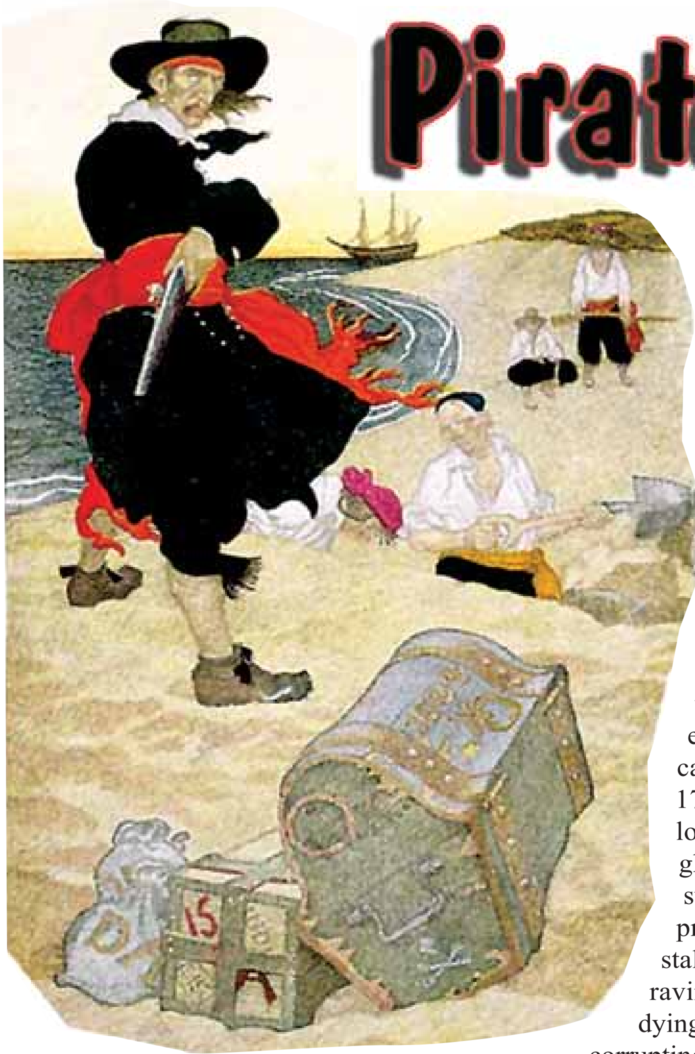

Pirates & Privateers

by Robert Bachand

Part IV Section 4 - Privateers and the American Revolution, "Prisoners."

In this issue, contributing writer Robert Bachand continues his five-part series titled "Privateers and the American Revolution." In our May issue, we will continue our series with Part IV Section 5 which relates to Nathaniel Shaw, Connecticut's privateer tycoon.

At the beginning of the Revolutionary War, there was no recognized flag under which an American private-man-of-war could sail. Without such an ensign, a captured privateer could be declared a pirate. The specter of being hung as a pirate from a British gallows thus brought demands for a national flag.

Some states had their own naval flag, but these were generally not recognized by other countries. Massachusetts had a white flag with a green pine tree bearing the inscription "Appeal to Heaven;" South Carolina adopted a red and blue striped flag with a rattlesnake bearing the inscription "Don't Tread on Me;" Connecticut had a flag with blue and white stripes. A Grand Union or Continental flag, adopted in late 1775, consisted of 13 red and white stripes with the British Union Jack in the upper corner. Lieutenant John Paul Jones was the first to fly the ensign from the Navy ship *Alfred* – it was soon flown by many of the privateers. But it wasn't until June 14, 1777, that Congress finally adopted the U.S. flag with 13 stripes, alternating red and white, and 13 stars.

Capture for a seaman could be a sentence of death, even in the absence of a hangman's noose. Early on, the British made a distinction between prisoners captured in the field and those taken at sea.. American land forces taken prisoner were sometimes exchanged when both sides felt it was worthwhile. Naval prisoners, however, according to British Admiral Graves and General Howe, called for different treatment. They recommended sending captured Americans to England as a means of spreading "great terror among seafaring People of this County." In February, 1777, King George III suspended habeas corpus for captured American privateersmen through an act passed by the House of Lords. Under the act, the prisoners could neither be brought to trial nor charged. They were simply held indefinitely in one of two prisons created specially for the purpose: Mill Prison at Plymouth and Forton Prison at Portsmouth.

