Tributaries

A Man of "Desperate Fortune"
The Career and Trial of John Vidal, North Carolina s Last Pirate

The Confederate Torpedo Bureau in North Carolina

The Guns of Fort Ocracoke

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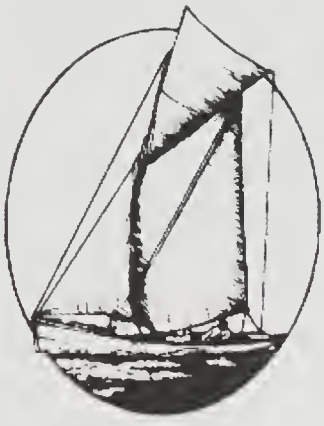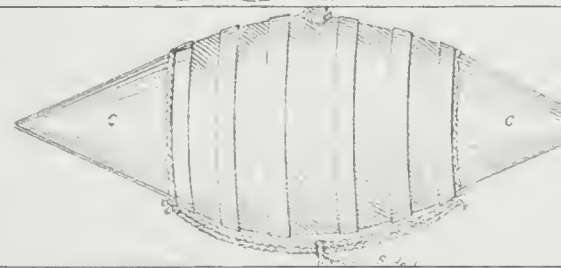
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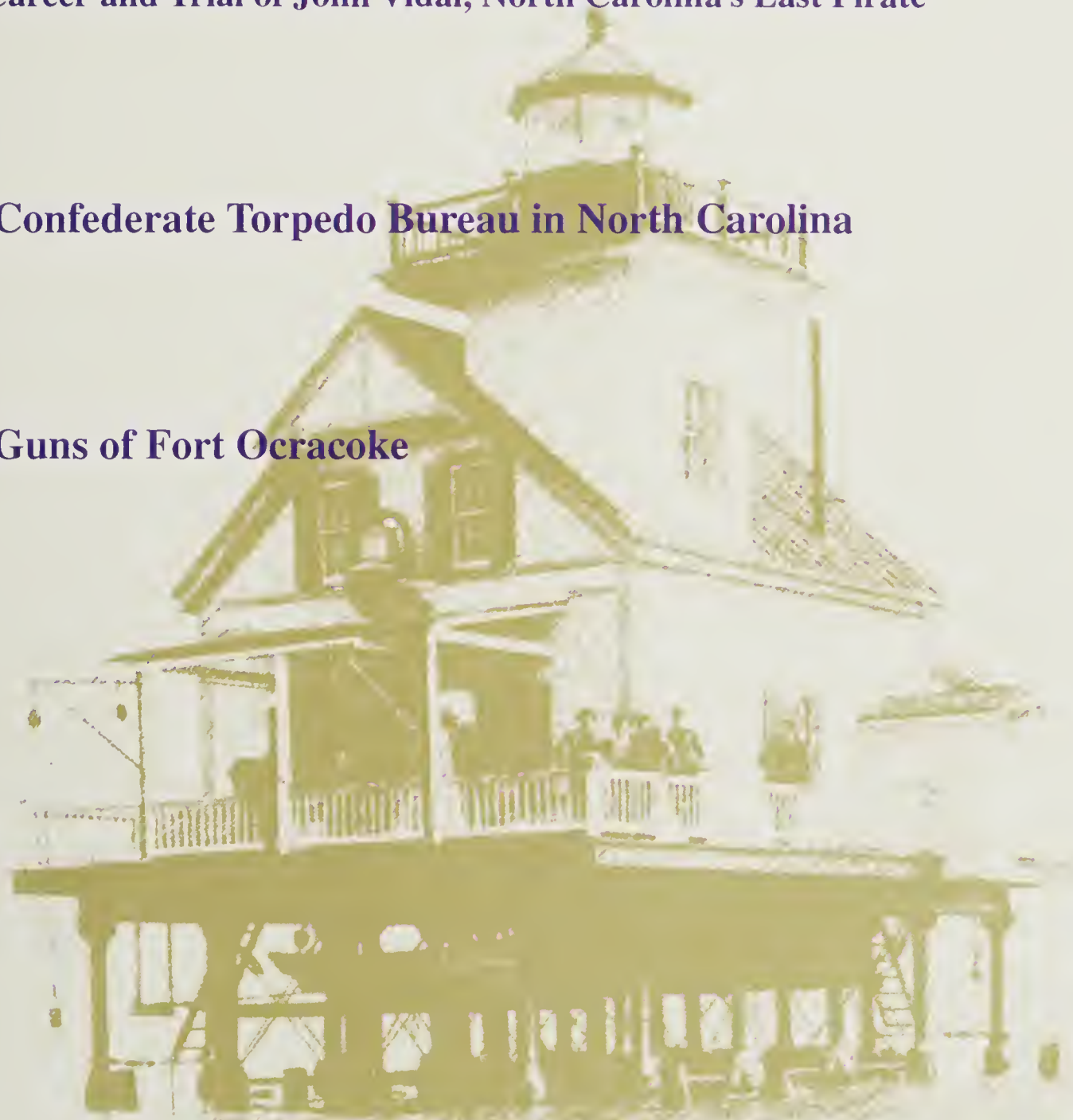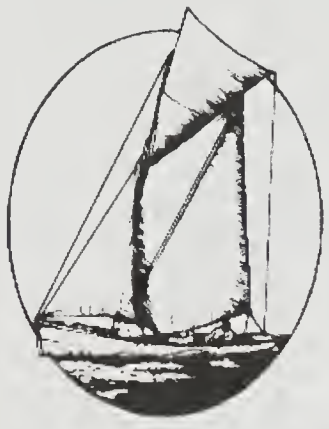
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the Maritime History Council

What is North Carolina's maritime history? It's dugout canoes, pirate ships, southern ironclads and British blockade runners. Ships of exploration, vessels for victory, and countless craft of every description tie the Tar Heel State to the world's waterways.

The North Carolina Maritime History Council brings together all the elements that comprise our nautical heritage. It is a rich heritage, one that tells tales of high drama and unfortunate tragedy. Often one finds the state's economic and social development to be synonymous with its relation to the creeks, rivers, and sea. The production of tar, pitch, and turpentine, for instance, kept fleet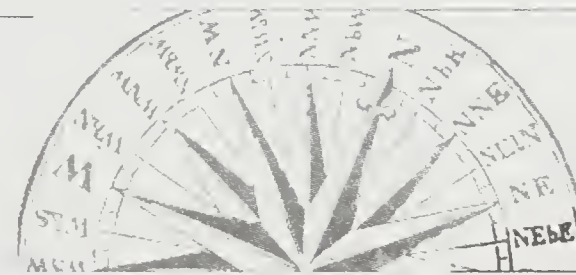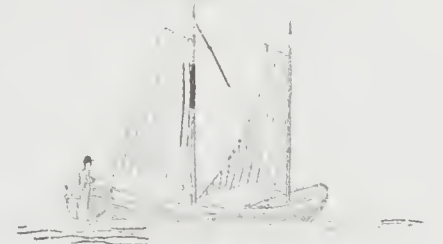s afloat while providing a livelihood for innumerable North Carolinians for almost 200 years. It is, in fact, why we are called Tar Heels.

The passion for maritime history motivated a group of like-minded individuals to form the North Carolina Maritime History Council in 1988. They incorporated the Council as a non-profit entity in 1990.

The Council's bylaws state the mission as "to identify and encourage historical and educational projects that have as their purpose the enhancement and preservation of the state's maritime history and culture, and that create public awareness of that heritage." The Council can already claim many accomplishments including:

- The purchase of the Edwin Champney drawings - a collection of fifty-nine sketches of coastal scenes from the Civil War period that were obtained using funds donated by the Frank Stick Trust and other nonprofit groups.

- Serving as the principal grant recipient for the Queen Anne's Revenge archaeological project.

- Publishing *Tributaries* since 1991, North Carolina's only maritime history journal.

- Conducting an annual conference on North Carolina maritime heritage.

- Creating a register of North Carolina historic vessels.

Council membership is open to individuals and institutions interested in maritime history. We encourage this membership to seek ways to pool resources, share information, and discuss issues to benefit the dissemination of our mutual maritime heritage.

This issue of *Tributaries* contains a variety of topics that demonstrate North Carolina's multi-faceted maritime history. The Council feels privileged to publish work by such well-qualified contributors.

