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Author(s): Andrew J. B. Fagal

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# Terror Weapons in the Naval War of 1812

Andrew J. B. Fagal, Binghamton University, State University of New York

In March 1813, less than a year into the War of 1812 and under pressure from the newspaper press, the United States Congress approved “An Act to encourage the destruction of the armed vessels of war of the enemy.”<sup>1</sup> The Torpedo Act promised one-half the value of any ship to any private citizen or groups who used “torpedoes, submarine instruments, or any other destructive machine whatever” to destroy a British warship. Unlike privateers, who had long-standing legal protections in international law under formally granted *letters of marque and reprisal*, the Torpedo Act had the potential to change both the actors, and the targets, of naval warfare during the War of 1812.<sup>2</sup> Now, private citizens had the financial incentive to attack the Royal Navy in new and spectacular fashion, and not just merely prey upon the British merchant marine.<sup>3</sup> The Torpedo Act also created a significant problem: it blurred the lines of who was a legal combatant and who was not by allowing civilians to change the methods of naval war. If American civilians launched attacks against Royal Navy warships, would British commanders respond in kind? Given the potential for retaliation against civilians, why would the federal government incentivize civilians to attack enemy warships through nontraditional, and extralegal, means?

The answers to these questions can be found in the problem of governance and public mobilization during the early republic. For the Jeffersonian Republican Party, the chief proponents of a second war with Great Britain, the national government’s ability to wage war depended upon the willingness of private citizens—oftentimes militiamen—to offer

1. “An Act making an appropriation for the purpose of trying the practical use of the Torpedo or Submarine Explosion,” March 30, 1810, *The Public Statutes at Large of the United States of America*, 11th Congress, 1st Session (18 vols., Boston: Charles C. Little and James Brown, 1945), 2:569.

2. George Coggeshall, *History of the American Privateers, and Letters-of-Marque, During our War with England in the Years 1812, '13 and '14* (New York: C.T. Evans, 1856), xlv-li.

3. Timothy S. Good, *American Privateers in the War of 1812: The Vessels and Their Prizes as Recorded in Niles' Weekly Register* (Jefferson, NC: McFarland & Co., 2012), 3–8.

their services to the state.<sup>4</sup> The United States' 1812 invasion of Canada relied upon the militia of the Northern states to rally to the national cause.<sup>5</sup> When it came to naval power the Jeffersonians were wary of large, capital ships, due to their expense.<sup>6</sup> Instead, they generally favored the use of privateers to raid enemy shipping alongside fortifications and gunboats to protect American harbors as they believed that these defense measures would be more effective, and cost-efficient, than a larger ocean-going navy.<sup>7</sup> The adoption of torpedoes and other "destructive machines[s]" through the Torpedo Act reflected the Jeffersonian Republicans' preference for inexpensive panaceas to problems regarding the disparity in naval power between the United States and Great Britain. Private individuals, acting with only a modicum of state oversight to blow up enemy warships, would not tax the financial resources of the federal government. Thus, the Torpedo Act offered the governing party a relatively cheap and socially acceptable form of naval power.

Prior to the War of 1812, Jeffersonian Republicans increasingly embraced technological improvements in the navy as a cost-saving means to overcome Great Britain's naval superiority. Republicans generally believed that the employment of mines and submarines—in conjunction with gunboats and coastal fortifications—could protect American ports from the Royal Navy. The HMS *Leopard's* 1807 attack on the USS *Chesapeake* for harboring Royal Navy deserters served to strengthen the defensive measures taken by President Thomas Jefferson's administration. One of the ways in which the Jeffersonian Republicans sought to strengthen the country's naval defenses was through expenditures to inventors and manufacturers who could arm the United States while not bankrupting the national treasury.<sup>8</sup>

Robert Fulton, the American inventor primarily known for creating the

4. Lawrence D. Cress, *Citizens in Arms: The Arm and the Militia in American Society to the War of 1812* (Chapel Hill: The University of North Carolina Press, 1982), 84; C. Edward Skeen, *Citizen Soldiers in the War of 1812* (Lexington: The University Press of Kentucky, 1999), 17–25; Reginald C. Stuart, *Civil-Military Relations During the War of 1812* (Santa Barbara: Praeger Security International, 2009), ch. 6.

5. J.C.A. Stagg, "Between Black Rock and a Hard Place: Peter B. Porter's Plan for an American Invasion of Canada in 1812," *JER* 19 (1999): 385–422.

6. Peter J. Kastor, "Toward 'the Maritime War Only': The Question of Naval Mobilization, 1811–1812," *The Journal of Military History* 61 (Jul., 1997): 463–465.

7. Spencer C. Tucker, *The Jeffersonian Gunboat Navy* (Columbia: University of South Carolina Press, 1993); Gene A. Smith, "For the Purposes of Defense" *The Politics of the Jeffersonian Gunboat Program* (Newark: University of Delaware Press, 1995); Donald Hickey, *The War of 1812: A Forgotten Conflict* (Urbana: University of Illinois Press, 1985), 8.

