Decatur*, a decidedly inferior command (ANC 10 (1-23-1840), p. 58, 10 (3-26-1840), p. 207). Moreover, when a hundred or so workmen from the Boston yard were dismissed shortly thereafter, rumors charged that their removal was on account of the *United States*' repairs, though disclaimers quickly appeared citing exhaustion of the appropriation for Increase, Repairs, &c. (ANC 10 (1-23-1840), p. 62.

Democratic Senator from Michigan, John Norvell, the Senate resolved,

That the Secretary of the Navy communicate to the Senate a statement of the cost of building, in materials and labor, respectively, of the ships of the line Columbus, Ohio, Delaware, and North Carolina; the frigates United States, Constitution, Potomac, and Brandywine; the sloops of war John Adams, Boston, Lexington, Vincennes, Warren, Natchez, Falmouth, Fairfield, Vandalia, St. Louis, and Concord; the brigs Porpoise, Dolphin, Pioneer, and Consort; the schooners Grampus, Shark, Enterprize, and Boxer; and the steamship Fulton; and the periods at which those vessels were respectively built. Also, the number of times each of those vessels have been repaired; where so repaired, and the cost of repairing each, both in materials and labor. Also, the first cost of the schooners Pilot and Active, the cost of repairs to the same, and the sums for which the said schooners were sold.⁵¹

The Navy responded one month later in a report that laid bare the confusion resulting from nearly thirty years of unresolved accounting practices. The Commissioners offered the Senate, "the nearest approximation to accuracy which could be obtained from the records of the office, before the close of the present session of Congress, and with the number of clerks which could possibly be spared from other indispensable duties,"⁵² noting that they were

⁵¹ U. S., Congress, Senate, Resolution of John Norvell, 23 January 1841, 26th Cong., 2nd sess., *The Congressional Globe*, vol. 9, pp. 119-120.

⁵² U. S., Congress, Senate, Report from the Secretary of the Navy, in Compliance With a Resolution of the Senate, in Relation to the Cost of Building and Repairing Certain Vessels, S.Rep. 223, 26th Cong, 2nd sess., hereinafter cited

seriously hampered in their efforts by the variety and complexity of the Navy's accounting practices. For the *United States and Constitution*, for example, the Commissioners found it necessary to consult earlier reports submitted to Congress by their predecessors in naval administration. Even then they were left with substantial gaps in the record. Data relating to the repair of the other vessels of the Navy before 1825 were likewise derived from Congressional reports, rather than the actual records. Furthermore, the Commissioners complained, "The actual cost of building and repairing vessels since that time cannot be obtained, in many instances, with great exactness, separately from the equipment, stores, and provisions, for their current use; partly because the reports do not in all cases specify the amount expended for each special purpose, and partly because the number of clerks who have been allowed to the office have not been sufficient to arrange and classify the reports which have been received."⁵³

The Commissioners' remonstrance that "the comparative cost of vessels which have been built or repaired since 1829 has been increased considerably by the general discontinuance of the use of treenails, and the substitution

as S.Rep. 223 (26-2), p. 1.

⁵³ S. Rep. 223 (26-2), pp. 1-2.

of copper and iron bolts; by the substitution of live oak for less durable timber, in several instances; and by a general and very considerable increase in the price of wages for the last four or five years; and, in some of the navy-yards, by a reduction of the time which the workmen are required to labor,"⁵⁴ might have been offered to mitigate the disparities in the cost of certain vessel repairs over the cost of their original construction, but the evidence provided by the Navy Board appeared only to furnish more evidence of a system of expenditure that was entirely beyond control. The Commissioners' report noted numerous instances of vessels repaired for three-quarters to more than the entire cost of their original construction.⁵⁵ The sloop of war *John Adams*, for example, "rebuilt in 1829" for \$110,671, was reported to have been repaired at New York in 1837 at a cost exceeding \$95,000. The sloop of war *Vincennes*, which cost \$111,513 to build in 1826, was "Repaired and fitted expressly for the exploring expedition" in 1837 and 1838 for more than \$125,000.⁵⁶ The sloop of war *Warren*, built at

⁵⁴ S. Rep. 223 (26-2), p. 2. On the discontinuance of the use of treenails, see Samuel Humphreys to John Rodgers, 21 October 1829, in LRNavCom - NavConst.

⁵⁵ S. Rep. 223 (26-2), pp. 3-14. Values given are for the "Total cost of building and equipping, except for armament." Provisions and clothing are also excluded.

⁵⁶ S. Rep. 223 (26-2), p. 8.

Boston in 1826 for \$99,410, was repaired at Norfolk (Gosport) in 1837 and 1838 for more than \$86,000.⁵⁷ The schooner *Grampus*, which originally cost \$23,627 in 1820 and 1821, was repaired at Norfolk in 1839 for \$22,643, and then received additional repairs the following year at Boston and New York amounting to more than \$10,000. Confirming Harry Bluff's charges, the Navy reported that the schooner *Shark*, built like the *Grampus* at Washington, D.C. in 1820 and 1821 for \$23,627, was "Rebuilt, nearly" at Norfolk in 1838 and 1839 for more than \$45,000.⁵⁸

⁵⁷ S. Rep. 223 (26-1), p. 10.

⁵⁸ S. Rep. 223 (26-2), pp. 12-13. The *Shark* had been taken into the dock at Norfolk on 30 May 1838. By the time her repairs were completed in July 1839, she had received inboard: a new keelson and all the stantions under her beams; on the port side: three floors, twelve first futtocks, twelve second futtocks, and eighty-one top timbers new; on the starboard side: fifteen first futtocks, twenty-one second futtocks, eighty-one toptimbers, six hawse pieces, and four hooks forward new; new steps to fore and main masts; thick strakes at floor and first futtock heads new; and new ceiling between thick strakes. On her berth deck she received new beams, deck, magazine, store rooms, pump well, and shot and chain lockers. On the gun deck she received new clamps, beams, iron knees, deck framing, water ways, deck, port sills, battery plank inside, cable bitts, bowsprit, chain cable nipper bitts, hatch combings, ledges, shot and pin racks, pumps, mast wedges, grating hatches, boat chocks, and all the chocks and cleets required for a ship of her class. Outboard, she received new: the false keel, garboard strake and the strake above it, bottom plank above the garboard, twelve strakes on each side from the strings down, all but four strakes on the starboard side, for aft hoods on each side, stern and counter plank all new, the upper stem piece, the apron, battery plank, main and hammock rails with iron stantions, cutwater and head, quarter pieces and stem, channels forward, main sheet chocks, and stem and quarter

The report furnished additional ammunition to Bluff's attack against the costs incurred in completing the *Ohio*, as well. That ship, the Commissioners reported, "was launched in 1820, as soon as the carpenter's work on her hull was completed." She "remained in ordinary at the navy yard at New York until 1836, when it was determined to complete her for sea service," at a cost of \$547,889, with an additional \$106,921 for ordnance and warrant officers' stores. To these amounts, however, the Commissioners added another \$233,012 for repairs concurrent to her completion. They explained that, "her hull had become much decayed," during her sixteen years in ordinary. "The cost of the repairs of this part of the ship" were therefore charged to Repairs, "and the expense of completing the parts of the hull which were left unfinished in 1820, and of all the other parts of the ship, is charged to building the ship, or as what would have been her original cost, when ready for sea, supposing no 'repairs' had been necessary."⁵⁹

Rather than assuaging concerns of mismanagement and malfeasance in the Navy Department, the Commissioners'

davits. She was recaulked and newly-coppered upon felt. Additionally, her deck and rail were raised forward one foot, nine inches from her original construction. ("Account of Work Done on U.S. Schr Shark," 27 July 1839, in OSF Box 103, RG 45, NA.

⁵⁹ S. Rep. 223 (26-2), p. 3.

report readily revealed the degree to which naval expenditures had been allowed, through the inadequacies of the existing system of naval administration, to spiral out of control. Although the Commissioners' report largely confirmed Harry Bluff's accusations against the Department, conflicting facts, errors in detail, and further evidence of contemptible practices in administering the naval business brought Harry Bluff out of retirement for another and more scathing installment from the Lucky Bag.

"For our own part," commented the *Southern Literary Messenger*, "we had no idea that things were as bad in the Navy as they really are, and as an analysis of the Commissioners' Report . . . shows them to be."⁶⁰ The Commissioners' report, Harry Bluff assailed in "More Scraps from the Lucky Bag," revealed "a degree of confusion and disorder in the affairs of the Navy-Board, which absolutely forbids, and does entirely prevent, everything like economy and efficiency in the management of the Navy."⁶¹

Once again Harry Bluff faulted the lack of accountability inherent in the structure of naval administration under the Navy Board, now manifested in

⁶⁰ Editor's introduction to Harry Bluff, "Scraps, V," p. 345.

⁶¹ Harry Bluff, "Scraps, V," p. 346; see also, pp. 347, 350-351.

outrageous discrepancies between the estimated and actual costs of vessel construction, rebuilding, and repair, erroneous and potentially fraudulent charges to the Navy's accounts, and the overly broad application of the appropriation for Repairs and Wear and Tear. "In no one instance," he reported, "when the opportunities of comparison occurred, have I ever found the estimated cost of any work, submitted by the Navy-Board, to come within hail of its actual cost."⁶² Drawing from the Commissioners' report and comparisons with earlier naval documents, Bluff cited repeated examples of administrative malfeasance in the Navy Department: the sloop of war *Concord*, whose construction was estimated at \$85,000 but actually cost more than \$141,000; the storeship *Relief*, estimated at \$40,000 with her actual cost exceeding \$93,000; premature charges of more than \$84,000 for ordnance and stores for the ship of the line *Delaware* after she was launched in 1820, when "every officer knows that most of these stores were not supplied or paid for until she was first equipped for sea, eight or nine years later;"⁶³ the near rebuilding of the schooner *Shark* at double her original cost; and, of course, the ship of the line *Ohio* which in 1830, according to the

⁶² Harry Bluff, "Scraps, V," p. 361.

⁶³ Harry Bluff, "Scraps, V," p. 347.

Commissioners' own estimate, should have cost just over \$171,000 "to repair and fit for sea," yet based upon their most recent information furnished in the report, "would have taken \$360,000 to fit her for sea, had no repairs been necessary."⁶⁴

Under the existing system of naval administration, Bluff reproved, "Vessels are built at twice the sum they ought to cost--they are repaired at twice as much as it takes to build--the labor to repair costs three times as much as the labor to construct--the same articles for one ship, cost four or five times as much as their duplicates for another--[and] it costs twice as much to repair ordnance and stores for a ship, as it takes to buy them."⁶⁵ Like the editors of the *Southern Literary Messenger*, even Maury was astounded by the evidence contained in the Commissioners' report to Congress. "Yet so redundant of wild and extravagant statements is the Report under examination," he exclaimed in the person of Harry Bluff, "that if we reject from it, as false, every thing that is irreconcilable with our ideas of good husbandry of public moneys [*sic*], but little indeed would remain of the Report itself."⁶⁶

⁶⁴ Harry Bluff, "Scraps, V," p. 362; emphases his. See also, pp. 347, 350-351, 345, and 359.

⁶⁵ Harry Bluff, "Scraps, V," p. 360; italics his.

⁶⁶ Harry Bluff, "Scraps, V," p. 360.

Though Bluff assailed the record of naval administration by the Navy Board, he absolved the Commissioners themselves of personal culpability. Their lack of individual authority and accountability under the Navy's existing system of governance (which they themselves had decried) had prevented them from exercising proper management and allowed the Navy's system of accounting and expenditure to disintegrate into chaos. Under the present system, Bluff informed his readers,

When money is wanted for any work directed by the Navy-Board, the Navy Agents make requisitions for it upon the Secretary of the Navy. The objects for which the money is wanted, are made known to the Commissioners. The requisitions are sent to the Board for approval. The Secretary of the Navy then issues his warrants for the money, and the Commissioners have no more to do with the handling of it, than you have.⁶⁷

The Commissioners could not be held responsible for the proper and efficient expenditure of the naval appropriation, therefore, because, "though the money be expended on works performed by their direction, all that they know of it, in many instances, is, that it is spent."⁶⁸

The Navy's convoluted system of estimation, appropriation, expenditure, and accounting, Bluff argued, resulted not only in mismanagement and excessive waste, but

⁶⁷ Harry Bluff, "Scraps, V," p. 356.

⁶⁸ Harry Bluff, "Scraps, V," p. 356.

by its very structure it served to thwart efforts to identify and rectify the specific causes of such waste.⁶⁹ The Executive's broad authority to transfer funds between heads of appropriation, so recently reaffirmed in the third section of the Act of 1840 consolidating the appropriations for increase, rebuilding, maintenance, and repair, only offered additional opportunities to waste money and betray the public trust.⁷⁰

True to form, however, Harry Bluff not only complained of the Navy's ills, he recommended strategies for reform. Expanding upon his earlier proposal to reorganize the Navy's administrative structure into a system of naval bureaus with individual rather than collective authority, Bluff also argued for reform in the structure and application of the naval appropriation. Rather than consolidating the various appropriations for construction, repair, and vessel maintenance, Bluff advocated the establishment of a separate head of appropriation for Wear and Tear and subdivision of the appropriation for Repairs by designating specific amounts for each class of vessel.⁷¹

⁶⁹ Harry Bluff, "Scraps, V," pp. 352-353.

⁷⁰ Harry Bluff, "Scraps, V," p. 364; *The Congressional Globe*, vol. 8, p. 510.

⁷¹ Harry Bluff, "Scraps, V," pp. 364-365.

Bluff's most radical suggestion, however, was to revamp completely the Navy's approach to vessel construction. He proposed that the Navy build the majority of its ships of war, excepting only those larger frigates and ships of the line which were intended to be kept in commission rather than on the stocks or in ordinary, of less durable and less expensive white oak instead of live oak. Citing the Commissioners' report which showed that "of eleven live-oak built sloops-of-war [the ten sloops of war built under the Act of 1825 and the rebuilt *John Adams*], each one has been repaired in her hull and spars on an average, three times in ten years, and at a mean cost of \$120,000,"⁷² Bluff calculated that generally by the third, and certainly by the fourth episode of repair, the cost exceeded what would be required to construct an entirely new vessel. By contrast, were the Navy to procure white oak built sloops of war by contract from private yards, "the Navy may be furnished with new white-oak men-of-war, to perform 10 or 12 years of active service, for \$48,000, say \$50,000, instead of paying as it now does, \$223,000 for old live-oak sloops, that like the Indians' gun, 'cost more than they come to.'"⁷³ When white oak built sloops became due for repairs, Bluff argued,

⁷² Harry Bluff, "Scraps, V," p. 366.

⁷³ Harry Bluff, "Scraps, V," p. 365.

the Navy could sell them into the merchant fleet and procure new ones for less than what it would cost for a single repair to a live oak built ship.

The Navy's larger ships--frigates and ships of the line--were not as adaptable to Bluff's proposal. Poorly suited for conversion to merchant service, Bluff admitted that these larger warships "would only sell for what could be made out of their timber and fastenings, by breaking them up; and, judging from their great first cost, it would certainly be the cheaper plan to build of live-oak and then repair; particularly those intended for constant service." Nevertheless, he saw room for improvement. "Those of our ships which are held in reserve for war, and all those which may be built and launched only in case of war," Bluff recommended, "should be built of white, and not of live oak." Estimating the probable life of a white oak built frigate or ship of the line at six to eight years, "which is quite as long as any war that we shall have," Bluff asserted that if captured by the enemy, "she could not last long enough to be turned against us with much effect; and, at the end of the war, when we come to dismantle and lay up in ordinary those ships, which should not be required for service in peace, a live-oak ship would be as valueless as one of white oak--for both would probably rot before they were wanted for another war." Moreover, "if they were

wanted, [and if] the live-oak ship should not be entirely rotten, the chances are, that the expense of taking care of her, together with the probable cost of repairs, would more than suffice for building a new one of white oak."⁷⁴

Building ships of white oak with a shorter projected lifespan, rather than of live oak, offered the added benefit of enabling the Navy to incorporate improvements in technology and design into its fleet more rapidly. "From a first class sloop-of-war up," Bluff complained, "the Navy can boast of no ship afloat, in the construction of the model of which, the architect could avail himself of any improvements that have been introduced in shipbuilding for the last fifteen or twenty years." The Navy's first class sloops of war, in particular, excepting the recently rebuilt *Cyane* and her sister ship, the *Levant*, were modelled "as far back as 1825, if not farther."⁷⁵

Bluff contended that his plan would prove especially beneficial in integrating steamships into the naval service. Indeed, he observed, "Some of the most intelligent officers of the Navy, are of opinion that public economy, true policy and our real national interest require, that all of our men-of-war steamers, should not only be built of white-oak, for

⁷⁴ Harry Bluff, "Scraps, V," p. 370.

⁷⁵ Harry Bluff, "Scraps, V," p. 369.

the present, but even of cheaper materials, if cheaper materials of sufficient strength may anywhere be found." Citing the recent failure of the *Fulton II*, "a dearly purchased, but a most apt and pointed commentary on the folly" of building experimental ships of live oak, Bluff argued that had she been constructed of white oak, "she would have rotted and been sold in the course of a few years more; and then, we might have had her place supplied with a new and a better vessel--but as she is--she is a blotch on the waters of our harbors, a burlesque on ocean-steamers, and a disgrace to the Navy."⁷⁶ Yet even had the *Fulton's* model been of the highest quality, he predicted, it still would have been better to build her of live oak, "because it is by no means improbable, that the discoveries and improvements which are almost daily being made in the means of steam-warfare and navigation, would have rendered such a vessel comparatively useless, long before the *Fulton* will be condemned as unfit for 'repairs'."⁷⁷ If Congress and the Navy were to adopt his plan, Bluff asserted, "instead of lagging behind all the world with our expensive live-oak

⁷⁶ Harry Bluff, "Scraps, V," p. 372.

⁷⁷ Harry Bluff, "Scraps, V," p. 373; italics his.

failures, we should then be able to keep pace with, if not to take the lead of, every other nation in steamships."⁷⁸

"More Scraps from the Lucky Bag" offered much for thought, but first things came first, and by far the most pressing demand was for reform in what was widely hailed to be the questionable management of the public trust by the Board of Navy Commissioners. The Board's own report, coupled with Harry Bluff's scathing analysis, served to indict those in whom the national honor had been entrusted. "Never was there a time," observed the *Southern Literary Messenger*, "when this department has more abounded, than it now does, with abuses, nor when it stood more in need of reform."⁷⁹ When, in October 1841, Judge Abel Parker Upshur was "unexpectedly called from the Bench and his wheat fields"⁸⁰ to assume the post of Secretary of the Navy, the *Messenger* optimistically predicted that "he has only to be convinced of wrong in the Navy, to right it; and to be satisfied as to the true wants of the service, and they will be immediately supplied."⁸¹

⁷⁸ Harry Bluff, "Scraps, V," p. 373.

⁷⁹ "Judge Abel P. Upshur, Secretary of the Navy of the United States," *SLM* 7 (December 1841), hereinafter cited as "Judge Upshur," p. 871.

⁸⁰ "Judge Upshur," p. 871.

⁸¹ "Judge Upshur," p. 873.

Nevertheless, the Navy's situation both in Congress and in popular sentiment was precarious indeed, as its leadership astutely recognized. Upshur's first annual report, for the year 1841, was meticulously scrutinized in the press, along with the supporting documentation provided by the Navy Board, for evidence of malfeasance as well as any sign of improvement in the Navy's condition. "We do not care to find out who have been the *abusers*," commented the *Southern Literary Messenger*, "but, what the *abuses* are; for, the part of wisdom now is, not to punish past offenders, but to prevent future offences."⁸²

Correspondingly, the Navy's annual report for 1841 exhibited a degree of introspection far from typical of such communications. Reflecting Harry Bluff's concern for the expense of long-term vessel maintenance, "It may well be doubted," wrote Secretary of the Navy Upshur barely a month after taking office, "whether the aggregate of losses sustained and repairs rendered necessary, by the non-use of our vessels, has fallen very far short of what it would have cost to keep them in commission."⁸³ The Commissioners

⁸² "Our Navy: Judge Abel P. Upshur and His Report," *SLM* 8 (January 1842), hereinafter cited as "Upshur and His Report," p. 96.

⁸³ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 4 December 1841, in S.Ex.Doc. 1, 27th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1841*, p. 387.

report, submitting estimates for the ensuing year, announced the initiation of "a thorough survey" of the vessels in ordinary "which have for years remained in a doubtful state, either as to condemnation or repair." Responding to the statistics showing exorbitant amounts expended to repair ships which rarely went to sea, the Commissioners proposed either to put these vessels "in a condition beyond the necessity of a further expenditure, if found unserviceable," or, if worthy of repair, "to commence it at once, as it is believed no more opportune occasion than the present will be afforded for that purpose." The Board estimated that at least one ship (presumably the *Franklin*) might be made "a valuable acquisition to the service . . . for, if not found fit for equipment as a ship of the line (her present designation), she may become a most serviceable vessel in that useful class of ships of war called frigates, an increase of which is at all times desirable, as the most easy and expeditious of equipment, in proportion to their force, and the most useful when equipped."⁸⁴

The desire for an accurate assessment of the Navy's true situation was driven by more than Harry Bluff's accusations, however. Rumors of war surrounding the McLeod Affair raised serious questions as to whether the Navy was in a condition to come to the nation's defense in the

⁸⁴ Navy, *Annual Report*, 1841, p. 392.

increasingly likely event of war with Great Britain. In September 1841 the *Army and Navy Chronicle* chastised the *Pensacola Gazette* and an unidentified naval officer for publishing a list of public vessels drawn directly from the Navy Registers, which the *Chronicle* characterized as "calculated to convey a wrong impression of the actual strength of our navy." In clarification the *Chronicle* explained that the list included "the names of vessels that have no existence, except upon paper--some that are rotten, to repair which would cost as much, if not more, than to build new ones--some that are not fitted for cruising ships--and several that are on the stocks."⁸⁵

In the wake of Harry Bluff, restoring the Navy's condition and the good name of its leadership became critical to national morale. To do that, Congress and the Navy would need not only to determine, as the *Messenger* had suggested, the nature of past abuses, but to remedy the injuries inflicted upon the service, and correct the defects in the Navy's system of administration which had resulted in its present state.

⁸⁵ As rotten and unfit for repairs, the *Chronicle* cited the ships of the line *Franklin* and *Washington*, and the forty-four gun frigates *Java* and *Hudson*. The *Guerriere* and *Natchez* had been broken up by that time and were thus no longer extant, while the *Lexington* and *Erie* had been converted into storeships and the sloop of war *Warren*, the brigs *Pioneer* and *Consort*, and the storeship *Relief* were unsuited as cruising vessels, particularly during wartime. (ANC 12 (9-7-1841), p. 276).

To that first end--assessing the nature of abuses in the Navy--Congress continued its investigation into the construction and repair of ships of war. In February 1842 the House of Representatives followed up the Senate's earlier inquiry with a resolution directing the Secretary of the Navy

to report to this House a statement of the vessels built by the United States since the year 1826, and when and where they were built, the general character of said vessels, especially, as to their models, and the sources from whence those models were received; whether or not said vessels were built upon the models originally furnished; if not so built, by whose suggestion and by what authority said models were altered; what was the cost of each of said vessels; what has been the cost per ton of building at each navy yard where said vessels were built; if there are any differences of expense in building at different navy yards, to what cause are these differences to be attributed; what vessels have been repaired by the United States during the aforesaid period, when were they repaired, and where; what was the original cost of each of said vessels; what was the cost of repairing each of them; what vessels have been sold, and wherefore and for what; what is the difference between the cost per ton of a ship of war of Great Britain equipped for service and one of the United States, what is the reason of such difference.⁸⁶

A subsequent resolution of the House in June 1842 directed the Secretary of the Navy to furnish information on the origins and dates of service of the Navy's petty officers and seamen, as well as the "names, age, tonnage, and the number of guns of each vessel, and where built,

⁸⁶ Proceedings in the House of Representatives, 21 February 1842, reprinted in ANC 13 (3-5-1842), p. 103.

whether finished or unfinished, showing the cost of building each vessel, and the annual repairs thereof, divided into two heads, which show the amount expended for labor, and also the sums expended for the armament of each ship."⁸⁷ Unlike the Navy's earlier reply to the Senate inquiry which had been hastily prepared in just one month's time, the Navy took more time in responding to the two House resolutions, no doubt to enable it to access the most accurate and least damning evidence at its disposal.⁸⁸

In the meantime, however, Congress addressed another task at hand, moving to correct the defects perceived in the Navy's organization. Citing the Navy Board's inability to manage the naval business in a manner consistent with the public trust,⁸⁹ Congress voted in August 1842 to abolish the Board of Navy Commissioners and institute a system of autonomous naval bureaus in its stead.⁹⁰ At the same time,

⁸⁷ H.Doc. 132 (27-3), p. 1.

⁸⁸ See, for example, the Navy's response to the House resolution of February 1842: "The delay in answering this call was occasioned by the want of clerical force in the office of the late navy board to search out and collect the information from the records and files of the office, which were very much in arrears." (H.Doc. 49 (27-3), p. 1).

⁸⁹ See, for example, *The Congressional Globe*, vol. 11, pp. 854-855, 892, 970-973. See also chapter three, above.

⁹⁰ U.S., Congress, *An Act to Reorganize the Navy Department of the United States*, 31 August 1842, *Laws of the United States*, vol. 10, chap. 464, pp. 393-396. In creating

Congress also eliminated the executive transfer privilege which had authorized transfers between heads of the naval appropriation.⁹¹ Congress did not, however, heed Harry Bluff's remonstrance to subdivide and further limit the application of appropriations for vessel construction, maintenance, and repair. Almost directly to the contrary, Congress increased the Navy's collective appropriation for Increase, Repair, &c. to \$2,000,000 for 1842.⁹²

The Navy did not submit its response to the first House resolution of February 1842 until early January 1843.⁹³ The following month Secretary of the Navy Upshur transmitted the Navy's reply to the second House resolution of June 1842, relative to the petty officers, seamen, and vessels of the

clerkships within the Department, the Act adopted Harry Bluff's suggestion to appoint naval officers to fill these positions. Section Ten of the Act provided that "the Secretary of the Navy shall, if the same can be done without detriment to the public service, appoint, with their consent, officers of the navy, not above the grade of lieutenants, to perform the duties of any clerkship created by this act, (except as herein otherwise provided)."

⁹¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 25 November 1843, in Ex.Doc. 2, 28th Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1843*, p. 487.

⁹² U.S., Congress, House, *Navy Appropriations - 1842*, 9 February 1843, H.Doc. 131, 27th Cong., 3rd sess., p. 2.

⁹³ H.Doc. 49 (27-3).

Navy.⁹⁴ In the interim, reorganization of the Navy had created the Bureaus of Navy Yards and Docks; Construction, Equipment, and Repair; Provisions and Clothing; Ordnance and Hydrography; and Medicine and Surgery. Curiously, the Navy's first response to the House resolution of February 1842 was submitted not by the Bureau of Construction, Equipment, and Repair, but by the Bureau of Yards and Docks, over the signature of the first chief of that bureau, Commodore Lewis Warrington.⁹⁵ Despite the extra time devoted to preparing the most thorough and accurate responses, however, both Warrington's report and the second report prepared by the Bureau of Construction, Equipment, and Repair, were considerably less detailed and less specific than the Congressional inquiries that had instigated them.

Given the criticisms so recently and universally levelled against the rebuilt *Macedonian* and the Navy's second-class sloops of war (built in accordance with the provisions of the Act of 1825 and classed at that time as

⁹⁴ H.Doc. 132 (27-3).