Harry S. Warren
Chair
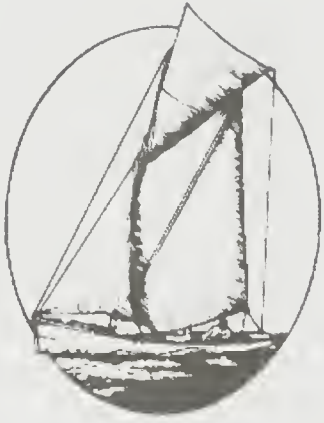
Detail from *A New and Corrected Map of the Province of North Carolina*, by Edward Moseley (1733)

A MAN OF "DESPERATE FORTUNE"
The Career and Trial of John Vidal:
North Carolina's Last Pirate

by Sam Newell
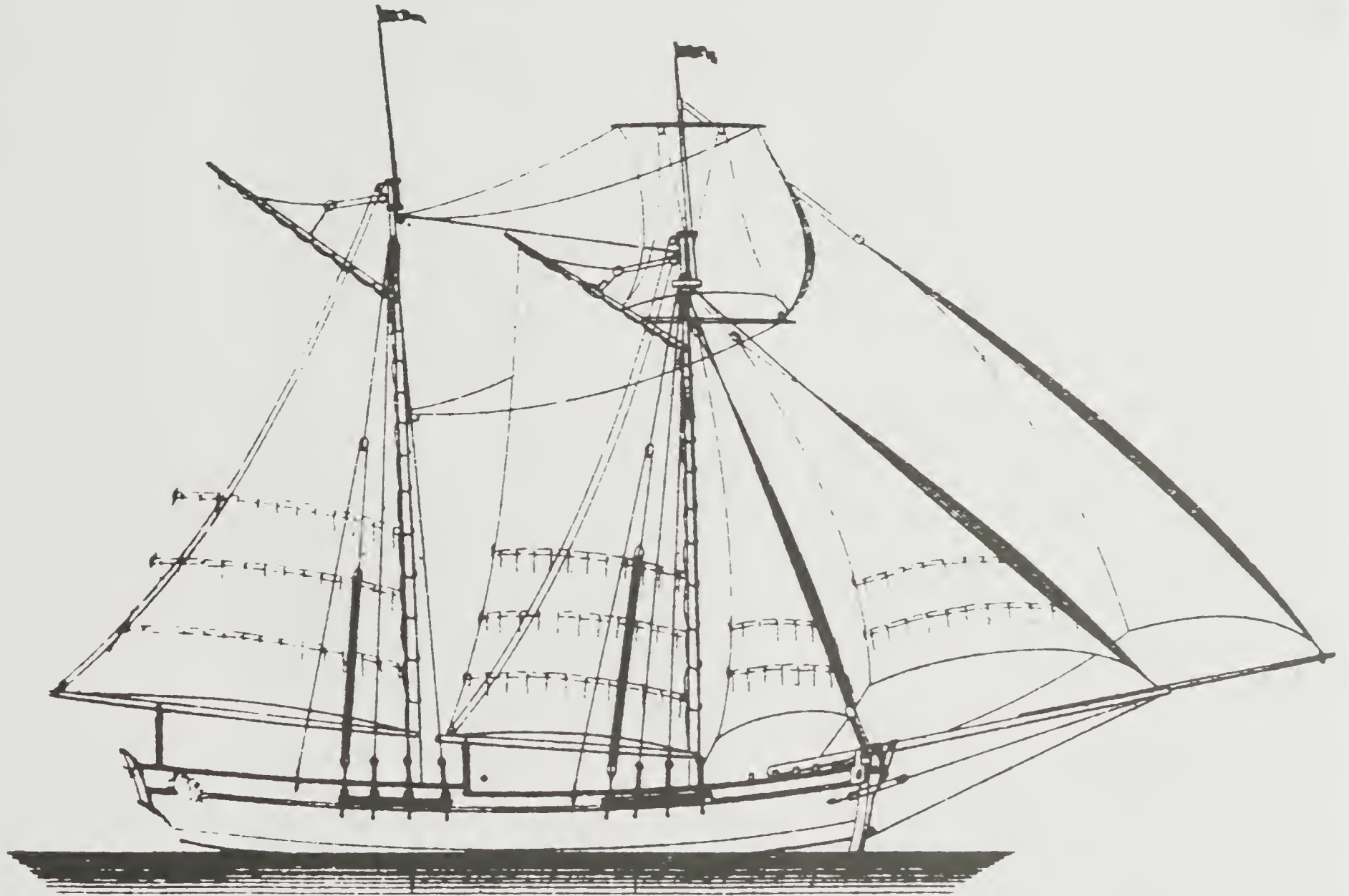
18th Century Schooner—Two masted vessel with the mainmast slightly longer than the foremast. (From Fredrik af Chapman, *Architectura Navalis Mercatoria*, 1768)

On 15 August 1727, three men and one woman stood before Virginia's acting Royal Governor, Robert Carter, and members of his Council who had convened a court in Williamsburg solely for the purpose of trying them as pirates. The trial was remarkable in that this august body sat in judgment of a group with such a singularly unremarkable career. Indeed, their efforts would be a comedy of errors had the result not been so deadly for two of the accused. Equally interesting is the ironic twist fate played on the pirate crew at the end of their adventure.

The leader of this band of would-be brigands was John Vidal, a former Carolina trader who settled near Bath. At the time of his misadventure, piracy's "Golden Age" on the Atlantic coast was rapidly ending with most of the pirate crews captured or otherwise forced from the sea. Indeed, Vidal's case has been cited by one authority as "probably the last recorded piratical activity in North Carolina."

A popular book on pirates had been published only a few years before by a Captain Charles Johnson of London and one could surmise that Vidal was acting out some romanticized notion of a pirate captain. It is hard to tell if he left Bath with intentions to become a pirate. He claimed that ill luck in his business dealings drove him to commit his felonies. Possibly his "going on the account" resulted from circumstances with his crew at Ocracoke which he could not control. He at least claimed an intention to escape to the Caribbean and quit such a dangerous life after selling his stolen ship and cargo.

Vidal has been mentioned in other works on piracy. Hugh Rankin's *The Golden Age of Piracy* and Donald Shomette's *The Pirates of the Chesapeake* each reserve two pages surveying the pirate's case. But these sources treat Vidal as little more than a footnote in pirate history. Surely, compared to such notorious and colorful outlaws as Blackbeard or Stede Bonnet, Vidal scarcely commands much

interest. But a close look at the trial records illuminates an interesting perspective. Here is detailed a personal account of local boys gone bad. It is a tale of revenge, ambition, heroism, and failed nerve—all elements of good drama. The amateurish behavior, however, of Vidal's gang turn the event into a tragic comedy.

Vidal was obviously ill-prepared for his role as pirate captain as the following events show. His exploits lasted only a week and were confined to the waters of Ocracoke Inlet. He first hijacked a schooner, but, ignorant of her sailing qualities, soon found that he had stolen a vessel he could not take to sea. Also, the schooner carried no guns and his crew was so small that, once at sea, they would be unlikely to either defend themselves or capture any vessel of larger size. He and his crew proceeded to plunder four small vessels, but only one carried anything of ready value. Vidal was a former friend of one of his victims and attempted to bribe the captive into piloting his vessel. At the home of an Ocracoke resident, he liberally dispensed rum to five of his captives with no one but himself to guard them. And on at least one occasion he became drunk enough with his tiny crew to come to blows during an argument. Another comic touch is that he introduced himself to some of his captives as "a gentleman of Fortune . . . a Pirate." Such antics would prompt Judge Robert Carter to later write that Vidal's "designe was laid with ye greatest Improbability of success." This, then, is the story of North Carolina's own pirate-John Vidal.

Vidal testified at his trial that he had come from a good family; his father was a merchant in Dublin, Ireland. He had never been "accused of any ill action" until his arrest for piracy. Details of his early life are unknown but he had lived in Bath and traded in Carolina "for sometime," probably since the early 1720s. In his defense, he said he was forced into piracy due to the "tenderness of youth in being overtaken by the temptations of the world together with the late loss sustained by the master of my vessel, who run away with her from Potomack in Maryland, with her load of Tobacco."[4] On another occasion, he alleged that a warrant sworn against him in March 1726 for non-payment of a £25 debt drove him to his act of desperation.[5]

Vidal's role in the formation of his pirate gang is obscure. He may not have intended to become a pirate until a series of unexpected events thrust him into the midst of a criminal act. This happened when a companion urged the group to commit piracy as an act of revenge. Or, such may have been his intention from the beginning of this story. Regardless, Vidal and his crew should have known that once they committed themselves by their actions, there would be no turning back.

Vidal's adventure began sometime in May 1727 when he met with two companions, Edward Coleman and Thomas Allen, in Bath and made preparations to leave in a periagua (a large sailing canoe) for Cape Fear. Michael Griffing, who had been acquainted with Vidal "for Some Years," chanced to meet Vidal's party and was allowed to join the expedition. Eventually they entered Core Sound where they encountered another periagua carrying Thomas Farley, his wife Martha, and their two children. Farley introduced himself as a "planter" and, upon learning that Vidal had "Some business" at Cape Fear, the Farleys asked to accompany them. Griffing joined the family in their vessel and the two canoes traveled through the sound and into the night. Next morning, when Griffing asked if they were near Cape Fear, Farley replied they were.[6]

Whether Griffing was misled through intent or ignorance cannot be known, but the party eventually arrived in the waters of Ocracoke Inlet where, on the morning of 16 June, temptation appeared. Anchored several miles inside the inlet was the schooner Anne and Francis, owned by John Snoad of Carolina and John Jeffords of Boston. Jonathan Howard, the master, was aboard with a crew of a few men and a cargo of tar, pitch, hides, and deerskins awaiting the tide and a fair wind for Boston.[7]

Although still some distance away, Farley recognized the vessel as Snoad's. Angrily swearing that Snoad had cheated him, he exclaimed that "now he would be avenged of him for if it cost him his life he would take that schooner."[8] Events soon unfolded which would prove Farley's words prophetic, at least for two of his confederates.

Vidal and company headed for shore, probably on Ocracoke Island, to discuss the issue. Once it was agreed to steal the schooner, the soon-to-be pirates began to make preparations. Griffing, however, wanted no part of their plans. While Farley, Coleman, and Allen were gathering their guns he turned and headed toward the home of Josias Whitehouse, a local resident. Here he met Mrs. Whitehouse and feigned sickness, hoping to escape involvement in the enterprise. Farley and Coleman soon followed and, threatening to shoot him, forced his return.[9] Then the five men in a periagua—Farley, Allen, Coleman, Griffing, and Vidal—pulled away from the beach and toward their prize.