8. Robert Fulton, *Torpedo War and Submarine Explosions* S&S 20177 (New York: William Elliot, 1810), 3–4.

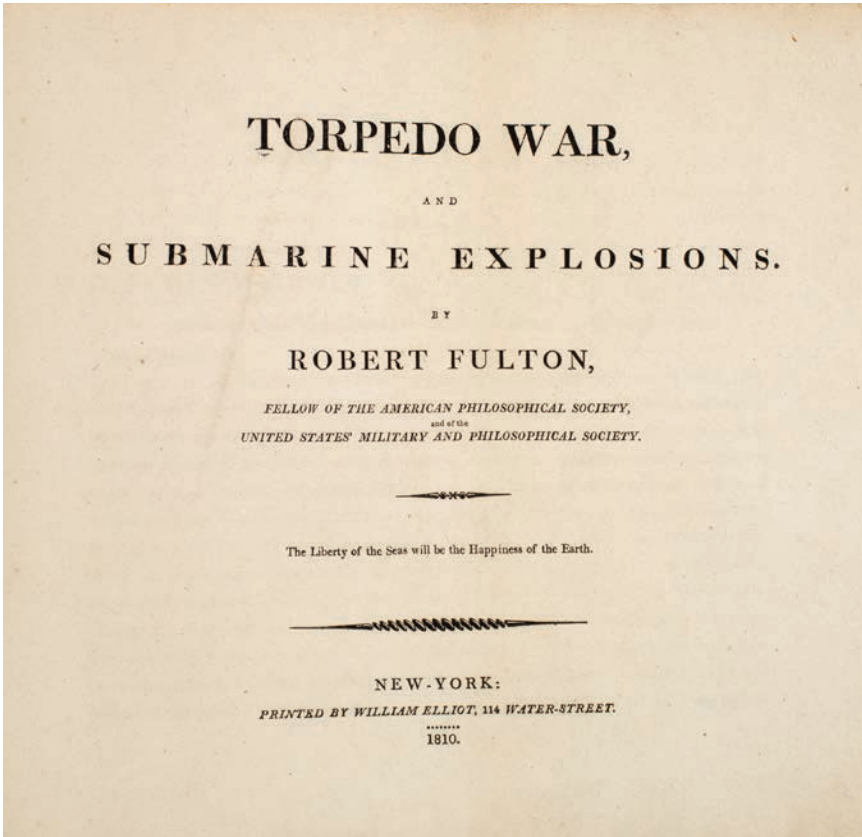


Figure 1. "Title Page," Robert Fulton, *Torpedo War and Undersea Explosions* (New York: William Elliot, 1810), courtesy of the American Antiquarian Society.

first commercially successful steamboat, convinced the federal government to provide the funds for testing submerged, and semi-submerged torpedoes. During the early 1800s, Fulton experimented with submarines and underwater mines in both France and Great Britain to much fanfare but with little practical success.<sup>9</sup> Failing to gain institutional support in either

9. Charles William Sleeman, *Torpedoes and Torpedo Warfare: Containing a Complete and concise Account of the Rise and Progress of Submarine Warfare* (Portsmouth: Griffin & Co., 1880), 2–7; H. M. Dickinson, *Robert Fulton: Engineer and Artist, His Life and Works* (New York: John Lane Company, 1913), 157–159; William Barclay Parsons, *Robert Fulton and the Submarine* (New York: Columbia University Press, 1922), 24–53; Holden Furber, "Fulton and Napoleon in 1800: New Light on the Submarine Nautilus," *The American Historical Review* 39 (Apr., 1934): 489–494; David Whittet Thomson, "Robert Fulton and the French Invasion of England," *Military Affairs* 18 (Summer, 1954): 57–63; E. Taylor Parks, "Robert Fulton and Submarine Warfare," *Military Affairs* 25 (Winter, 1961–1962): 177–182; Alex Roland, *Underwater Warfare in the Age of Sail* (Bloomington: Indiana University Press, 1978), 106–114; Wallace S.



Figure 2. View of the Brig Dorothea, as she was blown up on the 15th of Oct. 1805,” Robert Fulton, *Torpedo War and Undersea Explosions* (New York: William Elliot, 1810), courtesy of the American Antiquarian Society.

country, Fulton returned to work with Robert Livingston to perfect steam-powered vessels. Despite this change in his employment, in 1810 Fulton submitted a memorandum to Congress that was specifically designed to appeal to the governing Jeffersonian Republicans’ sense of economy.<sup>10</sup> According to Fulton’s memo, underwater mines could drive down the cost of warfare while achieving spectacular results.<sup>11</sup> The USS *Constitution*, for

Hutcheon, Jr., *Robert Fulton: Pioneer of Undersea Warfare* (Annapolis: Naval Institute Press, 1981), 43–61; Stephen H. Cutcliffe and Kimberly Fabbri, “Robert Fulton’s Torpedoes,” *Technology and Culture* 51 (Oct., 2010): 879–888.

10. Joseph Dorfman, “Fulton and the Economics of Invention,” *Political Science Quarterly* 59 (Dec., 1944): 578–593.

11. Wallace S. Hutcheon, Jr., *Robert Fulton: Pioneer of Undersea Warfare* (Annapolis, 1981), 108–111;

example, cost the United States an estimated \$100,000 per year. However, Fulton estimated that the cost of one of his underwater torpedoes was as little as \$84. With federal funding, Fulton hoped to offer the United States a practical, and cheap, alternative to larger warships to protect American harbors. The Republican-dominated Congress was convinced that Fulton's experiments deserved consideration and quickly appropriated \$5,000 for experiments in New York Harbor.<sup>12</sup>

Following Congress' appropriations, a committee of New York City merchants, businessmen, and naval officers observed Fulton's experiments in New York Harbor. In one of these experiments Fulton attempted to attack the USS *Argus* with "blank torpedoes" attached to a spar. However, this plan was easily defeated by the addition of a net to the hull of the ship. Despite Fulton's bold claims, the committee recommended that "this system is at present too imperfectly demonstrated to justify the government in relying upon [torpedoes] as a means of public defence."<sup>13</sup> The committee did, however, hold out hope for the military utility of torpedoes because Fulton's experiments demonstrated that, "a ship may be destroyed by sub-marine explosions." Despite the failure to adequately destroy ships, the New York committee recognized that the torpedo's best use came as a deterrent. "If the dread of torpedoes were to produce no other effect than to induce every hostile vessel of war which enters our ports, to protect herself" by placing nets at the fore and aft of the vessel then "torpedoes will be no inconsiderable auxiliary in the defence of our harbors."<sup>14</sup> Fulton's anchored torpedoes, then, could prove very useful in New York Harbor. In conjunction with other defensive measures, these mechanisms would deter the Royal Navy, or any other hostile force, from attacking. Professional military officers largely agreed. Colonel Jonathan Williams, the army engineer in charge of constructing the fortifications at the tip of Manhattan

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Robert Fulton, "Use of the Torpedo in Defence of Ports and Harbors," *American State Papers, Naval Affairs*, 1:211–231.

12. "An Act making an appropriation for the purpose of trying the practical use of the Torpedo or Submarine Explosion," March 30, 1810, *Statutes at Large*, 11th Congress—1st Session, 2:569.

13. *Letter from the Secretary of the Navy, Transmitting Sundry Documents Exhibiting Certain Preliminary Experiments which have been made in the City and Harbor of New York, in conformity with the Act of Congress, Entitled "An Act Making an Appropriation for the Purpose of Trying the Practical use of the Torpedo or Sub-Marine Explosion"* (Washington: A. and G. Way, Printers, 1811), 6.