⁹⁵ Warrington may have been tying up loose ends from his former role as President of the Board of Navy Commissioners, to whom the House resolution had originally been referred. Nevertheless, the overlapping relevance of both the Bureaus of Construction, Equipment, and Repair, and Yards and Docks, to the investigation of expenditures for building and repairing ships of war in the navy yards, should even at this early date have raised the question of the wisdom of absolute autonomy in the management of the naval bureaus and the absence of any effective collective oversight.

first-class sloops), Warrington's assessment of the general character of warships built since 1826 as "fair" may have seemed at least slightly exaggerated. Doubtless many who had served aboard them would also have argued with his statement that they "vary in speed from 10 to 13 knots per hour . . . [,] carry the usual quantity of provisions and water, have sufficient stability under sail, and are comfortable vessels."⁹⁶ Their models, Warrington reported, were produced by the various naval constructors at the different building yards, with the exception of the schooner *Experiment*.⁹⁷ Warrington confirmed, however, Harry Bluff's charge that models "were in some cases altered by the Board of Navy Commissioners."⁹⁸

The comparative breakdown of cost per ton to build these ships proved quite revealing. The cost figures ranged from a low of \$130 per ton to construct the sloop of war *Vandalia* at Philadelphia in 1828 to more than \$275 per ton to build the infamous schooner *Pilot* at New York eight years later. Costs for the Navy's three steamers were considerably higher: the *Fulton* cost more than \$463 per ton and the *Missouri* almost \$330 per ton at New York in 1838 and

⁹⁶ H.Doc. 49 (27-3), p. 1.

⁹⁷ The *Experiment*, as her name suggests, was an experimental vessel judged unfavorably.

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⁹⁸ H.Doc. 49 (27-3), p. 2.

1841, respectively, whereas the *Mississippi's* construction at Philadelphia in 1841 was charged at the rate of nearly \$320 per ton.⁹⁹ Once again, Warrington's report listed numerous and repeated extensive and expensive repairs to the Navy's ships of war.

Warrington attributed the disparities between the costs of building and repairing ships at the various yards to regional differences in the price of materiel, as well as labor, which was keyed to wages in nearby private yards, along with variations in working hours and the length of the workday. Weather was also a factor: "Work is never stopped for more than a day or two at a time, on account of the severity of the weather," Warrington explained, "in the yards further south than New York. This reason applies with force to the yards at Philadelphia, Washington, and Norfolk, but most particularly to the last, as at that yard, for many years back, there has been an absolute necessity for constant labor throughout the year."¹⁰⁰ Intrinsic factors

⁹⁹ H.Doc. 49 (27-3), p. 3; ordnance and warrant officers stores excepted. Dates given represent year of completion. Figures for the *Missouri* and the *Mississippi* exclude the cost of machinery patterns, "as they are still on hand, preserved for future use."

¹⁰⁰ H.Doc. 49 (27-3), p. 2. The Norfolk yard was the closest naval repair facility for the vessels of the West India Squadron, recently subsumed into the Home Squadron, established in 1841, and long one of the Navy's most active cruising squadrons.

also applied, "more labor being expended in some [yards], for the sake of neatness and the pride of workmanship, than in the others."¹⁰¹ Cases where materials were bought at either higher or lower prices than those prevailing at the time they were expended might also have been reflected by the disparate cost figures. Finally, the Navy lacked the means to obtain comparative data relative to the costs of construction in the Royal Navy.

The Navy's February 1843 report, submitted by the Bureau of Construction, Equipment, and Repair in response to the House resolution of June 1842, furnished construction and repair cost breakdowns for labor and materiel for the Navy's existing ships of war.¹⁰² This report likewise revealed repeated instances where the costs of either materials or labor or both, to repair, nearly approximated or even exceeded the original cost to build.

¹⁰¹ H.Doc. 49 (27-3), p. 2.

¹⁰² Note that each of the three Congressional resolutions (one in the Senate and two in the House) requested similar data but according to different criteria. The Senate resolution furnished a list of specific vessels for which information was sought. The first House resolution considered only those vessels built since 1826. The second House resolution requested information on the Navy's existing ships of war. Thus, while the three resolutions were intended to examine the general subject of costs for vessel construction and repair, they were individually tailored to address specific issues raised by Harry Bluff in the "Scraps from the Lucky Bag" and in the press and therefore the overlap was limited.

On the whole, however, the utility of much of the data presented in the February 1843 report was questionable, given the number of occasions where "incomplete returns" or costs "Not known" appear. This is particularly true for the Navy's larger and older vessels, including the *United States* and *Constitution*, which had seen more numerous and extensive repairs over time than some of the Navy's more recently built ships.¹⁰³ Such was to be expected, of course, given the Navy's abominable history of recordkeeping and accounting practices. Curiously absent, as well, were all data relating to the frigate *Constellation*, though this was likely just another oversight.

What these two early reports prepared under the new Bureau System also reveal, however, is a subtle, albeit confused, shift in the Navy's attitude toward some, but not all, of its earlier rebuilt ships of war, reflecting at the same time the national desire for a realistic appraisal of naval strength, as well as the emphasis on hull and design precipitated by the "Scraps from the Lucky Bag." The three ships rebuilt under the special appropriation Acts of the 1830s (*Macedonian*, *Cyane*, and *Congress*) had always been consistently listed as built in the year that rebuilding was completed (1836, 1837, and 1841, respectively). That is where the consistency ended. The sloop of war *John Adams*,

¹⁰³ H.Doc. 49 (27-3), pp. 172-173, 175, 181, 183.

which in the past had generally been described in naval documents, including the 1841 Navy Commissioners report to the Senate, as "rebuilt" in 1829, was now listed in both 1843 reports as "built" in 1829.¹⁰⁴ The sloop of war *Erie*, which until now had been variably listed as either built in 1813 or rebuilt in 1820 or 1821, appears in the January 1843 report as "rebuilt" in 1820, and in the February 1843 report as "Built, 1820."¹⁰⁵ The sloop of war *Peacock*, recently wrecked at the mouth of the Columbia River while in service to the Wilkes Exploring Expedition, had to this time been consistently reported as built in 1813. The January 1843 report, however, lists her as built in 1828, whereas the February 1843 report states that she was "Rebuilt, 1828."¹⁰⁶ None of the dates of construction of any of the other rebuilt ships still in existence, including the *Constellation* and the *Ontario* were changed, however.¹⁰⁷

Viewed within the context of the time, both the shift and the confusion become understandable. On the one hand,

¹⁰⁴ H.Doc. 49 (27-3), p. 3; H.Doc. 132 (27-3), p. 177.

¹⁰⁵ H.Doc. 49 (27-3), p. 7; H.Doc. 132 (27-3), p. 182. In both 1843 reports, the cost of rebuilding the *Erie* is given as "Not known."

¹⁰⁶ H.Doc. 49 (27-3), p. 3; H.Doc. 132 (27-3), p. 181.

¹⁰⁷ H.Doc. 49 (27-3), p. 4, 6, 7; H.Doc. 132 (27-3), p. 181.

the date of rebuilding more accurately reflected the physical condition of the most critical component of the vessel--her hull. Such accuracy was desirable when attempting an assessment of naval readiness. Moreover, in the midst of public criticism and a Congressional inquiry into overexpenditure for vessel repairs, transference of "extensive repairs" into the "rebuilt" column, and of "rebuilding" into the "built" column, conveyed the impression of more work performed for the same money.

On the other hand, some vessels, like the *Constellation* and the *Ontario*, were either less extensively rebuilt or were not the subject of particular inquiry (which would have demanded more extensive and precise research into the vessel's exact circumstances). Others, like the *Hornet*, were lost at sea or broken up years earlier. Any questions over their present condition or cumulative expense were immaterial.

Time was also a factor. Records of naval expenditure clearly were difficult to locate. This became more true when searching back through time, through changes in administrative and accounting methods, as well as auditors, naval clerks, yard commandants, and storekeepers. For more recent episodes of rebuilding the event likely survived in living memory, even if the details remained vague. For earlier instances, however, such might not be the case.

This scenario applies especially to the vessels wholly or partially rebuilt at the Washington Navy Yard in the opening months of the War of 1812. Those records of repair and rebuilding were destroyed when the yard was burned in 1814; the memory likely died with Commodore Thomas Tingey in 1829. Unless the naval clerk knew precisely where to look in the *American State Papers*, which he apparently did not, those episodes of rebuilding would be forever consigned to obscurity.

Finally, Andrew Jackson's 1830 directive on special appropriations for naval rebuilding had served to narrow the application of the term. Whereas in the 1820s rebuilding might accurately have described anything from an extensive repair involving at least half of the vessel's hull to the construction of an entirely new hull, between 1830 and 1840 the term rebuilding was defined by the experience of the *Cyane*, the *Macedonian* and the *Congress*. Thus in the naval reports of the 1840s, the latter definition was applied to earlier uses of the term rebuilt, ignoring the inappropriateness of that application. In other words, the rebuilding experience of the *Peacock* and the *John Adams* were equated with the *Cyane*, the *Macedonian*, and the *Congress*, and redefined accordingly, even though the context, circumstance, procedure, and interpretation of the former were substantially different from those of the latter.

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As an example, when the Navy originally computed the total cost of rebuilding the *Peacock* in 1828, it deducted the "value of articles returned to stores." The sum of labor and materials expended in her rebuild--at that time reported as \$81,790.22--was therefore reduced by \$11,923.86 (the value of articles returned to stores), for a final cost of \$69,866.36.¹⁰⁸ Crediting the value of items returned to stores was standard naval practice in figuring the actual cost of repairs and rebuilding. The Navy's reports submitted in response to the successive Senate and House resolutions which followed the "Scraps from the Lucky Bag," and the "Scraps," as well, neglected to consider the value of items returned against items expended.

Despite all the evidence furnished by the Navy Department itself of exorbitant costs and excessive waste in the construction and repair of its ships of war, Congress did not, and would not for some time, enact any real reforms to curb naval expenditures.¹⁰⁹ Relying instead upon the new

¹⁰⁸ NavAff 387 (20-2), p. 314.

¹⁰⁹ The naval appropriation act for 1841 did establish a requirement for additional sworn accounts from the collectors of customs, and the naval officers and surveyors of ports. (U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Forty-One*, 3 March 1841, in *Laws of the United States*, vol. 10, chap. 134, p. 123. The naval appropriation act of 1843 instituted the contract system awarded to the lowest bidder for all naval materiel. (U.S., Congress, *An Act Making Appropriations for the Naval Service for the Half Calendar*

method of accountability supposedly embraced by the Bureau System, the shift to the fiscal year (enacted in 1843),¹¹⁰ and the ban on transfers between heads of appropriation, to keep the Navy running smoothly and hold expenditures in line,¹¹¹

Congress was no doubt heartened by Secretary of the Navy Upshur's pronouncement in the Navy's annual report for 1843 that

So far as the materiel is concerned, nothing is required except fidelity, vigilance, and industry, on the part of those to whom that matter is intrusted, and such changes in the laws as will

Year Beginning the First Day of January and Ending the Thirtieth Day of June, One Thousand Eight Hundred and Forty-three, and for the Fiscal Year beginning the First Day of July, One Thousand Eight Hundred and Forty-three, and Ending the Thirtieth Day of June, One Thousand Eight Hundred and Forty-four, 3 March 1843, hereinafter cited as *Naval Appropriation Act 1843/44*, in *Laws of the United States*, vol. 10, chap. 562, p. 461.

¹¹⁰ U.S., Congress, *An Act to Define and Establish the Fiscal Year of the Treasury of the United States*, 26 August 1842, in *Laws of the United States*, vol. 10, Chap. 385, pp. 316-317.

¹¹¹ The House Committee on Naval Affairs did conduct an inquiry into "the expediency of certain alterations in the management of the navy" in response to House resolutions of 15 January 1844, but that inquiry was directed primarily at addressing the question of enacting a naval peace establishment and it left the issues of vessel construction and repair largely unresolved. (See "Report of the Committee on Naval Affairs," 5 March 1844, printed in ANCSR 3 (3-28-1844), cols. 393-405. On the shift to the fiscal year, see Chapter Three, above, and ANCSR 1 (1-19-1843), col. 59. Although appropriations would hereafter follow the fiscal year ending 30 June, the Navy Department would continue to submit its annual reports by the calendar year.

insure a proper accountability. A great deal has already been accomplished in this respect. It is confidently believed that the expense of building, repairing, and equipping, our vessels of war is much less at this time, than it was at any previous period within the last twenty years.¹¹²

Upshur's praise of "the steady and zealous efforts of those officers of the navy who have had charge of the navy-yards,"¹¹³ was clearly intended to counter charges levelled the previous year "that common laborers have been employed to drive oxen, to dig, and to do other jobs about Navy-Yards,--that, by some ingenious figment, such labor has been called *repairing ship*--and that, the unlawful wages have been accordingly charged to any ship that happened at the time, to be undergoing this costly operation."¹¹⁴

The Navy responded to complaints of excessive shipbuilding costs in the navy yards by experimenting on a limited basis with building ships by contract in private yards. In April 1843 the Navy contracted to build a brig (the *Lawrence*) in a Baltimore shipyard under the superintendence of Commander W. H. Gardner, "to be put in the water completely rigged, and equipped with a full suit of sails, ready for her armament, provisions, and crew."

¹¹² Navy, *Annual Report*, 1843, p. 543.

¹¹³ Navy, *Annual Report*, 1843, p. 543.

¹¹⁴ "Upshur and His Report," *SLM* 8 (January 1842), p. 96; italics in the original.

The contract price of \$20,000 was reportedly "less than half of what she would cost if built in the usual way at one of our navy-yards."¹¹⁵ The *Army and Navy Chronicle* and *Scientific Repository* applauded: "This looks something like practical reform, and we rejoice to see it,"¹¹⁶ taking the opportunity to reiterate Harry Bluff's proposal to employ white oak, rather than live oak, in the construction of smaller vessels. "We hope never to see a live oak ship built again for our navy," exclaimed the *Chronicle*, "we mean of the size of sloops-of-war and under."¹¹⁷ Of course, with four sloops of war on the stocks nearing completion and vast live-oak stores for sloops, as well as larger vessels, such a shift in naval policy was impractical, as well as unlikely.¹¹⁸

None of these attempts at naval reform proved to be the answer, however. The Bureau System, and in particular the Bureau of Construction, Equipment, and Repair, was under attack within the year, for "squandering" \$50,000 to conduct

¹¹⁵ ANCSR 1 (4-6-1843), col. 411.

¹¹⁶ ANCSR 1 (4-6-1843), col. 411.

¹¹⁷ ANCSR 1 (4-6-1843), col. 412.

¹¹⁸ Navy, *Annual Report, 1843*, p. 528; sloops of war on the stocks in 1843 were the Albany, the Germantown, the St. Mary's, and the Jamestown.

"the most silly experiments" on the steamship *Missouri*.¹¹⁹ "The old Navy Board could not have done worse than this," assailed the *Chronicle*. The accountability which the Bureau System had been intended to provide had proved fleeting indeed. "Until those who say that the navy is now all right can show us the man--nay more: until they actually bring him to account, and make him account with his place, for this and all such official malfeasance," the *Chronicle* concluded, "we say the navy has not got the thing it wants--is not under proper management."¹²⁰

No such accounting would be forthcoming. Time would prove the validity of the *Chronicle's* assessment of the Navy's condition. Although reorganization into the Bureau System subdivided responsibility for the ministerial duties of the Navy among five Bureau Chiefs instead of just three Navy Commissioners, and vastly increased the Navy's clerical force (presumably improving the Navy's ability to keep pace with its paperwork), it eliminated any effective collective oversight.

Theoretically, the Secretary of the Navy would provide such oversight. Harry Bluff's criticisms of those who held the office of Secretary of the Navy were largely valid,

¹¹⁹ ANCSR 1 (6-29-1843), col. 791.

¹²⁰ ANCSR 2 (7-27-1843), col. 120.

however. Moreover, through the first ten years of naval administration under the Bureau System the Navy was led by no fewer than nine Secretaries of the Navy. Such a situation was hardly conducive to efficiency and effective quality control, particularly where the business of the various naval bureaus (Construction, Equipment, and Repair, and Yards and Docks, for example) overlapped. Thus while the Bureau of Construction, Equipment, and Repair had responsibility for building and repairing ships of war, the naval constructors themselves, as well as the timber inspectors, belonged to the civil establishment of the Bureau of Yards and Docks. There can be no question that the Navy's problem with disparities between the estimated and actual costs of vessel construction and repair, exposed and berated by Harry Bluff, had at least originated with the naval constructors at the building yards under whose supervision the estimates were prepared. The rebuilding of the *John Adams*, it will be recalled, had been estimated by naval constructor Samuel Humphreys at less than \$33,000. Based upon that figure and Humphreys' estimate of \$65,000 to build a new ship, the Navy Board had ordered the *John Adams* rebuilt. Yet the Commissioners' 1841 reply to the Senate inquiry reported the actual cost of rebuilding the *John Adams* as more than \$110,000, which by Humphreys' estimate

should have been more than sufficient not only to rebuild the *John Adams* but to build a new sloop of war as well.¹²¹

Moreover, the Navy's basic system of operation remained the same. Workmen were still hired on daily pay, employed when work was available and let go when it was not. Thus it remained in their best interests to prolong whatever work was underway for as long as possible in order to stay employed.¹²² The *Army and Navy Chronicle and Scientific Repository* cited a specific test where the Navy ordered two identical rowboats to be built at different Navy yards. "The boat at one cost about \$500, at the other \$900," the *Chronicle* reported, "and though but a common row-boat, she was charged in the building with one year's labor for one man, minus seventeen days."¹²³ Harry Bluff had also reported that Navy mechanics, "while employed in the Yard, can find time to build houses for themselves."¹²⁴

¹²¹ "Exhibit Shewing the State and Condition of the United States Ship *John Adams*, Now Lying at the Navy Yard Gosport Va," 1 January 1828, enclosure in John Rodgers to John Branch, 11 August 1830, LSNavCom - SecNav, RG 45, NA; see also, Chapter Six, above; S.Rep. 223 (26-2), p. 8.

¹²² Harry Bluff, "Scraps, V," pp. 368-396; see also, Ja. R. McGee, et al to J. B. Haskins, October 1857, and Ja. R. McGee, et al to John Cochrane, October 1857, in OSF Box 518, RG 45, NA.

¹²³ ANCSR 1 (5-18-1843), col. 600; italics in the original.

¹²⁴ Harry Bluff, "Scraps, V," p. 369; italics his.

Still, there was little the Navy could do short of adopting Bluff's proposal, advocated as well in the pages of the *Chronicle*, to subcontract the building and repairing of ships of war to private industry.¹²⁵ Such a plan, however, offered no guarantee that subcontractors would not take advantage of an opportunity to exact greater profits at the Navy's expense.¹²⁶ Already the Navy had problems with overpricing and quality control in materiel, particularly iron and copper purchased from suppliers.¹²⁷ In copper alone, Upshur confessed, "the frauds which have been practised [*sic*] upon the Government, have been gross and enormous."¹²⁸

The Navy would also continue to build and repair its ships with sturdy live oak, whether drawn from stockpiles or purchased from timber suppliers. Instead of building cheaply of white oak and then disposing of vessels in need

¹²⁵ Harry Bluff, "Scraps, V"; ANCSR 1 (4-6-1843), cols. 412-413, 1 (5-18-1843), cols. 599-601.

¹²⁶ The House Naval Affairs Committee early in 1844 rejected the concept of subcontracting ship construction to private industry, concluding that "ships of war, in the opinion of the Committee, should not be exposed to the hazard of unfaithfulness of contractors." ("Report of the Committee on Naval Affairs," 5 March 1844, printed in ANCSR 3 (3-28-1844), col. 405).

¹²⁷ Navy, *Annual Report*, 1842, p. 552.

¹²⁸ Navy, *Annual Report*, 1842, p. 553.

of repair, the Navy continued to invest heavily in live oak ships, perpetuating the need for frequent, extensive, and expensive repairs. Live oak, though more durable, "is almost as hard as iron," the *Chronicle* lamented, "and exceedingly difficult to be cut and hewn into shape, so that the expense of working it is also many times the expense of working white oak." Even to replace the cheaper planking which was fastened to the live oak frame, "as a matter of necessity the large bolts which secure these planks must be drawn; and it is no unfrequent occurrence at our navy-yards, . . . for three men to be employed a whole day in backing out and drawing one single bolt."¹²⁹

Moreover, despite live oak's strength and durability, the Navy suffered from a considerable dry rot problem. Though at least some of the Navy's heavy expenditures for vessel repair were likely due to fraud and abuses in the Navy yards, Harry Bluff was equally correct when he complained that "our live-oak ships, from some cause, do decay more rapidly than they used to do, at any rate they are repaired more frequently and extensively now, than formerly; and that without repairs, they do not last as long by years, as white oak merchantmen."¹³⁰ The switch to the

¹²⁹ ANCSR 1 (4-6-1843), col. 411.

¹³⁰ Harry Bluff, "Scraps, V," p. 367.

Bureau System could do little to alleviate this problem, for "As broad as the Navy-Board is, and as many are the sins that are piled upon it," even Harry Bluff recognized, "it does not appear just to charge it too with *making ships rot.*"¹³¹

Nor was dry rot a problem confined to the United States Navy. Incidences had been reported in the American merchant fleet.¹³² The Royal Navy had been experiencing its own problems with dry rot in ship timbers for some time as well. "It was found," the *United Service Magazine* reported, "that the dry-rot was afflicting the navy, with a virulence hitherto unknown; especially among the newest and most recently repaired vessels."¹³³ As the American Navy was still reeling from the charges put forth by Harry Bluff, the Royal Navy revealed its own list of vessels which had cost

¹³¹ Harry Bluff, "Scraps, V," pp. 366-267; italics his.

¹³² Harry Bluff, "Scraps, V," p. 367.

¹³³ "Dry-Rot," part 1, from the *United Service Magazine*, reprinted in ANCSR 1 (3-30-1843), cols. 353-363, hereinafter cited as "Dry-Rot," 1, col. 362. The first rate ship *Queen Charlotte*, for example, launched at Deptford in 1810, was found "too rotten to be seaworthy" in 1811, exhibiting "as many varieties of fungi as of wood." The seventy-four gun ship *Benbow*, built in 1813, became infected with dry rot and was repaired in 1818, "without ever having been at sea, as an expense even surpassing that of the *Queen Charlotte* [£30,000]." ("Dry-Rot," 1, col. 362). In addition, "The *Ocean*, the *Foudrosyant*, the *Bulwark*, the *St. Domingo*, the *Ajax*, the *Albion*, and other ships-of-the-line, were falling to pieces within five years after launching, and some of them in less than three." (Dry-Rot," 1, col. 363).

to repair, nearly as much or more than they had originally cost to build.

The British attributed their dry rot problem to the employment of heterogeneous timbers, including white oak, fir, birch, and red pine, and the use of green timber shipped from America in the warm holds of ships which arrived "invariably covered over on being landed with a complete coating of fungus." The threat from the use of heterogeneous timbers was perceived as extending even to the use of different woods belonging to the same species: "The oaks of Northern Europe being of a quicker decay will destroy our native oak when placed along side of it," explained the *United Service Magazine*, "in one-third of the time of its own natural durability, or when used by itself."¹³⁴ Despite the many theories on the causes of dry rot, the Royal Navy was still, by the 1840s, in search of an effective cure, which it estimated would save the loss of at least 50,000 shiploads of timber annually.¹³⁵

The United States Navy's dry rot problem no doubt arose largely from its use of timber ponds as a means to season and preserve stockpiled timber, primarily live oak, for

¹³⁴ "Dry-Rot," part 2, from the *United Service Magazine*, reprinted in ANCSR 1 (5-14-1843), cols. 513-522, hereinafter cited as "Dry-Rot," 2, col. 514.

¹³⁵ "Dry-Rot, 2, col. 518.

future use. By the time Harry Bluff pulled his "Scraps" out of the Lucky Bag, the Navy yards had compiled a history of more than twenty years of building and repairing ships with wood stored or treated in timber ponds, revealing what many believed was the folly of that method. After being submerged for several years in the timber dock, the wood would be removed, sawn, and left to dry under timber sheds where, Harry Bluff complained, "it is damaged and split by the frost and air; and when it comes to be taken out for use, at least one in every four pieces is condemned as useless, on account of rents."¹³⁶ Some timber was left in the ponds for even longer periods.

Even in the modern day it is difficult to stabilize timber submerged for any great length of time using advanced technology and the most rigorous exertions. The loss of even close to Maury's estimate of twenty-five percent of stockpiled timber, particularly from complete frames procured according to moulds for individual ships, would have increased the Navy's expenses by more than merely the value of that timber by necessitating additional expenditures to procure and prepare replacement timber or adapt whatever else might be found in the yard (which might then also need to be replaced). Worse yet, by Maury's estimate, seventy-five percent of timber dock weakened

¹³⁶ Harry Bluff, "Scraps, V," p. 367.

timber was actually used to build and repair American warships. "Besides being thus prepared for rotting," Harry Bluff legitimately assailed, "after it [the timber] is put on the ship, the heavy loss from rents serves to swell the cost of our men-of-war."¹³⁷

The Navy Department was well aware of the problems associated with docked timber. Secretary of the Navy David Henshaw complained in 1843 that the use of docked timber had resulted in "great shrinkings and liability to warp; requiring additional expense for calking [sic], from the shrinkage of the planks, and greater liability to leakage."¹³⁸ The connection between docked timber and dry rot was also suspected. The dry rot fungus, Henshaw postulated, "would be less liable to germinate in dry than in moist wood." Indeed, he doubted whether dry rot "could germinate at all in perfectly dry wood."¹³⁹

Despite the potential injury to the Navy's ships of war inherent in the use of docked timber, the Bureau of Yards and Docks in 1843 initiated an extension of the timber dock at the Gosport Navy Yard "intended for the deposite [sic]

¹³⁷ Harry Bluff, "Scraps, V," p. 367.

¹³⁸ Navy, *Annual Report, 1843*, p. 487.

¹³⁹ Navy, *Annual Report, 1843*, p. 488.

and soaking of timber,"¹⁴⁰ and constructed another pond, "for soaking knees," at the Portsmouth Navy Yard.¹⁴¹ A significant contributory cause for the Navy's spiraling repair costs becomes readily apparent.

Unable to enact adequate means for the prevention of dry rot against recognized causal agents--the American Navy, after all, still possessed vast stockpiles of docked timber which it could ill afford to waste, and the Royal Navy had only so much English oak to go around--Navy men instead sought alternative means of treatment to control its ravages. Widespread experimentation was pursued throughout the 1830s and 1840s. Among the methods proposed and tested by the Americans or the British were sinking infected ships for months at a time, filling ships between timbers with rock salt, or treating timber before placing it on the ship by the "Kyan method"--soaking it in a mercury solution; "Dr. Earle's Process"--impregnating timber with the sulphates of iron and copper; and "Burnettizing" timber by injecting it with zinc chloride under pressure in large timber tanks.¹⁴²

¹⁴⁰ Navy, *Annual Report, 1843*, p. 565.

¹⁴¹ Navy, *Annual Report, 1843*, p. 502.

¹⁴² "Dry-Rot," 1; "Dry-Rot, 2; "Dr. Earle's Process for Preserving Timber and Cordage," ANCSR 1 (4-13-1843), cols. 431-433; "Dry-Rot and Rock Salt," ANCSR 1 (5-4-1843), col. 523; "Dry-Rot," ANC 5, pp. 165-166, 340-342; "Timber Tank," ANCSR 1 (5-11-1843), col. 554.