The British also maintained a number of prison ships, many of them moored in the area of the present day Brooklyn Navy Yard. A large number of prisoners who languished in these anchored warehouses died of disease, but a fortunate few made their escape. After setting himself free in June 1778, Robert Sheffield reported the following: "Their sickly countenances and ghastly looks were truly horrible, some swearing and blaspheming, some crying, praying and wringing their hands and stalking about like ghosts, others delirious, raving and storming; some groaning and dying, all panting for breath; some dead and corrupting, air so foul at times that a lamp could not be kept burning, by reason of which the boys were not missed till they had been dead ten days."

During that same year, when the *Alfred* was captured off Barbados, the ship's captain and his officers were placed aboard the Yarmouth and taken to England. Once there, they were imprisoned at Forton Prison. Charles Buckley, one of the ship's officers, recounted their escape. The prisoners cut through the floor to a room below called the Black Hole (solitary confinement). Using an old chisel and a broken fencing foil, they dug a tunnel. "We made small bags to put the dirt in. We found great difficulty in secreting the dirt at first. We put some in our chest, the fireplace below being stopped up we took some bricks out of the chimney in the upper loft and took some bags and lowered them down to the bottom with a tripping line emptied them so that there might not be any noise heard from falling dirt." After weeks of digging, they put on a set of dirty clothes over what they would be wearing, and one by one they started through the tunnel. One of the escapees, Captain Harrison of the brig *Virginia*, was too big for the tunnel and wedged himself in. He had to be dragged back out by his legs. The others, however, made it out, and after discarding their outer clothes they met at a church in London. They then traveled to Deal, on the coast, where a smuggler took them across the English Channel to Calais.

Buckley made his way to Bordeaux and eventually boarded a schooner bound for Baltimore. Off the "Cape of the Chesapeake," wrote Buckley, "we were captured by privateer from New York." Fortunately for the Americans, the British schooner had so many prisoners on board that they were forced to put them ashore just south of Cape Henry. In 1781, Buckley took command of the privateer, *Active*, and returned to patrolling the seas.

The captain of the privateer *Hannibal*, Jeremiah O'Brien, was possibly one of the more brazen and imaginative of escapees. Confined to Mill Prison, O'Brien dressed himself in tattered clothes and purposely went unshaven and unbathed for well over a month. On the afternoon of his escape, he shaved, washed himself, and put on a clean set of clothes. He then joined other prisoners in the jail yard, where he hid until dark. Under the cover of night, he managed to get out of the prison by sneaking directly through the principal keeper's house located at one end of the yard. After making his way across the channel to France, he returned to America, and as later recounted by author Edgar Mclay, he arrived "just in time to see the end of the war."

American prisoners were sometimes offered better treatment by their captors if they agreed to serve on a British ship – there were very few takers. Others, however, were given no choice and were impressed aboard British war vessels; they were, in effect, forced to fight against their own countrymen.

For privateers there was also the danger that the crewmen taken with captured ships could turn on them. Under the command of Captain Johnson, the privateer *Yankee* out of Massachusetts had seized two merchant ships on route to England. Captain Johnson transferred some of his crew to the prize ships and together they continued on their cruise; the former crewmen were held below deck. At some point, the American crewmen aboard the prize ships were overpowered and the former captors then turned their vessels toward the *Yankee*. Taken by surprise, Captain Johnson's vessel was captured. He and his men were then taken prisoner and transported to Dover where they were imprisoned.

After the Battle of Saratoga in 1777, the French joined America in their war against Britain. Spain, an ally of France, joined the alliance about a year later. The British treated American prisoners and their French and Spanish counterparts differently, allowing the Europeans one-third more rations per day. In the House of Lords, a proposal was brought up in 1781 to treat the Americans equally with the prisoners of the other nationalities, but it was defeated. In reality, however, the amount of rations provided for the Americans was about the same as furnished to British seamen.

British prisoners were held in prison ships at Boston, New London and Philadelphia. There were complaints about their treatment, but by and large they were treated more humanely, especially in comparison to those held in New York's British prison ships.

In the next installment of Pirates & Privateers, Part IV Sec #5, we will discuss Nathaniel Shaw, Connecticut's privateer tycoon.