14. *Letter from the Secretary of the Navy*, 13.

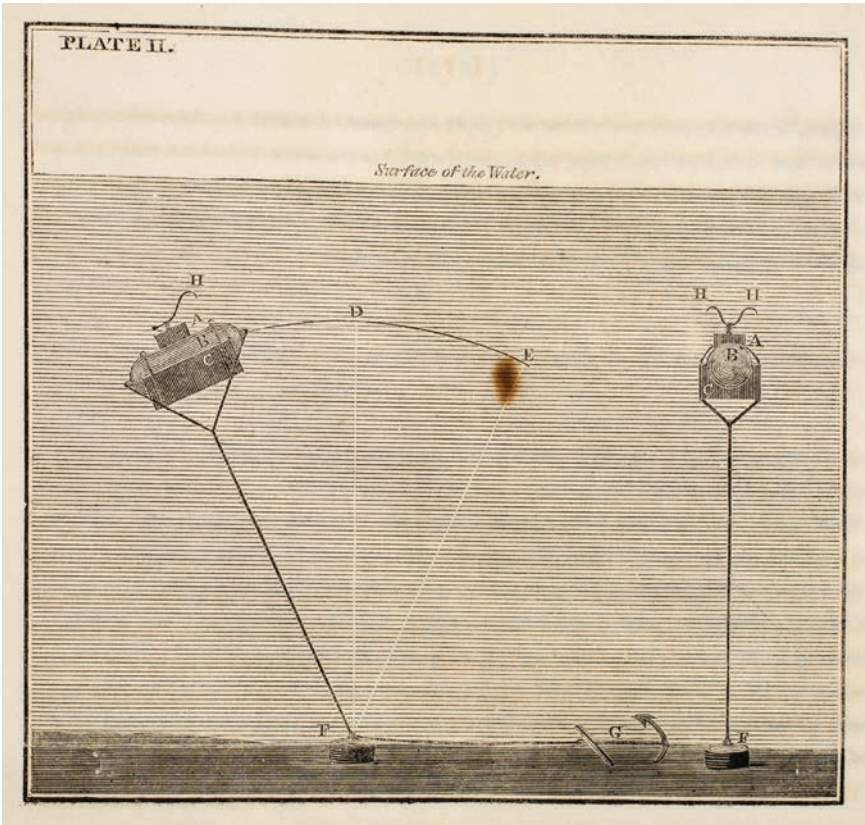


Figure 3. “Plate II: Anchored Torpedo,” Robert Fulton, *Torpedo War and Undersea Explosions* (New York: William Elliot, 1810), courtesy of the American Antiquarian Society

Island recognized that “obstructions in the middle” of the Narrows would still be required if the batteries were to have any effect.<sup>15</sup>

During the War of 1812 Americans had many reasons to believe that torpedoes could deter the Royal Navy. In the widely distributed 1813 *Naval History of the United States*, Philadelphia publisher Mathew Carey and army engineer Thomas Clark informed readers that undersea terror weap-

15. Jonathan Williams to Daniel D. Tompkins, October 21, 1808, “Fortifications on Staten Island,” *Public Papers of Daniel D. Tompkins: Governor of New York, 1807–1817*, *Military* 3 vols. (Albany: J.B. Lyon Co., 1902), 2:139. Williams responded to Tompkins’ request to the War Department to place *chevaux de frises* to block the entrance to the harbor, see, Daniel D. Tompkins to Henry Dearborn, May 5, 1808, *Military Papers of Governor Daniel D. Tompkins*, 2:72.

ons, such as torpedoes and submarines, were put to good use during the American War for Independence. Carey and Clark devoted an entire chapter in the *Naval History* to the developments in naval warfare pioneered by Connecticut inventor David Bushnell.<sup>16</sup> Bushnell's submarine, the *Turtle*, and his "kegs"—underwater mines activated by a clockwork mechanism—had met with only "partial success" during the war. However, the greatest success of Bushnell's technology lay in the fear it supposedly inspired in British sailors. According to Carey and Clark, the British commodore in charge of the fleet positioned off Connecticut's coast saw the "kegs" as "singularly ingenious" owing to Americans' "secret modes of mischief." This Royal Navy commodore allegedly ordered his ships to avoid the shoreline and any flotsam they might encounter for fear of infernal machines. Consequently, the Connecticut coastline remained relatively free from enemy harassment during the American Revolution. The authors suggested that the British would continue to fear American naval technology in the present war if more Americans were made aware of the importance of these devices and continued to construct them in the fashion of the patriotic inventor.<sup>17</sup>

Because Republicans viewed advanced naval technology as a potential deterrent, New York Governor Daniel D. Tompkins argued that Fulton's anchored torpedoes should be used to protect the harbor from British ships. According to Tompkins, the state legislature should approve funding for "A battery of 8 or 10 Columbiads" to place between Blackwell's Island and Throggs Neck in addition to an unspecified amount for the Narrows.<sup>18</sup> The legislature quickly complied, and with Fulton's designs, stationary torpedoes protected the city by mid-June, 1813. The *New-York Gazette* reported that these stationary mines made the "city perfectly safe" from

16. Thomas Clark, *Naval History of the United States*, first edition (Philadelphia: Mathew Carey, 1813), 39–46. For the demand of the *Naval History* in American reading markets see Bradford & Read (Boston) to Mathew Carey, October 25, 1813, Lea & Febiger records (Collection 227B), The Historical Society of Pennsylvania, Mathew Carey Correspondence, 1813, Box 83. For sales of the *Naval History* see, [Philadelphia] *Democratic Press*, May 14, 1813; [Washington D.C.] *Daily National Intelligencer*, May 24, 1813; *Baltimore Patriot*, May 26, 1813; [New York] *Columbian*, June 5, 1813; *Boston Gazette*, June 10, 1813; *Albany Gazette*, August 26, 1813.

17. Frederick Wagner, *Submarine Fighter of the American Revolution: The Story of David Bushnell* (New York, 1963), 75–82; Alex Roland, "Bushnell's Submarine: American Original or European Import?" *Technology and Culture* 18 (Apr., 1977): 157–174.