Advance treatment, however, could do little to reverse decay in the United States Navy's existing ships. These had been built and repaired with docked timber for more than twenty years while the Navy believed that to be the best method for preserving its live oak stores purchased primarily under the provisions for the gradual increase and gradual improvement of the Navy. The majority of these ships would remain in commission for some time, demanding expensive and extensive repairs as early dry rot set in. Moreover, the Navy would continue to use docked timber, both to repair these ships and to build and repair new ones, continuing as well the seemingly neverending spiral of increasingly more expensive and extensive repairs to its wooden ships of war.

The framework for abuses and excessive waste in the naval business thus easily survived the transition to the Bureau System of naval administration. One must question, as well, whether the Congressional commitment to confront and eliminate the potential for such abuse was sincere. While repeatedly lamenting its inability to maintain effective control over naval expenditures, particularly under the broad head of Increase, Repairs, &c., Congress consistently rejected the opportunity to enact effective restrictive legislation. In 1844, for example, Congress failed to carry over Cave Johnson's amendment to the naval

appropriation bill for the fiscal year ending 30 June 1845 providing that "no vessel shall hereafter be built or rebuilt, except by express authority of Congress," into the final act approved on 17 June 1844.

Johnson's use of the separate terms "built" and "rebuilt" is interesting in this context. Revealing, as well, is the subsequent unsuccessful motion of Hamilton Fish of New York, to strike only the word "rebuilt" from the measure. Clearly Congress also distinguished between new construction and rebuilding. Some favored more lax restrictions on one and not the other; some wished to act to curtail expenditures for both; others favored neither approach. They were unanimous, however, in adopting the Navy's perception of rebuilding and new construction as separate and distinct, albeit related, concepts.¹⁴³ Distinctions aside, however, in failing to include Johnson's amendment in the bill's final passage, Congress left itself with no effective means to curtail ongoing naval expenditures for launching and completing ships on the stocks, or for rebuilding existing vessels, at whatever cost they might require.

¹⁴³ U.S., Congress, House, discussion on the amendment to the naval appropriation bill submitted by Cave Johnson, 22 May 1844, printed in ANCSR 3 (6-6-1844), col. 712; U.S., Congress, *An Act Making Appropriations for the Naval Service for the Fiscal Year Ending the Thirtieth Day of June, Eighteen Hundred and Forty-Five*, approved 17 June 1844, printed in ANCSR 3 (6-27-1844), cols. 822-827.

The Congressional commitment to the ban on transfers between heads of the naval appropriation proved fleeting as well. In response to Harry Bluff's charge that the executive transfer privilege had enabled the Navy to cover its wasteful and escalating repair costs by usurping funds intended for and required by other objects, Congress had voted to ban the practice when it established the Bureau System in 1842. By the end of 1843, however, the Secretary of the Navy complained that the ban on transfers "operated injuriously" to the service. The source of trouble, as usual, was in expenditures for vessel construction and repair. "Were these transfers permitted," David Henshaw contended, "sufficient means might be found among the various unexpended balances of appropriations to pay most, if not all, needful outlays in the fitting, completing, and repairing of vessels, and for payments on uncompleted contracts."¹⁴⁴

Within the month, the House Naval Affairs Committee reported a bill restoring the Executive transfer privilege. Cave Johnson, no doubt the most vocal and persistent voice in Congress for naval reform, moved to forestall consideration of the measure. "At the last session [of Congress]," he reminded his colleagues in the House, "they appropriated one million dollars for certain objects, on

¹⁴⁴ Navy, *Annual Report, 1843*, p. 487.

which the Secretary of the Navy [Upshur] had gone on to employ hands enough to exhaust two millions--thus setting his discretion above that of the Congress of the United States. It was in this way," the Congressman from Tennessee accused, "that he [the Secretary of the Navy] furnished an argument for additional expenditures to keep these men in employ, and threw the odium of refusing to continue them on Congress."¹⁴⁵

Cave Johnson recognized that patronage had become, and would continue to be, the bottom line in Congressional efforts to reel in the free hand of the Navy Department. The bill, limiting transfers to \$200,000 during the current fiscal year, passed the House 101 to sixty-eight, after the concession that "no part of said sum shall be transferred from any unexpended balances which may be necessary for the purposes for which it was originally appropriated, nor from any unexpended balances of appropriations for the respective yards and docks," was made to David Levy, the delegate from Florida. Levy had complained that the Secretary of the Navy had previously transferred at least \$350,000 appropriated

¹⁴⁵ U.S., Congress, House, speech of Cave Johnson on the bill to authorized the President of the United States to direct transfers of appropriations for the naval service under certain circumstances, 26 December 1843, printed in ANCSR 3 (1-1-1844), col. 61.

for the yard at Pensacola and spent it at other yards.¹⁴⁶ The Act restoring the Executive transfer privilege, with limitations, was likewise passed by the Senate and signed into law.¹⁴⁷ But Congress could hardly expect accountability from the Navy when it could not demand it of itself, and when the criterion by which it judged the propriety of expenditure was the Congressional district in which funds were expended.

What, then, was the real impact of the "Scraps from the Lucky Bag"? Harry Bluff's legacy to the Navy was essentially twofold. First, he precipitated the transition to the Bureau System, although that transition is less significant for the change it brought about in the Navy's administration than for the false sense of fiscal accountability and security that derived from it. Second, and arguably more important for the long term, Harry Bluff

¹⁴⁶ U.S., Congress, House, proceedings in the House of Representatives, 1 February 1844, printed in ANCSR 3 (2-8-1844), col. 190; U.S., Congress, House, proceedings in the House of Representatives, 24 and 30 January 1844, printed in ANCSR 3 (2-1-1844), cols. 155, 157-158; U.S., Congress, House, speech of David Levy on the bill to authorize the President of the United States to direct transfers of appropriations for the naval service under certain circumstances, 26 December 1843, printed in ANCSR 3 (1-11-1844), col. 61.

¹⁴⁷ U.S., Congress, *An Act to Authorize the President of the United States to Direct Transfers of Appropriations in the Naval Service, Under Certain Circumstances*, approved 29 February 1844, printed in ANCSR 3 (6-20-1844), col. 781,

compelled the Navy to reexamine its approach to naval materiel. He exposed the extent to which the Navy, largely unknowingly, in trying to exact the longest and most useful service out of existing materiel (specifically the hulls and component parts of its warships), had expended enormous sums of money--more than enough to buy or build new, better, and more modern ships--and set the Navy back years in architectural and technological attainments.

Because of Harry Bluff the Navy fundamentally altered its attitude toward vessel construction, maintenance, and repair. Whereas before the Navy had focused primarily on longevity and efficient use of existing materiel, now it would consider more heavily the questions of modernity, cost-effectiveness, and economic efficiency, along with the expedient use of materiel, in determining whether or not to repair or rebuild, and to what extent, its ships of war. Rebuilding for primarily sentimental reasons remained a separate, albeit related, issue.

The repercussions of this new approach would be felt immediately, as the Bureau of Construction, Equipment, and Repair directed the surveys of the Navy's ships in ordinary as announced by the Navy Board shortly before its dissolution. In the process, the Navy would lose several of its older and venerable ships of war. Congressional failure, however, to enact real reform in the larger naval

business of vessel construction and repair guaranteed that though the practice of rebuilding would continue in the Navy for at least another forty years, it would rarely stray far from the center of controversy.

Chapter Nine

Aftermath

An Executive decision in 1830 had established the requirement for the Navy to secure a specific Congressional appropriation to rebuild individual ships of war. Although the legislative branch of government played no role in determining that policy, both the House and the Senate complied willingly, passing three separate appropriations to fund the rebuilding of four naval vessels through the remainder of Andrew Jackson's administration.

Ten years after the initiation of that policy, however, Congress did play an integral role in its dissolution. The Act to consolidate the separate appropriations for Increase, Repair, Rebuilding, and Wear and Tear of ships of the Navy expressed Congressional approval of the Van Buren administration's desire to simplify restrictions on expenditures for naval materiel. This new head of appropriation combined, for the first time, repair with increase. Under this revised head the rebuilding of ships of war continued to represent a third option equivalent to neither new construction nor vessel repair. In consistent fashion, many terms, including "rebuilding," "building," and

"repairing," continued to be used interchangeably, reflecting, again, the intermediate nature of rebuilding.

Among the casualties of the increased focus on economic efficiency and the move for modernization precipitated by the "Scraps from the Lucky Bag" were several of the Navy's older ships of war in ordinary awaiting rebuilding. Between 1840 and 1844, the Navy condemned one sloop of war, three frigates and one ship of the line. Each was either sold or broken up as unfit for repairs.

While being opened up for repair at New York in April 1840, the *Natchez*, one of the ten sloops of war built under the Act of 1825, was found to be more decayed than originally supposed. As it was "evident she requires a thorough repair & it will be necessary to haul her up," naval constructor Samuel Hartt proposed to make "some alteration in the after body which has been complained of as being too full." Specifically, Hartt recommended lengthening the *Natchez* by the addition of twelve feet aft. He estimated the cost of her repairs without modification "after removing a portion of the decayed part," at \$44,936. By comparison, he expected that the cost both to repair and lengthen the *Natchez* would not exceed \$58,780.¹

¹ Samuel Hartt to James Renshaw, 24 April 1840, in OSF Box 100, RG 45, NA; underlining original.

Chief Naval Constructor Samuel Humphreys considered Hartt's proposal for the *Natchez*. With "the usual allowance for estimates," he remarked, "it is probable the expense for alteration and repairs for the Hull only will reach to 65,000 dollars." Had the *Natchez* possessed "all the attainable qualities for a Ship of War," he noted further in the spirit of Harry Bluff, "she would deserve an outlay equal to three fourths of her original cost." Given, however, "the imperfect character of the *Natchez*, [and] the large sum of money required to put her in good condition," Humphreys concluded, "she ought not to be repaired in the way proposed by Mr. Hartt."² Upon subsequent survey the *Natchez* was found unworthy of repair. She was broken up before the close of 1840 and no consideration was given thereafter to rebuilding her.

The frigate *Guerriere*, employed as a receiving ship while in ordinary at the Gosport Navy Yard, accidentally heeled over on her beam ends in May 1840. A survey in late September found her "sunk, . . . and lay[ing] on her larboard bilge, the tide flowing in and out of her freely." Her examination, limited to "low water mark which is nearly on a level with the port sill of Gun deck; the ship heeling about 30 degrees," found the *Guerriere* unworthy of repair. "The

² Samuel Humphreys to Charles Morris, 12 May 1840, in OSF Box 100, RG 45, NA.

of the ship (26 years)[,] her frame being principally of white oak, and her general appearance warrant this opinion," explained naval constructors Samuel Humphreys and Samuel Hartt, "for we find her much hogged & otherwise strained, her plating started, her butts of plank unusually large, and some of her plank broken." Humphreys and Hartt recommended, therefore, that "the Hull should be broken up, the materials of wood disposed of to the best advantage, and the copper & iron reserved for the use of the Navy."³

The Navy Commissioners concurred with her condemnation and ordered the *Guerriere* to be broken up in early October, "preserving such of her materials as can be used in the yard for other naval purposes."⁴ Cutting up the *Guerriere* on the mudflats at Norfolk commenced in October 1840 and by March

³ Samuel Humphreys and Samuel Hartt to Charles Morris, 26 September 1840, in OSF Box 122, RG 45, NA.

⁴ Charles Morris to Lewis Warrington, 8 October 1840, in LSNavCom - CMDTS, RG 45, NA, vol. 13, p. 390; see also, Charles Morris to Lewis Warrington, 23 May 1840, in LSNavCom - CMDTS, RG 45, NA, vol. 13, p. 276; Charles Morris to James K. Paulding, 2 October 1840, in LSNavCom - SecNav, RG 45, NA, vol. 6, p. 541; James K. Paulding to Charles Morris, 6 October 1840 in LSNavCom - NavCom, RG 45, NA, vol. 3, p. 429; Charles Morris to Samuel Humphreys, 21 September 1840, in Letters Sent by the Board of Navy Commissioners to Naval Constructors, Steam Engineers, and Civil Engineers, Entry 218, hereinafter cited as LSNavCom - NavConst, RG 45, NA; and Charles Morris to Samuel Hartt, 21 September 1840, in LSNavCom - NavConst, RG 45, NA.

1841 she was reported "lying up on the mud flats a wreck, cut down to the water's edge."⁵

The frigate *Java* was taken into drydock and examined in early August 1840. She was placed upon the mudflats later that month⁶ where she remained until condemned by survey as "decayed, and unfit for repairs" in her hull and spars in September 1842, with the recommendation that she be "broken up, and that such articles of wood, metal &c, as are not suitable for Naval purposes, should be sold."⁷

A few months later, the white oak-built frigate *Hudson*, employed as a receiving ship at the New York Navy Yard and long considered unfit for sea service, was ordered to be broken up in February 1843.⁸ She continued briefly in service until a fire broke out on board of her on the morning of 22 November 1843, "which damaged her so much that she is

⁵ "Semi-Monthly Report of the State and Condition of the Vessels Building, Repairing, or in Ordinary at the Navy-Yard Gosport, Va. The Work Done Upon the Same . . .," hereinafter cited as "Semi-Monthly Report - Gosport," for the *Guerriere*, 16 to 31 October 1840 through 1 to 15 January 1841, in OSF Box 70, RG 45, NA.

⁶ "Semi-Monthly Report - Gosport," 1 to 15 August 1840, 16 to 31 August 1840, 1 to 15 December 1840, in OSF Box 71, RG 45, NA.

⁷ I. Wilkinson, Francis Grice, and John Lenthall to David Connor, 28 September 1842, enclosure in I. Wilkinson to David Connor, 28 September 1842, in OSF Box 98, RG 45, NA.

⁸ H.Doc. 132 (27-3), p. 175.

considered useless."⁹ The following year the Secretary of the Navy reported the sale of the *Hudson* as "most conducive to the public interest."¹⁰

Meanwhile, the ships of the line *Washington* and *Franklin* continued in ordinary at New York where, the *Army and Navy Chronicle and Scientific Repository* warned in January 1843, they would "soon fall to pieces, unless a dry dock for their examination and repair be speedily provided."¹¹ Congress finally directed some attention to their repair in the Act making appropriations for the Navy for the half fiscal year of 1 January through 30 June 1843 and for the following fiscal year ending 30 June 1844. Signed into law in March 1843, the Act instructed the Secretary of the Navy "to cause an examination to be made of the expediency, practicability, and probable expense of constructing a dry-dock in the harbor of New York . . . of sufficient capacity to rebuild or repair a seventy-four gun ship."¹²

In the interim, however, the Navy Department had initiated surveys upon both the *Washington* and the *Franklin*.

⁹ "Receiving-Ship *Hudson* Burnt," from the *New York Sun*, reprinted in *ANCSR* 3 (1-23-1843), col. 669.

¹⁰ Navy, *Annual Report, 1844*, pp. 518, 567.

¹¹ *ANCSR* 1 (1-19-1843), col. 58.

¹² U.S., Congress, *Naval Appropriation Act, 1843/44*.

the *Washington*, which had made but one cruise in her long history, was found to be "too much decayed to admit of repair."¹³ She was subsequently broken up at the New York Navy Yard later that same year.¹⁴ The *Franklin*, with all of two cruises behind her (to the Pacific and the Mediterranean), and though "of the same class, and built nearly at the same time" as the *Washington*, was adjudged in a somewhat better condition,¹⁵ though badly hogged.¹⁶

After losing the *Washington* to condemnation, New Yorkers were doubly disheartened when the Navy ordered the *Franklin* towed round to Boston for "heavy repairs."¹⁷ The speculation in the press was that she would be razed to a double-banked sixty-four gun frigate similar to the *Independence*.¹⁸ The Common Council of the City of New York petitioned the Secretary of the Navy to prosecute the *Franklin's* repairs at New York, perhaps by cutting her down while afloat, thereby

¹³ ANCSR 1 (5-18-1843), col. 597.

¹⁴ Navy, *Annual Report, 1843*, p. 481.

¹⁵ ANCSR 1 (5-18-1843), col. 597.

¹⁶ ANCSR 1 (6-29-1843), col. 791.

¹⁷ Navy, *Annual Report, 1843*, p. 482.

¹⁸ See, for example, ANCSR 1 (6-29-1843), col. 791; and "Charlestown Navy Yard," from the *Boston Mercantile Journal*, reprinted in ANCSR 2 (9-14-1843), cols. 339-340.

reducing her weight sufficiently to haul her out of the water on a marine railway, but Upshur declined.

"If it had appeared to me that the Franklin could be placed in proper condition for repairs in Brooklyn, without too much cost and with safety to the vessel," Upshur wrote New York Mayor Robert Morris, "I should never have thought of sending her away." Nor could Upshur abide by the Council's suggestion to cut the ship down while afloat. Citing the increased inconvenience, difficulty, and expense, Upshur added, "it is not certain that it will be deemed wise to cut her down at all. Whether it will or not must depend on the condition in which her timbers may be found, when she shall be stripped." Upshur reserved for the Navy Department "the liberty of choosing whatever course in this respect the public interest may seem to require."¹⁹ The cost of sending the *Franklin* to Boston, Upshur noted, "will amount to a mere trifle; to not a twentieth part of the hire of a floating dock and of all the costly contrivances suggested by the committee [of the Common Council]. And all the work which is to be done after her arrival in Boston can be as cheaply done there as in Brooklyn."²⁰ Recalling the injury sustained by

¹⁹ Abel P. Upshur to Robert Morris, 3 July 1843, printed in ANCSR 2 (7-27-1843), cols. 107-111, quote col. 108.

²⁰ Abel P. Upshur to Robert Morris, 3 July 1843, printed in ANCSR 2 (7-27-1843), cols. 108-109.

the *Franklin* when she was originally launched and which, he reported, "she shows . . . to this day," Upshur questioned the wisdom of subjecting her to a repeat occurrence by placing her once again on shipways: "If she be put in a walled dock, her present crook may be corrected; whereas if she be again carried through the process by which that crook was produced, it will undoubtedly be increased, to the serious detriment of the ship."²¹ By September 1843, the *Franklin* was reported safely ensconced near the drydock at the Charlestown Navy Yard, looking "rusty and rotten enough,"²² awaiting "a more favorable season" to be repaired and razeed.²³

In the meantime, however, the Navy was moving forward in the spirit of efficiency and modernization inspired by Harry Bluff's "Scraps from the Lucky Bag." In March 1839, amidst fear of impending war with Great Britain over the Maine boundary question, Congress passed an Act authorizing the President "to complete the public armed vessels now authorized by law, and to equip, man, and employ, in actual service, all the naval force of the United States." In the event of "actual invasion of the Territory of the United

²¹ Abel P. Upshur to Robert Morris, 3 July 1843, printed in ANCSR 2 (7-27-1843), col. 109.

²² "Charlestown Navy Yard," col. 339.

²³ Navy, Annual Report, 1843, pp. 482, 527.

States by any foreign power, or if imminent danger of such invasion [is] discovered, in his opinion, to exist," the President was also authorized "to build, purchase, or charter, arm, equip, and man, such vessels and steamboats on the Northern lakes and rivers whose waters communicate with the United States and Great Britain as he shall deem necessary to protect to United States from invasion from that quarter."²⁴ As tensions over the MacLeod affair increased through 1840 and 1841, the Navy took full advantage of that authorization, as well as the loosened restrictions on building and completing ships conveyed by the consolidated appropriation for Increase, Repairs, &c., boldly ordering the completion of several of its ships suspended on the stocks.

The frigate *Congress*, whose rebuilding was specifically authorized by Congress in 1834, was finally laid down in 1839 and launched and completed at Portsmouth in 1841.²⁵ Orders were also issued in 1841 to complete the frigate *Raritan*, which had remained on the stocks at Philadelphia since her

²⁴ U.S., Congress, *An Act Giving the President of the United States Additional Powers for the Defense of the United States, in Certain Cases, Against Invasion, and for Other Purposes*, 3 March 1839, in *Laws of the United States*, vol. 9, chap. 1219, p. 1022.

²⁵ ANCSR 12 (9-2-1841), pp. 278, 287; Navy, *Annual Report, 1841*, pp. 393-394, 423.

commencement in 1821.²⁶ The *Raritan* was launched in early June 1843 and by the end of that year was reported to be nearly ready for sea.²⁷ In 1841, as well, orders were given to launch and complete the frigates *Cumberland*, on the stocks since 1827 at Charlestown, Massachusetts, *Savannah*, on the stocks at New York since 1820, and *St. Lawrence*, on the stocks at Norfolk since 1826.²⁸ The *Cumberland* was launched in 1842, completed in 1843, and dispatched as flag ship to the Mediterranean Squadron.²⁹ The frigate *Savannah* was launched and completed in 1843. She sailed in October of that year to join the Pacific Squadron.³⁰ Building was suspended on the *St. Lawrence* in May 1842 due to the heavy

²⁶ ANC 11 (7-2-1840), p.7; Navy, *Annual Report, 1841*, p. 424. The *Chronicle* noted that the *Raritan* was, at the time of her commencement, the first American warship furnished with a round stern, although several other ships launched in the interim were subsequently designed with round sterns.

²⁷ ANCSR 1 (6-15-1843), col. 733; Navy, *Annual Report, 1843*, p. 527.

²⁸ Navy, *Annual Report, 1841*, pp. 372, 424; U.S., Congress, House, *Ships New York and St. Lawrence*, H.Doc. 139, 29th Cong., 1st sess.

²⁹ U.S., Department of the Navy, *Report of the Secretary of the Navy, December 1842*, in S.Ex.Doc. 1, 27th Cong., 3rd sess., hereinafter cited as Navy, *Annual Report, 1842*, p. 603; ANCSR 2 (8-31-1843), col. 278; "The New Frigate *Cumberland*," from the *Boston Post*, reprinted in ANCSR 2 (11-9-1843), cols. 599-602; Navy, *Annual Report, 1843*, p. 483.

³⁰ Navy, *Annual Report, 1843*, p. 484; "Navy of the United States," from the *New York Express*, reprinted in ANC 13 (3-12-1843), p. 126.

demands upon the appropriation for Increase, Repairs, &c. She was not launched until 1847. She departed Norfolk for the Mediterranean in 1848.³¹

In 1841 the Navy also commenced building a first-class sloop of war, as well as three smaller vessels, pursuant to no particular Acts of Congress. These were built using frames already procured (most probably under the provisions for the Gradual Improvement of the Navy). The twenty-two gun sloop of war *Saratoga*, and the ten-gun brigs *Bainbridge*, *Truxton*, and *Somers*, built at Portsmouth, Boston, Norfolk, and New York, respectively, were completed immediately and sent to sea.³² At the same time, the Navy was in the process of completing the steam frigates *Missouri* and *Mississippi*, at New York and Philadelphia, respectively, in accordance with the Acts of 3 March 1839 and 20 July 1840.³³ It had also

³¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 6 December 1847, in Ex.Doc. 8, 30th Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1847*, p. 969; U.S., Department of the Navy, *Report of the Secretary of the Navy*, 4 December 1848, in Ex.Doc. 1, 30th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1848*, p. 634; U.S., Congress, House, *Frigate St. Lawrence*, H.Rep. 777, 29th Cong., 1st sess.

³² *Navy, Annual Report, 1841*, p. 392; H.Doc. 132 (27-3), pp. 181, 185. See also, Bauer, "Naval Shipbuilding," p. 36.

³³ The second section of the *Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Thirty-Nine* directed the Secretary of the Navy "to make preparations for, and to commence the construction of three steam vessels of war, on such models as shall be most approved, according to the best advices they can obtain, or

issued orders to build three medium steamers (at New York, Philadelphia, and Norfolk), under the provisions of the Act of 3 March 1841.³⁴ Two more steamers were also building: the Ericsson propeller steamer *Princeton* at Philadelphia, under the superintendence of Captain Robert Stockton, and the *Union* at Norfolk, under the superintendence of Lieutenant William W. Hunter. The *Union* was to be equipped with Hunter's submerged water wheels. Both the *Union* and the *Princeton*

the complete the construction of one such vessel of war, upon a model so approved as in the opinion of the President shall be best for the public interest, and most conformable to the demands of the public service." Funding for this endeavor was to come from a diversion of \$330,000 from monies already appropriated for the Gradual Improvement of the Navy. Only "if that cannot be done consistently with the rights of contractors and the public interests," then whatever part of the \$330,000 that could not be obtained from Gradual Improvement would be appropriated directly from the Treasury. (*Laws of the United States*, vol. 9, chap. 1227, p. 1034). Section Two of the naval appropriation Act of 1840 authorized the additional sum of \$340,000, once again to be derived from the fund for the Gradual Improvement of the Navy (this time without provisions for funding outside that source should it prove insufficient), for the completion of the two steamships commenced. (U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Forty*, 20 July 1840, in *Laws of the United States*, vol. 10, chap. 51, p. 54).

³⁴ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year One Thousand Eight Hundred and Forty-One*, 3 March 1841, in *Laws of the United States*, vol. 10, chap. 134, p. 108. Only one of these were completed: the *Southampton*, a sailing storeship. (Bauer, "Naval Shipbuilding," p. 36.

were launched for trials in 1843.³⁵ In accordance with the Act of 14 April 1842, the Navy also contracted with Robert L. Stevens to build a floating steam battery at New York.³⁶ Although the construction of Stevens' War Steamer was commenced and suspended repeatedly while the battery was carried on the Navy List for more than thirty years, in the end she was never completed.³⁷

The Navy's rapid construction program continued into 1843, when it contracted with a Pittsburgh, Pennsylvania firm to construct the *Alleghany*, an iron steamer to be equipped with Hunter's wheels. The appropriation of \$100,000 to pay for "the building of an iron steamer at Pittsburg [sic], Pennsylvania, on Lieutenant Hunter's plan and now in progress of construction," was not passed by Congress until June of

³⁵ Navy, *Annual Report, 1840*, p. 406; Navy, *Annual Report, 1841*, pp. 372, 391-392; Navy, *Annual Report, 1843*, pp. 485-486. On the *Union*, see also, U.S., Congress, House, *Communication of Lieutenant Hunter, of the U.S. Navy, on the Proper Model of a War Steamer*, H. Doc. 189, 27th Cong., 3rd sess. The *Union* was the third of the three steamers built under the Act of 3 March 1839. The *Princeton* was built in accordance with the provisions of the Act of 3 April 1837, directing the construction of six warships rating ten to eighteen guns. (Bauer, "Naval Shipbuilding," p. 36).

³⁶ U.S., Department of the Navy, *Report of the Secretary of the Navy*, in S.Ex.Doc. 1, 28th Cong., 2nd sess., hereinafter cited as Navy, *Annual Report, 1844*, p. 523; "Stevens' War Steamer," from the *New York Sun*, reprinted in ANCSR 2 (12-14-1843), cols. 761-763.

³⁷ Bauer, "Naval Shipbuilding," p. 36; U.S., Congress, Senate, *Stevens' War Steamer*, 16 March 1852, S.Rep.Com. 129, 32nd Cong., 1st sess.

the following year.³⁸ Meanwhile, the iron steamer *Michigan*, authorized by Congress in September 1841, toward the end of the MacLeod affair, was nearly ready to launch on Lake Erie.³⁹ Orders were also given to build a small steamer of galvanized iron, also on Hunter's plan.⁴⁰ The brig *Lawrence* was built by contract at Baltimore, while the Navy built the brig *Perry*, launched in May 1843 and dispatched to the Brazil Squadron.⁴¹

As if the navy yards were not busy enough, and as if there were not already sufficient demands placed upon the appropriation for Increase, Repairs, &c. by vessels already under construction or nearing completion (not to mention those under repair), the Navy also announced orders, in May 1843, to build six sloops of war of the largest class, one at

³⁸ U.S., Congress, *An Act Making Appropriations for Certain Objects of Expenditure, Therein Named in the Year Ending June Thirty, Eighteen Hundred and Forty-Four*, 15 June 1844, in *Laws of the United States*, vol. 10, chap. 734, p. 562.