At midday, from the deck of his schooner Howard saw the approaching vessel in the distance. Suspicious, but unarmed, there was little he could do. Still "he walked with a Gun in his hand which would not fire and put a hat of one of his men on a hand spit to make the best Show he Could to frighten them." The ruse failed and the periagua, continuing its course, soon eased up alongside the schooner. Its crew offered a friendly greeting by "pulling of their hats" saying "How do ye, Gentlemen." Then, suddenly, Coleman seized and pointed a pistol at Howard saying if he "Stirred a Step he was a dead man." Quickly, the others clambered over the schooner's side. Pointing pistols and guns at the other crewmen, they swore "Damn your blood if you Stir hand or foot you are all Dead Men."[10] Griffing, too, had boarded the vessel, but without arms. He approached Howard and bid him notice "that he was a forced Man and was Sorry for his [Howard's] Condition." Farley also noticed that Griffing was unarmed and asked "how he dared to Come aboard without his Arms," swearing "he had a Good Mind to blow his brains out for it."[11]

It was at this point that Vidal emerged as the leader of the group. While the other pirates boarded the schooner, Vidal remained in the periagua. Only after Howard and his crew were bound and sent to

the schooner's cabin did Vidal come aboard. He soon summoned Howard and ordered him to guide the vessel over Ocracoke's bar and out to sea. While Howard and his men struggled under threat of death to make their way through the inlet, they learned that Vidal was the pirates' captain. The captives also overheard the pirates' plan to use Howard's name and the vessel's papers in order to pose as traders, sail to the Leeward Islands, perhaps to St. Thomas, and go "a pirating." But the pirates' plans would have to wait, for wind and tide worked against Howard's best efforts and the schooner could not be brought seaward.[12]

If Vidal and company truly hoped to go "a pirating" they would not have to get to sea to find another victim. About four o'clock that afternoon the schooner's crew spied another vessel working its way down the sound. Vidal hoped the vessel was a sloop, probably because his men could more easily work her sails. While he remained on board, his partners and Howard's men were dispatched to investigate.[13] Earlier that day, Roger Kenyon had seen Snoad's schooner in the distance being boarded by some men from a periagua, but gave it little thought. He was busily intent upon his purpose of bringing cattle from Mattamuskeet to Ocracoke Island. Kenyon probably gave little thought at first to pirates. Being a justice of the peace for Beaufort precinct, and holding a captain's commission in the local militia, he was used to danger. Shortly after eyeing Snoad's vessel, he boarded his punt and rowed ahead of his shallop (a small decked coasting vessel similar to a schooner) to sound the shoally channel.[14]

About eight that evening, he noticed a periagua being rowed in his direction. Now his apprehension began to grow. As the canoe approached he hailed its crew to find who was aboard. Strange voices cried out that it was owned by Josias Whitehouse, whereupon Kenyon asked if Whitehouse was aboard for he wanted to speak with him.

Instead, he was told to identify himself. His answer prompted someone to reply that "he was the man they wanted . . . and ordered him to lye on his oars or they would fire into them." The periagua then pulled alongside and Coleman boarded the punt. While the other armed pirates watched, Coleman first bound Kenyon and, soon thereafter, his shallop's three man crew.[15]

The captives were then taken to the schooner. As they passed under her stern Kenyon looked and thought, with some fear, that he recognized Vidal standing on deck. Kenyon was very well acquainted with Vidal and had reason to fear him. The two men were former friends and had once resided together in Carolina as traders. When Kenyon was brought before Vidal, the pirate thrust a cocked pistol toward him and swore he "Should not live a Minute for he was the Cause of his turning pirate having Caused him to be arrested."[16] Vidal accused Kenyon of filing a warrant against him over a £5 debt when Vidal "had not Clothes to his back." Kenyon, fearful for his life, begged Vidal for mercy claiming his wife had ordered the arrest without Kenyon's consent.[17] Still wishing to get to sea, Vidal relented and told Kenyon he was "an Excellent Pilate and if he Would

Carry the Schooner Safe over the bar a hair of his head should not be hurt but if he did not and miscarried by any Treachery he would be the Death of him."[18]

The next day, Vidal sent Coleman, Howard's mate, and Kenyon's men to bring the shallop to the anchored schooner. Except for a heifer they slaughtered for food, Kenyon's cattle were released on shore to prevent their perishing. Soon Martha Farley arrived with her children and boarded the schooner.[19] Once again, Vidal attempted to put to sea, this time with Kenyon as pilot. Under threat of death, Kenyon said he "would do his best Endeavor but did not understand the working of a schooner" and requested Howard's aid. Vidal agreed, but after three day's effort against adverse winds, the vessel had progressed only one mile.[20] Their attempt ceased on the third day, 19 June, when the pirates spied their third victim, a vessel that had wrecked off Core Banks about one quarter mile from the inlet's mouth. After ordering the schooner to be moored, Vidal summoned Howard and two of his crew along with Kenyon, Coleman, and Allen to accompany him and investigate the wreck.[21]

John Porter, owner of the wrecked vessel, stood on the sandy tip of Core Banks and felt himself a ruined man. Enroute from Barbados, his sloop had struck shoals offshore and was lost along with "a Great many Goods."[22] While he watched several of his men on the beach salvaging what they could from the wreck, he noticed a periagua making its way in his direction from a schooner lying in the inlet. News of Vidal's nefarious activities had spread among the few inhabitants of the Banks and Porter had been warned that the vessel harbored pirates.[23] Alarmed, he warned the sloop's mate, George Hull, "to be Civil to them" and left to gather and hide his remaining valuables.[24]

Into a sand pit dug near the beach, he threw a silver-hilted sword, gold coins, earrings, gold rings, and his silver watch; altogether worth over £55—roughly three years wages for an able seaman-and returned to meet the visitors.[25]

The pirates, although armed, approached Porter in a most friendly, even cavalier, manner. Vidal introduced Coleman, Allen, and himself as "Gentlemen of ffortune, Called Pirates" and that "they had taken the schooner" in the inlet. Porter learned that they planned to "Cruise of Some Daies to See if they Could meet with a better vessel fit for their Turn and likewise Ask'd if any vessels were Coming from Barbados or any of the West Indies for Virginia or Carolina And if they did not meet with any to go to Coresow [Curacao] and dispose of the Vessel and Cargo for . . . Vidal Said he intended not to live so all his life."[26]

Vidal then proceeded to assist Porter in salvaging his vessel. He ordered Howard and his two crewmen to accompany himself and Coleman onto the sloop and forced the captives to help Porter's men bring goods from the wreck to shore. Porter, apprehensive about Vidal's intentions, pleaded that Vidal not hurt him to which the pirate answered that "a hair of his head Should not be hurt that he would take Some few necessaries for his Sea Store
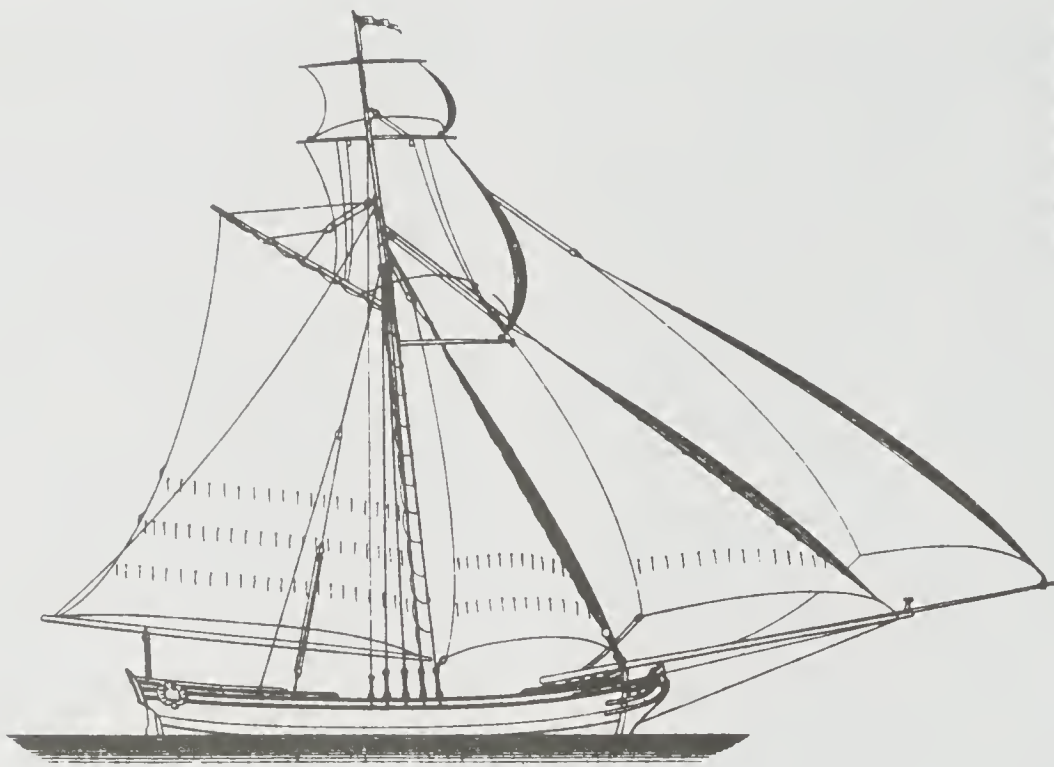
and Arms" and "not the money in his pocket would be touched if he had any." For their use, the pirates saved a cask of rum, two bags of white sugar, a barrel of flour, one gun, two swords, a pistol, and a cutlass.[27] They also brought ashore Porter's liquors.[28]