18. Daniel D. Tompkins, "For the Protection of New York," March 15, 1813, *Military Papers of Governor Daniel D. Tompkins*, 3:287–289.

enemy attack.<sup>19</sup> Some months later, the *Aurora* informed its readers that upon inspection the torpedoes protecting New York City were in perfect working order and had remained watertight.<sup>20</sup>

In addition to the measures taken by New York to protect the city's harbor, torpedoes became widely popular in the print media of the early republic. *The War*, a Republican-leaning newspaper published in New York City, printed reader-submitted poetry extolling the virtues of torpedoes. One pseudonymous author laid out a riddle for *The War*'s audience in a poem entitled "enigma:"

I'm feared by all where'er I come:  
And speak aloud though deaf and dumb.  
But when I speak all round me shakes,  
And all, too near, in atoms breaks.<sup>21</sup>

Given the popular support for torpedoes, the "enigma" drew a quick response from the newspapers' readers:

In spite of all your fire and flame,  
Fulton's *Torpedo* is your name  
...  
Can we, the wonder of the world,  
At whom, in vain, John Bull has hurl'd  
His thunders on the sea,  
Can we see our brave seamen slaves  
To the fierce tyrants of the waves,  
And still pretend we're free<sup>22</sup>

For these aspiring poets, torpedoes were not only militarily useful, they also spoke to the larger rhetorical dimensions of the conflict: "free trade and sailor's rights."<sup>23</sup> If the purpose of the war was freeing the United States

19. *New-York Gazette*, July 16, 1813.

20. "One of the torpedoes which was anchored at the Narrows on the 21st of last June, was taken up to be examined on Saturday; the powder was perfectly safe, and the lock in good order. This is an interesting proof that torpedoes can be preserved under water for months." [Philadelphia] *Aurora General Advertiser*, September 3, 1813.

21. [New York] *The War*, September 19, 1812.

22. [New York] *The War*, November 14, 1812.

23. Paul A. Gilje, "Free Trade and Sailor's Rights: The Rhetoric of the War of 1812," *Journal of the Early Republic* 30 (Spring, 2010): 1–23.

from the reach of Great Britain's Royal Navy, then torpedoes would play a critical role in protecting the country's ports and harbors. This sentiment was widespread and New York was not the only city where the Republican newspaper press embraced torpedoes. After New York mined its harbor in 1813, the Friendly Sons of St. Patrick in Philadelphia offered toasts to the navy and to the "torpedo," as this weapon was "a speedy and successful experiment upon the enemy of the commerce, liberties and prosperity of all nations."<sup>24</sup> Likewise, "A Citizen" wrote to Republican newspaper editor William Duane of the *Aurora* and suggested that if individuals subscribed to a society for funding naval technology they could aid the "poor ingenious mechanic" while destroying the "hostile ships entering our harbors and rivers."<sup>25</sup> For the Republican newspaper press the political economy of advanced naval weaponry had the benefit of simultaneously aiding urban mechanics while securing American commerce, all at a fraction of the cost of larger warships.

According to the Federalist opposition, on the other hand, torpedoes were a chimaera and merely clouded the public mind from the usefulness of larger warships. In the decades before the War of 1812 the Federalist Party had been the strongest proponents of a large, ocean-going navy.<sup>26</sup> In light of the U.S. Navy's early victories on the high seas, Enos Bronson, the Federalist editor of the *United States Gazette* lambasted Republicans in Congress and the administration for failing to support either torpedo projects or an enlarged navy:

How happens it that now, in time of war, that most useful and important invention, the Torpedo, has fallen into utter neglect? . . . Congress appropriated thousands of dollars of the people's money to enable Mr. Fulton to amuse the ladies and gentlemen of the district of Columbia by showing them how the British navy was to be blown out of water. But now when there would be some use for such a thing, not a word is heard upon the subject, even from the *Aurora*, nor is a dollar of the publick money offered to enable the mechanist to defend our seaports against the attacks of an enemy who possesses the command of the

24. "Anniversary of St. Patrick," [Philadelphia] *Aurora General Advertiser*, March 19, 1813.

25. "Public Defence," [Philadelphia] *Aurora General Advertiser*, April 1, 1813.

26. Craig L. Symonds, *Navalists and Antinavalists: The Naval Policy Debate in the United States, 1785–1827* (Newark, DE: University of Delaware Press, 1980), 11–12; Donald R. Hickey, "Federalist Defense Policy in the Age of Jefferson, 1801–1812," *Military Affairs* 45 (April, 1981): 63–70.

ocean. How are these things to be accounted for upon any principle reconcilable with the zeal which is professed for the publick service?<sup>27</sup>

Bronson was not the only Federalist newspaper editor who criticized the Republicans' emphasis on torpedoes and their initial failure to fund these projects during the war. Zachariah Poulson, the president of the Library Company of Philadelphia and the editor of the *American Daily Advertiser*, lambasted Republicans for failing to build a navy in favor of investing in "Fulton's infernal machines."<sup>28</sup> Underwater warfare and other innovations in naval technology were the unrealistic visions of the "whole-sale dealers in political metaphysics" who ran the country. According to the Federalist newspaper opposition, Republican policies had failed to protect American commerce and had instead focused upon impractical technologies.

Despite the public debate over torpedoes, there still remained the question of whether or not American citizens would embrace their role as destroyers of British warships as provided by the Torpedo Act. Only a few months after the passage of the act, both sides got their answer. On June 25, 1813 the schooner *Eagle* blew up alongside a small British ship in Long Island Sound, killing eleven sailors.<sup>29</sup> John Scudder Jr., the proprietor of the American Museum in New York City—the forerunner of P.T. Barnum's museum—outfitted the *Eagle* with ten kegs of powder alongside "a quantity of turpentine. . . which in all probability was sufficient to have destroyed any vessel that ever floated on the water."<sup>30</sup> Although not a torpedo *per se*, the *Eagle* fit the requirements of the Torpedo Act to receive compensation from the destruction of enemy warships. Scudder, with the aid of Navy commandant Jacob Lewis commanding the gunboat fleet protecting New York, designed his "destructive machine" to explode the instant anyone attempted to remove the powder cask from the hold. Scudder and Lewis hoped that the *Eagle* would destroy the seventy-four-gun HMS *Ramillies*, which blockaded Long Island Sound and New York City.