³⁹ Navy, *Annual Report, 1843*, p. 482; Bauer, "Naval Shipbuilding," p. 36. The contract specified that "the whole cost, not to exceed, in any event, \$150,000, with a guaranty [sic] of speed at the rate of nine miles per hour from her steam power in smooth water."

⁴⁰ Navy, *Annual Report, 1843*, p. 482; ANCSR 1 (6-29-1843), cols. 791-792. Construction of the galvanized iron steamer was later suspended, "owing to the heavy drafts upon the appropriation, for other purposes." The steamer was intended for use as a water tank. (Navy, *Annual Report, 1844*, p.518).

⁴¹ Navy, *Annual Report, 1843*, pp. 484-485, 527; ANCSR 1 (4-6-1843), cols. 411-413.

each navy yard. "The object of this distribution of them is," the *Chronicle* supposed, "to excite a spirit of emulation among the mechanics of the different yards, with the view of giving them an opportunity of contending for the palm of skill and superior workmanship, and to see which can build cheapest."⁴² The first two of these six sloops--the *Portsmouth*, built at Portsmouth, New Hampshire, and the *Plymouth*, built at Charlestown, Massachusetts--were launched and fitting for sea by the end of October 1843. The other four--the *Albany* at New York, the *Germantown* at Philadelphia, the *St. Mary's* at Washington, D.C., and the *Jamestown* at Norfolk--were still on the stocks, though nearly ready to be launched. Heavy drafts on the appropriation for Increase, Repairs, &c., however, caused work to be suspended on at least two of the sloops late in October 1843 "when it was deemed necessary," the Secretary of the Navy reported, ". . . to discharge a large portion of the persons employed under this head."⁴³

With all this activity, it should not have surprised anyone when Secretary of the Navy David Henshaw requested the restoration of the Executive transfer privilege in his annual

⁴² "The Six New Sloops and a New Plan," ANCSR 1 (5-18-1843), col. 599; see also, cols. 601, 609.

⁴³ Navy, *Annual Report, 1843*, pp. 482, 527-428; quote p. 487.

report at the close of 1843.⁴⁴ Nor does it appear that Cave Johnson, the Democratic Congressman from Tennessee, was far off the mark when he accused the Secretary of the Navy of overzealously expending the naval appropriation for Increase, Repairs, &c., and then leaving it to Congress to remedy the sudden unemployment in the navy yards with an election year approaching.⁴⁵

In the midst of such activity, as well, it could perhaps have been expected that the Navy's plans to rebuild the Java (a new frame having been procured for her in accordance with the Act of 1832) and its 1840 proposal to rebuild the *Guerriere* should be put aside, at least temporarily. Not until 1844, after its building frenzy had subsided considerably, did the Navy again raise the subject of the *Guerriere*. In his annual report for that year, Secretary of the Navy John Young Mason requested an appropriation "to rebuild the frigate *Guerriere* . . . and to build a brig to replace the *Enterprise*," recently condemned by survey and sold at public auction.⁴⁶

⁴⁴ Navy, *Annual Report, 1843*, p. 487.

⁴⁵ U.S., Congress, House, speech of Cave Johnson on the bill to authorize the President of the United States to direct transfers of appropriations for the naval service under certain circumstances, 26 December 1843, printed in ANCSR 3 (1-1-1844), col. 61.

⁴⁶ Navy, *Annual Report, 1844*, pp. 523, 567.

Renewed interest in rebuilding the *Guerriere* had been generated at least in part, according to Commodore Charles Morris, by the availability of four covered building slips vacated by the four frigates (*Congress*, *Raritan*, *Cumberland*, and *Savannah*) recently launched and put into commission.⁴⁷ There was no pressing demand in the service at the time, however, for either a new frigate or a new brig. Nor, apparently, did the Navy wish to siphon funds away from its other construction and repair projects by embracing its proposals for the *Guerriere* and the new brig in its estimate for Increase, Repairs, &c. Thus, although it was under no obligation to do so, the Navy submitted its requests for \$175,000 "For building a frigate to replace the *Guerriere*," and \$75,000 "For building and equipping a brig to replace the schooner *Enterprise*," as a separate "Special estimate submitted for consideration."⁴⁸ The request for the *Guerriere* included the notation that, "If this frigate shall be commenced, there will be required, at some future time, to complete her, the further sum of \$180,000."⁴⁹

⁴⁷ Navy, *Annual Report*, 1844, p. 568. Morris was then Chief of the Bureau of Construction, Equipment, and Repair.

⁴⁸ Navy, *Annual Report*, 1844, pp. 534, 572. This special estimate also requested an additional \$340,000 toward completing Stevens' war steamer.

⁴⁹ Navy, *Annual Report*, 1844, p. 572ff.

The Navy's special estimate failed, however, to receive the approbation of a Congress wary of the Navy's requests for extra funding. The following year, Charles Morris reiterated the Bureau's request for \$75,000 to build and equip a new brig, and for \$150,000 (\$25,000 less than the amount requested previously) for "Commencing a frigate to replace the *Guerriere* (broken up)." As justification for his request to rebuild the *Guerriere*, Morris explained,

The amount asked to commence a frigate is supposed to be sufficient to put up a frame, and place the hull in a situation from which it could be completed soon, if required, on any emergency; and at the same time the materials will be as well, if not better preserved, than if they were left in their unwrought state. It is but a continuation of the former policy of the country, the soundness of which appears to be well established.⁵⁰

This time, however, Secretary of the Navy George Bancroft opted not to carry over Morris' special request into the naval estimate submitted to Congress.⁵¹ There the matter rested for more than a decade.

In the meantime, naval expansion continued, bolstered by declaration of war with Mexico in 1846. On the eve of war, the Navy acquired the sloop of war *Austin* from the Texas Navy and announced its intentions to rebuild that vessel at

⁵⁰ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 1 December 1845, in S.Ex.Doc. 1, 29th Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1845*, pp. 695-696.

⁵¹ *Navy, Annual Report, 1845*, p. 661.

Pensacola. As the war progressed, however, the *Austin* was converted into a receiving ship at that yard. She was later condemned as unworthy of repair and was eventually broken up in 1848.⁵² That same year, as well, the Navy sold the brig *Boxer* and the schooner *Experiment*, both having been found unfit for repair.

During the war, meanwhile, the Navy commenced four steamers (*Saranac*, *Powhattan*, *Susquehanna*, and *San Jacinto*) in accordance with the Act of Congress of 3 March 1847, and launched and completed several more of its ships on the stocks. The naval appropriation Act for the fiscal year ending 30 June 1847 issued the President blanket authority to build "any vessel or steamer for the public service" by contract in private yards when "the same can be done with equal efficiency and on terms more economical than in the present navy yards."⁵³ The Navy also acquired a number of other vessels for temporary war duty through purchase or transfer from the Departments of War and Treasury.⁵⁴

⁵² Navy, *Annual Report, 1846*, pp. 383, 462, 486; Navy, *Annual Report, 1848*, p. 630; Bauer, "Naval Shipbuilding," p. 37.

⁵³ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year Ending on the Thirtieth June, Eighteen Hundred and Forty-Seven*, 10 August 1846, in *U.S. Statutes at Large*, vol. 9, chap. 176, p. 97.

⁵⁴ U.S., Congress, *An Act Providing for the Building and Equipment of Four Naval Steamships*, 3 March 1847, *U.S. Statutes at Large*, vol. 9, chap. 62, pp. 187-188; U.S.,

Congress, *An Act Making Appropriations for the Naval Service for the Year Ending the Thirtieth of June, One Thousand Eight Hundred and Fifty*, 3 March 1849, *U.S. Statutes at Large*, vol. 9, chap. 103, p. 378; Bauer, "Naval Shipbuilding," p. 37.

Chapter Ten

Rebuilding Under Steam

In the years following the Mexican War, the Navy Department would begin to adapt its practice of rebuilding ships of war to its fleet of steam-propelled vessels. The little steamer *Vixen* was the first steamer to be rebuilt by the Navy. A small steamboat purchased by the Navy for \$36,000 in 1846 for service during the Mexican War, the *Vixen* served with the Home Squadron in the Gulf of Mexico until sent to Norfolk for repairs at the close of the war. She was rebuilt and equipped during 1849, returning to the Home Squadron that September.¹

Shortly thereafter, the steamer *Princeton* was condemned by survey and broken up at Boston upon her return from the Mediterranean in 1849. "The only parts which appear sound," the surveyors reported of her hull, "are the stem, knight-heads, about fifteen frames in wake of the mizzenmast, part

¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 5 December 1846, in S.Ex.Doc. 1, 29th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1846*, pp. 379-380, 462, 466; *Navy, Annual Report, 1847*, p. 973; *Navy, Annual Report, 1848*, pp. 605, 636; *Navy, Annual Report, 1849*, p. 461; U.S., Congress, House, *Steam Navy of the United States*, 24 February 1854, H. ExDoc. 65, 33rd Cong., 1st sess., hereinafter cited as H.ExDoc. 65 (33-1), p. 18.

of the forward cants, floors, first futtocks and part of the second futtocks, part of the spar-deck clamps forward and aft, the deck plank, beams and knees, berth-deck clamps, breast-hooks, deadwood, and keel." They concluded that the ship required "to be rebuilt, and will cost four-fifths the price of a new ship."² The order to break up the *Princeton* was given in early October, specifying that her "armament, machinery, and all other articles that can be used for naval purposes, will be carefully preserved."³ The Department later reported that "her engines and other useful material are taken from her and preserved,"⁴ while "such portions of her as were unserviceable for naval purposes were ordered to be sold."⁵ Charles M. Skinner, Chief of the Bureau of Construction, Equipment, and Repair, subsequently recommended

² Josiah Tatnall and Samuel M. Pook to John Downes, 1 August 1849, in H.ExDoc. 65 (33-1), pp. 50-51.

³ Charles W. Skinner to John Downes, 3 October 1849, in H.ExDoc. 65 (33-1), p. 52; see also, William Ballard Preston to Charles W. Skinner, 2 October 1849, in H.ExDoc. 65 (33-1), p. 51.

⁴ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 1 December 1849, in H.Ex.Doc. 5, 31st Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1849*, p. 460.

⁵ *Navy, Annual Report, 1849*, p. 426.

that a vessel be built of suitable dimensions for those engines, to supply her place."⁶

Skinner reiterated his recommendation to rebuild the *Princeton* in 1850, noting that "the engines and machinery taken out of that vessel are efficient and valuable, but, unless employed in a vessel of similar description, will be entirely useless." Moreover, he advised, "as there are frames and other suitable building materials on hand, the expense of construction alone would be incurred."⁷

Orders to begin preparations for rebuilding the *Princeton* were issued in April 1851. "As the frames on hand are live oak," Commodore John Downes, commandant of the Boston Navy Yard was instructed to "use one of them," while the "engines and propeller for the '*Princeton*' are designed for the vessel." Downes was ordered to direct naval constructor Samuel Pook to draft and forward a suitable plan to the Bureau of Construction, Equipment, and Repair, "bearing in mind that the old vessel was very tender when not filled with coal."⁸ By May, Downes reported that "all the

⁶ Navy, *Annual Report*, 1849, p. 460.

⁷ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 30 November 1850, in H.Ex.Doc. 1, 31st Cong., 2nd sess., hereinafter cited as *Navy, Annual Report*, 1850, p. 231.

⁸ Charles M. Skinner to John Downes, 22 April 1851, in H.ExDoc. 65 (33-1), p. 52.

necessary materials to finish the vessel according to the draught are now on hand."⁹

Before authorizing the commencement of the new *Princeton*, Construction Bureau Chief Skinner cautioned Downes to pursue the completion of the vessel rapidly, efficiently, and inexpensively. "It is very desirable," he admonished, "to remove the impression from the public mind, that great extravagance is practised at our dock yards in building, repairing, and equipping vessels." Skinner hoped that "the new 'Princeton' will not only be a very efficient steamer, but will prove that work is done better, and at less cost, in public than private yards."¹⁰ Moulds were ordered prepared to plan in late May 1851. In early June, Engineer-in-Chief Charles Stuart inspected the machinery of the old *Princeton*, "with the view of ascertaining what portions are applicable to the new hull now being built, and what alterations are desirable in those portions in order to give the vessel the greatest possible efficiency." He found that, with few modifications, "the engines can be used in their present condition."¹¹ By the end of 1851, the Department announced

⁹ John Downes to Charles W. Skinner, 12 May 1851, in H.ExDoc. 65 (33-1), p. 52.

¹⁰ Charles W. Skinner to John Downes, 16 May 1851, in H.ExDoc. 65 (33-1), p. 53.

¹¹ Charles B. Stuart to Charles W. Skinner, 3 June 1851, in H.ExDoc. 65 (33-1), p. 54.

"steps have been taken to rebuild the Princeton." She was launched in October of that year and was reported ready for sea by May 1852.¹²

The rebuilding of the *Princeton* was explained to the House of Representatives in detail a short time later. In response to the House Resolution of 17 January 1853, requesting information relating to the construction of steam warships since 1835, the Navy reported:

Upon the condemnation of the old 'Princeton,' a new vessel of the same name was ordered to be built at the navy yard at Boston, . . . using the old materials as far as they were available; also her machinery, with modifications and repairs, suggested by the engineer-in-chief, Mr. Charles B. Stuart, and with a new propeller and boilers, suggested by the same officer; the whole approved by Commodore C. W. Skinner, chief of the Bureau of Construction, Equipment and Repair, and sanctioned by Mr. Preston, Secretary of the Navy.¹³

¹² U.S., Department of the Navy, *Report of the Secretary of the Navy*, 29 November 1851, in S.Ex.Doc. 1, 32nd Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1851*, p. 8.; John Downes to William B. Shubrick, 5 May 1852, in H.ExDoc. 65 (33-1), p. 58. See also, Canney, *Old Steam Navy*, 1, pp. 40-41, for a technical analysis of the rebuilt *Princeton*. Canney unfortunately relies heavily on Chapelle in interpreting the context of rebuilding. He attempts to extend Chapelle's "administrative rebuilding" argument to the steam Navy without justification. The published records of the Navy Department clearly contradict Canney's implication that clandestine activity was involved in rebuilding the *Princeton*, or that it was in some way improper.

¹³ U.S., Congress, House, *Navy Steamers*, 3 March 1853, H.ExDoc. 63, 32nd Cong., 2nd sess., hereinafter cited as H.ExDoc. 63 (32-2), p. 6.

The new *Princeton* employed the engines of the original with the addition of Sickles' cut-off. The new boilers designed by engineer-in-chief Stuart proved immediately defective in actual service, however, and were replaced shortly thereafter with tubular boilers at the Norfolk Navy Yard.¹⁴

The iron steamer *Alleghany*, equipped with Hunter's horizontal paddlewheel, also returned home to New York in the fall of 1849, after two years' cruising off Brazil, in the Mediterranean, and in the Gulf of Mexico. Upon her return she was surveyed, and over the objections of her commanding officer, *her Hunter's wheel was condemned, with the recommendation that she be refitted with a common paddlewheel. "But as the engines could be more easily adapted to a propeller of the usual form, and not to paddlewheels,"* Construction Bureau Chief Charles Skinner chose to employ the propeller, "as the cost of new engines would thereby be saved."¹⁵

The alteration in her mode of propulsion necessitated modifications in her hull, as well. Foremost, Engineer-in-Chief Charles Stuart recommended strengthening her

¹⁴ H.ExDoc. 63 (32-2), p. 14.

¹⁵ H.ExDoc. 63 (32-2), p. 7. See also, H.ExDoc. 65 (33-1), pp. 79-97; and Edward William Sloan, *Benjamin Franklin Isherwood, Naval Engineer* (Annapolis, Md.: Naval Institute Press, 1965), hereinafter cited as Sloan, *Isherwood*, pp. 14-15.

midsection. In addition to replacing broken frames (about twelve), Stuart advocated placing new intermediate frames of angle iron between existing frames in the areas which would house the boilers, engines, and coal bunkers. To adapt the vessel for the screw propeller, Stuart suggested replacing her existing wrought iron stern post with a larger, riveted post "with proper flanges, and an opening forged on to the bottom to attach the rudder-post to, as the stern of the hull sufficiently overhangs the end of the keel to cover the propeller that will be designed for her." The holes in Alleghany's hull which had accommodated her Hunter's wheels would be filled.¹⁶

The modifications prescribed for the Alleghany were commenced immediately. By the end of 1851 the Navy reported that the Alleghany had "recently undergone extensive alterations and repairs,"¹⁷ was "in a state of forwardness, and will soon be added to our steam navy."¹⁸

The *Water Witch*, constructed in 1843 as an iron-hulled steamer equipped with Hunter's wheels, was originally intended for service as a water tank at the Norfolk Navy Yard. She was ordered to be lengthened thirty feet and

¹⁶ Charles B. Stuart to Charles W. Skinner, 21 June 1851, in H.ExDoc. 65, (33-1), p. 91.

¹⁷ Navy, *Annual Report*, 1851, p. 8.

¹⁸ Navy, *Annual Report*, 1851, p. 77.

refitted with a Loper propeller two years later for use as a harbor tug. The *Water Witch* served intermittently with the Home Squadron until she put into Norfolk in distress on 18 March 1851.¹⁹ An initial survey in early April 1851 found her "totally unfit for naval purposes, as a Sea going vessel," and recommended that she be sold at public auction.²⁰ It was subsequently determined, however, to send the *Water Witch* to Washington for alterations in her boilers. Enroute, she was injured by collision with another vessel and repaired. Installation of her new Montgomery boiler was completed in November 1851, but in trials, it proved to be an "utter and irremediable failure."²¹

Thereafter in February 1852, upon the judgement of Commodore William Ballard, commandant of the Washington Navy Yard, it was determined that the *Water Witch* was unworthy of use for naval purposes in her present state. "It having been shown to the department that the hull of that vessel was unworthy of repair, whilst the engine was in good order, of

¹⁹ H.ExDoc. 63 (32-2), p. 8; H.ExDoc. 65 (33-1), pp. 97-105.

²⁰ Charles W. Skinner to William A. Graham, 4 April 1851, in Letters Sent by the Chief of the Bureau of Construction, Equipment, and Repair to the Secretary of the Navy, Entry 49, hereinafter cited as LSburConstr - SecNav, Records of the Bureau of Ships, Record Group 19, hereinafter cited as RG 19, NA, p. 34.

²¹ H. Hunt and Benjamin F. Isherwood to William A. Graham, 22 November 1851, in H.ExDoc. 65 (33-1) p. 110.

approved pattern, and worth preservation," Charles W. Skinner, Chief of the Bureau of Construction, Equipment, and Repair, noted in a letter to Secretary of the Navy William A. Graham the following month, "the department decided and authorized the bureau (which entirely coincided in the policy of the measure) to construct a vessel of suitable size to be driven by that engine."²² The new *Water Witch* was constructed of wood, and employed the engines of the original fitted with vertical feathering paddlewheels designed by engineer Benjamin Franklin Isherwood. She was launched "in fine style" in October 1852,²³ fitted for sea, and sailed from Norfolk in February 1853 for the Brazil Squadron.²⁴ Her old iron hull remained at the yard, however. In September 1857, Chief Naval Constructor John Lenthall finally requested that, "a new vessel having been built in place of the old iron steamer 'Water Witch' that was found unfit for naval purposes, it is respectfully recommended that the iron hull

²² Charles W. Skinner to William A. Graham, 17 March 1852, in H.ExDoc. 65 (33-1), p. 111.

²³ William B. Shubrick to John P. Kennedy, 23 October 1852, in LSBurConstr - SecNav, RG 19, NA, p. 112.

²⁴ H.ExDoc. 65 (33-1), p. 111; H.ExDoc. 63 (32-2), p. 9; Canney, *Old Steam Navy*, vol. 1, p. 41-42; Sloan, *Isherwood*, p. 15.

...sold at public auction, as a more advantageous disposal of
...than to break her up."²⁵

Like the *Water Witch*, the steamer *John Hancock* was originally constructed for service as a harbor tug and water tank at the Boston Navy Yard. Commenced by the Bureau of Navy Yards and Docks in August 1849, she was completed in June 1851 and briefly employed as a practice steamer at the Naval Academy before serving off the Cuban coast. Upon her return to the United States in 1852, the Navy determined to modify her for more distant service in Asian waters. The *Hancock* was subsequently hauled up and lengthened. Her original engines were reused with new boilers and a new propeller. She was completed in June 1853 and departed Hampton Roads for survey duty in the North Pacific and Indian Oceans.²⁶

Finally, the steamer *Fulton II*, commenced in 1835 and completed in 1837, also proved unsatisfactory as a sea steamer. She was employed intermittently thereafter on coastal duty. In May 1850, under the direction of Secretary of the Navy William Ballard Preston and Chief of the Bureau of Construction, Equipment, and Repair Charles W. Skinner,

²⁵ John Lenthall to Isaac Toucey, 5 September 1857, in LSBurConstr - SecNav, RG 19, NA, p. 251.

²⁶ H.ExDoc. 65 (33-1), p. 161; H.ExDoc. 63(32-2), pp. 12, 14.

naval constructors Samuel Hartt, Samuel Pook, and John Lenthall held a survey upon the *Fulton* to "ascertain whether she was worthy of repairs for other, and for what other, service."²⁷ Constructors Hartt and Pook proposed to give the *Fulton* an additional deck and otherwise modify the vessel so as to increase her draft to fifteen feet. Constructor Lenthall, however, proposed to remove her heavy bulwarks, reduce her weight, and decrease her draft to nine feet, thereby adapting the vessel for coast and harbor service. Lenthall's plan was subsequently adopted and the *Fulton* modified accordingly. She returned to active service in the Home Squadron in 1852.²⁸

Amidst the transition to rebuilding under steam, the Navy still continued its practice of rebuilding sailing vessels. The sloop of war *Vandalia*, for example, which had been in ordinary at Norfolk since 1845, commenced rebuilding at that yard in 1848. She was completed and sailed to join the Pacific Squadron in September 1849.²⁹ The advent of new technologies, however, in shipbuilding and propulsion as well as armament, brought about a gradual yet significant shift in repair and rebuilding endeavors from the Navy's former

²⁷ H.ExDoc. 65 (33-1), p. 65.

²⁸ H.ExDoc. 65 (33-1), p. 65; H.ExDoc. 63 (32-2), pp. 2-3; Canney, *Old Steam Navy*, vol. 1, p. 42.

²⁹ Navy, *Annual Report, 1849*, p. 461.

emphasis upon maintenance and longevity to a new focus upon efficiency and modernization. The Navy's approach to long-term cost-effectiveness also took a more realistic turn.

The new attitude was reflected in correspondence between the Secretary of the Navy and the Bureau of Construction, Equipment, and Repair late in 1851 concerning the cumulative costs of repairing the Navy's ships of war. Using a first-class ship of war as an example, the Bureau cited her original cost, with armament but excluding stores, as approximately \$568,000. The cost of her repairs over ten years, the Bureau estimated, would probably amount to \$510,000, "and the average per centum of the cost of repairing vessels of the Navy, on their average cost, would be about 9 per cent." Though unable to quote a specific number to represent the average duration of a ship of war and noting that "Some Ships in the Navy, are over fifty years old," the Bureau reported that generally within sixteen years "the cost of repairs will about equal the original cost of the Hull."³⁰ Construction Bureau Chief Skinner later admitted that "the great expense of keeping up very old ships," was due not only to the extent of repairs which they required, but also "from the necessity of tearing down work done at one

³⁰ Charles Morris to William A. Graham, 15 November 1851, LSBurConstr - SecNav, RG 19, NA, p. 55.

repair, to replace parts which have become defective since that period, and require to be renewed."³¹

Thus, at the close of 1852 the Navy proposed to construct three new first class sailing sloops of war to take the place of old ships, which are not of the most approved models or armaments, and require frequent extensive and increasing repairs, and which might be broken up or otherwise disposed of."³² By 1853, the Navy publicly announced the adoption of a new approach toward vessel construction and repair that represented an almost complete reversal from the longstanding Jacksonian policy instituted almost twenty-five years earlier. In its annual report for that year, the Navy proclaimed that "proper regard for the efficiency of our naval ships and a fair competition with those of other navies, as well as sound economy, require the building of more new ships, embracing the improvements of the age and profiting by the knowledge of past experience, rather than continuing to make extensive repairs on old ones--the expense of which often amounts to nearly the cost of new."³³

³¹ Charles W. Skinner to William A. Graham, 21 January 1852, in LSBurConstr - SecNav, RG 19, NA, p. 61.

³² U.S., Department of the Navy, *Report of the Secretary of the Navy*, 29 November 1852, in S.Ex.Doc. 1, 32nd Cong., 1st sess., hereinafter cited as *Navy, Annual Report, 1852*, p. 352.

³³ *Navy, Annual Report, 1853*, p. 545.

More than ten years after Matthew Fontaine Maury assailed the Navy's expensive practice of exacting longevity from its existing vessels at the expense of modern technology, the Navy finally appeared to take his point. More and more often in the decade of the 1850s, the Navy's older sailing warships, particularly of the smaller classes, were broken up or sold at auction rather than repaired.

The sloop of war *Erie*, which had previously been refitted for a storeship, arrived at Norfolk in October 1850 and was reported to require repairs costing at least \$18,000 to fit her for a short cruise in light climes. "To repair her for a passage round Cape Horn," Construction Bureau Chief Skinner presumed, "would require more than sufficient to purchase a new Ship."³⁴ Suspecting that it would be more economical to break her up, Skinner ordered the *Erie* surveyed in order to determine "whether she was worthy of such repair as would make her an efficient store ship." The Board of Survey concluded that "it is not for the interest of the Government to repair, or rebuild the *Erie*; She is an Old Ship, was rebuilt in 1821, and since that period, has been repaired frequently and at great expense."³⁵ In accordance

³⁴ Charles W. Skinner to William A. Graham, 4 October 1850, in LSBurConstr - SecNav, RG 19, NA, p. 9.

³⁵ Charles W. Skinner to William a. Graham, 14 October 1850, LSBurConstr - SecNav, RG 19, NA, p. 9.

with the recommendation of the Board of Survey and with the concurrence of the Bureau of Construction, Equipment, and Repair, the sloop of war *Erie* was subsequently sold at public auction.³⁶

Similarly, the schooner *Flirt* was sold at public auction in November 1850.³⁷ The sloop of war *Fairfield* was condemned and broken up in March 1853.³⁸ Likewise, in July 1856, the sloop of war *Ontario*, which for some years had been employed as a receiving ship, was sold at public auction, netting the government the sum of \$3,050.³⁹

Although the 1840s had witnessed the first concerted effort to integrate steam propulsion into the naval service, the decade of the 1850s truly marked the beginning of the end for the stately ships of the old sailing Navy. The United States would continue its commitment to build and maintain sailing ships of war for many years to come. Through the 1850s, however, the Navy would repeatedly pause to take stock and reflect upon the most efficient and proper role for the

³⁶ Navy, *Annual Report, 1852*, p. 85.

³⁷ Charles W. Skinner to William A. Graham, 4 November 1850, LSBurConstr - SecNav, RG 19, NA, p. 10.