This almost proved their undoing. The pirates comforted themselves near Porter's tent and drank until nightfall. At that point, the brotherhood began to show signs of strain. An argument ensued between Vidal and Coleman over some unknown issue and soon grew heated. Possibly in a drunken rage, Vidal drew a small sword and "made several passes" at his friend that missed their mark. Coleman then pulled his gun but, apparently thinking better of it, turned to run. Before he could step out of range, Vidal cut him with a final swing. The sting of sharp steel apparently settled the argument for the pirates returned to their periagua where they remained till midnight.[29]

The freebooters then returned to Porter's camp in a far less charitable mood. They were now bent on plunder. Vidal and Coleman roused Hull from his sleep and accused the mate of having hidden some arms. When Porter's mate confessed there was a pistol in his sea chest, Coleman seized the weapon and departed. But soon thereafter he returned, armed with cutlass and pistol, and accused Hull of having hidden some rings and jewels. Coleman warned Hull that he would "blow his brains out if he did not deliver them." Hull denied owning any such items and again Coleman left, but not until he had fruitlessly rifled Hull's possessions. Later Coleman again returned, and searched for the valuables. This time the pirate left with some snuffboxes and "triffles" which he found. Coleman yet returned a third time to demand the items, only this time "with his pistol cocked and his finger upon the Trigger and Swore that the Deponent [Hull] had them and if he did not deliver them forthwith he would instantly kill" the seaman. Now Vidal intervened, and ended the matter. Coleman's persistence was explained by the fact that Porter's captain, John Cocke, had told the pirates about the rings. Coleman contented himself with taking some sweetmeats and clothes, while

Allen plundered some cloth for a pair of britches. The pirates took their petty thievery seriously, for in a veiled warning to Hull, they remarked "they were Gentlemen of ffortune and if they were taken they must be hanged and they must have what they Wanted and Vidal Said he wanted arms and ammunition most and he must have them if he Could find any."[30]

John Porter was also a victim of the pirates' greed. The merchant approached Vidal the next day to complain that his cache of valuables had been discovered and stolen in spite of the pirate captain's promise that his property would be safe. Vidal denied any knowledge of the theft. Only later did he discover that Allen had possession of the treasures. As a final insult, Coleman later came to Porter and took the gold buttons from the sleeve of the shirt he was wearing.[31]

It appears that Captain Cocke was responsible for Porter's loss. Not only did he tell Vidal and Coleman that Hull owned hidden valuables, but also told Vidal about the silver-hilted sword. Additionally, he told Allen about the sword and that Porter possessed some rings.[32] Cocke's incentive possibly lay in the fact that there was considerable friction between Porter and himself. Porter blamed Cocke for running the sloop aground and told Vidal that Cocke should be punished-so much so that Porter "desired Vidal Several times to Shoot him [Cocke] through the head" for his neglect. Either with intent or in jest, Vidal approached the bound sea captain and threatened to carry out Porter's wish. Cocke, however, begged Vidal to "read his papers first," possibly referring to the wrecked sloop's navigation charts, since these may have had an influence on the vessel's wrecking. After Vidal did so he claimed Porter and Cocke were both "Rogues alike" and left the captive unmolested.[33]

Vidal and his company now left the scene of Porter's misfortune and returned to the schooner. Kenyon again attempted to pilot the schooner to sea but, still, the effort was in vain. After the vessel was safely moored, Kenyon asked to take his shallop, along with his men, and assist Porter in carrying his

goods over the shoals. Vidal agreed and seized the opportunity to pursue another interest. He would throw a party for his captives.[34]

Upon leaving the schooner, Vidal took a small keg of rum, and brought Kenyon's three crewmen, including one who played the fiddle, along with Howard and Kenyon himself. John Cocke was selected from Porter's camp and the party proceeded in a periagua to Ocracoke Island and the home of Josias Whitehouse for their merriment.[35]

This event would soon prove to be the pirates' fatal mistake. The group arrived on the island on the evening of 21 June.[36] Earlier that day, Andrew Frazier had arrived from Virginia in his shallop and had also proceeded to the Whitehouse home. Noticing another shallop and schooner in the inlet, he inquired "of the people that Lived there what they were, and was informed that they had been lately taken by Pirates." Frazier then hatched a plan to wait until nightfall and "gain a Canoa and Cut the Cable of the Schooner and so let her drive a Shore." Unfortunately for him, he told Mrs. Whitehouse of his intentions.[37]

Shortly thereafter Vidal and his party arrived. The rum was served as a punch by mixing it with a "tea" made from yaupon, a type of local holly. Frazier knew none of these guests, but probably surmised Vidal, at least, was a pirate for, as he surveyed the group, he noticed that only Vidal was armed. Also, Mrs. Whitehouse told Vidal, upon his arrival, of Frazier's plan and "Vidal all the Night afterwards looked angry" whenever he saw Frazier.[38]

While the group drank into the night, Frazier began to inquire if the others, too, were pirates, but could get no answer. Eventually, Frazier took his leave and prepared to go back to his shallop. Then Vidal stepped forward and inquired if Frazier would accompany them back to the schooner. Frazier refused, whereupon Vidal said "he must and presented a cocked pistol to his breast And Swore he Should go for he was his prisoner." As a hint of the trouble to come, Frazier replied "if he must he must but he would have a trial about it."[39]

Frazier, observing Howard and Kenyon standing near some bushes, approached and again asked if they were pirates. But neither they nor Cocke, who was nearby, would respond. Only Howard said "Why? You have said enough to undo us already." Frazier understood then that at least Howard was "a fellow sufferer" and he began to plan a way to capture Vidal.[40]

Speaking to the group he complained that "it was a Shame for Such a Company of people to be drove about by one pistol." Whereupon Vidal came to Frazier and told him that "he intended to do him no harm," but since he had captured the schooner and intended to go "a pirating" he would carry Frazier "a little way Out to Sea, lest he Should go up into the Country and make information against them, and get them taken, and when he had put it out of his power to do this he would let him go." Frazier was determined, however, to put his plan into effect.[41]

The group soon took leave of Mrs. Whitehouse and proceeded down the path toward the beach and the periagua. On the darkened path, Frazier saw his chance and whispered a plan to Howard. He suggested that Howard should "heave at the periaga" while he himself "would hold on And hinder the periaga from being launched that while they were heaving in this manner Vidal might Come down Among them and then he would take an Opportunity to Seise him." Howard agreed to try.

Their idea did not work exactly as planned. While they struggled with the vessel, Vidal was absorbed in a conversion with Kenyon. The pirate counted out "five Double Doubloons and Several other pieces of gold" which he said amounted to "31 1/2 pistols" (pistoles or Portuguese gold coins) and offered half to Kenyon if he would pilot the schooner over the bar. Vidal then produced a silver watch and several rings, all of which had belonged to Porter, and exclaimed to his old friend "by God Roger this is better than begging." Only then did he notice the periagua was still beached.[43]

Vidal ordered Frazier to remove some tar that was aboard the vessel in order to lighten her. To this Frazier insolently swore Vidal "might take it Out himself for he would not touch it." Vidal ignored the remark and Kenyon's men removed the load. A short time later the periagua was launched.[44]

Now it was time for Frazier to act. As Vidal passed by to step into the vessel, Frazier seized the tiller and with it struck Vidal, knocking him onto the sand. While Frazier and Vidal struggled together, Howard seized Vidal's pistol with which he struck the pirate across the head. This blow knocked the fight out of Vidal who "then submitted and begged his life."[45]

Several confusing events now unfolded which call into question Vidal's relationship with both Howard and Kenyon. Frazier later related to the court that when Vidal submitted, Howard was called to come help bind the captive. Instead, Howard fled crying "What have you done, What have you done." Frazier swore at Kenyon that if he would not come back he would "beat his brains out," but Kenyon "would give no assistance."[46] Kenyon would later sue Frazier in court for this implication of cowardice.[47]

Also, after searching Vidal, Frazier took several gold pieces from his captive and gave them to Howard. Frazier later asked for their return and found that, for some reason, Howard had given them back to Vidal. When Vidal was asked for the gold, he claimed the coins were left on the beach, but when Frazier threatened to throw the pirate overboard, Vidal confessed the gold was in his stocking. Frazier again gave the gold to Howard, this time with a warning to "take care and see that it was forthcoming." Howard later gave the gold to Kenyon who, in turn, delivered it to Porter.[49] The records give no clue as to why Kenyon and Howard acted in such a peculiar manner toward one who had previously held them hostage under threat of death.