27. [Philadelphia] *United States Gazette*, November 17, 1812.

28. [Philadelphia] *Poulson's American Daily Advertiser*, January 27, 1812.

29. Admiral Sir John B. Warren to First Secretary of the Admiralty John W. Croker, July 22, 1813, in *The Naval War of 1812: A Documentary History* William S. Dudley ed., (3 vols., Washington: Naval Historical Center, 1985–2002), 2:162 [Hereafter *Naval War of 1812*].

30. John Scudder Jr. to Samuel Woodworth, July 9, 1813, in [New York] *The War*, July 13, 1813.

One of the major innovations behind the *Eagle* was that it was disguised as a civilian coasting vessel with a full load of fresh supplies—a tempting target for the Royal Navy. Scudder hid the gunpowder and turpentine alongside “peas & other Articles” in the hope that British sailors would willingly empty the vessel of its contents once they had brought it alongside the *Ramillies*.<sup>31</sup> Once the crew of the *Ramillies* triggered the floating bomb, Scudder and Lewis hoped that the terror of indiscriminate destruction would cripple the British blockade. In addition to getting half the value of the *Ramillies* paid out by the federal government, Scudder and Lewis believed that British sea captains would be afraid to stop any civilian merchant ship leaving American harbors because they could be “destructive machines.” Their plan nearly worked. But, instead of destroying the *Ramillies* the *Eagle* only managed to obliterate the small barge which had pulled up alongside the schooner.<sup>32</sup> In an instant, “some of the best men in the ship, were blown to atoms.”<sup>33</sup>

The widespread introduction of civilian-controlled improvised explosive devices during the War of 1812, such as Scudder’s *Eagle* and Robert Fulton’s torpedoes, was a relatively new experience for British and American military forces. During the war both sides struggled to fit the strictures of the Torpedo Act into existing understandings of state-sponsored violence. Royal Navy Captain Thomas Hardy’s response to “this new mode of Warfare” was swift.<sup>34</sup> Following the *Eagle*, the Royal Navy threatened to go beyond the system of reciprocity which prevailed on the Niagara frontier, whereby the destruction of civilian property would be matched with equal amounts of destruction.<sup>35</sup> According to the American

31. Master Commandant Jacob Lewis to Secretary of the Navy William Jones, June 28, 1813, *Naval War of 1812*, 2:161.

32. James Tertius de Kay, *The Battle of Stonington: Torpedoes, Submarines, and Rockets in the War of 1812* (Annapolis: Naval Institute Press, 2013), 36–37; Jon Latimer, *1812: War with America* (Cambridge: Harvard University Press, 2007), 168–169.

33. William Stanhope Lovell, *Personal Narrative of Events, From 1799 to 1815, with Anecdotes*, second edition (London: William Allen & Co., 1879), 170.

34. Thomas Hardy to John B. Warren, June 26, 1813, *Naval War of 1812*, 2:162. For the effectiveness of the Royal Navy’s blockade see, Jeremy Black, *The War of 1812 in the Age of Napoleon* (Norman: University of Oklahoma Press, 2009); Brian Arthur, *How Britain Won the War of 1812: The Royal Navy’s Blockade of the United States, 1812–1815* (Suffolk: Boydell Press, 2011); Andrew Lambert, *The Challenge: Britain Against America in the Naval War of 1812* (London: Faber & Faber, 2012); Kevin D. McCranie, “The War of 1812 in the Ongoing Napoleonic Wars: The Response of Britain’s Royal Navy,” *The Journal of Military History* 76 (2012): 1067–1094.

35. Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana: University of Illinois Press, 1995), 141–142. For the destruction of Washington, DC, see, Anthony S. Pitch, *The Burning of*

newspaper press, the actual implementation of the Torpedo Act via Scudder's *Eagle* had changed the character of the war. Now, in the words of William Duane's *Aurora*, the British would practice "a system of indiscriminate destruction."<sup>36</sup> If American citizens followed through with the legal incentive provided by the Torpedo Act, then the Congress had unwittingly expanded the boundaries of the conflict—which would, in turn, include the burning of Washington in 1814.

The fears that Americans expressed during the War of 1812 regarding the use of terror weapons, and the British response, was well founded. Following the destruction of the *Eagle* the Royal Navy squadrons blockading New York and the Chesapeake seized vessels as small as fishing smacks. Then, in August 1813, Hardy's marines landed in East Hampton, Long Island to arrest Joshua Penny, a private citizen involved in outfitting a vessel similar to that of the *Eagle*.<sup>37</sup> Although American officers officially protested to British military commanders that Penny was a "non-combatant," Hardy countered that Penny's civilian status was questionable given his alleged involvement in preparing "a torpedo to destroy this ship." Because Penny was neither a legally constituted representative of the federal government or granted a *letter of marque and reprisal*, the British viewed his military participation as a violation of the law of nations. To further compound the murky legal situation of Penny and others like him, Hardy warned the civilian communities on Long Island and in Connecticut that "I will order every house near the shore to be destroyed" if any other American citizens partook in torpedo warfare.<sup>38</sup> While the destruction and burnings of villages along the Niagara frontier illuminated the continuing importance of reciprocity of actions in the conduct of the

*Washington: The British Invasion of 1814* (Annapolis: Naval Institute Press, 1998); Donald E. Graves, "Why the White House Was Burned: An Investigation into the British Destruction of Public Buildings at Washington in August 1814," *The Journal of Military History* 76 (2012): 1095–1127.

36. [Philadelphia] *Aurora General Advertiser*, July 2, 1813.

37. General Orders of Admiral Sir John B. Warren, R.N., *Naval War of 1812*, 2:164; Major Benjamin Case to Captain Sir Thomas M. Hardy, R.N., August 23, 1813, *Naval War of 1812*, 2:245–246; Captain Sir Thomas M. Hardy, R.N., to Major Benjamin Case, August 24, 1813, *Naval War of 1812*, 2:246–247; The Capture of Joshua Penny was also widely accounted for in American newspapers, [New York] *Columbian*, September 1, 1813; [New York] *Commercial Advertiser*, September 3, 1813; [New York] *National Advocate*, September 3, 1813; [Philadelphia] *Democratic Press*, September 4, 1813; *Baltimore Patriot & Evening Advertiser*, September 6, 1814; *Boston Daily Advertiser*, September 6, 1813; [New Haven] *Connecticut Journal*, September 6, 1813; [Hudson, New York] *Northern Whig*, September 7, 1813.