³⁸ Edward H. Delano to Samuel L. Breese, 19 March 1853, in OSF Box. 122, RG 45, NA.

³⁹ John Lenthall to J.C. Dobbin, 17 July 1856, LSBurConstr - SecNav, RG 19, NA, p. 220.

aging ships of its sailing fleet. At the center of such reflection, more often than not, reposed the venerable old frigates that had brought unsurpassed glory to the Navy during America's last great war with Great Britain.

Inevitably, the issue would become one of attempting to strike a balance between each vessel's historic and symbolic value measured against its increasingly limited operational utility and the drain it presented upon the Navy's resources. The Navy's other aging sailers, notably the seventy-fours and frigates authorized by the Act of 1816, would also receive increased scrutiny over their utility versus their expense. By contrast, however, these vessels raised little discussion over symbolic value. Where they were concerned, the Navy looked for efficient, optimal utilization of existing materiel; where that was not possible, the Navy generally opted for cost-effective modernization. Attempts at sentimental accommodations appear to have been reserved primarily for the heroic veterans of the War of 1812.

Beginning in 1850, Charles W. Skinner, Chief of the Bureau of Construction, Equipment, and Repair, recommended "that the frigate 'United States,' built in the year 1797, the 'Constitution,' and 'Constellation,' built in the same year, be no longer fitted for sea service." Their "great age," he explained, "renders extensive repairs frequently necessary, moreover, their dimensions and armament are far

inferior to modern frigates of their class." Acknowledging their historic value, however, Skinner proposed, "that these distinguished ships, that have borne our flag gallantly for more than half a century, be returned to the ports from whence they were launched, be preserved in commission as receiving ships, and mementoes [sic] of brilliant achievements."⁴⁰

To supply their places, Skinner proposed to complete and fit for sea the frigates *Sabine* and *Santee*, laid down at New York and Portsmouth in 1822 and 1820, respectively, in accordance with the Act of 1816. Both the *Sabine* and the *Santee* had remained on the stocks, unfinished, for nearly thirty years. "They are of larger dimensions than those it is proposed to relieve from sea service," Skinner explained, "and may, it is believed, be launched and equipped at a cost not far, if at all, exceeding the amount required to repair and equip old frigates." Moreover, he argued, "The economy of the measure is evident, as the new ships will run a number of years without repairs."⁴¹

Skinner's proposal proved somewhat premature. For the time being, the consensus apparently favored the retention of America's larger old sailing warships in service. For many of

⁴⁰ Navy, *Annual Report*, 1850, p. 231.

⁴¹ Navy, *Annual Report*, 1850, p. 232.

these vessels, however, efficient and useful service demanded modernization. Within the context of mid-nineteenth century naval technology, proposals to adapt the Navy's old sailing fleet essentially offered two options: convert to steam propulsion, or raze.

The concept of adapting the Navy's existing sailing ships for steam propulsion, whether on the stocks or afloat, dates back at least to 1840 when Robert F. Stockton proposed adding engines and a screw propeller to the frigate *Raritan*, on the stocks at Philadelphia.⁴² The number of such proposals would reach their zenith in the decade of the 1850s, as the Navy pondered the fate of its aging sailing frigates and ships of the line. In 1850, in addition to recommending that the *Sabine* and the *Santee* be completed to replace the *United States*, the *Constitution*, and the *Constellation* in active service, Construction Bureau Chief Skinner proposed adapting either or both of the two former vessels to carry engines.⁴³ To that end, the following year he ordered a model prepared of a frigate adapted for steam propulsion. "In order to afford space for the introduction of machinery and bear its additional weight, with the necessary fuel," he explained, "it was proposed to reduce the armament, crew,

⁴² Canney, *Old Steam Navy*, vol. 1, p. 43.

⁴³ Navy, *Annual Report, 1850*, p. 232.

water, provisions, &c., and such other weighty articles as could be most conveniently spared." A Board appointed to evaluate the model reported back unfavorably, however, finding it "inexpedient to make the proposed changes, or to apply steam power to sailing frigates of the present dimensions, believing that ships, to be efficient with an auxiliary steam power, should be modelled for that purpose."⁴⁴

Nevertheless, proposals to adapt existing ships of war for steam propulsion garnered avid interest in naval circles. An 1852 proposal to equip the frigate *Constellation* with a screw propeller, promulgated on behalf of the Gosport Iron Works, was likewise rejected when considered against the construction of a new propeller-driven warship of the same class. "The cost of the repairs and alterations of the old ship," remarked Construction Bureau Chief William B. Shubrick, "would be about equal to the building and equipping of a new ship."⁴⁵ Moreover,

The new ship would much better perform all the duties and services required of such a ship.

The new ship would last longer and require less repairs.

⁴⁴ Navy, *Annual Report*, 1851, p. 77.

⁴⁵ William B. Shubrick to John P. Kennedy, 18 August 1852, LSBurConstr - SecNav, RG 19, NA, p. 106.

The new ship being of a proper form would require less weight of machinery, and it would occupy less space.⁴⁶

By 1854, the Bureau had concluded that "converting sailing-ships into efficient auxiliary steamers . . . can be effected with greater success in large [ships-of-the-line] than in small ships." Bureau Chief John Lenthall, a more committed advocate of steam conversion than his predecessor, acknowledged that "the additional weight required to be carried causes a greater immersion, and impairs their nautical qualities." He believed, however, that "this can to some extent be remedied by reducing their rate."⁴⁷ Nevertheless, with rare exception the Navy held to the view that war steamers were best built by design rather than adapted from old sailing ships for the remainder of the decade of the 1850s.

That still left the problem of what to do with the Navy's existing frigates in order to fit them for useful service. An external survey upon the *United States* in early 1852 estimated the cost of necessary repairs at \$152,000, in spite of the fact that she had already been repaired twice in

⁴⁶ William B. Shubrick to John P. Kennedy, 18 August 1852, LSBurConstr - SecNav, RG 19, NA, p. 106.

⁴⁷ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 4 December 1854, in H.Ex.Doc. 1, 33rd Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1854*, p. 474.

the last ten years. Commodore Skinner expected, moreover, that upon opening the frigate for minute inspection, the probable cost of her repairs would escalate to at least \$200,000. "This opinion is strengthened," Skinner informed Secretary Graham, "by the fact that the repairs of the *Constitution* in 1848, cost 198,617 Dollars." While allowing that the *Constitution* had made one cruise since her repairs and was fit to make another, "at its expiration," Skinner cautioned, "she will require another extensive repair." Moreover, he admonished, "The '*Constellation*' is also very defective, and would require a large outlay to prepare her as a Frigate for Service."

Late in 1851, the Navy had received an anomalous proposal from Captain Silas H. Stringham, commandant of the Gosport Navy Yard, wherein he recommended markedly increasing the size of the frigate *Constellation* in length and beam. Advocating a length of 240 feet, a beam of fifty-five feet, and an armament of fifty-four guns, Stringham proposed "to remodel & reconstruct" the *Constellation*, "so as to Embody all the late improvements in Ship building," and at the same time retain "as a Cruiser the name of one of the Navy's most Gallant Ships." Stringham proposed "Not to retain the shape & form, while lengthening & widening the Ship--but to remodel, rebuild, or reconstruct her, without the slightest

regard to her present dimensions, whether of length[,]
breadth, depth, Shape, or form."⁴⁸

The Bureau of Construction, Equipment, and Repair rejected Stringham's proposal as outlandish. "Should the Government desire to introduce a Class of huge Frigates into the Service," Bureau Chief Skinner remarked, "sound policy requires, that, they should be modelled, framed, and built for the purpose."⁴⁹ Though he preferred that the *Sabine* and the *Santee* "be completed to take the place of the *UStates* [sic] and '*Constellation*'" in service, he concluded that, if the *Constellation* was worthy of repair, "the best disposition would be to convert her into a Sloop of War."⁵⁰ The following year, Skinner recommended that the *Constellation*, "being a small Frigate mounting 18 pounders, may be razeed, and made an efficient sloop of War."⁵¹

⁴⁸ Silas H. Stringham to William A. Graham, 26 December 1851, M-125, RG 45, NA.

⁴⁹ Charles W. Skinner to William A. Graham, 19 December 1851, LSBurConstr - SecNav, RG 19, NA, p. 57.

⁵⁰ Charles W. Skinner to William A. Graham, 19 December 1851, LSBurConstr - SecNav, RG 19, NA, p. 57. The clerk who transcribed Commodore Skinner's letter to Graham into the letterbook mistakenly replaced the name of the *Constellation* with *Constitution*. Nevertheless, *Constellation* correctly appears in the volume's directory, as well as in Stringham's correspondence.

⁵¹ Charles W. Skinner to William A. Graham, 21 January 1852, LSBurConstr - SecNav, RG 19, NA, p. 61.

Naval pronouncements notwithstanding, the first frigate actually to be razed during the 1850s was not the *Constellation*. At the same time that Skinner was pondering her fate, the second-class frigate *Macedonian*, rebuilt in 1836, also garnered his attention. As with the *Constellation*, Skinner proposed to raze the *Macedonian*, and likewise replace her eighteen pounders with a battery of heavy shell guns.⁵² By 1851, the *Macedonian* was undergoing repairs at New York. In accordance with Skinner's recommendation, she was razed down to a sloop of war and relaunched in 1852.⁵³

Though effectively a sloop of war, legally the *Macedonian* remained a frigate. That fact was borne out in an 1857 opinion issued by United States Attorney General Caleb Cushing in response to a claim put forth by Richard T. Allison, the purser of the *Macedonian* during her late cruise to the East Indies. Allison sought to be restored to the higher rate of pay afforded to pursers serving on board of frigates. The difference amounted to a substantial one thousand dollars per annum.

Two basic arguments were at issue. First and foremost, the Act of Congress of 31 August 1842 which had abolished the

⁵² Navy, *Annual Report*, 1850, p. 232.

⁵³ Navy, *Annual Report*, 1851, p. 77; DANFS, vol. 4, p. 179.

Board of Navy Commissioners and instituted the Bureau System had also removed the Navy's authority to designate the rates of its ships of war. Moreover, were "such authority possessed by the Secretary of the Navy," Cushing opined, "still that authority could not reach to the extent of contradicting or undoing what had been declared or done by statute; which it must, in order to disrate, for the present purpose, any of the frigates in the Navy."⁵⁴ Reviewing the legislative history of the *Macedonian*, Cushing reported that following her capture from the British in October 1812, she was "immediately repaired, and placed in commission as a frigate in the Navy of the United States." Thereafter, Cushing cited the Act of 1832 "to finish the rebuilding of the frigate" and the general appropriation for Increase, Repairs, &c for 1852, under which "she was repaired, and her armament was then materially changed."⁵⁵

Secondly, the power to establish classes of vessels in the Navy also rested with Congress, not the Department. Thus, the Navy's classification in 1854 of the *Macedonian* as

⁵⁴ "Rate of Ships of War," 3 March 1837, in U.S., Department of Justice, *Official Opinions of the Attorneys General of the United States, Advising the President and Heads of Departments, in Relation to Their Official Duties, and Expounding the Constitution, Treaties with Foreign Governments and with Indian Tribes, and the Public Laws of the Country*, hereinafter cited as *Opinions - Attorneys General*, vol. 8, p. 510.

⁵⁵ *Opinions - Attorneys General*, vol. 8, p. 504.

a "raze sloop" was without the sanction of law, since by law no such class of vessel existed in the United States Navy. In addressing the question of "What is the *Macedonian* in point of fact,--a frigate, or a sloop of war?", Cushing observed that the Navy "seems itself to have had some doubt on the subject." In ascribing the *Macedonian* to "a new class, that of 'raze sloop,'" the Department was "implying that she has the same relation to a frigate that a raze frigate has to a ship of the line."⁵⁶ And yet, Cushing noted, the Department took pains in the Table of Allowances adopted in 1854 to explain that "'the term 'raze sloop,' is used in the tables for convenience, and is not to be understood as a 'raze' contemplated by the act of Congress, approved August 26, 1842,'" by which a raze meant "a ship of the line cut down to a frigate."⁵⁷

If the *Macedonian* could not be a raze sloop in the absence of a legal classification for such vessels, neither, Cushing supposed, could she be considered a sloop of war or corvette in the technical sense, since by definition a sloop of war mounts all her guns on a single deck. When initially captured from the British, the *Macedonian* carried "forty-nine guns, part eighteen-pounders, and part thirty-two pound

⁵⁶ *Opinions - Attorneys General*, vol. 8, pp. 504-505.

⁵⁷ *Opinions - Attorneys General*, vol. 8, p. 505.

carronades; and when rebuilt, it was forty-six guns, of substantially the same character; for which, in 1852, were substituted sixteen eight-inch shell guns, and four long thirty-pounders on the gun-deck, and two ten inch shell guns on the spar deck." Even after her conversion, therefore, the *Macedonian* "still remained a two-decker, with guns on each deck, not being razeed in that respect; and although her bulwarks were lowered, yet her masts and spars were lengthened."⁵⁸ Thus, Cushing suggested, "the assumed rate [of the *Macedonian*] seems to stand on the change of guns alone, without regard to the number of decks, or the disposition of the armament, or the number of men."⁵⁹ Complaining that "if the question to be determined were one of mere fact, it would be difficult to point out what particularity it is in the build, the equipment, or even the armament of this ship, which, she having been at one time a frigate in fact, has converted her into a sloop in fact," nevertheless Cushing argued that "the rule of logic and of law is all but universal, which requires affirmative considerations to prove change of an established condition."⁶⁰

⁵⁸ *Opinions - Attorneys General*, vol. 8, p. 504.

⁵⁹ *Opinions - Attorneys General*, vol. 8, pp. 505-506.

⁶⁰ *Opinions - Attorneys General*, vol. 8, p. 507.

Cushing differentiated, however, between the classification of ships "only so far as equipment and complement are concerned," and that which would affect pay and emoluments. Congress had "affixed to certain ships of the Navy," he wrote, "as for instance the *Macedonian* and *Constellation*, by express names, the rate of frigates, and to others the rate of sloops." These rates, Cushing instructed Secretary of the Navy James C. Dobbin, "bind you in so far as they are employed by the statutes for any statute object, such as the measure of pay, although they may not for other objects, which the statute leaves to the discretion of the Executive."⁶¹ The Department might, he advised, "reclassify the ships of the Navy in so far as concerns discretionary matters of 'equipments and complement,' but not so as to affect the statute-matters of 'pay and emoluments.'"⁶² Where purser Allison's pay was concerned, he concluded, the "statute designation" of the *Macedonian* as a frigate, "if not mathematically exact, seems to be a nearer approximation to exactness than the substitute designation." Moreover, even "if the name of frigate, as applied to the *Macedonian*, and to ships of her tonnage and armament, were wholly inappropriate, -and if there be reasons of foreign policy to suggest the

⁶¹ *Opinions - Attorneys General*, vol. 8, p. 511.

⁶² *Opinions - Attorneys General*, vol. 8, p. 509.

inexpediency of the present designations,--still, for statute purposes, they must remain so long as it is the pleasure of Congress."⁶³

The *Macedonian* was to be the first of four sailing frigates transformed by various means into sloops of war in the decade of the 1850s. In rapid succession the *Macedonian* was followed by the *Constellation*, the *Cumberland*, and the *Savannah*, in finding new life as sloops of war. During the same period the Navy also initiated attempts to deal with that ever-decaying ship of the line, the *Franklin*.

By this time, the ship of the line *Franklin*, which had long ago been transferred to Boston from New York to be either rebuilt or razeed in the aftermath of the "Scraps from the Lucky Bag," had received neither improvement. In the interim, she was employed as a receiving ship at the Charlestown Navy Yard.⁶⁴ More so than the Navy's older frigates, the intervening years had seen the *Franklin* and her surviving sister ships of the line reduced nearly to the proverbial category of white elephants. To regain her usefulness as a warship, the Bureau of Construction, Equipment, and Repair announced in 1850 that "Plans have been

⁶³ *Opinions - Attorneys General*, vol.8, p. 511. The dispute over the legal status of razeed frigates was made moot in 1858 by the adoption of a new code of regulations for the Navy.

⁶⁴ *DANFS*, vol. 2, p. 443.

formed for razeing the 'Franklin,' (a small 74,) her class having become obsolete." Bureau Chief Skinner proposed to arm the razeed *Franklin* with batteries of heavy guns, "thus rendering her a formidable vessel of war."⁶⁵ The proposal to raze the *Franklin* was repeated in 1851, when she was transferred to Portsmouth, New Hampshire, for the purpose of testing the floating dry dock and marine railway at that place.⁶⁶

Finally, at the close of 1852 the Navy provided in its estimate for the ensuing fiscal year (1853/1854) "for repairing the 'Franklin,' seventy-four, reducing her to a raze of fifty guns, and the 'Constellation' frigate, of thirty-six guns, reducing her to a first-class sloop-of-war, by which two valuable cruising vessels would be made available."⁶⁷ Within a few months, the *Portsmouth Daily Transcript* gave notice that "The *Constellation*--this time-honored ship was hauled up on one of the slips at the [Gosport] Navy Yard. She is to be razeed and converted into a first class sloop-of-war, and will be otherwise throughout and extensively repaired." Following the ongoing debate over the future of America's venerable sailing frigates, the

⁶⁵ Navy, *Annual Report, 1850*, p. 232.

⁶⁶ Navy, *Annual Report, 1851*, p. 77.

⁶⁷ Navy, *Annual Report, 1852*, p. 351.

Transcript observed that the *Constellation's* timbers had been found to be "very rotten, and for the most part will have to be replaced with new; and her model will, no doubt, require some alteration to conform somewhat with ships of more recent construction."⁶⁸

Cutting down the frigate proceeded through the spring of 1853. Unlike her predecessors broken up at Norfolk--the *Guerriere*, and the *Java*--which were taken out to the mudflats and cut down to the water's edge, the frigate *Constellation* was broken up in a slip adjacent to the shiphouse where the sloop of war *Constellation* would take shape.⁶⁹ By July the *Norfolk Southern Daily Argus* reported that "This old time-honored and time-worn frigate of historical memory has been

⁶⁸ Portsmouth (Virginia) *Daily Transcript*, 25 February 1853, quoted in Dunne, "*Constellation*," p. 88.

⁶⁹ Also unlike her predecessors, the *Constellation* was excluded from the Navy's 1859 report of "all vessels of the navy of the United States which have been captured, lost, or destroyed" since 1798. That report lists the *Macedonian* as broken up at Norfolk in 1835, the *Guerriere* as broken up at Norfolk in 1841, and the *Java* as broken up at Norfolk in 1842. Additionally, the report lists *Cyane* as broken up at Philadelphia in 1836, *Erie* at Boston in 1841, *Natchez* at New York in 1840, *Peacock* at New York in 1828, *Princeton* at Boston in 1849, as well as a number of smaller vessels and the ship of the line *Washington* at New York in 1843. No listing whatsoever appears for the *Constellation*. (U.S., Congress, Senate, Report of the Secretary of the Navy, in Answer to a Resolution of the Senate Calling for a Statement Showing the Names and Appropriate Description of All Vessels of the Navy of the United States Which Have Been Captured, Lost, or Destroyed, &c, 26 February 1859, S.Ex.Doc. 38, 35th Cong., 2nd sess.)

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literally torn to pieces preparatory to the building of the new Constellation."⁷⁰ In the meantime, Chief Naval Constructor John Lenthall prepared building instructions for the sloop of war *Constellation* with the assistance of Edward H. Delano, the naval constructor at the Norfolk yard.⁷¹ "Hundreds of men are employed directly or indirectly, upon her massive keel, which has been placed in one of the ship houses [Shiphouse B]," wrote the *Southern Daily Argus*. "She will be finished with all possible dispatch."⁷² *Constellation's* stern post was raised late in August 1853, followed by her stem post in early September.⁷³ In the annual report for 1853, the Navy Department announced that "The frigates 'Macedonian' and the 'Constellation' have been razeed to first-class sloops of war, and will be found arranged under that head. The former has been completed . .

⁷⁰ Norfolk (Virginia) *Southern Daily Argus*, 11 July 1853, quoted in Dunne, "Constellation," p. 90.

⁷¹ William B. Shubrick to James C. Dobbin, 28 May 1853, LSBurConstr - SecNav, RG 19, NA, p. 141.

⁷² *Southern Daily Argus*, 11 July 1853, quoted in Dunne, "Constellation," p. 90.

⁷³ Gosport Store Returns, 1 July 1853-1 July 1854, Returns of Stores at Navy Yards and Naval Stations, Entry 320, RG 19, NA; see also, Dunne, "Constellation," p. 94.

.; the latter is still in progress of repairs at the navy yard at Gosport."⁷⁴

By August of the following year, the *Constellation* was ready to be launched. The *Portsmouth Daily Globe* applauded the qualities of the rebuilt ship: "This vessel . . . presents to the eye a structure of strength and capacity scarcely equalled in our Navy, in any vessel below a first class frigate." Despite the vessel's modern appearance, the *Globe* left no doubt of the sloop's historic identity: "She takes her name from the old frigate *Constellation*, and has some of her timbers."⁷⁵ The *Daily Transcript* was more specific in establishing the physical, as well as the sentimental continuity between the original and the rebuilt *Constellation*. In order "that some portion of the old ship might remain in the new," the *Transcript* revealed that "four floor timbers, viz: M.O.P.Q., and four 3d futtock [sic], viz: 9 and 10, S. and P., (which were moulded from the floors) were reserved, and now compose a small part of her frame. They were perfectly sound and good."⁷⁶ The rebuilt

⁷⁴ Navy, *Annual Report*, 1853, p. 546.

⁷⁵ *Portsmouth (Virginia) Daily Globe*, 2 August 1854, quoted in Dunne, "*Constellation*," p. 89.

⁷⁶ *Portsmouth Daily Transcript*, 28 August 1854, quoted in Dunne, "*Constellation*," p. 89. Consideration for historic identity was not confined to press. Until this time the trend in the Navy's annual lists of vessels included in the Executive's reports to Congress had been toward revising

Constellation, now a first-class sloop of war, was launched on 26 August 1854, completed and sailed to join the Mediterranean Squadron.⁷⁷

Of the three frigates of 1797 which the Navy's Bureau of Construction, Equipment, and Repair had once proposed to remove from service and preserve as mementos, only one, the *Constellation*, found new life as a modern and efficient sloop of war. But what would become of the *Constitution* and the *United States*? And what of the Navy's remaining aging sailers, including the *Franklin*? Prospects were grim, indeed, in the Navy's annual report at the close of 1854.

In his October message to Secretary of the Navy James C. Dobbin, John Lenthall, now Chief of the Bureau of

forward the dates of construction of America's rebuilt ships of war, generally adopting the date of rebuilding. Thus, while through the 1830s the Navy listed the *Peacock* as built in 1813, by the 1840s she was listed either as built or rebuilt in 1828. The *Macedonian*, *Cyane*, and *Congress*, all rebuilt under Jackson's 1830 directive, were consistently listed as built in the year that rebuilding was completed (1836, 1837, and 1841, respectively). In 1853, however, the converted sloop of war *Macedonian* appeared on the Navy's list of vessels in commission as "Captured 1812; rebuilt 1836." (Navy, *Annual Report*, 1853, p. 551). In the list of vessels in ordinary, repairing, etc., the *John Adams* was returned to her 1799 Charleston, South Carolina origins, albeit with the footnote "rebuilt in 1820 [sic - 1830]." (Navy, *Annual Report*, 1853, p. 552). It is possible that this change might have become more permanent had John Lenthall not assumed the helm of the Construction Bureau.

⁷⁷ Dunne, "*Constellation*," p. 94; U.S., Department of the Navy, *Report of the Secretary of the Navy*, 3 December 1855, in H.Ex.Doc.1, 34th Cong., 1st sess., hereinafter cited as Navy, *Annual Report*, 1855, p. 6.

Construction, Equipment, and Repair, reviewed the Navy's sailing fleet of ships-of-the-line, frigates, and sloops of war. This time, the question of historic identity was less evident. As the first civilian to head the Construction Bureau, Lenthall would prove to be a strong advocate of naval expansion under steam. From that standpoint, the Navy's aging sailers represented both misplaced confidence and a drain on the Navy's valuable construction dollars. Thus, in submitting "for . . . consideration an estimate of the amount necessary for the support of this branch of the naval service for the fiscal year ending 30th June 1856," Lenthall deemed it highly "proper to refer to the number and condition of the ships of which it is at present composed."⁷⁸ Beginning with the ships of the line, "ten in number, [which] were commenced about the years 1818 to 1822," and of which four remained on the stocks, Lenthall bluntly assessed the condition and utility of the Navy's sailing fleet.⁷⁹

The Navy's only three-decker, the *Pennsylvania*, Lenthall noted, "was launched in 1837, previous to which it was necessary to remove much of the work, which had decayed during the sixteen years she had been on the stocks."⁸⁰ In

⁷⁸ Navy, *Annual Report, 1854*, p. 473.

⁷⁹ Navy, *Annual Report, 1854*, p. 473.

⁸⁰ Navy, *Annual Report, 1854*, p. 473.

commission as a receiving ship at Norfolk,⁸¹ in her present state, she "could not now be sent to sea without being rebuilt; the frame, of live-oak, being probably the only part that would be found in good condition, and which has a considerable value as it stands in place."⁸² The *Pennsylvania*, Lenthall recommended, "could be most advantageously converted into an auxiliary screw steam-frigate."⁸³

The *Delaware* and *North Carolina*, launched in 1820 and with all of five cruises between them,⁸⁴ were similarly "unfit for sea service, and require extensive repairs or rebuilding."⁸⁵ Like the *Pennsylvania*, the *North Carolina* was in commission as a receiving ship at New York.⁸⁶ The *Delaware*

⁸¹ Navy, *Annual Report*, 1854, p. 482.

⁸² Navy, *Annual Report*, 1854, p. 473.

⁸³ Navy, *Annual Report*, 1854, p. 474.

⁸⁴ The *Delaware* performed two cruises to the Mediterranean (10 February 1828 to 2 January 1830 and 30 July 1833 to 16 February 1836) and one to South America and the Mediterranean (1 November 1841 to 4 March 1844). The *North Carolina* performed one cruise to the Mediterranean during the late 1820s and another to the Pacific in the late 1830s. (*DANFS*, vol. 2, p. 255; vol. 5, p. 107).

⁸⁵ Navy, *Annual Report*, 1854, p. 474.

⁸⁶ Navy, *Annual Report*, 1854, p. 482.

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⁸⁵ Navy, *Annual Report*, 1854, p. 474.

⁸⁶ Navy, *Annual Report*, 1854, p. 482.

reposed on rotten row at Norfolk.⁸⁷ Of the remaining ships of the line, the *Ohio*, in commission as a receiving ship at Boston,⁸⁸ "having been more recently rebuilt, is in a better condition, and might, at moderate cost, be made available for service at home." The *Columbus*, in ordinary for some years at Norfolk, "is of smaller dimensions than the other ships of the line that can be at once made available for foreign service. Lenthall recommended cutting the *Columbus* down the a spar-deck sloop. The *Alabama*, *Virginia*, and *New York*, on the stocks at Portsmouth, Boston, and Norfolk, respectively, since 1818, "are about two-thirds completed in their hulls, but a portion of the work already done must be renewed." Nevertheless, Lenthall remarked, "being under cover, their deterioration had been much less than that of the ships afloat." Finally, the *New Orleans*, on the stocks at Sackett's Harbor since 1815, "is not half built. For several years the name of this vessel was omitted in the Navy Register, and," Lenthall admitted, "it is probable she will never be of any service to the navy." On the Lakes, at least, the Navy had already concluded that "Steam-vessels will take the place of sailing-vessels."⁸⁹

⁸⁷ Navy, *Annual Report*, 1854, p. 484.