Once Vidal was secured, his former victims made plans to capture the remaining pirates. They first went to the nearby home of one Mr. Kersey to try and obtain arms. The attempt was a failure and the party proceeded to Mattamuskeet, thirty-five

miles distant, to get guns from Kenyon's home.[50]

Meanwhile, on board the schooner, the other pirates became apprehensive at their leader's prolonged absence. Coleman, Farley, and Griffing, went ashore to search for Vidal leaving Allen and Farley's wife aboard the schooner. When Vidal could not be found, they returned to the schooner and loaded a periagua with their paltry collection of plunder, which included a chest of clothes, a silver-hilted sword, a watch, an iron pot, some blankets, a pair of woman's shoes, two gold rings, a pair of silver buckles, a set of gold buttons, two seals, and some other items.[51]

The next morning, they fled across the sound and headed toward the Neuse River. Michael Griffing had been forced to remain with the pirates and accompany them as they headed upriver. After traveling several days, Griffing told his captors he was too exhausted to continue rowing whereupon Farley threatened to shoot him. Fortunately for the captive, they soon found a house where the group stopped "to drink." Griffing, being familiar with the area, gave a boy five shillings to fetch an acquaintance, one Mr. Rime, "and tell him they were Pirates and desire him to come and apprehend them." That night the pirates renewed their journey, but because of Griffin's alarm all were soon captured with the exception of Thomas Farley who, apparently, abandoned his wife and children and escaped.[52]

Andrew Frazier returned from Mattamuskeet to find the schooner abandoned. His own shallop had been boarded and his chest and belongings plundered. He later learned that Coleman had rifled the shallop before fleeing up river. Vidal was taken to Bath and delivered to the sheriff from whose custody he soon escaped. Kenyon later recaptured him by virtue of a special warrant issued by North Carolina's governor. Vidal was then taken to the Edenton jail while the authorities pondered his case.[53]

North Carolina's colonial government faced a dilemma. Pirates could only be tried in court under a special commission granted from the High Court of Admiralty in England and the colony had no such authority.[54] Attorney General William Little asked the Governor and Council if Vidal's case "must be prosecuted as Piracy or may be Indicted and prosecuted as felony and Robbery at Common Law." After some debate, the Council agreed that the Governor write to and confer with Virginia's government about the case and proceed to try Vidal "for felony unless that Government think it most proper to try them as Pyrates," but agreement was quickly reached that Vidal and his crew would receive a pirate trial.[55] Vidal was in the Williamsburg jail within a month.[56]

Kenyon, Frazier, Hull, Howard, and Cocke were brought to Williamsburg to serve as witnesses during the three-day trial that convened on 15 August. They related the misguided adventure to acting governor Robert Carter, president of Virginia's Council, who served as judge, and to the attending Council members. After the depositions were presented, three of the four pirates were convicted. Martha Farley was acquitted. Her testimony stated "Her Husband brought her to this trouble, he brought her from her ffriends in South Carolina and Carried her about with two children begging, That She followed her Husband not knowing his Design But thought She was returning to her ffriends." Surprisingly, not only was she released but a sympathetic court awarded her £1.10.0 to defray her expenses in traveling home.[57]

When Judge Carter focused his attention on the other captives, he pronounced a succinctly worded verdict saying:

> You have been Severally accused of Several Piracies and robberies, You have been tried before this Court according to the Direction of an Act of Parliament made in the Eleventh year of the Late King William, Your Judges have weighed and Considered the Evidence that has been produced against You, And the evidence You have offered in Your behalfs, and the defence you have made and are unanimously of Opinion that You are Guilty and nothing now Remains, but that Sentence be passed according to Law And the Sentence of the Law is this: You Shall be taken from the place where you are, and be carried to the place from whence you Came, and from thence to the place of Execution, and there be Severally hanged by your neck until You be Dead, and the Lord have mercy on Your Souls.[58]

The execution of this sentence would have ended Vidal's adventure and one might easily dismiss his case as simply an incident of petty seaborne thievery. A strangely ironic turn of events, however, coiled the executioner's rope, at least for Vidal.

Vidal was confined in the Williamsburg jail to await his fate, presumably along with Coleman and Allen. Although his comrades met their death on the gallows, Vidal managed to secure a temporary reprieve.[59] This was at least partly due to the influence of a number of influential men, including one Mr. Fountain who, for some unknown reason, interceded on Vidal's behalf. In a letter to William Robertson, Judge Carter mentioned his decision to stay the pirate captain's execution saying:

> The Solicitation of Mr Fountain and ye Intercession of so many worthy Gentlemen hathe prevaild with me to Reprieve Vidale altho I must own to you I have very little Compassion for persons Convicted of his Crime and let what mincing soever be made use of in his favor It appeard very plainly to me from ye Testimony against him as well as the rest that his heart was fully prepared for perpetrating ye blackest of Vilianys.

Carter then justified his reasoning by writing that charity would "cover a multitude of Sins and may we all meet with mercy in ye day of our distress Pray give my Service to Mr. Fountain whose Concern in this Affair hath been a great Influence upon me."[60]

ARMAMENT
OF
FORT FISHER
AND
ADJACENT BATTERIES
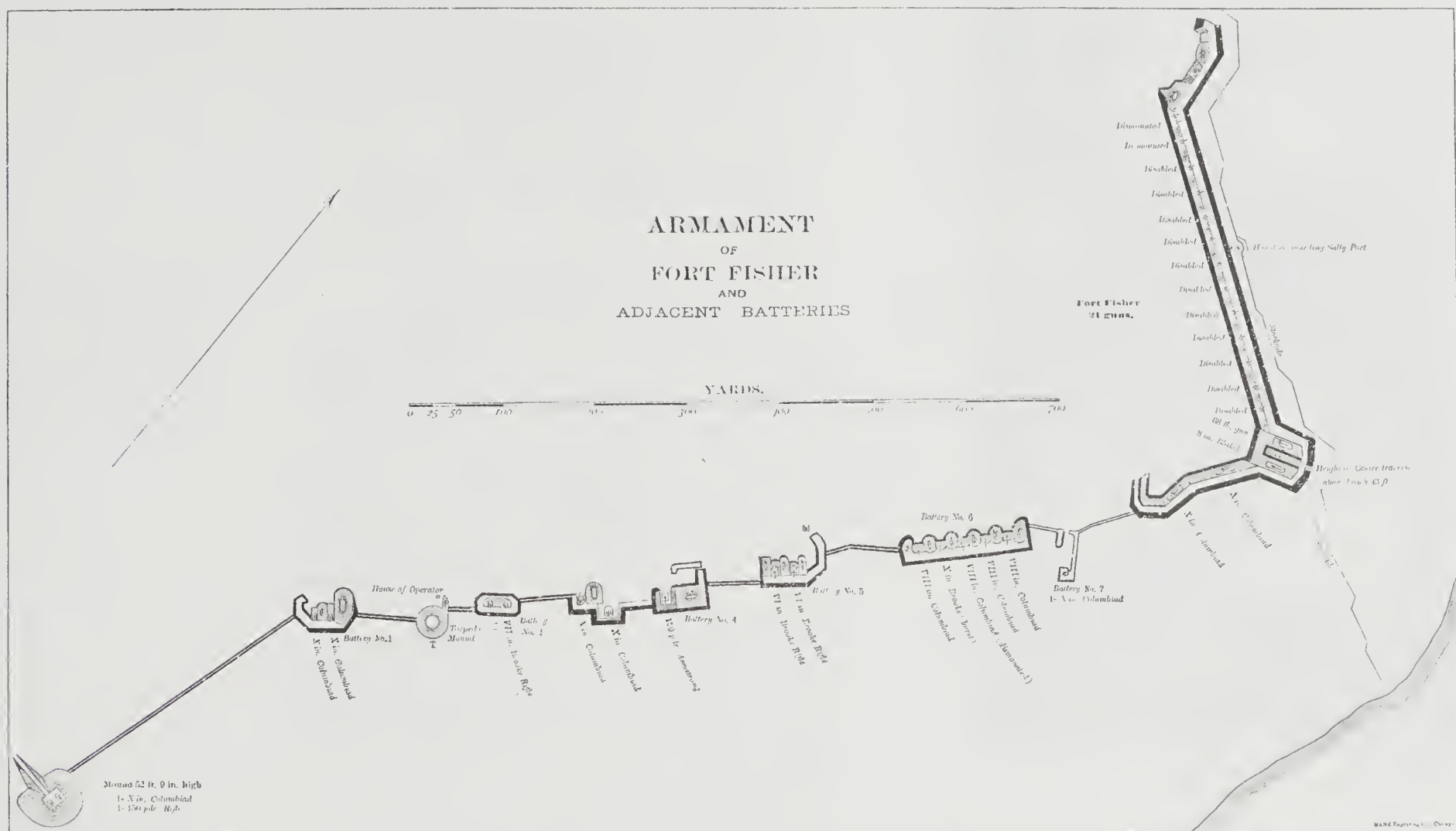
Map of the armament at Ft. Fisher and its adjacent batteries. (From *Official Records of the Union and Confederate Navies in the War of the Rebellion*)

or condemn their use, which could have set an important precedent for the Civil War in which torpedoes saw widespread use for the first time.[5]

Rains went on to serve in the Mexican War. He took part in the battles of Palo Alto and Resaca de la Palma. After the Mexican War, he spent three years on the frontier fighting the Yakima Indians. During this time, he rose to the rank of lieutenant colonel. Over the course of the fighting in these campaigns Rains never mentioned using his sub-terra shells, nor is there any official record of their employment. There is no record that explains why Rains was not using the weapons. Possibly these campaigns involved large numbers of troops and senior officers who would not approve the use of mines. More probable is that warfare in Mexico and with the Yakima was primarily offensive in nature and quite unsuited for landmine use.