38. Thomas M. Hardy to Justice of the Peace Terry, August 23, 1813, in Joshua Penny, *The Life and Adventures of Joshua Penny, A Native of Southold, Long-Island, Suffolk County, New-York . . .* Early American Imprints, Series II, Shaw & Shoemaker #35610 (Brooklyn: Alden Spooner, 1815), 54.

war, advanced naval technology had the potential to transform the character of Anglo-American warfare during the War of 1812.<sup>39</sup> The use of these terror weapons during a conflict that held many elements of a “Civil War,” could quickly propel its participants into a total war against civilians and property.<sup>40</sup>

Hardy was not the only British naval officer who believed that the introduction of the Torpedo Act had changed the character of the war. In his memoirs, William Stanhope Lovell, an officer in the Royal Navy, justified that “our visit to Washington” was due to vessels like the *Eagle*.<sup>41</sup> James Scott, another officer in the Royal Navy, explained that “The men who could plan, and those who could countenance the execution of such a scheme [as the *Eagle*], merit being held up to the execration of all civilized nations, as wretches unfit to herd with their species.”<sup>42</sup> A political cartoon published in London in 1813, entitled “The Yankey Torpedo,” captured the contemporary British view of underwater warfare.<sup>43</sup> The creator of the cartoon depicted torpedoes as a sea-monster ridden by the devil launching all manner of destructive paraphernalia at a British sailor. This sailor, protected by “British steel” pointed his posterior at the American invention and welcomed it to “kiss my —.” While this caricature presented a tongue-in-cheek look at torpedo warfare, the prevailing view among Britons during the War of 1812 was that the Americans’ “degenerate means of warfare” necessitated an equally destructive response.<sup>44</sup>

John Scudder Jr., understood the power of the *Eagle* and other weapons meant to instill terror among the British to alter the method of warfare practiced by all parties during the War of 1812. In a letter to the editor of *The War*, Scudder informed the public that his primary motivation was revenge. Scudder hoped to justify his desire for revenge against the British

39. For the targeting of civilian populations on both sides of the Niagara frontier see, George Sheppard, *Plunder, Profit, and Paroles: A Social History of the War of 1812 in Upper Canada* (Montreal: McGill-Queen's University Press, 1994), ch. 5.

40. The question of total war in the early nineteenth-century has been most fully explored in David A. Bell, *The First Total War: Napoleon's Europe and the Birth of Warfare as We Know It* (Boston: Houghton Mifflin Company, 2007), 5–13; Alan Taylor had recently demonstrated that the War of 1812 was in many ways a “Civil War” between many different groups in the Anglo-American Atlantic world; see, Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, & Indian Allies* (New York: Alfred A. Knopf, 2010), 6–10.

41. Lovell, *Personal Narrative of Events*, 171.

42. James Scott, *Recollections of a Naval Life* 3 vols. (London: Richard Bentley, 1834), 174.

43. Roland, *Underwater Warfare in the Age of Sail*, 124–125.

44. Scott, *Recollections*, 175.



Figure 4. “The Yankey Torpedo,” by Thomas Tegg III (London: Cheapside, Nov. 1, 1813), watercolor, courtesy of the American Antiquarian Society

by invoking the brutality of frontier warfare. According to Scudder his “relatives in the state of Ohio” suffered from constant and brutal Indian raids, and the death of “brave Pike . . . after the enemy had actually surrendered” brought Scudder to believe that these “act[s] of such horrid cruelty . . . called loudly for retaliation.”<sup>45</sup> In his view, torpedoes were not an unjust mode of warfare. Rather, by employing Indian allies and allegedly destroying the arsenal in York, Canada, the British had already violated commonly accepted forms of warfare. It was now legitimate for American citizens to respond in kind.

Scudder did admit, however, that given the “many misrepresentations” regarding the *Eagle*, and the condemnation from the Federalist press, he felt it necessary to explain his motives so that his fellow citizens could “approve or condemn the act.”<sup>46</sup> Only the public could approve of methods that could ultimately escalate the conflict. Scudder’s revelation

45. John Scudder Jr. to Samuel Woodworth, July 9, 1813, in [New York] *The War*, July 13, 1813.

46. [New York] *The War*, July 13, 1813.

demonstrated that he knew that his attack on the HMS *Ramillies* would have consequences for the conduct of war within the English-speaking world. Americans, like their British counterparts, lived in a world where war was defined on the peripheries of empire. For British subjects and military commanders, the brutality of warfare was something that largely happened abroad—either in Europe or in their colonies.<sup>47</sup> For American citizens in the early nineteenth century, warfare was mostly defined by the frontier experience.<sup>48</sup> The brutal nature of frontier war was well known to Americans, and was one of the precipitating causes of the War of 1812. Even though Congress declared war against Great Britain, “in Kentucky rifles were already trained on Indians.”<sup>49</sup> From the American perspective, British support for Native Americans stretched the bounds of acceptable international conduct. At the time of Scudder’s attack in the months following the passage of the Torpedo Act, he knew that the widespread introduction of torpedo warfare could bring the conflict to American homes on the eastern seaboard where the American population was still concentrated in the 1810s.

The introduction of torpedo warfare in 1813 and 1814 did, in fact, change the nature of naval warfare along the American coast. In July 1814, Vice Admiral Alexander Cochrane ordered his subordinates to “lay waste”

47. The beginnings of British thought regarding continental European warfare as a separate entity to British warfare is explored in Barbara Donagan, *War in England, 1642–1649* (New York: Oxford University Press, 2010). For historians of the military revolution in early modern Europe, British distinctiveness is attributed to its physical separation from the continent; see, William H. McNeil, *The Pursuit of Power: Technology, Armed Force, and Society since A.D. 1000* (Chicago: The University of Chicago Press, 1982), 206–219; Geoffrey Parker, *The Military Revolution: Military innovation and the rise of the West, 1500–1800* (Cambridge: Cambridge University Press, 1996, 1988), 41–43; despite Britain’s physical separation from continental Europe, British policymakers designed its political and economic system to foster the growth and development of the Royal Navy over the course of the eighteenth-century which created their “fiscal-military state.” John Brewer, *The Sinews of Power: War, Money and the English State, 1688–1783* (Cambridge: Harvard University Press, 1988).