⁸⁸ Navy, *Annual Report*, 1854, p. 482.

⁸⁹ Navy, *Annual Report*, 1854, p. 474.

Of the Navy's thirteen frigates, two--the *Sabine* and the *Santee*--remained on the stocks. The largest among them all, the *Independence*, was built in 1814 as a ship of the line and razeed down to a frigate in 1837. "She has been recently repaired," commented Lenthall, "but upon her return from the present cruise in the Pacific will require to be rebuilt."⁹⁰ America's oldest sailing frigates, the *Constitution* and the *United States*, "were originally built in 1797 but have both been rebuilt many times."⁹¹ The *Constitution*, Lenthall repeated from the Bureau's 1850 report, had repairs in 1848 at a cost of \$198,000. Regarding the *United States*, Lenthall confirmed the Bureau's earlier suspicion of decay. That vessel, he reported, "rebuilt in 1823 at an expense of \$223,083; and again in 1832, at \$208,148; from which latter period up to 1846, her repairs have amounted to \$335,427 . . . [,] has not been to sea since her return [from the Mediterranean] in 1849, and must be rebuilt at a cost equal to that of a new ship."⁹²

Lenthall weighed the cost factor heavily against the remaining completed frigates as well. "The *Brandywine*, *Potomac*, *Columbia*, *Cumberland*, *Savannah*, *Raritan*, and *St.*

⁹⁰ Navy, *Annual Report*, 1854, p. 474.

⁹¹ Navy, *Annual Report*, 1854, p. 474.

⁹² Navy, *Annual Report*, 1854, pp. 474-475.

Lawrence," he complained, "have all been extensively repaired several times, the cost of which is constantly increasing as they become older." To repair the *Brandywine* alone, he estimated, "would, as in the case of the United States, be at the cost of a new ship."⁹³ Only the last of the Navy's thirteen frigates, the *Congress*, launched and completed in 1841 and "a vessel of larger dimensions and in better condition than most," did Lenthall rate as "continually in service, and . . . at present ready for sea."⁹⁴

Of the Navy's twenty sloops of war, "the largest of these ships, the *Constellation*, was built in 1797, as a frigate of the second class, and had been many times rebuilt." Summarizing the events of 1853-1854, Lenthall explicitly stated that, "Being found altogether unworthy of further repair," the *Constellation* "has been rebuilt as a spar-deck sloop."⁹⁵ Likewise the *Macedonian* "was also a frigate of the second class, built in 1836, and has been converted into a spar-deck sloop." *Constellation* and *Macedonian*, he concluded, "may be considered among the most efficient in the navy."⁹⁶

⁹³ Navy, *Annual Report, 1854*, p. 475.

⁹⁴ Navy, *Annual Report, 1854*, p. 475.

⁹⁵ Navy, *Annual Report, 1854*, p. 475.

⁹⁶ Navy, *Annual Report, 1854*, p. 475.

The Navy's remaining eighteen sloops of war did not fare as well in Lenthall's estimation, however. The *Portsmouth*, *Plymouth*, *St. Mary's*, *Jamestown*, *Germantown*, and *Saratoga*, launched between 1842 and 1845, "are the sailing-ships of the latest date that have been built in the navy."⁹⁷ (Such a statement evinces that even for John Lenthall, who designed the sloop of war *Constellation*, launched in 1854--nine years after the last of the aforementioned sloops--the rebuilding of the *Constellation* meant something other than simple new construction.) Repairs on the six 1840s sloops, Lenthall complained again, "have already become costly, and some of them will require rebuilding."⁹⁸ The *John Adams*, *Vincennes*, *Falmouth*, *Vandalia*, *St. Louis*, *Cyane*, and *Levant*, "are generally old ships," Lenthall remarked. "In some cases, the repairs of these ships have been very costly; that of the *St. Louis*, in 1839, being \$116,205; since which there has been expended \$127,845, and on her return she will require rebuilding." Meanwhile the *Vincennes* and *Vandalia* had cost, in 1849 alone, \$99,861 and \$109,683, respectively.⁹⁹ The *Decatur*, *Marion*, *Dale*, and *Preble*, Lenthall dismissed entirely: "Taking into consideration their size and

⁹⁷ Navy, Annual Report, 1854, p. 475.

⁹⁸ Navy, Annual Report, 1854, p. 475.

⁹⁹ Navy, Annual Report, 1854, pp. 475-476.

efficiency," he wrote, "there will be no advantage in continuing them in the service when they again require extensive repairs."¹⁰⁰

Lenthall's enthusiasm for phasing out the Navy's extant sailing fleet is reflected elsewhere in his official statements and correspondence. Moreover, as Chief of the Bureau of Construction, Equipment, and Repair, Lenthall exhibited a decided preference for focusing the Navy's construction efforts (and requests for funding) upon large war steamers while satisfying the Navy's pressing peacetime demand for smaller sailing vessels by cutting down old ships. "There being now so few sailing vessels of small class remaining in the navy, which class is very useful in time of peace," he wrote in 1856, "Several of the frigates that require extensive repairs can be converted into formidable sloops-of-war."¹⁰¹ The following year he advised the new

¹⁰⁰ Navy, *Annual Report, 1854*, p. 476. Upon her return to the United States from Africa the following year, the *Marion* was condemned as unseaworthy. (Navy, *Annual Report, 1855*, p. 5). *Dale* served as a store ship through the Civil War, and later as a Naval Academy training ship and receiving ship at the Washington Navy Yard. She was transferred to the Maryland State Militia in 1895, and to the Coast Guard in 1906. *Decatur* was decommissioned in 1859 and later served as a harbor battery off San Francisco. She was sold out of the Navy in 1865. (*DANFS*, vol. 2, pp. 233, 249). *Preble* also served in the Civil War. She burned accidentally off Pensacola in 1863. (*DANFS*, vol. 5, p. 368).

¹⁰¹ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 1 December 1856, in H.Ex.Doc. 1, 34th Cong., 3rd sess., hereinafter cited as *Navy, Annual Report*,

Secretary of the Navy, Isaac Toucey, that the "most advantageous disposition that can be made of these old ships as it becomes necessary to give them heavy repairs, seems to be a raze and [to] wear them at a lower rating, rendering them as far as practicable equal to the classes which the present state of Naval armaments make necessary, rather than to perpetuate them as frigates."¹⁰²

Lenthall's report to Secretary of the Navy Dobbin on the prospects of the sailing fleet was penned in the aftermath of the Act of Congress of 6 April 1854. That Act appropriated three million dollars and authorized the construction "at as early day as practicable, consistently with a due regard for economy and efficiency," six screw steam frigates, either by contract or in the Navy Yards, "as the Secretary of the Navy may think most advisable for the public interest."¹⁰³

One of the six new steam frigates would be derived from the old ship of the line *Franklin*. Although in 1852, under the leadership of Secretary of the Navy James P. Kennedy, the Navy had announced plans to raze the *Franklin* to a fifty-gun

1856, p. 584.

¹⁰² John Lenthall to Isaac Toucey, 15 June 1857, LSBurConstr - SecNav, RG 19, NA, p. 246.

¹⁰³ U.S., Congress, *An Act to Authorize the Construction of Six First-Class Steam Frigates, and for Other Purposes*, approved 6 April 1854, in *Statutes at Large*, vol. 10, chap. 32, p. 273.

by 1853, with James C. Dobbin at the helm of the Department, the Navy opted for a different course. That year Charles Morris, James Smith, Samuel Hartt, Charles Copeland, and John Lenthall were convened as a committee to confer upon the character proper for a vessel and for her armament, which would be desirable as a substitute for the U.S. Ship Franklin.' " After deliberation, the five proposed "a frigate built ship of war, which shall have in addition to her sails, an auxiliary steam power to be applied to a screw propeller."¹⁰⁴ For her armament, they recommended twenty-eight, nine-inch guns on the gun deck, with twenty, eight-inch carriage guns and two to three pivot guns on the spar deck.¹⁰⁵ By the end of 1853, the Navy reported that the "old ship-of-the-line, the Franklin, is being repaired at Kittery [Portsmouth Navy Yard], and her model much changed, with a view of converting her into a first-class steam frigate."¹⁰⁶ When the Act of 6 April 1854 was signed into law, the rebuilt Franklin assumed the place of one of the six steam frigates

¹⁰⁴ Charles Morris, et al to James C. Dobbin, 31 August 1853, LSBurConstr - SecNav, RG 19, NA, p. 151.

¹⁰⁵ Charles Morris, et al to James C. Dobbin, 31 August 1853, LSBurConstr - SecNav, RG 19, NA, p. 151.

¹⁰⁶ Navy, *Annual Report, 1853*, p. 310.

authorized by that Act.¹⁰⁷ Completion of the *Franklin* proceeded slowly for more than a decade; she was finally launched in September 1864.¹⁰⁸

In accordance with the recommendations of the Navy Department for several years past, the second section of the Act of 6 April 1854 provided, as well, that a part of the three million dollars therein appropriated was to be expended "for altering, completing, and launching the *Frigates Santee*, at Kittery [Portsmouth Navy Yard] and *Sabine*, at New York."¹⁰⁹ The Bureau of Construction, Equipment, and Repair complied quickly with the Congressional mandate. "From the length of time the *Santee* and *Sabine* have been on the stocks," Bureau Chief Lenthall reported late in 1854, "and the consequent necessity of removing many of the plank and some of the principal pieces, it has been taken advantage of to improve the form of the fore-end, and there is no doubt but that the result will show that the constructors at the different yards where they are building have successfully carried out the

¹⁰⁷ The other five were the *Merrimack*, the *Colorado*, the *Roanoke*, the *Wabash*, and the *Minnesota*. (Canney, *Old Steam Navy*, vol. 1, p. 45).

¹⁰⁸ Canney, *Old Steam Navy*, vol. 1, p. 59.

¹⁰⁹ U.S., Congress, *An Act to Authorize the Construction of Six First-Class Steam Frigates, and for Other Purposes*, approved 6 April 1854, in *Statutes at Large*, vol. 10, chap. 32, p. 273.

views of the department."¹¹⁰ Lengthened twenty feet, the *Sabine* was launched in February 1855 and put into commission three years later. *Santee* was also launched in February 1855; her first service was in the Gulf of Mexico during the Civil War.¹¹¹

With funding finally earmarked for completing the *Sabine* and the *Santee*, and with the *Constellation* rebuilt as a sloop of war, the last of the 1797 frigates remaining in commission, the *Constitution*, was withdrawn from active service upon her return to the United States from the Coast of Africa in 1855 and placed in ordinary at Portsmouth.¹¹² A survey held upon the *Constitution* in July 1855 found her timbers "sound with very slight exceptions," and small repairs, including a new poop deck, required in her hull and other departments. The total estimate for labor and materials amounted to less than \$88,000.¹¹³ In making their inspection, surveyors William L. Hanscom, the naval constructor, and Commander George F. Pearson, noted that,

¹¹⁰ Navy, *Annual Report*, 1854, p. 474.

¹¹¹ *DANFS*, vol. 6, pp. 215, 325.

¹¹² Navy, *Annual Report*, 1855, p. 5.

¹¹³ "'Constitution' Survey on Hull, masts, &c, Portsmouth, July 15, 1855," in Reports of Boards of Survey on Ships and Their Equipment, Entry 233, hereinafter cited as Reports of Surveys, RG 19, NA, Box 1.

From the broken copper, outside, and the joints of the knees, Bitts &c. inside, there appears to have been some working abreast of the Fore Mast." They believed, however, that with proper care in rebolting the Knees &c. a part of the working may be prevented."¹¹⁴

In his annual report several months later, however, Chief of the Bureau of Construction, Equipment, and Repair Lenthall represented the *Constitution's* situation as considerably more extreme. "To the list of the vessels of which to cost of repairs would equal that of building a new ship," he reported, "may be now added the '*Constitution*,' shown by a recent survey to be in a very decayed and unseaworthy condition." Holding out rebuilding as an alternative, Lenthall noted that, with the heavy demands already placed upon the Navy's dwindling resources, "an additional appropriation will be necessary."¹¹⁵ Moreover, he argued, resurrecting an idea unheard for at least a decade, "Should the name of the '*Constitution*' not be allowed to

¹¹⁴ "'Constitution' Survey on Hull, masts, &c, Portsmouth, July 15, 1855," in Reports of Surveys, RG 19, NA, Box 1.

¹¹⁵ Navy, *Annual Report, 1855*, p. 130. In the same report Lenthall advocated building more large steamers using stockpiled ship of the line frames, complained of the "limited number of available ships" which made it "necessary to repair them as soon as they return from a cruise, however disadvantageous the circumstances may be," and suggested that early decay and expensive repairs could be lessened by procuring larger stocks of seasoned timber.

appear, there might be connected with her the 'Guerriere' and the 'Java,' both of which are lost from the list of the Navy.¹¹⁶ None of Lenthall's rebuilding proposals received the approbation of either the Department or Congress, however. Not until the Civil War would the name *Guerriere* return to the list of the United States Navy; the *Java*, however,¹¹⁷ *Constitution* remained in ordinary until hauled up on the ways at Portsmouth in 1858 and converted for service as a Naval Academy training ship. She was recommissioned in 1860.¹¹⁸

Meanwhile, the frigate *Cumberland* had returned to the United States from the Mediterranean. Upon her arrival at Boston in 1855, she was surveyed (although not docked) and found to require repairs estimated at \$82,000, primarily in

¹¹⁶ Navy, *Annual Report, 1855*, p. 130.

¹¹⁷ The Screw Sloop *Guerriere* was launched at the Boston Navy Yard in September 1865 and commissioned in May 1867. Sold out of the Navy in 1872, she was to be the last *Guerriere* in the American fleet. Another screw sloop, to bear the name *Java*, was commenced at the New York Navy Yard in 1863, but never completed. The hull was broken up in 1884. (*DANFS*, vol. 3, pp. 182, 509).

¹¹⁸ Tyrone G. Martin, *A Most Fortunate Ship: A Narrative History of "Old Ironsides"* (Chester, Ct.: Globe Pequot Press, 1980), pp. 264-265. An early photograph showing the *Constitution* hauled up on the ways appears on p. 265. See also, *DANFS*, vol. 2, p. 176.

gun and spar decks.¹¹⁹ In the ensuing year the *Cumberland* was razed to a sloop of war at that yard.

John Lenthall recommended similar modifications to the frigate *Savannah* following her return to New York from the Brazil Squadron in 1856. "The Frigate 'Savannah' now . . . requiring extensive repairs," he wrote Secretary of the Navy Isaac Toucey in June of 1857, "an opportunity is presented to modify the ship and prepare her for carrying the heavy guns that are coming into use by converting her into a covered deck sloop of war." Lenthall argued that "The cost of the proposed alteration is estimated to be somewhat less than to repair the ship as a frigate, for much of the defective work that in any case must be removed will not then require to be replaced."¹²⁰ Moreover, "the necessity of taking off the decayed outside plank permits at small cost, of increasing the distance between the ports, the nearness of which is one of the disadvantages these ships, planned some 30 years ago, now labor under."¹²¹ Lenthall recommended "removing the bulwarks and ports on the spar deck and taking off the light

¹¹⁹ Thomas Selfridge and Edward H. Delano to Francis H. Gregory, 4 August 1855, in Reports of Surveys, RG 19, NA, Box 1.

¹²⁰ John Lenthall to Isaac Toucey, 15 June 1857, in LSBurConstr - SecNav, RG 19, NA, p. 245.

¹²¹ John Lenthall to Isaac Toucey, 15 June 1857, in LSBurConstr - SecNav, RG 19, NA, p. 246.

guns carried on it," by which the *Savannah* could "be made to mount 22-9 inch guns on the main deck with 2-10 inch chase guns on the weather deck, which is a more formidable armament than she now carries." Thus modified, the *Savannah* would possess "a greater facility for working the guns, a less number of men will be required, being thus much more comfortable and the provisions and stores will last for a proportionably [sic] longer time; the reduction to the top hamper and the lowering of the boats will enable her to carry sail longer and be more weatherly; the draft of water will not be increased and in all respects it is considered the vessel will be more efficient."¹²² In concurrence with Lenthall's recommendations, the *Savannah* was subsequently razeed to a spar deck sloop of war at New York and assigned to the Home Squadron.¹²³ A year later the Bureau characterized the razeeing of both the *Cumberland* and the *Savannah* as rebuilds.¹²⁴

¹²² John Lenthall to Isaac Toucey, 15 June 1857, in *LSBurConstr - SecNav, RG 19, NA, p. 246.*

¹²³ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 6 December 1858, in H.Ex.Doc. 2, 35th Cong., 2nd sess., hereinafter cited as *Navy, Annual Report, 1858*, p. 547.

¹²⁴ U.S., Department of the Navy, *Report of the Secretary of the Navy*, 2 December 1859, hereinafter cited as *Navy, Annual Report, 1859*, pp. 1230, 1233.

Having been instrumental in transforming the *Constellation*, the *Cumberland*, and the *Savannah* into spar deck sloops of war, Lenthall turned his attentions once again to the *Columbus*, still in ordinary at Norfolk. In August 1857 he wrote Toucey, submitting "for consideration the subject of the repair and alteration of the ship-of-the-line 'Columbus.'" Lenthall proposed either that the *Columbus* be "razeed or converted into a frigate of the very largest class with a light upper deck," or transformed into "an auxiliary steam Frigate but without the upper deck." His preference was clearly for the latter: "If the work be not pressed forward too rapidly," Lenthall admonished, "the appropriation on hand will permit the trial of the system, and the steam machinery can be made in that yard, bringing the expenditure altogether under control, requiring no further outlay than the state of the appropriation will warrant."¹²⁵

Lenthall reiterated his recommendation to raze and convert to steam both the *Columbus* and the three-deck *Pennsylvania* in 1859, the former proposed to become a spar deck sloop and the latter a steam frigate with a light spar deck. "There is every reason to suppose that these ships would possess good nautical qualities," he argued, "and the

¹²⁵ John Lenthall to Isaac Toucey, 18 August 1857, in *LSBurConstr - SecNav, RG 19, NA, p. 250.*

Columbus is known to have been a superior vessel in that respect."¹²⁶

With Congressional authorization of five screw sloops of war in 1857, however, followed by authorization for eight additional steamers (seven screw sloops and one sidewheeler) in 1858, the Navy's decaying sailers, especially the old ships of the line, were a low priority.¹²⁷ Seven of the steamers were completed and in commission by the end of 1859. Seven additional light draft steamers were acquired by purchase in 1859.¹²⁸

The naval appropriation Act of 22 June 1860, however, directed specific attention towards the Navy's aging sailing fleet. That Act's directed Secretary of the Navy Isaac Toucey to "cause a careful examination to be made by naval officers, engineers, and constructors, into the condition of the sailing vessels of the navy, and the cost of giving them, or any of them, full steam power, together with the expediency of making such change in view of the cost,

¹²⁶ Navy, Annual Report, 1859, p. 1224.

¹²⁷ Navy, Annual Report, 1858, p. 6. The five screw sloops were the Lancaster, Pensacola, Brooklyn, Hartford, and Richmond. The eight steamers were the Mohican, Narragansett, Iroquois, Wyoming, Pawnee, Dacotah, Seminole, and the sidewheeler Saginaw.

¹²⁸ These were the Mystic, Sumpter, Wyandotte, Mohawk, Crusader, Anacostia, and Pulaski. (Navy, Annual Report, 1859, pp. 1138-1139, 1231-1232).

condition, model, and general character of such vessels so altered."¹²⁹ In compliance Toucey appointed Captain George W. Storer, Captain Silas H. Stringham, Engineer in Chief Samuel Archbold, Construction Bureau Chief John Lenthall, and Naval Constructor Benjamin F. Delano to a Board charged with evaluating the sailing fleet.¹³⁰ The Board concluded that the Navy's brigs and sloops of war, "from their small capacity and the inappropriate form of their transverse sections, are entirely unsuitable for the accommodation of the necessary machinery." The various frigates, on the other hand, "being of considerably larger dimensions, have, consequently, capacities in a still greater ratio, and are therefore much better adapted for the proposed conversion." Nevertheless, "unless they are lengthened by the insertion of about fifty feet amidships, and have their decks raised, it will be

¹²⁹ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year Ending the Thirtieth of June, Eighteen Hundred and Sixty-One*, in *Statutes at Large*, vol. 12, chap. 181, p. 80.

¹³⁰ The Board inspected the following vessels: the brig *Perry*; the sloops of war *Dale*, *Preble*, *Vincennes*, *Vandalia*, *Jamestown*, *Saratoga*, *Germantown*, and *Plymouth*; the razees *Cumberland* and *Macedonian*; the frigates *Santee*, *Brandywine*, *Potomac*, *St. Lawrence*, *Columbia*, *Raritan*, and *United States*; and the ships of the line *Alabama*, *Virginia*, *Vermont*, *Ohio*, *North Carolina*, *New York*, *Columbus*, *Pennsylvania*, and *Delaware*. Evaluations of ships at sea were based upon records and similarities in "form, dimensions, age, and condition" to ships in port. (George W. Storer, et al. to Isaac Toucey, 29 October 1860, in U.S., Department of the Navy, *Report of the Secretary of the Navy*, 1 December 1860, hereinafter cited as *Navy, Annual Report, 1860*, p. 33).

impossible to give them such machinery as would make them efficient war steamers." The Board therefore concluded that the requisite changes were "too extensive and costly to be warranted by their present condition; for, with the exception of the Sabine and the Santee, these vessels have been in service for many years, and having been frequently repaired, we consider it injudicious to incorporate in their hulls a large mass of new and expensive work."¹³¹ Subsequently the Department announced that its sailing frigates (excluding the *United States* which was unworthy of repair, the *Constitution* which had been recently repaired, and the *Sabine* and the *Santee* only recently put into commission) "as they shall require repairs, should be converted into sloops-of-war, and finally into store ships, and as such would be useful for stores and for protection in various foreign ports."¹³²

Unlike the frigates, however, the Board reported that the larger dimensions of the ships of the line "give so great capacity that their conversion into efficient steamers is obviously feasible." Governed by "the present condition of the hulls, by the weight and space occupied by such machinery and battery as will render them efficient war steamers of their rate, and by their utility when converted," the Board

¹³¹ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 33.

¹³² *Navy, Annual Report, 1860*, pp. 3-4.

advocated either "reducing the weight of the hull and of the equipment as a sailing ship-of-war, which would necessarily reduce the rate, or retaining the rate, by enlarging the vessel--which must be done by inserting the requisite additional length amidships; for an extension of the ends would be of little or no benefit in these respects, and would involve the demolition and loss of a large portion of the most expensive part of the original hull"133

The choice between the two options, the Board noted, would be "affected in measure by their condition." The *Alabama*, *Virginia*, and *New York*, on the stocks and nearly half-completed, required new keels, keelsons, and some outside plank but were otherwise reported to be well preserved. The *Vermont*, launched in 1849 and fitted for sea although she never sailed, was likewise sound. The *Pennsylvania*, launched at Philadelphia in 1836, from which she made all of one cruise to Gosport, required entire new outside planking above the waterline but her frame and other departments were generally in good condition. The *Ohio*, *North Carolina*, and *Columbus*, having each seen service at sea and been "extensively repaired," were sound in their frames, but "many of the inside plank and the knees are defective, and all of the outside plank above the water line are

¹³³ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 33.

stayed." Lastly, the *Delaware*, was "so very defective, both in her keel, frame and planking, that she is unfit for service as a vessel-of-war."¹³⁴

For the *Ohio*, *North Carolina*, and *Columbus*, "having been much used and several times repaired," the Board considered it "clearly injudicious to incorporate with their present hulls the large mass of new material required for lengthening them amidships, for the different portions would require repairs at different times, and the new part would probably be effective many years after the old part needed entire renewal." The Board held a similar view with regard to the *Pennsylvania*, "and also, though in a lesser degree," to the *Alabama*, *Virginia*, and *New York*, citing the expense of the alteration to the hull and the cost of maintaining "extremely large line-of-battle ships" in commission. Razeeing, on the other hand, "without changing the lower part of their hulls,"¹³⁵ would furnish the Navy, at an average cost of \$383,000, with "serviceable first class steam frigates of formidable battery," with a maximum speed estimated at eight to eight and one-half knots per hour.¹³⁶ The Board compared

¹³⁴ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 34.

¹³⁵ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 34.

¹³⁶ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 35.

this cost with the average cost of \$725,000 for a Minnesota-class steam frigate, noting moreover that "the disparity becomes still greater when there is added, as there should be, the present value of the materials and labor in the old line-of-battle ships which cannot be estimated, in the aggregate, at less than \$1,250,000, nearly all of which will be lost, if not utilized as proposed."¹³⁷

Within months, however, civil war intervened to cut short any grandiose plans to make steam frigates out of obsolete ships of the line. The *Columbus*, the *Delaware*, the *Pennsylvania* and the frigate *Columbia* remained in ordinary and the *New York* on the stocks at Norfolk until they were scuttled or burned to prevent their capture by the Confederates upon the surrender of Norfolk Navy Yard in April 1861.¹³⁸ The *Virginia* remained on the stocks at the Charlestown Navy Yard (Boston) until she was broken up in 1874.¹³⁹ *North Carolina* continued in ordinary at New York as a receiving ship, and the *Ohio* likewise at Boston, until sold

¹³⁷ George W. Storer, et al. to Isaac Toucey, 29 October 1860, in *Navy, Annual Report, 1860*, p. 36.

¹³⁸ *DANFS*, vol. 2, pp. 147, 150, 255; vol. 5, pp. 70, 250. The remains of the *Columbia* were raised and sold in 1867.

¹³⁹ *DANFS*, vol. 7, p. 540.

out of the Navy in 1867 and 1883, respectively.¹⁴⁰ *Vermont* served as a store ship, first for the South Atlantic Blockading Squadron, and then at New York, until stricken from the Navy list and sold at auction in 1902.¹⁴¹ The last sailer to be rebuilt by the Navy as a sailing ship was the old ship of the line *Alabama*, on the stocks at Portsmouth since 1819. Renamed *New Hampshire*, she was rebuilt between 1862 and 1864 and fitted out as a storeship for the South Atlantic Blockading Squadron.¹⁴²

¹⁴⁰ *DANFS*, vol. 5, pp. 107, 143.

¹⁴¹ *DANFS*, vol. 7, p. 486.

¹⁴² *DANFS*, vol. 5, p. 56.

Chapter Eleven

Conclusion

What, then, means rebuilding? Almost anything, apparently. Rarely, in fact, in the practice of the American sailing Navy, did rebuilding ever mean exactly the same thing twice. For the frigate *Adams*, it meant stripping the vessel down, cutting it in two, lengthening the hull, and building it back anew on the old bottom. Likewise for the sloops of war *Hornet*, and *Ontario*, the gunboat No. 59 (*Scorpion*), and other ships, it meant a practically new hull built upon a mostly sound bottom. For the sloops of war *Erie* and *Peacock*, the frigate turned sloop of war *Constellation*, and several others, it meant breaking up the old hull and starting over with a new frame, a new design, and whatever salvaged material that could be advantageously employed to build a new hull for an existing vessel. For *Congress*, the second time around, it meant breaking up the hull in one yard and commencing her anew in another yard many years later. For *Philadelphia*, it meant the possibility, unfulfilled, of resurrection from a watery grave. For the steamers *Princeton* and *Water Witch*, it meant building a new hull to suit old machinery. For *Fulton II* and *Alleghany*, it meant substantial

redesign and modifications to the existing hull to salvage its operational utility. For *Cumberland* and *Savannah*, it meant conversion of the existing hull from frigate to sloop of war. For countless other vessels, it meant varying degrees of hull replacement, redesign, and modification under all manner of circumstance and condition.