When the southern states began seceding, Colonel Rains found himself in Vermont. Many other officers had already left for the South, but he remained at his post even after the Confederates attacked Fort Sumter. Although his native state had joined the Confederacy, Rains did not finally resign until 31 July 1861, ten days after the Confederate victory at Manassas. There is some speculation as to why he waited so long to resign. Rains probably had strong pro-Union feelings—he was originally from New Bern, an area of North Carolina known to have had a great deal of Union sympathy. Rains most likely wanted to wait and see how the conflict developed and finally decided to resign after the battle of Manassas, when Confederate prospects for success seemed quite good.[6]

After his resignation, Rains returned to North

Carolina to wait for an appointment from the Confederate government. He was commissioned a brigadier general and assigned to the Army of the Peninsula, then at in Yorktown, Virginia, where he arrived in October 1861. Initially, he carried out garrison duties and worked toward improving the defenses in the area. At first, the war appeared to be a long way off in northern Virginia.[7]

On 6 April 1862, General George Brinton McClellan landed the Army of the Potomac at Fortress Monroe, bringing the war to Rains in a way that had never been contemplated. The landing of the Union Army, which initially outnumbered the Confederates by more then three to one, began what was to known as the Peninsula campaign. Yorktown, where Rains commanded, became McClellan's main objective. Confederate General Magruder advised Rains that his fortifications should be "strengthened as much as you may deem necessary." Later Magruder sent a dispatch to Major General Robert E. Lee, noting that he had "found General Rains, commanding the garrison, prepared to defend it with determination."[8]

It was not known at the time that Rains had intended to employ his sub-terra shells in the defense of Yorktown. The weapons were placed in both military and non-military structures; this can only mean that some of the mines were intended as booby traps rather than part of a concerted defense. McClellan heard of the weapons and wired Secretary of War Edwin M. Stanton to bring the traps to his attention:

The rebels have been guilty of the most murderous and barbarous conduct in placing torpedoes within the aban-

Matthew Fontaine Maury

doned works, near wells & springs,
near flag staffs, magazines, telegraph
offices, in carpet bags, barrels of flour
etc. Fortunately we have not lost
many men in this manner-some 4 or 5
killed & perhaps a dozen wounded... I
shall make the prisoners remove them
at their own peril.[9]

The use of the weapons as a defensive measure was accepted by some as a military necessity. Setting booby traps, however, was unheard of and regarded as an act of cowardice by the military conventions of the day. In addition to Union outrage at the use of these weapons, Confederates higher up the chain of command heard of the torpedoes' use and ordered it stopped.

On 11 May 1862, G. Moxley Sorrel, Major General James Longstreet's assistant adjutant general, delivered a letter to Rains, stating, "it is the desire of the major-general commanding that you put out no shells or torpedoes behind you, as he does not recognize it as a proper or effective method of war."[10] Rains responded that there was nothing wrong with land mine use as a defensive measure to slow down an enemy advance; he felt that all is fair in war. Major General Daniel Harvey Hill agreed with Rains, commenting, "in my opinion all means of destroying our brutal enemies are lawful and proper."[11] The arguments continued until government authorities at Richmond began to take notice. Secretary of War George W. Randolph finally settled the matter. Randolph judged that:

It is admissible to plant shells in a par-
apet to repel an assault or in a road
to check pursuit, because the object is
to save the work in one case and the
army in the other . . . It is not admis-
sible to plant shells merely to destroy
life and without other design then that
of depriving your enemy of a few men,
without materially injuring him . . . .
It is admissible to plant torpedoes in a
river or harbor, because they drive off
blockading or attacking fleets . . . . As
General Rains and Longstreet differ in
this matter, the inferior in rank should
give way, or, if he prefers it he may be
assigned to the river defenses, where
such things are clearly admissible.[12]

This statement paved the way for Rains to be transferred from the Army and into the Coastal Defense Department of the Navy and, ultimately, the Torpedo Bureau.

Orders from Richmond dated 16 June 1862, assigned "Brig. Gen. G.J. Rains . . . to the charge of the submarine defenses of the James and Appomattox Rivers."[13] Local commanders and engineers assigned to the area were ordered to render as much assistance as possible. Rains began to work on river and harbor defenses and was put in touch with Commander Matthew Fontaine Maury who was already working on similar projects. Ultimately the Torpedo Bureau would focus on land mine warfare, while the Naval Submarine Battery Service's main emphasis would be defending waterways.

The relationship between the Navy Submarine Battery Service and the Torpedo Bureau is not fully understood; likewise, the command structure, if any, between the two organizations cannot be determined from the surviving records. The Torpedo Bureau certainly had significant problems in its daily operations. This was mainly the result of governmental red tape and an unclear chain of command. Maury and his chief assistant, Lieutenant Hunter Davidson, received their orders directly from the Secretary of the Navy. Rains, however, received directives from the Secretary of War, which was more interested in Army affairs. This overlap in command structure created problems in allocating resources, appropriating funding, and carrying out objectives involving combined arms from different branches of the military each with a separate rank structure. Things would need to be ironed out to make the Bureau operate more efficiently. Considering the similar nature of the organizations, there was probably a good deal of interaction and cooperation, demonstrated by the way the torpedoes were deployed. For example, often times, electric torpedoes would be placed in the water and sub-terra shells would be placed along the banks of the river or coastline as protection for the torpedo station, clear indication that both branches were working together.

The Torpedo Bureau was officially established at Richmond in October 1862. General Rains was placed in command of the Bureau while Maury was to head the Naval Submarine Battery Service. The first Congressional grant of money was made in May 1863 for a paltry $20,000. This grant was included in a general appropriation bill, and reflected the lack of faith government officials placed in the new weapon.[14] In spite of such limited funding, Rains set up torpedo-building factories at Richmond, Charleston, Savannah, Mobile, and Wilm-

Torpedo found in St. John's River, Florida, 1864. (From *Official Records of the Union and Confederate Navies in the War of the Rebellion*)
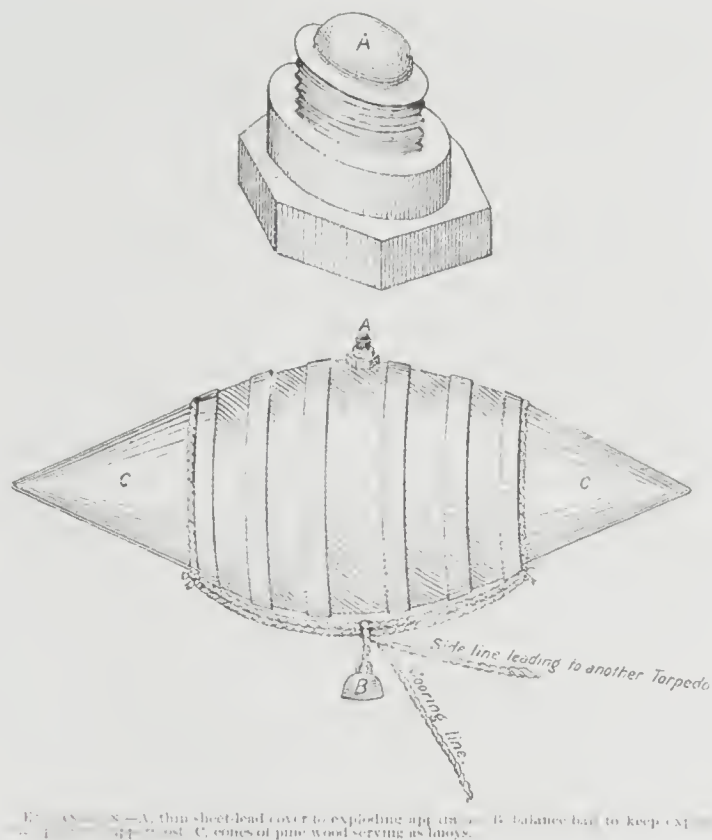
ington, together with numerous sub-stations across the Confederacy.

Within North Carolina, Rains and the Torpedo Bureau worked with Colonel William Lamb to construct what would become known as the "Gibraltar of the South," Fort Fisher. Certainly there were other forts in the area, but the main resistance to a Union invasion would be Fort Fisher, the principal defender of the South's most important city, Wilmington. To resist attacks on the landward face, the Bureau constructed what might be considered to be the world's first true minefield. It consisted of two dozen sub-terra shells containing one hundred pounds of powder each. These were buried about eighty feet apart and were to be detonated by a battery that was housed inside the walls. It was planned that the battery should trigger all of the mines to explode at once resulting in great discomfort to the attacking infantry. Unfortunately, when the land attack finally took place the extensive preparatory naval bombardment succeeded in cutting the wires to the mines so that when the order was given to fire, the weapons failed to detonate.

The waters around the fort were also mined using electric torpedoes. This served the purpose of allowing the considerable blockade running traffic through while still keeping Union naval forces at bay. Union General Godfrey Weitzel, during landing operations against the fort, suggested to Admiral David Porter that he should order some of his lighter-draft gunboats to run the bar so as to fire on the fort from its unprotected side. Porter declined, stating that he would almost certainly lose at least one vessel to Confederate torpedoes. Porter later wrote in his report that "running the bar might have been sport to General Butler, but it would have been death to the gunboats."

The employment of these weapons accounted for numerous examples of stalled Federal offensives. Admiral Porter confessed that, during his first attack with General Benjamin Butler against Fort Fisher, it was his fear of the torpedoes that keep

him from entering the Cape Fear River with his gunboats.

Other Torpedo Bureau activities in North Carolina included creating bombs that were shaped and painted to look like lumps of coal. On one occasion, while aboard General Butler's headquarters ship USS *Greyhound*, Admiral Porter had just completed a planning conference. He noted later how slack security was on Butler's ship after he observed a group of suspicious-looking civilians wandering about. Porter told the ship's officers these people had no business being there and went to alert Butler, but before reaching him, there was a violent explosion in the stern of the ship, and it sank in less than five minutes. A subsequent investigation concluded that the ship was destroyed by a Confederate bomb that had been placed in the ship's coal bunkers.