48. Russell F. Weigley’s argument for a specific “American Way of War” which emphasizes materially overwhelming opponents has been recently challenged for the pre-1815 period dealing with the frontier, see, Russell F. Weigley, *The American Way of War: A History of United States Military Strategy and Policy* (Bloomington: Indiana University Press, 1973); John Grenier has demonstrated that in American conflicts with Indians along the frontier from 1607–1814 Americans had a consistent, and well-defined, system of *petite guerre* whereby Americans regularly partook in a low-intensity conflict with Indians that targeted food supplies, homes, women, and children; see, John Grenier, *The First Way of War: American War Making on the Frontier* (New York: Cambridge University Press, 2005), 10–15; Peter Silver, *Our Savage Neighbors: How Indian War Transformed Early America* (New York: W.W. Norton & Co., 2008); John P. Boews, “Transformation and Transition: American Indians and the War of 1812 in the Lower Great Lakes,” *The Journal of Military History* 76 (2012): 1129–1146.

49. Nicole Eustace, *1812: War and the Passions of Patriotism* (Philadelphia: University of Pennsylvania Press, 2012), 153.

to American seaport towns.<sup>50</sup> Although Cochrane's order was premised on the destruction of private property in Upper Canada, it had applications to torpedo warfare as well. While Rear Admiral George Cockburn's destructive campaign in the Chesapeake Bay and the burning of Washington, D.C. following Cochrane's order are well-known to historians, Captain Hardy's reprisal attack on Stonington, Connecticut receives much less coverage, if any at all, in histories of the war.<sup>51</sup> Between August 9 and August 12, 1814, Captain Hardy's squadron bombarded Stonington, a small seaport east of New London, Connecticut.<sup>52</sup> Throughout 1813 and 1814, the squadron pulled double duty in blockading New York City and Captain Stephen Decatur's U.S. Navy vessels in New London. During this time Hardy's vessels had become the prime targets of American citizens hoping to end the British blockade and bring in a substantial payment from the federal government through the use of torpedoes. Following failed torpedo attacks in the summer of 1814, Hardy decided to enforce Cochrane's order by acting on his threat against civilian populations who harbored citizens involved in torpedo attacks. Even if no attacks had originated from the town, Stonington made a prime target as it was relatively undefended compared to New London, and was accessible to bombardment by the Royal Navy.<sup>53</sup> Following the largely ineffective attack on Stonington, Admiral Hotham's report indicated that the attack upon civilian property was a result of the town's "preparing and harbouring torpedoes, and giving assistance to the insidious attempts of the Enemy at the destruction of His Majesty's Ships."<sup>54</sup> Torpedos created both a new means to attack civilians and a new justification for these actions.

Despite the threat the Royal Navy posed to American coastal communities after the commencement of torpedo warfare, this new mode of destruction remained popular with the American public throughout the War of 1812. During the Battle of Stonington, the town authorities denied that they had been involved in preparing torpedo attacks, and a widely

50. Latimer, *1812*, 304.

51. Hickey, *The War of 1812*, 195–204; Latimer, *1812*, 159–173, 306–307; Donald G. Shomette, *Flotilla: The Patuxent Naval Campaign in the War of 1812* (Baltimore: The Johns Hopkins University Press, 2009), 7–14.

52. De Kay, *The Battle of Stonington*, 146–192.

53. De Kay, *The Battle of Stonington*, 140.

54. William Hotham to Alexander Cochrane, August 13, 1814, in de Kay, *The Battle of Stonington*, 188.

circulated letter stated that “We are much at a loss to conjecture what could have been the enemy’s motive in dealing destruction on this little place.”<sup>55</sup> For Americans, torpedoes remained a just response to indiscriminate destruction.

The American perception that torpedoes were a deterrent weapon continued, even after reprisal attacks on the coast. In late 1813 and 1814, proposals to construct torpedoes for the U.S. Navy landed on Thomas Jefferson’s desk. For Americans interested in bringing the war to the British while turning a profit, Jefferson seemed like a logical person to turn to given his public support for Fulton’s experiments in 1810. Bela Fosgate, a Quaker druggist in Upstate New York, proposed a plan to attach “load-stones” to torpedoes to make them more effective in attaching to enemy hulls.<sup>56</sup> Benjamin Taylor, the New York City surveyor, provided Jefferson with drawings of his “Exploders” which would cost less than \$50 and would be the “future & only defence of nations against a naval despotism” because the exploders’ unique design was “calculated to cripple and not wantonly to destroy.”<sup>57</sup> George Hargraves, a Justice of the Peace in Warren County, Georgia, provided Jefferson with his plans for a torpedo so that the United States could “prevent maritime warfare altogether.”<sup>58</sup> For these American citizens, torpedoes offered a way to even the odds with Great Britain while remaining true to their political principles.

For Jefferson and members of the Madison administration, public enthusiasm for torpedoes required private action to be effective. In his response to Hargraves, Jefferson wrote that “I understand that so many of these [torpedo plans] flowed in upon [the War Department] as to oblige them to decline attention to them; and to leave it to individuals to put them in practice.”<sup>59</sup> Likewise, Benjamin Taylor’s Congressman told him that “the naval committee & secretary of the Navy were annoyed with Torpedo projects.—That the only thing that could & would be done, was already done by a law to pay for any property destroyed by their means.”<sup>60</sup> In other words, private citizens should do what the United States Navy could not.

55. [Philadelphia] *Aurora General Advertiser*, August 19, 1814.