Clearly, the decision to rebuild, partially or completely, any ship of the United States Navy, and the process by which such rebuilding was pursued, did not follow from any established policy of the Navy to replace unilaterally old ships with new ones. Rather, each case of rebuilding was determined and pursued individually, depending upon the needs of the vessel in question, as well as the requirements of the service at any given time. The role of individuals--John Branch and John Lenthall, for example--in influencing the process and practice of rebuilding, must not be ignored. Had they not occupied the offices they did, at the times that they did, the fate of a number of the Navy's ships of war could have been markedly different. Moreover, of all the many ships of war to have undergone rebuilding in the Age of Sail, the number which emerged without any substantive connection to the original--be it in hull, armament, or equipment--are in the minority. Even for them, as with the many other rebuilt ships, the decision to rebuild was predicated upon the desire to preserve the idea of the

ship, if not the hull itself. Twentieth-century historians may elect to redefine that idea, but in so doing they simply betray nineteenth-century standards of perception. That does not lessen the significance of that perception to the actual participants.

Nineteenth-century navalists perceived a distinction between a vessel and its hull. The former represented the entirety, the latter, a single component. Just like the masts, sails, boats, and other equipment, replacing the hull, even completely, meant replacing one part of a whole as a means to sustain the entirety of the whole. To modify or replace the hull did not in itself eliminate continuity--physical, intellectual, emotional, or otherwise--between the original and the new. In that respect rebuilding represented an option for vessel maintenance--albeit extreme--not a convenient method--clandestine or otherwise--of ship disposal and replacement.

Despite the many variations on the theme of rebuilding presented by the nineteenth-century naval experience, a clear framework emerges for interpreting individual episodes of rebuilding within the larger context of naval administration. From the earliest days of the Navy through 1830, rebuilding and repairing were considered to be synonymous. To rebuild a ship was equivalent to an extensive repair--generally the replacement of more than half to the entirety of the hull.

When the condition of any particular ship suggested the necessity for rebuilding and the Navy anticipated the need to return that vessel to active service, the Department embraced the expected cost of rebuilding within its general estimate under the head of Repairs of Vessels in Ordinary and Wear and Tear of Vessels in Commission. In accordance with that arrangement Congress voted the appropriation and to that appropriation expenditures for rebuilding were properly charged.

Frequently, the extent of repairs required could not be accurately determined before actual work commenced. Occasionally, as well, the exigencies of foreign relations required an increase of the naval force in commission, necessitating the repair of a vessel in ordinary and its return to active service. In such cases two options were available. The Department could slow the work down and await the next year's appropriation to finish or it could overspend the appropriation and either transfer the funds from another head (at times when such transfers were authorized) or request an appropriation for arrearages (as in 1829, for example). All options were legally pursued at different times as circumstances required.

In 1830, however, Andrew Jackson's first Secretary of the Navy, John Branch, differed both with his predecessors and his subordinates in the Navy Department over the

propriety of encompassing rebuilding endeavors within the Navy's program of vessel maintenance and repair. Having spent much of his time in office in search of evidence of improper conduct by his immediate predecessor, John Quincy Adams' Secretary of the Navy Samuel Southard (for whom Jackson felt particular animosity), Branch seized upon the rebuilding of the corvette *John Adams*--in progress at Norfolk--as another example of National Republican fiscal irresponsibility and disrespect for Congressional authority. For Branch, a party Democrat entirely unfamiliar with the naval business and lacking an understanding of the Navy's longstanding wholistic approach to vessel repair, the rebuilding of the hull of the *John Adams* appeared to fall clearly within the category of new construction, for which no specific appropriation was in force. For Branch the incident epitomized the flagrant violation of the public trust that, in his view, had characterized naval administration under Southard's stewardship. From that conviction Branch presented the case to Jackson himself, who concurred that rebuilding should not be financed from the appropriation for Repairs and Wear and Tear, although, unlike Branch, he stopped short of equating rebuilding with new construction. Under Jackson's subsequent directive, rebuilding was pursued by the Navy as a third, intermediate option equal neither to

repair nor new construction, for which separate authorization and appropriation from Congress was required.

It remained for Branch's successor, Levi Woodbury, actually to pursue the rebuilding of ships of war in accordance with Jackson's 1830 directive. Congress complied and through the 1830s passed a series of Acts to authorize and fund the rebuilding of the frigates *Macedonian*, *Congress*, and *Java*, and the sloop of war *Cyane*. All except the *Java* were eventually rebuilt. Through this period in naval rebuilding, preservation of the idea, rather than the fabric of the vessel itself, was the predominant stated motivation behind the decision to rebuild.

In 1840, however, Congress effectively repealed Jackson's 1830 directive by voting to consolidate the various separate appropriations for construction, rebuilding, and repair into a single head for Increase, Repairs, &c. Thereafter rebuilding remained a third, intermediate option between simple repair and outright new construction funded now through the consolidated appropriation for Increase, Repairs, &c. Separate, special appropriations were no longer required, although the Navy occasionally requested funds for rebuilding programs through separate, optional line-items rather than incorporating them into the general head. Sentiment continued to play an important role in the decision to rebuild. Optimal use of materiel, however, returned to

forefront in justifying the rebuilding of individual ships of war.

As fate would have it, 1840 was also the year that Navy Lieutenant Matthew Fontaine Maury began a series of scathing criticisms of naval administration in the national press using the pseudonym 'Harry Bluff'. His most influential essay attacked the Navy's system of building, rebuilding, and repairing vessels and publicized vast excesses in the cost of ship construction and maintenance. As a result of his efforts, the disarray of the Navy's accounts was exposed, as were numerous instances of inflated construction costs and ships rebuilt or repaired for close to or more than the original cost of building them. The blame was laid squarely at the feet of the Board of Navy Commissioners, which since its establishment in 1815 had been charged with collective authority to administrate the naval materiel. By 1842 Congress voted to abolish the Board of Navy Commissioners and enact a system of autonomous naval Bureaus in its stead.

In addition to bringing about a major change in the structure of naval administration, Harry Bluff's "Scraps From the Lucky Bag" inspired a fundamental shift in the Navy's approach to vessel repair and rebuilding. In determining to repair or rebuild any particular vessel, the Navy considered its options primarily in terms of the efficient use of existing materiel. Prior to 1840, efficiency was defined by

The value of that existing materiel, that is, the ship and its component parts. So long as an existing ship had value to the Navy, beyond what could be obtained from her sale, consideration was given to repairing or rebuilding her. Where the cost of repairing or rebuilding a ship approached the cost of constructing a new one, preference was generally given to the old vessel as a more efficient use of existing materiel. The alternative, in the Navy's view, was to dispose of the old hull and its equipment for less than its value to the Navy and then spend for an entirely new ship and outfit. This was perceived to represent a waste of real assets.

A key point in Maury's argument was the revelation that large gaps existed between the estimates upon which decisions to repair or rebuild were made and the actual costs of the work which ensued. In response, the Navy was compelled to redefine efficiency in the use of existing materiel from exacting longevity from the value of a ship to cost-effectiveness in expenditures to maintain that ship. Consequently, several ships that had been placed on the list of vessels to be rebuilt prior to 1840 were disposed of in the years immediately following publication of the "Scraps From the Lucky Bag" as more cost-effective to the government. At the same time the Navy launched an extensive program to

build new ships and launch and complete others already on the stocks.

By the 1850s the Navy's massive investment in aging sailing frigates and ships of the line was threatening obsolescence. Again, in proposals to raze to suit for heavy shell guns or convert to steam propulsion, considerations for cost-effectiveness in the efficient use of existing materiel predominated. Only the historic frigates of the War of 1812--most notably *Constellation* and *Constitution*--received special consideration for their historic identity and sentimental value. Here again, the ascension of a particular individual to a significant post--John Lenthall's appointment as Chief of the Bureau of Construction, Equipment, and Repair in 1854--represented a critical juncture. Whereas his predecessors had repeatedly rejected proposals to convert sailers to steam, considering it preferable to model and build steamers for that purpose, Lenthall strongly advocated the conversion of the old line of battle ships in ordinary and on the stocks. Civil war intervened, however, and, except for the rebuilding of the *Franklin*, his dream never saw fruition.

The Bureau System had been intended to curb abuses in naval administration and institute accountability in the expenditure of public funds, particularly for naval materiel. It failed on both counts. Fraud and abuse in contracts and expenditures for naval materiel were perpetual problems for

naval administrators. At the heart of those problems lay the basic structure of naval administration and accounting. When the Board of Navy Commissioners superintended the construction, maintenance, and supply of ships of war, it was plagued by the inability follow estimates through to actual costs or to verify expenditures. Delays in passage of the appropriation, the inability to supervise adequately those charged with disbursing funds in the Navy's far-flung yards and agencies, and a clerical force insufficient for the duties assigned to it, all contributed to the mess so ably uncovered by Harry Bluff. Abolishment of the Board of Navy Commissioners and institution of the Bureau System did little to alleviate opportunities to commit fraud and other abuses at the government's expense. The accountability purportedly embraced by the autonomous structure of the naval Bureaus proved phantom at best. Just as the collective oversight of the Board of Navy Commissioners had proven insufficient without individual accountability, so the individual accountability of the Bureau System proved futile without collective oversight.

By the late 1860s, complaints of ineptitude in naval governance were once again rampant. In Maury's time, the line officers sitting on the Board of Navy Commissioners had been accused of blind interference in the construction and design of ships of war--a task better left to the naval

constructors. In the years following the Civil War, line officers grew to resent the ascension of staff officers, engineers in particular, to greater power and prominence in naval decision-making. Under the leadership of Admiral David Dixon Porter, they clamored for a substantive role in deciding what characteristics were most desirable for the Navy's ships of war. For their model they looked back in time to the old Board of Navy Commissioners, advocating an intermediary Board of Survey, composed of three admirals, to oversee the various Bureaus and yet remain subordinate to the civilian Secretary of the Navy. Although the line officers were unsuccessful in attempting to secure a modified Navy Board, their efforts to conjure dissatisfaction with the engineers, in particular, repeatedly encouraged and directed Congressional attention to the business of building and maintaining ships of war.¹ Among the charges repeatedly leveled against the Navy Department under the administration of the Bureau System were preferential behavior in the award of government contracts and partisan influence in the

¹ Leonard Alexander Swann, Jr., *John Roach: Maritime Entrepreneur* (Annapolis, Md.: Naval Institute Press, 1965; reprint ed. New York: Arno Press, 1980), hereinafter cited as Swann, *John Roach*, pp. 34-46.

employment of workmen in the Navy yards, particularly at election time.²

As one means of improving accountability in the repair and rebuilding of ships of war, Congress, in 1860, attached a proviso to the annual appropriation for repairs and equipment forbidding the expenditure of more than \$3,000 "at any navy-yard in repairing the hull and spars of any vessel, until the necessity and expediency of such repair, and the probable cost thereof, be ascertained and reported to the Navy Department by an examining board." The Board would be composed of one naval captain or commander (appointed by the Secretary of the Navy), and two master workmen or one master workman and one engineer of the yard, "according to the nature of the repairs to be made" (appointed by the Chief of the Construction Bureau). Repairs to rigging were limited to

² See, for example, U.S., Congress, House, *Naval Contracts and Expenditures*, 24 February 1859, H.Rep. 184, 35th Cong., 2nd sess., hereinafter cited as H.Rep. 184 (35-2), *passim*. An investigation in 1876 produced testimony by Captain Jonathan Young to the effect that in the summer of 1873, an additional 400 or so men had been employed in the Boston Navy Yard in an apparent attempt to influence a local election. With nothing else for them to do, the men were set to work breaking up the hull of the ship of the line *Virginia*, on the stocks, on the pretext of clearing space. By the time the election had passed, the work had progressed as far down the hull as the orlop deck. Suddenly, "the men were discharged, and the work ceased; there the ship stands to-day," remarked Young, "occupying as much room in the ship-house as she did before they commenced breaking her up." (U.S., Congress, House, *Investigation of the Navy Department*, 25 July 1876, H.Rep. 784, 44th Cong., 1st sess., hereinafter cited as H.Rep. 784 (44-1), p. 97).

\$1,000 without a similar survey performed by one naval officer, the master rigger, and the master sailmaker of the yard.³ The proviso was repeated in the naval appropriation for the following year, in perpetuity.⁴

Years later, supporters of Ulysses S. Grant's second Secretary of the Navy, George Robeson, would argue that the intent of that proviso was to prevent individuals employed within the Navy yards from commencing expensive repairs on their own and without proper authority.⁵ But, surprisingly, that particular abuse had never been the subject of much complaint against the Navy. On the other hand, given the long history of complaints over consistency and accountability in the Navy Department, it seems clear that the intent of the proviso was to ensure that adequate surveys were performed before the Navy committed itself to large expenditures for repairs, and that, moreover, accountability

³ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year Ending the Thirtieth of June, Eighteen Hundred and Sixty-One*, 22 June 1860, in *Statutes at Large*, vol. 12, chap. 181, p. 80.

⁴ U.S., Congress, *An Act Making Appropriations for the Naval Service for the Year Ending the Thirtieth of June, Eighteen Hundred and Sixty-Two*, 21 February 1861, in *Statutes at Large*, vol. 12, chap. 49, p. 147. See also, John W. Hogg, *Compilation of Laws Relating to the Navy, Marine Corps, Etc., From the Revised Statutes and Subsequent Acts to March 3, 1883* (Washington, D.C.: Government Printing Office, 1883), hereinafter cited as Hogg, *Laws Relating to the Navy*, p. 95; and H.Rep. 784 (44-1), p. 143.

⁵ H.Rep. 784 (44-1), p. 173.

for the decision to prosecute those repairs would rest squarely with the Secretary of the Navy and no one else. Such a proviso was well in keeping with the ideal of cost-effectiveness in expenditures for existing naval materiel.

The 1872 Congressional inquiry had been inspired by Charles A. Dana's inflammatory articles and editorials in the *New York Sun* charging "The Robber Robeson," with frauds and abuses in the Navy Department. The investigation revealed that, among other acts, Robeson had entered into a contract with John Roach,⁶ a private shipbuilder, to build and install new engines for the steamer *Tennessee*. In so doing, Robeson had bypassed the competitive bid laws, which required that all government contracts be advertised and awarded to the highest bidder, except when time was of the utmost necessity. Moreover, Roach's contract with the Navy Department provided for the old machinery and boilers of the *Tennessee* to be paid to him in lieu of cash as part of the compensation for the

⁶ In his annual report for 1872, Chief of the Bureau of Steam Engineering J.W. King conspicuously remarked that the contract for the *Tennessee* had been concluded "During my absence from the Bureau last year, on a European tour of inspection." (U.S., Department of the Navy, *Report of the Secretary of the Navy on the Operations of the Department for the Year 1871*, 25 November 1871 (Washington, D.C.: Government Printing Office, 1871), hereinafter cited as *Navy, Annual Report, 1871*, p. 121.

work.⁷ "As to the authority of the Secretary to exchange one engine for another," exclaimed the investigation committee's minority opinion submitted by Austin Blair, the Republican Congressman from Michigan, "we do not know from what source he derives his power."⁸ Perhaps Robeson could have cited the Board of Navy Commissioners' order to dispose of surplus materiel to make up for a temporary shortage of funds to carry on the rebuilding of the *Erie*, but there is no reason to believe he was even aware of it.

"If he could barter the engines and boilers of the *Tennessee* for another set, might he not with equal reason have traded the ship herself for another which he might think better of?" the minority indignantly asked. "It has been supposed," the minority remarked, as well, "that public property could not be disposed of without express authority

⁷ U.S., Congress, House, *Investigation of the Navy Department*, 22 May 1872, H.Rep. 80, 42nd Cong., 2nd sess., hereinafter cited as H.Rep. 80 (42-2), pp. 3, 6-13; U.S., Congress, House, *Investigation of the Navy Department [Minority Report]*, 22 May 1872, H.Rep. 81, 42nd Cong., 2nd sess., hereinafter cited as H.Rep. 81 (42-2), pp. 8-9; Swann, *John Roach*, pp. 125-134; Robert Greenhalgh Albion, "George M. Robeson," pp. 369-378 in Coletta, *Secretaries of the Navy*, vol. 1, hereinafter cited as Albion, "Robeson," p. 370. The full proceedings are published in U.S., Congress, House, *Charges Against the Navy Department*, 25 April 1872, H.Mis.Doc. 201, 42nd Cong., 2nd sess. Other charges made against Robeson included the "improper accumulation of a private fortune" and receiving kickbacks from government contractors.

⁸ H.Rep. 81 (42-2), p. 9.

of law, and there are many decisions to that effect."⁹ To ensure that hereafter no doubt would remain of the proper course to be pursued, Congress specified, in the Act of 23 March 1872, that the Secretary of the Navy was "authorized and directed to sell, at public sale, such vessels and materials of the United States Navy as, in his judgement, cannot be advantageously used, repaired, or fitted out." In full compliance, the Secretary of the Navy was also directed, "at the opening of each session of Congress, [to] make a full report of all vessels and materials sold, the parties buying the same, and the amount realized therefrom, together with such other facts as may be necessary to a full understanding of his acts."¹⁰

For Secretary Robeson, the timing of the Act of 23 March 1872 could not have been much worse, for it interfered with several works either in preparation or in progress. Between 1870 and 1872 the United States Navy commenced, in its own yards, the rebuilding of the steamers *Galena*, *Quinnebaug*, and *Swatara*, as well as the rebuilding of the sailing sloops of war *Marion* and *Vandalia* as steam vessels.¹¹ That in itself

⁹ H.Rep. 81 (42-2), p. 9.

¹⁰ Hogg, *Laws Relating to the Navy*, p. 95.

¹¹ *Marion* was rebuilt at the Portsmouth Navy Yard between 1871 and 1875; *Vandalia* was rebuilt at the Boston Yard between 1870 and 1873; *Swatara* was rebuilt at New York between 1872 and 1874; *Quinnebaug* commenced rebuilding at

might not have raised many eyebrows in Congress, but Robeson subsequently repeated his now illegal bartering arrangements by contracting with private shipbuilders in the aftermath of the *Virginus* affair to rebuild the monitors *Monadnock*, *Amphitrite*, *Puritan*, *Terror*, and *Miantonomoh* in exchange for cash and huge quantities of condemned naval materiel.¹²

Robeson clearly perceived that his plans to rebuild the five monitors might run afoul of the Act of 1872. In mid-February 1874, he wrote to George H. Williams, the Attorney-General of the United States, for his opinion regarding the legality of exchanging "a good ship for one which has been condemned as unfit for naval purposes."¹³ Williams referred Robeson to the Act of 1872, which, in addition to directing

Philadelphia in 1871 and was launched in 1875; *Galena* commenced rebuilding at Norfolk in 1870 but was not completed until 1879. (H.Rep. 784 (44-1), p. 113).

¹² The contract for the *Amphitrite* was awarded to the firm of Harlan & Hollingsworth of Wilmington, Delaware; the contract for the *Monadnock* went to Phineas Burgess of Vallejo, California; the contract for the *Terror* was given to William Cramp & Son; and John Roach received the contracts for the *Miantonomoh* and the *Puritan* (Swann, *John Roach*, pp. 141-142; H.Rep. 784 (44-1), p. 96).

¹³ *Opinions - Attorneys General*, vol. 14, p. 369. The Act of Congress of 22 June 1870 directed that, "Whenever a question of law arises in the administration of the Department of War or the Department of the Navy, the cognizance of which is not given by statute to some other officer from whom the head of the Department may require advice, it shall be sent to the Attorney-General, to be by him referred to the proper officer in his Department, or otherwise disposed of as he may deem proper." (Hogg, *Laws Relating to the Navy*, p. 136).

the sale of items unfit for naval use, also required that such sale be advertised in at least four newspapers nationwide and that proceeds from such sale revert to the Treasury. Williams concluded, therefore, that "this section prohibits the exchange of one vessel for another, . . . and that the Secretary of the Navy can only dispose of vessels and materials belonging to the United States and under the control of his Department in manner as prescribed in said section."¹⁴ Williams cautioned, moreover, that the prohibition was in force "notwithstanding the exchange might be of advantage to the public service."¹⁵

Robeson went ahead anyway. Between July 1874 and July 1875, the ships *Suncook*, *Nausett*, *Niobe*, *Cohoes*, *Koka*, *Otsego*, *Algoma*, *Modoc*, *Minnetonka*, *Napa*, *Hero*, *Piscataqua*, and *Nebraska* were broken up or burned and their scrap iron delivered to the various contractors for rerolling.¹⁶ Eventually, the ships to be rebuilt were delivered to the yards as well. "That altogether new monitors were being constructed under the guise of repairs was obvious," writes John Roach's biographer, Leonard Swann, "for there was no

¹⁴ *Opinions - Attorneys General*, vol. 14, pp. 369-370.

¹⁵ *Opinions - Attorneys General*, p. 369.

¹⁶ H.Rep. 784 (44-1), p. 96. See also, Swann, *John Roach*, pp. 142-143.

hiding Roach's completion of almost a full year of work on the new *Puritan* before the old monitor was delivered from the League Island Navy Yard to the Chester shipyard for breaking up."¹⁷ Despite the exchanges of materiel, by the time Robeson left office in 1877, his naval contracts had overextended the Navy's financial resources by \$7,000,000.¹⁸

Robeson's actions prompted another Congressional investigation in 1876.¹⁹ "It seems strange," wrote the majority, "that in the disposition of so much of the property of the Government belonging to the naval service, the Secretary of the Navy has never felt it to be his duty officially to report the facts connected therewith to Congress. And when it is shown that large quantities of this very material come from the destruction of vessels belonging to and constituting part of the United States Navy, the offense of the Secretary of the Navy and his chiefs of bureaus becomes more serious and grave."²⁰ Further

¹⁷ Swann, *John Roach*, p. 142.

¹⁸ Robert Greenhalgh Albion, "Richard W. Thompson," in Coletta, *Secretaries of the Navy*, vol. 1, p. 382.

¹⁹ H.Rep. 784 (44-1). The full proceedings are published in U.S., Congress, House, *Investigation by the Committee on Naval Affairs*, 27 April 1876, H.Mis.Doc. 170, Pts. 1-8, 44th Cong., 1st sess.

²⁰ H.Rep. 784 (44-1), p. 95.

investigation into the circumstances surrounding the destruction of several vessels, moreover, led the majority of the committee "to the belief that the unworthy motive of influencing the results of political elections was the moving cause to the order."²¹

Not only did the inquiry uncover Robeson's suspicious arrangements in concluding the contracts for the five monitors and the wholesale destruction of ship after ship, but it raised questions about the Navy's practice in rebuilding ships in its own yards as well. "Taking advantage of some precedents made by former Secretaries of the navy," wrote the majority, "the present officer holding that position has entered very largely into the work of making new vessels, not out of the materials of the old ones, but simply out of their names." Distinguishing between Robeson's actions and those of his predecessors, the majority condemned Robeson's practice as "a practice not sanctioned by the precedents upon which he relies, and one which has not the authority of law to sustain it--a practice that involves vast expenditures of the public money without the knowledge of the people's representatives, and at best, in the opinion of

²¹ H.Rep. 784 (44-1), p. 97.

intelligent officers of the Navy, of doubtful wisdom as well as economy."²²

How did Robeson's actions differ from those of his predecessors? He far exceeded them in scale, certainly. Moreover, in Robeson's case, quite unlike the practices of those who superintended the Navy Department before him, vessel disposal had been his primary, and in some instances, his only objective. Robeson, in fact, and not the Board of Navy Commissioners, should have served as Howard I. Chapelle's role model in defining the motivation for the "administrative rebuilding" scheme.

More objectively, however, several of Robeson's episodes of rebuilding violated laws which were not in existence in the Commissioners' time. The investigation committee cited, in particular, the proviso of 1861, prohibiting the expenditure of more than \$3,000 for the repair of any single vessel until examined by a board of survey and justified to the head of the Department. Since the rebuilding of ships in Robeson's time was pursued under Repairs, the law applied. "Your committee doubt," wrote the majority, "whether, in the repairs or rebuilding of the Marion, Vandalia, Swatara, Monongahela, Shenandoah, Quinnebaug, Nipsic, and Galena, or in the monitors being in course of construction, there has been, in a single instance, such a board of survey as is

²² H.Rep. 784 (44-1), p. 111.

contemplated by the act of 1861." Sworn testimony taken before the committee attested to the fact that "Certainly in the case of the Marion, . . . the Vandalia, . . . Galena, . . . and Nipsic, . . . there was no board of survey."²³ The impunity with which Robeson had acted particularly infuriated members of Congress: "It is a fact appearing before your committee," the majority protested, "that the work of repairing, that is laying the keel, of the new ships Marion, Vandalia, and Nipsic, [commenced] when the old vessels that were being repaired were on the high seas, miles away."²⁴ Meanwhile, the Swatara had been found "not . . . worth costly repairs," in 1871,²⁵ and in 1872, the Bureau of Steam Engineering reported that the *Miantonomoh*, *Monadnock*, and *Terror* "have been pronounced unfit for repairs."²⁶

Confronted with the extremes to which Robeson had gone in the pursuit of his objectives, the majority concluded that "the rebuilding of the Galena, Vandalia, Marion, Quinnebaug, Puritan, Terror, Tallapoosa, Nipsic, and other vessels"

²³ H.Rep. 784 (44-1), p. 112.

²⁴ H.Rep. 784 (44-1), p. 112.

²⁵ Navy, *Annual Report, 1871*, p. 149.

²⁶ U.S., Department of the Navy, *Annual Report of the Secretary of the Navy on the Operations of the Department With Accompanying Documents, for the Year 1874* (Washington, D.C.: Government Printing Office, 1874), p. 122.

violated the proviso of 1861. Moreover, given that "no report of the materials which have been 'bartered and exchanged,' or of the breaking up of vessels that their materials might be so sold, bartered, and exchanged, has been made to Congress by the Secretary, and the private sale made of such materials," Robeson was also in violation of the Act of 1872.²⁷ Like the proviso of 1861, the Board of Navy Commissioners had never had to contend with the Act of 1872.

The minority, led by Republican Benjamin W. Harris of Massachusetts, commented upon the irony of a majority which chose, "in one breath, to complain of the Secretary of the Navy for not having a larger or more formidable navy, and in the next to deny to him the right to rebuild or remodel even those which he has, without special authority from Congress; . . . to complain that the iron-clads of the country are in an unfinished and worthless condition, and at the same time to declare that he violates the law when he rebuilds and makes them efficient."²⁸ Falling back on the argument that there is a difference between violating the law, and violating the law with good intentions, the minority praised Robeson for "doing that which, in our opinion, has saved the

²⁷ H.Rep. 784 (44-1), p. 143.

²⁸ H.Rep. 784 (44-1), p. 167.

Navy from decay and utter worthlessness."²⁹ The minority disputed, as well, assertions that vessels had been condemned without appropriated surveys. Observing that "a general order for such surveys was issued in 1869, by the direction of the present Secretary, and is in force at the several navy-yards," the minority apparently subscribed to the argument that since the Department was supposed to conduct surveys, it must have. They contended, therefore, that "in every case a survey was, in fact, had, although in several instances the survey has not been forwarded to, or is not now to be found in the Department."³⁰

Regardless of whether they agreed or disagreed with Robeson's actions, however, the members of the investigating committee recognized that Congress had neglected to institute penalties for violation of the laws in question. Robeson left office a controversial but wealthier man, and it was left to his successor, Richard W. Thompson, to clean up the mess of the Department.³¹ At the same time, investigations

²⁹ H.Rep. 784 (44-1), p. 173.