Rains and Maury were responsible for inventing or designing numerous weapon configurations and detonating systems. Rains designed spar torpedoes that were mounted on torpedo boats and submarines such as the "Davids" and *H.L. Hunley*. These were fired either by pulling a lanyard or by contact with enemy vessels. Among the advanced fuse designs constructed was a chemically controlled detonator using sulfuric acid in a glass bottle. When the bottle broke, the sulfuric acid set off the primer. Rains also created drifting torpedoes, which were constructed from beer barrels, among other things. These floating mines could carry up to 120 pounds of powder, and were fitted with iron caps at each end of the barrel. When the mine bumped into a ship, the iron cap would be knocked off, thereby pulling a lanyard and firing the primer. These barrels could be strung together in any number and set adrift in the hope that they would drift downstream and get caught on anchored ships and detonate. The Torpedo Bureau's various ideas were used in all areas of the Confederacy and many people copied or expanded on Rains' and Maury's initial designs.[15]

Perhaps the best-known and most famous design was the electrically detonated torpedo. This weapon was often constructed of boilerplate from the Tredegar Iron Works in Richmond, Virginia, although, in practice, any metal cylinder that could be made watertight could and would be employed. The inside of the cylinder was coated with tar to ensure that it would remain watertight. The torpedo was submerged to the desired depth and connected to the shore by means of insulated wire. Within the weapon a pair of cables led to each of the powder-filled tanks (there could be several tanks in any given torpedo and some of these weapons would contain over 1000 pounds of powder). At the center they were connected by a piece of platinum wire (at the start of the war, the entire Confederacy had only five feet of this type of wire) that passed through a goose quill of mercury fulminate. When the contacts were joined, completing the circuit, heat generated by the platinum wire exploded the fulminate and set off the mine.[16] Batteries provided the electrical charge. Scarce in the Confederacy, these batteries and additional battery acid were borrowed or purchased from universities and pharmacies throughout the South. Each battery consisted of several

cells, each containing up to eighteen pairs of ten by twelve-inch zinc plates submerged in thirty-six gallons of sulfuric acid, and could generate enough current to detonate a charge up to 250 feet away. Maury determined that, in many cases, torpedoes would have to be deployed much further into waterways so he designed a way to set up torpedoes in series. This increased the distance from shore within which the weapons could be deployed. This innovation allowed torpedoes to be detonated in series or individually, depending on the location and size of an attacking fleet.[17]

From the outset the lack of materials for weapons construction hindered the Southern war effort. The Torpedo Bureau faced the same problems. In addition to the shortage of powder and limited Congressional funding, wire, a necessary material component of the electric torpedoes, was in extremely short supply. Early in the war, the South received a windfall when salvors fished a 2,000-foot long abandoned Federal telegraph cable out of Chesapeake Bay. The South, however, lacked the industry to produce more wire itself. To further complicate matters, the Confederacy lacked the materials and ability to insulate wire, even if factories could produce it, since the blockade of Southern ports almost completely prevented the importation of India rubber for insulation. This shortage of materials forced Confederate torpedo designers to devise different detonating systems, depending on what materials were available. This led to the creation of various forms of mechanical, chemical, and electrical detonators.

The activities of the Torpedo Bureau were not confined to underwater defenses. Rains, being an army officer, continued to work on perfecting land mines. Other people, most of whom remain unknown, were also placing torpedoes on land. One of the first instances of this was near Columbus, Kentucky. These weapons were squat iron castings with handles. Their lids were locked shut with bolts, and beneath were smaller wooden boxes that protected the holes through which the wires from the batteries passed. The boxes contained artillery shells that were filled with canister and grapeshot, and additional gunpowder. The mines were placed alongside roads on riverbanks where Union forces might send men to look out for underwater torpedoes or ambushes.[18] The mines were an effective form of anti-personal weapon. This instance represents an example of inter-departmental cooperation, and a unique approach to mine warfare, using the weapons as traps for soldiers looking for mines in the water.

Other types of mines were employed, such as those recovered by Union troops operating near Battery Wagner in South Carolina. Union diarist George H. Gordon recorded his experiences with the weapons and mentioned a triggering system in which "a line attached to a pocket-knife would meet the eye of a soldier, who naturally enough would stoop to pick it up, and thus explode the instrument of death."[19]

Torpedoes would play an ever-increasing role in Confederate defenses, as the war took its toll on the manpower-deficient South. The weapons eventually were deployed both on land and in virtually every body of water the Confederates defended. By late 1864, Rains reported that the land approaches to Richmond were protected by 1,298 mines of various types.

As the war dragged on, the Confederate government placed more reliance on torpedoes in the hope that the new weapons could turn back the blue tide. Congress demonstrated its faith in torpedoes by increasing funding dramatically. In an act dated 17 February 1864, $350,000 was appropriated for the building of submarine batteries and on 13 June the same year, an additional $250,000 was assigned for further construction of these weapons. Funding continued to increase, but it was too little and too late. General Rains stated:

> For three years the Confederate Congress legislated on this subject, a bill passing each house alternately for an organized torpedo corps, until the third year, when it passed both houses with acclamation, and $6,000,000 was appropriated, but too late; and the delay was not shortened by the enormous appropriation.[20]

The value of these weapons in the defense of the Confederate coastline is without question. During the war torpedoes damaged or destroyed more Union vessels than all Confederate naval vessels and shore batteries combined. The fact that the Confederacy's harbors and bays were well protected greatly boosted the morale of Southern citizens.

Among the greatest examples of the faith people had in torpedoes came from an incident in 1864, after the Battle of Mobile Bay. The Federal monitor *Tecumseh* struck a torpedo while running past the guns of Fort Morgan and the ship sank almost instantly, carrying all but six of her crew down with her. A report was filed noting the torpedo's success, but Major General Dabney H. Maury corrected it to state that shore batteries destroyed the ship. Arguments subsequently ensued, with several parties claiming credit for the warship's destruction. The Torpedo Bureau received additional support for its claim in the form of a letter from a Miss Emily Lee McCleskey of Mobile, Alabama. Her communication was straight to the point—Miss McCleskey had been surprised by a statement in the Register (a Mobile newspaper) that the fort's guns had sunk the *Tecumseh*; "a thing which had never been thought of before." The Union Navy stated that a torpedo had sunk the ship and Confederate soldiers stationed at the fort agreed. Miss McCleskey concluded by writing, "that the prejudice which the army and navy have against torpedoes cannot be eradicated. They hate to think that anything so little credited yet shall invariably do the fleet of the foe more damage then their fine fighting, but people now have faith in torpedoes and little else."[21]

Endnotes

1   U.S. War Department, *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C.: Government Printing Office, 1880-1901), ser 2., 2, pt. 2:149-154.

2   W. Davis Waters, "Deception is the Art of War: Gabriel J. Rains, Torpedo Specialist of the Confederacy," *North Carolina Historical Review* 66 (January 1989), 31.

3   James McIntosh and Haskell Monroe, eds., *The Papers of Jefferson Davis: Vol. I 1808-1840* (Baton Rouge: Louisiana State University Press, 1971), 356-359.

4   Zachary Taylor, "Report of Action around Fort King 1840," Pension Application Files, Records Group 94, National Archives, File Number 17274.

5   Michael Bonner, "Gabriel J. Rains and the Ethical Controversy over Confederate Landmine Use" (M.A. Thesis, East Carolina University, 1997), 24.

6   Waters, "Deception," 32.

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8   Ibid., ser. 1, 2, pt. 1:404.

9   Ibid., ser. 1, 2, pt. 3:134-135.

10   *Official Records*, ser. 1, 11, pt. 3:509.

11   Ibid., 510.

12   Ibid.

13   Ibid., 608.

14   Joseph T. Durkin, *Stephen R. Mallory: Confederate Navy Chief* (Chapel Hill: University of North Carolina Press, 1954), 265.

15   Eugene Canfield, *Notes on Naval Ordnance of the American Civil War 1861-1865* (Richmond: William Byrd Press, 1960), 18-21.

16   Milton Perry, *Infernal Machines* (Baton Rouge: Louisiana State University Press, 1965), 17-18.

17   Louis Schafer, *Confederate Underwater Warfare* (West Jefferson, NC: McFarland & Company, 1996), 20.

18   Perry, *Infernal Machines*, 11.

19   George H. Gordon, *A Diary of Events in the Great Rebellion: 1863-1865* (Boston: James R. Osgood & Co., 1882), 212.

20   Durkin, *Mallory*, 268.

21   Ibid., 273-274.

(Elevation.)

Upper port sill.

Extreme elevation 10°.