56. Bela Fosgate to Thomas Jefferson, December 13, 1813, *The Papers of Thomas Jefferson: Retirement Series* (8 vols. To date: Princeton: Princeton University Press, 2010): 7:48–49. [Hereafter *PTJ:RS*]

57. Benjamin Taylor to Thomas Jefferson, March 30, 1814, *PTJ:RS*, 7:276–279.

58. George Hargraves to Thomas Jefferson, August 4, 1814, *PTJ:RS*, 7:512–513.

59. Thomas Jefferson to George Hargraves, August 29, 1814, *PTJ:RS*, 7:620–621.

60. Letter quoted in Benjamin Taylor to Thomas Jefferson, March 30, 1814, *PTJ:RS*, 7:276–279.

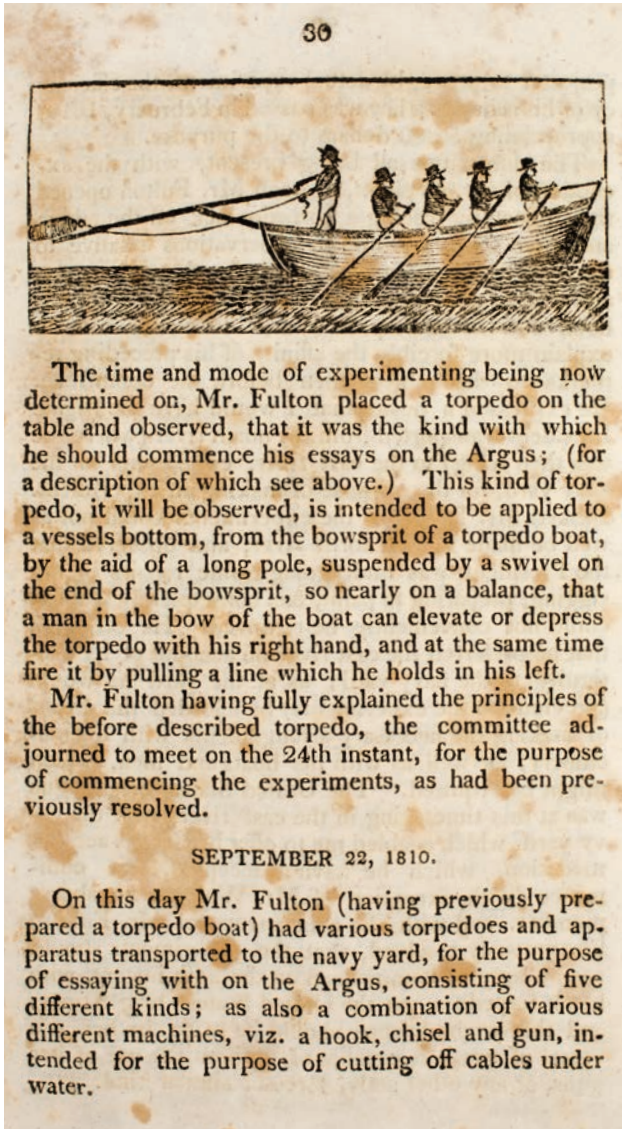


Figure 5. "Torpedo Trial in New York Harbor, 1810," *Letter from the Secretary of the Navy, Transmitting Sundry Documents Exhibiting Certain Preliminary Experiments which have been made in the City and Harbor of New York, in conformity with the Act of Congress, Entitled "An Act Making an Appropriation for the Purpose of Trying the Practical use of the Torpedo or Sub-Marine Explosion"* (Washington: A. and G. Way, Printers, 1811), courtesy of the American Antiquarian Society.

The Torpedo Act provided the financial incentive structure; private initiative would have to do the rest.

The use of torpedoes and other terror weapons remains a critical, yet understudied aspect of the War of 1812. During the conflict American citizens willingly escalated the methods of warfare by participating in attacks upon British vessels. Although the profit motive was certainly strong among individuals such as John Scudder Jr., Robert Fulton, and Joshua Penny due to the Torpedo Act, these men professed in print a desire to right the wrongs of Great Britain by blowing up its warships in new and spectacular ways. Torpedoes offered Republicans an ideologically sound method of warfare, as their cost would not burden the federal government with a large naval establishment and the requisite taxes. Rather, these weapons would allow individual American citizens to contribute directly to the war effort—even if torpedo warfare threatened to destroy entire coastal communities by reprisal attacks.

Despite their inability to effectively deter the Royal Navy, torpedoes remained an important facet of American naval technology in the years following the War of 1812. In June, 1815 the *National Intelligencer*, the semi-official newspaper in Washington, D.C. published an editorial entitled “Useful Hints,” by the pseudonymous author “Dartmoor” (named after the British prison) which was widely reprinted in the Republican newspaper press.<sup>61</sup> In this essay the author satirized the notion that peace had returned to the United States and Great Britain and lambasted the idea that American naval captains invite their British counterparts to tour their vessels. The true purpose of British magnanimity following the war, according to “Dartmoor,” was that the Royal Navy wanted to become “acquainted with all our naval improvements.”<sup>62</sup> Listing a litany of technological innovations during the War of 1812, the author satirically suggested that American captains “Shew them our *repeating guns*, our *steam frigates*, our *torpedoes*, our *mutes*.” “Dartmoor’s” meaning was clear. The future security of the United States rested upon developments in naval technology. In this, he foreshadowed the nineteenth-century work of Samuel Colt, Matthew Fontaine Maury, and John Ericsson.<sup>63</sup> The Civil War demonstrated the

61. [Washington] *Daily National Intelligencer*, June 17, 1815; [Philadelphia] *Aurora General Advertiser*, June 20, 1815; [New York] *The Columbian*, June 20, 1815.

62. [Washington] *Daily National Intelligencer*, June 17, 1815.

63. Roland, *Underwater Warfare*, 134–149; Timothy S. Wolters, “Electric Torpedoes in the

effectiveness of the torpedo, and the increasing technological complexity of underwater warfare eventually transformed the nature of military-industrial relations in both the United States and Great Britain.<sup>64</sup> After the War of 1812 underwater mines and submarines became formalized within naval institutions. What set the War of 1812 apart from the Civil War and other later conflicts, however, was the United States relied upon private citizens to wage war on its behalf. The very nature of Jeffersonian governance, which stressed individual participation and reduced national spending, made torpedoes wielded by private citizens a potent concept, in thought and reality, during the early republic.

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Confederacy: Reconciling Conflicting Histories," *The Journal of Military History* 72 (July 2008): 755–783; Edwyn Gray, *19th Century Torpedoes and Their Inventors* (Annapolis: Naval Institute Press, 2004), 89–94.

64. Katherine C. Epstein, *Torpedo: Inventing the Military-Industrial Complex in the United States and Great Britain* (Cambridge: Harvard University Press, 2013).