³⁰ H.Rep. 784 (44-1), p. 173.

³¹ On payoffs to Robeson, see Albion, "Robeson," p. 370-372. Among other sins, Robeson had switched the Navy's European agents from Baring Bros. in London to Jay Cooke & Co., and then after the failure of Cooke's banking house, Robeson used naval funds to shore up the company, and Cooke's personal holdings as well as those of his partners, in exchange for a two and one-half percent commission.

into the conduct of the Navy Department under Robeson's administration continued, while Congress debated the fate of the five monitors.³²

The most significant and long-term effect of the various hearings and investigations was to direct national attention toward the antiquated and sorry state of the post-Civil War Navy. Thus, out of the ashes of the Robeson Navy came a call for a renewed program of naval expansion with full Congressional support. In the aftermath of the Navy's most embarrassing administrative debacle, the New Navy was born.

As part of that new program, Congress, in 1882, mandated a regular schedule of naval surveys requiring each vessel to be examined no less than once every three years. Boards of survey were directed to "ascertain and report to the Secretary of the Navy, in writing, which of said vessels are unfit for further service, or, if the same are unfinished in any navy-yard, those which cannot be finished without great and disproportionate expense, and shall in such report state fully the grounds and reasons for their opinion." Should the Secretary of the Navy concur with the negative assessment of the board of survey, he was further directed to "strike the name of such vessel or vessels from the navy Register and

³² See, for example, U.S., Congress, House, *Investigation of the Navy Department*, 21 February 1879, H.Rep. 112, 45th Cong., 3rd sess.; and U.S., Congress, House, *Completion of Certain Monitors*, 4 February 1879, H.Ex.Doc. 63, 45th Cong., 3rd sess.

report the same to Congress."³³ By early the following year, forty-four vessels had been stricken from the Navy, including most of the few remaining sailing ships, with the recommendation that thirty-two be sold at auction, nine be broken up, and the remainder retained for yard and harbor use.³⁴

In 1883, Congress ordered the Secretary of the Navy to "cause to be appraised, in such manner as may seem best, all vessels of the Navy which have been stricken from the Navy Register . . . and if the said Secretary shall deem it for the best interest of the United States[,] to sell any such vessel or vessels, . . . after such appraisal," in accordance with the instructions provided in the Act. Proceeds were directed to be forwarded to the Treasury.³⁵ In another attempt to ensure accountability, Congress instructed that "no vessel of the Navy shall hereafter be sold in any other manner than herein provided, or for less than such appraised value, unless the President of the United States shall direct otherwise in writing." And in the event that "any vessel now in process of construction in any navy yard has been or shall

³³ Hogg, *Laws Relating to the Navy*, pp. 95-96.

³⁴ U.S.; Congress, House, *List of Vessels Stricken From the Navy Register*, 1 February 1883, H.Ex.Doc. 66, 47th Cong., 2nd sess.

³⁵ Hogg, *Laws Relating to the Navy*, p. 96.

be found to be unworthy of being completed, and has been or shall be condemned . . . , and cannot properly be sold, and it becomes necessary to remove the same, the cost of such removal shall be paid out of the net proceeds derived from the sale of other vessels hereby authorized to be sold."³⁶

In 1883, as well, Congress also, for the first time, defined the legal limit of repairs. In the naval appropriation Act passed that year, Congress provided that "no part of this sum [appropriation for preservation of vessels &c.] shall be applied to the repairs of any wooden ship when the estimated cost of such repairs, to be appraised by a competent board of naval officers, shall exceed twenty per centum of the estimated cost, appraised in like manner, of a new ship of the same size and like material." The only exception was to give the Secretary of the Navy "authority to order repairs of ships damaged in foreign waters or on the high seas, so far as may be necessary to bring them home."³⁷ *The prohibition applied to machinery as well: "no part of said sum [appropriation for repairs of machinery &c.] shall be applied to the repair of engines and machinery of wooden ships where the estimated cost of such repair shall exceed twenty per centum of the estimated cost of new engines and*

³⁶ Hogg, *Laws Relating to the Navy*, p. 96.

³⁷ Hogg, *Laws Relating to the Navy*, p. 96.

machinery of the same character and power." The only exception provided in this case, was "the repair or building of boilers for wooden ships, the hulls of which can be fully repaired for twenty per centum of the estimated cost of a new ship of the same size and material."³⁸

The practice of rebuilding, at least for wooden ships, was now over. Significantly, however, Congress placed no restrictions on non-wooden ships. Thus, even in bringing to a close the era of wooden ship rebuilding, Congress refrained from decreeing an end to the practice of rebuilding altogether.

³⁸ Hogg, *Laws Relating to the Navy*, p. 96.

Bibliography

Manuscripts

Beverly, Robert. *Miscellaneous Manuscripts*. New York Historical Society, New York, N.Y.

Chapelle, Howard I. *Papers*. Record Unit 7228. Smithsonian Archives, Washington, D.C.

Journal of the Board of Navy Commissioners. Entry 209, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Board of Navy Commissioners from Commandants, New York. Entry 220, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Board of Navy Commissioners from Naval Constructors and Engineers. Entry 224, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Board of Navy Commissioners from the Secretary of the Navy. Entry 222, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Secretary of the Navy from Captains, 1805 to 1861; 1866 to 1885. Microcopy 125, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Secretary of the Navy from Commanders, 1804 to 1886. Microcopy 147, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Received by the Secretary of the Navy from Officers Below the Rank of Commander, 1802-1884. Microcopy 148, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Sent by the Board of Navy Commissioners to Commandants. Entry 216, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Sent by the Board of Navy Commissioners to Naval Constructors, Steam Engineers, and Civil Engineers. Entry 218, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Sent by the Board of Navy Commissioners to the Secretary of the Navy. Entry 213, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Sent by the Secretary of the Navy to the Board of Navy Commissioners. Entry 8, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Letters Sent by the Secretary of the Navy to Officers, 1798-1868. Microcopy 149, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Misc. Mss. - Navy, 1799-1851. New York Historical Society, New York, N.Y.

Miscellaneous Letters Sent by the Board of Navy Commissioners, 1815-1842. Entry 217, Naval Records Collection of the Office of Naval Records and Library. Record Group 45, National Archives, Washington, D.C.

New York Navy Yard - Letters Received by the Commandant. Entry 328, Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Old Subject File. Naval Records Collection of the Office of Naval Records and Library. Record Group 45. National Archives, Washington, D.C.

Peacock File. Operational Archives, Navy Yard, Washington, D.C.

Peacock File. Ships' Histories Division, Navy Yard, Washington, D.C.

Records of Naval Districts and Shore Establishments. Record Group 181. National Archives - Northeast Region, Bayonne, N.J.

Reports of Boards of Survey on Ships and Their Equipment. Entry 233. Records of the Bureau of Ships. Record Group 19. National Archives, Washington, D.C.

Returns of Stores at Navy Yards and Naval Stations. Entry 320. Records of the Bureau of Ships. Record Group 19. National Archives, Washington, D.C.

Rodgers, Commodore John, Microfilm Reel 2, 1815-1835, undated. New York Historical Society, New York, N.Y. Originals owned by Mr. Frederick Rodgers, New York, N.Y.

Rodgers, Commodore John, Mss. New York Historical Society, New York, N.Y.

Southard Letterbook 1823-1828. Samuel L. Southard Collection. Mss & Archives Division, New York Public Library, New York, N.Y.

Southard, Samuel L. Miscellaneous Manuscripts. New York Historical Society, New York, N.Y.

Southard, Samuel L. Papers. Princeton University Library, Princeton, N.J.

Warrington, Lewis, Misc. Mss. New York Historical Society, New York, N.Y.

Government Documents

Biographical Dictionary of the American Congress, 1774-1927. Washington, D.C.: Government Printing Office, 1928.

Dictionary of American Naval Fighting Ships. 8 vols. Washington, D.C.: Government Printing Office, 1859-81.

Hibben, Henry B. *Navy-Yard, Washington. History From Organization 1799 to Present Date.* U.S., Congress, Senate. Ex.Doc. 22, 51st Cong., 1st sess., 1890.

Hogg, John W. *Compilation of Laws Relating to the Navy, Marine Corps, Etc., From the Revised Statutes and Subsequent*

Acts to March 3, 1883. Washington, D.C.: Government Printing Office, 1883.

Richardson, J.D., ed. *Compilation of the Messages and Papers of the Presidents, 1797-1897*. H. Misc.Doc. 210, pts. 1-10, 53rd Cong., 2nd sess. 10 Vols. Washington, D.C.: Government Printing Office, 1907.

U. S., Congress. *American State Papers: Naval Affairs*. 4 Vols., 1789-1836. Washington, D.C.: Gales and Seaton, 1834-1864.

----- *Annals of Congress*. .

----- *The Congressional Globe*.

----- *Laws of the United States*.

----- *Register of Debates in Congress*.

----- *Statutes at Large*.

U.S., Congress, House. *Appropriations and Expenditures - Naval - 1840*. 30 January 1841. H.Doc. 88, 26th Cong., 2nd sess.

----- *Appropriations and Expenditures of the Navy Department - 1838*. 31 January 1839. H.Doc. 135, 25th Cong., 3rd sess.

----- *Appropriations - Naval Service - 1835*. 4 February 1836. H.Doc. 96, 24th Cong., 1st sess.

----- *Appropriations - Navy Department - 1837*. 24 January 1838. H.Doc. 124, 25th Cong., 2nd sess.

----- *Charges Against the Navy Department*. 25 April 1872. H.Mis.Doc. 201, 42nd Cong., 2nd sess.

----- *Communication of Lieutenant Hunter, of the U.S. Navy, on the Proper Model of a War Steamer*. H.Doc. 189, 27th Cong., 3rd sess.

----- *Completion of Certain Monitors*. 4 February 1879. H.Ex.Doc. 63, 45th Cong., 3rd sess.

----- *Expenditure, Naval Appropriation for 1825*. 6 February 1826. H.Doc. 73, 19th Cong., 1st sess.

- Frigate St. Lawrence. H.Rep. 777, 29th Cong., 1st sess.
- Investigation by the Committee on Naval Affairs. 27 April 1876. H.Mis.Doc. 170, Pts. 1-8, 44th Cong., 1st sess.
- Investigation of the Navy Department. 22 May 1872. H.Rep. 80, 42nd Cong., 2nd sess.
- Investigation of the Navy Department. 25 July 1876. H.Rep. 784, 44th Cong., 1st sess.
- Investigation of the Navy Department. 21 February 1879. H.Rep. 112, 45th Cong., 3rd sess.
- Investigation of the Navy Department [Minority Report]. 22 May 1872. H.Rep. 81, 42nd Cong., 2nd sess.
- Letter from the Secretary of the Navy to the Chairman of the Committee of Ways and Means Explanatory of the Expenditures of Appropriations for the Naval Service, During the Year 1819. 20 December 1819. H.Doc. 10, 16th Cong., 1st sess.
- List of Vessels Stricken From the Navy Register. 1 February 1883. H.Ex.Doc. 66, 47th Cong., 2nd sess.
- Naval Contracts and Expenditures. 24 February 1859. H.Rep. 184, 35th Cong., 2nd sess.
- Navy Appropriations - 1842. 9 February 1843. H.Doc. 131, 27th Cong., 3rd sess.
- Navy Steamers. 3 March 1853. H.Ex.Doc. 63, 32nd Cong., 2nd sess.
- Petty Officers, Seamen, &c., in the Naval Service. 9 February 1843. H.Doc. 132, 27th Cong., 3rd sess.
- Reorganization of the Navy Department. H.Doc. 39, 26th Cong., 1st sess.
- Report of the Committee on Naval Affairs, Accompanying the Bill to Fix the Naval Peace Establishment. 20 January 1823. 17th Cong., 2nd sess.

- *Ships New York and St. Lawrence.* H. Doc. 139, 29th Cong., 1st sess.
- *Steam Navy of the United States.* 24 February 1854. H.Ex.Doc. 65, 33rd Cong., 1st sess.
- *Testimony Taken by the Committee on Naval Affairs (House of Representatives), in Reference to the Administration of the Navy Department.* 17 June 1878. H.Mis.Doc. 63, 45th Cong., 2nd sess.
- *Vessels Built by the Navy Since 1826.* 12 January 1843. H.Doc. 49, 27th Cong., 3rd sess.
- U.S., Congress, Senate. *Report from the Secretary of the Navy, in Compliance With a Resolution of the Senate, in Relation to the Cost of Building and Repairing Certain Vessels.* S.Rep. 223, 26th Cong., 2nd sess.
- *Report of the Secretary of the Navy, in Answer to a Resolution of the Senate Calling for a Statement Showing the Names and Appropriate Description of All Vessels of the Navy of the United States Which Have Been Captured, Lost, or Destroyed, &c.* 26 February 1859. S.Ex.Doc. 38, 35th Cong., 2nd sess.
- *Report of the Secretary of the Navy, With a Plan for a Naval Peace Establishment of the United States.* 15 January 1828. S.Doc. 36, 20th Cong., 1st sess.
- *Stevens' War Steamer.* 16 March 1852. S.Rep.Com. 129, 32nd Cong., 1st sess.
- U.S., Department of Justice. *Official Opinions of the Attorneys General of the United States, Advising the President and Heads of Departments, in Relation to Their Official Duties, and Expounding the Constitution, Treaties with Foreign Governments and with Indian Tribes, and the Public Laws of the Country.*
- U.S., Department of the Navy. *Report of the Secretary of the Navy.* 3 December 1836. In H.Ex.Doc. 2. 24th Cong., 2nd sess.
- *Report of the Secretary of the Navy.* 2 December 1837. In Ex.Doc. 3, 25th Cong., 2nd sess.
- *Report of the Secretary of the Navy.* 30 November 1838. In S.Ex.Doc. 1, 25th Cong., 3rd sess.

- . *Report of the Secretary of the Navy.* 30 November
1839. In Ex.Doc. 2, 26th Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 5 December
1840. In Ex.Doc. 2, 26th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 4 December
1841. In S.Ex.Doc. 1, 27th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* December
1842. In S.Ex.Doc. 1, 27th Cong., 3rd sess.
- . *Report of the Secretary of the Navy.* 25 November
1843. In Ex.Doc. 2, 28th Cong., 1st sess.
- . *Report of the Secretary of the Navy.* In S.Ex.Doc.
1, 28th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 1 December
1845. In S.Ex.Doc. 1, 29th Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 5 December
1846. In S.Ex.Doc. 1, 29th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 6 December
1847. In Ex.Doc. 8, 30th Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 4 December
1848. In Ex.Doc. 1, 30th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 1 December
1849. In H.Ex.Doc. 5, 31st Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 30 November
1850. In H.Ex.Doc. 1, 31st Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 29 November
1851. In S.Ex.Doc. 1, 32nd Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 29 November
1852. In S.Ex.Doc. 1, 32nd Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 5 December
1853. In Ex.Doc. 1, 33rd Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 4 December
1854. In H.Ex.Doc. 1, 33rd Cong., 2nd sess.

- . *Report of the Secretary of the Navy.* 3 December 1855. In H.Ex.Doc. 1, 34th Cong., 1st sess.
- . *Report of the Secretary of the Navy.* 1 December 1856. In H.Ex.Doc. 1, 34th Cong., 3rd sess.
- . *Report of the Secretary of the Navy.* 6 December 1858. In H.Ex.Doc. 2, 35th Cong., 2nd sess.
- . *Report of the Secretary of the Navy.* 2 December 1859.
- . *Report of the Secretary of the Navy.* 1 December 1860.
- . *Report of the Secretary of the Navy on the Operations of the Department for the Year 1871.* 25 November 1871. Washington, D.C.: Government Printing Office, 1871.
- . *Report of the Secretary of the Navy.* 26 November 1872. In H.Ex.Doc. 1, Pt. 3, 42nd Cong., 3rd sess.
- . *Annual Report of the Secretary of the Navy on the Operations of the Department With Accompanying Documents, for the Year 1874.* Washington, D.C.: Government Printing Office, 1874.

Wegner, Dana. *Fouled Anchors: The Constellation Question Answered.* With Appendices by Colan Ratliff and Kevin Lynaugh. Springfield, Va.: National Technical Information Service, 1991.

Books

- Albion, Robert Greenhalgh. *Makers of American Naval Policy, 1798-1947.* Edited by Rowena Reed. Annapolis, Md.: Naval Institute Press, 1980.
- Bassett, John Spencer. *Correspondence of Andrew Jackson.* 7 vols. Washington, D.C.: Carnegie Institute of Washington, 1935; reprint ed. New York: Kraus Reprint Co., 1969.
- . *The Life of Andrew Jackson.* 2 vols. New York: MacMillan, 1915; 1 vol. reissue. New York: MacMillan, 1928.
- Billingsley, Edward Baxter. *In Defense of Neutral Rights: The United States Navy and the Wars of Independence in Chile*

and Peru. Chapel Hill, N.C.: University of North Carolina Press, 1967.

Birkner, Michael. *Samuel L. Southard: Jeffersonian Whig*. Rutherford, N.J.: Fairleigh Dickinson University Press, 1984.

Bradford, James C. *Command Under Sail: Makers of the American Naval Tradition, 1775-1850*. Annapolis, Md.: Naval Institute Press, 1985.

Canney, Donald L. *The Old Steam Navy. Volume 1: Frigates, Sloops, and Gunboats, 1815-1885*. Annapolis, Md.: Naval Institute Press, 1990.

Chapelle, Howard I. "Fulton's 'Steam Battery': Blockship and Catamaran." Paper 39, pp. 137-176 from *United States National Museum Bulletin 240: Contributions from the Museum of History & Technology*. Washington, D.C.: Smithsonian Institute, 1964.

-----, ed. *The History of American Sailing Ships*. New York: W.W. Norton, 1935; reprint ed., New York: Bonanza Books, 1982.

-----, ed. *The History of the American Sailing Navy: The Ships and Their Development*. New York: Bonanza Books, 1940; reprint ed. New York: W.W. Norton, 1949.

Chapelle, Howard I. and Pollard, Leon D. *The Constellation Question*. Washington, D.C.: Smithsonian Institute Press, 1970.

Coletta, Paolo E. *The American Naval Heritage in Brief*. Washington, D.C.: University Press of America, 1978.

-----, ed. *American Secretaries of the Navy, 1775-1972*. 2 Vols. Annapolis, Md.: Naval Institute Press, 1980.

Cooper, James Fenimore. *History of the Navy of the United States of America*. 2 Vols., 2nd edition. Philadelphia, Pa.: Lea and Blanchard, 1840.

Corbitt, D. L. *Secretaries of the U.S. Navy: Brief Sketches of Five North Carolinians*. Raleigh, N.C.: State Department of Archives & History, 1958.

Dudley, William S., ed. *The Naval War of 1812: A Documentary History*. Volume 1 of a projected three volume

- series. Washington, D.C.: Department of the Navy, Naval Historical Center, 1985.
- Eckert, Edward K. *The Navy Department in the War of 1812*. Gainesville, Fl.: University of Florida Press, 1973.
- Emmons, George F. *The Navy of the United States from the Commencement, 1775-1853, With a Brief History of Each Vessel's Service and Fate as Appears on Record*. Washington, D.C.: Gideon & Co., 1853.
- Hagan, Kenneth J., ed. *In Peace and War: Interpretations of American Naval History, 1775-1984*. Westport, Ct.: Greenwood Press, 1984.
- Hamersly, Thomas H. S. *Complete General Navy Register of the United States of America, From 1776 to 1887*. New York: T. H. S. Hamersly, 1888.
- Haskell, Daniel C. *The United States Exploring Expedition, 1838-1842 and its Publications 1844-1874*. New York: Greenwood Press, 1968.
- Johnson, Robert E. *Thence Round Cape Horn*. Annapolis, Md.: Naval Institute Press, 1963; reprint ed., New York: Arno Press, 1980.
- Jones, Howard. *The Course of American Diplomacy From the Revolution to the Present*. 2 Vols., 2nd edition. Chicago: Dorsey Press, 1988.
- Knox, Dudley W. *A History of the United States Navy*. New York: G. P. Putnam's Sons, 1936.
- Langley, Harold K. *Social Reform in the United States Navy, 1798-1862*. Urbana, Il.: University of Illinois Press, 1967.
- Maclay, Edgar S. *A History of the United States Navy*. 2 Vols. New York: Appleton, 1902.
- Maloney, Linda M. *The Captain from Connecticut: The Life and Naval Times of Isaac Hull*. Boston: Northeastern University Press, 1986.
- Martin, Tyrone G. *A Most Fortunate Ship: A Narrative History of "Old Ironsides."* Chester, CT.: Globe Pequot Press, 1980.

- Neeser, Robert Wilden. *Statistical and Chronological History of the United States Navy 1775-1907*. 2 Vols. New York: The MacMillan Co., 1909.
- Paullin, Charles Oscar. *American Voyages to the Orient 1690-1865*. Annapolis, Md.: Naval Institute Press, 1971.
- *Commodore John Rodgers, Captain, Commodore, and Senior Officer of the American Navy, 1773-1838: A Biography*. Cleveland: Clark, 1910.
- Pearce, George F. *The U.S. Navy in Pensacola From Sailing Ships to Naval Aviation (1825-1930)*. Pensacola, Fla.: University of Florida Presses, 1980.
- Peck, Taylor. *Round-Shot to Rockets: A History of the Washington Navy Yard and the United States Naval Gun Factory*. Annapolis, Md.: Naval Institute Press, 1949.
- Ponko, Vincent, Jr. *Ships, Seas, and Scientists: U.S. Naval Exploration and Discovery in the Nineteenth Century*. Annapolis, Md.: Naval Institute Press, 1974.
- Pratt, Fletcher. *Preble's Boys: Commodore Preble and the Birth of American Sea Power*. New York: William Sloane Associates, 1950.
- Schroeder, John J. *Shaping a Maritime Empire: The Commercial and Diplomatic Role of the American Navy, 1829-1861*. Contributions in Military Studies, Number 48. Westport, Conn.: Greenwood Press, 1985.
- Sloan, Edward William. *Benjamin Franklin Isherwood, Naval Engineer*. Annapolis, Md.: Naval Institute Press, 1965.
- Spears, John Randolph. *History of Our Navy, From Its Origins to the Present Day, 1775-1898*. 5 Vols. New York: Charles Scribners' Sons, 1897-1903.
- Sprout, Harold and Sprout, Margaret. *The Rise of American Naval Power, 1776-1918*. Princeton, N.J.: Princeton University Press, 1939.
- Stanton, William. *The Great United States Exploring Expedition*. Berkeley and Los Angeles: University of California Press, 1975.

Stevens, Kenneth R. *Border Diplomacy: The Caroline and McLeod Affairs in Anglo-American-Canadian Relations, 1837-1842*. Tuscaloosa, Al.: University of Alabama Press, 1989.

Strauss, W. Patrick, ed. *Stars and Spars: The American Navy in the Age of Sail*. Waltham, Mass.: Blaisdell Pub. Co., 1969.

Swann, Leonard Alexander, Jr. *John Roach: Maritime Entrepreneur*. Annapolis, Md.: Naval Institute Press, 1965; reprint ed. New York: Arno Press, 1980.

Symonds, Craig L. *Navalists and Antinavalists: The Naval Policy Debate in the United States, 1785-1827*. Newark, Del.: University of Delaware Press, 1980.

Tucker, Glenn. *Dawn Like Thunder: The Barbary Wars and the Birth of the U. S. Navy*. Indianapolis, In.: Bobbs-Merrill, 1963.

Whitaker, Arthur Preston. *The United States and the Independence of Latin America, 1800-1830*. New York: Russell & Russell, 1962.

White, Leonard D. *The Jacksonians: A Study in Administrative History, 1829-1861*. New York: The MacMillan Co., 1954.

Newspapers and Journal Articles

Army and Navy Chronicle, 1835 - June, 1842.

Army and Navy Chronicle and Scientific Repository, July 1842 - 1843.

Bauer, K. Jack. "Naval Shipbuilding Programs 1794-1860." *Military Affairs* 29 (Spring 1965): 29-40.

Chapelle, Howard I. "The Ships of the American Navy in the War of 1812." *Mariner's Mirror* 8 (1932): 287-302.

Clayton, Lawrence A. "Private Matters: The Origins and Nature of United States - Peruvian Relations, 1820-1850." *The Americas* XLII.4 (April 1986): 377-417.

Dunne, W. M. P. "An Inquiry into H. I. Chapelle's Research in Naval History." *The American Neptune* 49 (Winter 1989): 39-58.

-----, "'The Frigate Constellation Was No More': Or Was She?" *The American Neptune* 53 (Spring 1993).

-----, Letter to the Editor. *WoodenBoat* No. 107 (July/August 1992): 4.

-----, "The South Carolina Frigate: A History of the U. S. Ship *John Adams*." *The American Neptune* 47 (Winter 1987): 22-32.

Ershkowitz, Herbert. "Samuel L. Southard: A Case Study of Whig Leadership in the Age of Jackson." *New Jersey History* 88.1 (1970): 5-24.

Feipel, Louis N. "The Wilkes Exploring Expedition, Its Progress Through Half a Century, 1826-1876." *U.S. Naval Institute Proceedings* 40 (Sept./Oct. 1914): 1323-1350.

Haines, Charles. "Ship Preservation in the Old Navy." *The American Neptune* 42.4 (Oct. 1982): 276-294.

Lavery, Brian. "The Rebuilding of British Warships 1690-1740, Part I." *Mariner's Mirror* 66 (1980): 5-14.

-----, "The Rebuilding of British Warships, 1690-1740, Part II." *Mariner's Mirror* 66 (1980): 113-127.

Military and Naval Service Magazine.

Naval Magazine, v. 1, 1836 - v. 2, 1837.

Neeser, Robert W. "Historic Ships of the Navy." *U.S. Naval Institute Proceedings* 63 (November 1937): 1581-1597.

-----, "The Ships of the United States Navy, 1776-1915." *U.S. Naval Institute Proceedings* 41 (1915): 1185-1196.

Niles' Weekly Register.

Paullin, Charles Oscar. "Naval Administration Under the Navy Commissioners, 1815-1842." *U. S. Naval Institute Proceedings* 32 (1907): 597-641.

Randolph, Evan. "U. S. S. *Constellation*, 1797-1979." *The American Neptune* 39 (October 1979): 235-255.

Southern Literary Messenger, v. IV, 1838 - v. IX, 1843.

Strauss, W. Patrick. "Preparing the Wilkes Expedition: A Study in Disorganization." *Pacific Historical Review* 28 (1959): 221-232.

Symonds, Craig. "The Antinavalists, the Opponents of Naval Expansion in the Early National Period." *The American Neptune* 39.1 (January 1979): 22-28.

Wegner, Dana M. "An Apple and an Orange: Two Constellations at Gosport, 1853-1855." *The American Neptune* 52 (Spring 1992): 71-93.

----- . "Ascertaining the True Identity of the U.S.S. Constellation." *The Mariner's Mirror* 78 (May 1992): 202-210.

Unpublished Materials

Bradley, Udolpho T. "The Contentious Commodore: Thomas ap Catesby Jones of the Old Navy, 1788-1858." Ph.D. dissertation, Cornell University, 1933.

Dressel, Barry L. "The Early Career of Commodore James Biddle." M.A. thesis, East Carolina University, 1972.