Axis of the bore 2 inches below the center of the port
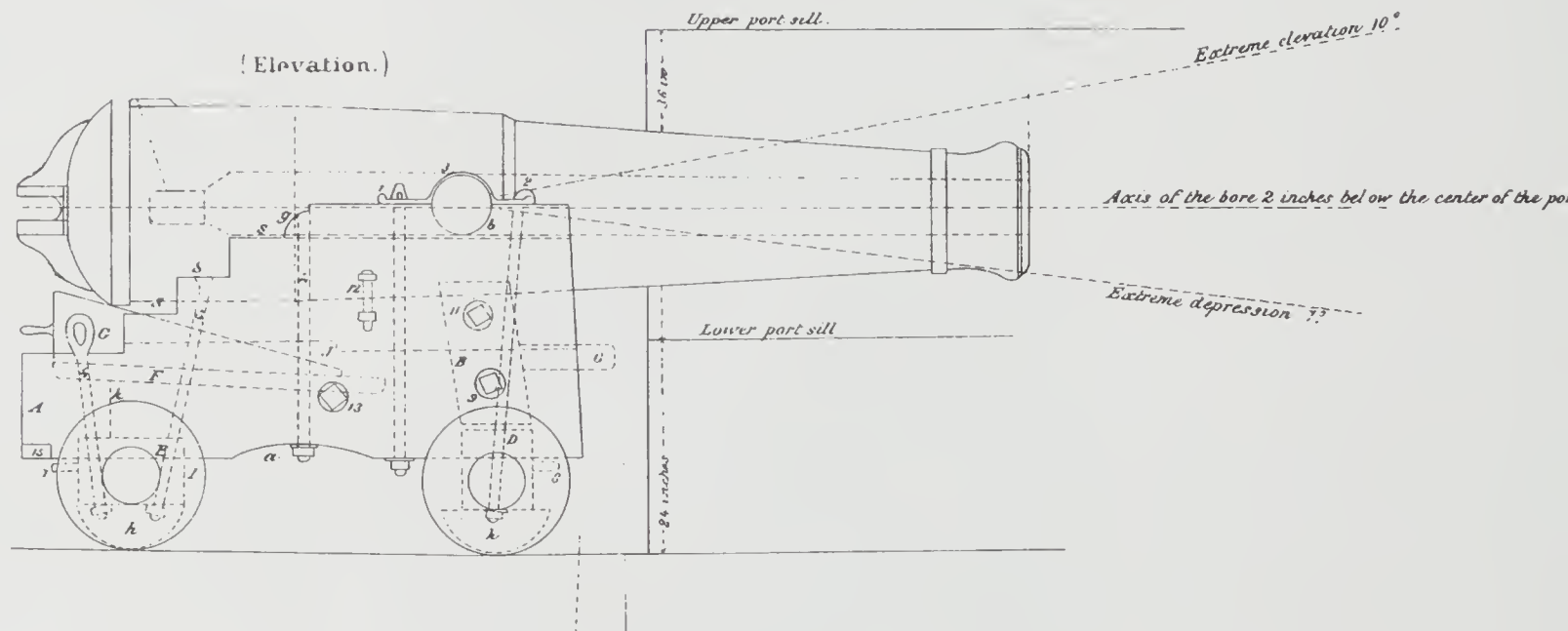
Extreme depression 7°.

Lower port sill.

Diagram of 8-inch chambered shell gun. (From Olmstead, Stark, and Tucker, *The Big Guns*, 1997)

The Guns of Fort Ocracoke Beginning of Hostilities...

by Robert C. Smith

Burning of Fort Ocracoke by Union troops, seen in an engraving (*Illustrated London News*)

During the early stages of the Civil War, and as the North began its policy of a stranglehold blockade of Southern ports, Southern commerce raiders struck Northern targets off the North Carolina coast with great success. Northern shipping tycoons loudly complained to the Federal government and demanded that the Confederate privateers be stopped. One of the major passages used by these brave marauders was Ocracoke Inlet. A natural inlet cut in to the Outer Banks between the villages of Ocracoke and Portsmouth; Ocracoke Inlet provided a protected corridor between the near-by shipping lanes and the safety of the shallows of Pamlico Sound. Rich commerce targets were sighted by lookouts in the Ocracoke lighthouse and the privateers were signaled into action. Vessels such as CSS *Albemarle*, CSS *Winslow*, and the North Carolina Ship *Beaufort* captured many ships and either confiscated their cargoes or seized the entire vessel from this area.

In an attempt to protect this valuable inlet, the State of North Carolina and the Confederate States Army ordered Colonel Ellwood Morris, an engineer of Northern birth, but "Southern adoption," to survey Ocracoke Inlet and nearby Oregon Inlet in preparation of building forts and support batteries. In May of 1861, construction began on a twenty-gun installation, built on Beacon Island in Ocracoke Inlet, and by June, a fort with walls "28 feet thick" was looming over the site.

Built after Todleben's plan at Sebastopol,[1] the fort contained four bombproofs "25 feet square" and a magazine in the center "100 feet square." The magazine also contained four 18,000 gallon cisterns or tanks built to catch and hold rain water for drinking and bathing. The fort was manned by five companies of the 7th NC Volunteers, four of which were in barracks on Portsmouth and one slept in the fort itself. The companies would take turns manning the fort as living conditions must have been less than hospitable. Over one hundred barrels of water

were stored in the fort, which would act as breeding grounds for mosquito larvae and the mosquito infestation must have been frightening.

Supplies came slow for southern troops and though the fort had all twenty guns on site, they were positioned all over the fort because gun carriages had not yet arrived. By mid-June, Morris and his men had mounted five 32-pound smoothbore cannons and the fort's most formidable guns, the two 8-inch columbiads. The remaining guns, nine more 32-pounders and four 8-inch navy shell guns, still laid in various positions throughout the installation. Colonel Morris wrote that they had seven guns in battery and that the fort's two columbiads "fully commanded the inlet." A newspaper article spoke of the affectionate names given to the two heavy guns. One was named after Morris and the other was given the name "Nannie Davies."

In late August, one of the guns fired a signaling report, which haled the Union blockading fleet's coming attack on the North Carolina coast. In an attempt to pacify the ship owners of New York, an assault force had been assembled and was now standing by to attack Forts Hatteras and Clark, just to the north of Fort Ocracoke. But the Union Navy had also realized the great tactical importance of the Outer Banks and had decided that, in Union hands, they would make an excellent staging area for attacks deeper into the South.

Four of the five companies stationed at Fort Ocracoke were very quickly embarked on waiting transports and sent to support Fort Hatteras, leaving only about eighty men to man the walls of the Ocracoke stronghold. Upon leaving, and order was given that if Fort Hatteras should fall to the Union forces, Fort Ocracoke was to be abandoned, its guns spiked, and its platforms and structures burned. The small garrison was ordered to then fall back to Washington and New Bern. Soon after landing, the reinforcements from Ocracoke were captured by the Union amphibious landing force. Word soon reached the Ocracoke fortifications and the standing

order to abandon was given. William von Eberstein, the ordnance sergeant for Fort Ocracoke, strongly protested this action citing that the Union blockading fleet did not have light draft vessels to attack Ocracoke from the Pamlico Sound side and that the mounted guns did indeed command the inlet. Any vessel entering the inlet would fall immediately under the fire of the fort. So vehemently did he protest that he even called the officers "cowards." Nevertheless, the garrison did retreat from the Beacon Island fort and set fire to the gun platforms on the way out. All the guns were spiked and left to the elements. The fire raged and was seen by the Union fleet some fifteen miles away, who were unsure what was burning, but watched with great interest nonetheless.

On 16 September, the first officer of USS *Pawnee* was ordered to lead an expedition to reconnoiter the Fort Ocracoke site and to destroy any war materials left behind by the Confederates. Lieutenant James Maxwell, who led the small force, reported:

> Sir: I have to report that, in compliance with your orders of the 16th, I started for Ocracoke on that day in the steamer Fanny, towing the Pawnee's launch. Lieutenant Eastman had charge of the latter, with 22 men and 6 marines from the ship, the 12-pounder howitzer and I had on board 6 men and 61 soldiers of the naval brigade under Lieutenants Tillotson and Rowe.
>
> We arrived within 2 miles of the fort on Beacon Island at 11 a.m., when the Fanny grounded. I sent Lieutenant Eastman in the launch to sound for the channel. While he was so occupied, a sailboat with two men put off from Portsmouth to cross the sound. A shot from the Fanny brought them alongside, and they piloted us to within a hundred yards of the fort. It is called Fort Ocracoke, and is situated on the seaward face of Beacon Island; it

A 32-pounder mounted on a front-pindle carriage. This gun is a navy model 1844, distinguishable by the ring mounted above the cascabel. This weapon is on display at Fort Moultrie State Park, near Charleston, SC. (Photo by the author)

was entirely deserted. It is octagonal in shape, contains four shell rooms about 25 feet square, and in the center a large bombproof of 100 feet square, with the magazine within it. Directly above the magazine on each side were four large tanks containing water.

The fort has been constructed with great care of sand barrace, covered with earth and turf. The inner framing of the bombproof was built of heavy pine timbers. There were platforms for twenty guns which had been partially destroyed by fire. The gun carriages had been all burned. There were 18 guns in the fort, viz, 4 8-inch shell guns and 14 long 32-pounders.

The steamer Albemarle left on Sunday afternoon, carrying off two guns. I found 150 barrels also, many of them filled with water; there being no water in the fort, they had brought it from Washington and New Berne.

I landed the men at 1:30 o'clock and commenced breaking off the trunnions of the guns.

While a portion of our men and naval brigade were so employed,

I sent Lieutenant Eastman in the launch to Portsmouth, where he found three 8-inch navy shell guns lying on the beach and one mounted on a carriage. They had all been spiked. There was no battery erected there, although we were informed that one would have been built but for our coming.

There had been a camp at Portsmouth, called Camp Washington, but

a portion of the troops were sent to Fort Hatteras when it was attacked on August 28, and the remainder retired to the mainland.

Portsmouth, which formerly contained 450 inhabitants, was nearly deserted, but the people are expected to return. Those remaining seem to be Union men, and expressed satisfaction at our coming.

Lieutenant Eastman assured them that they would not be molested by the Government and that they might return to their usual occupation. There are no entrenchments nor guns at Ocracoke. The fishermen and pilots who fled after our attack have generally returned. I tried to destroy the guns by breaking the trunnions off with sledges and by dropping solid shot upon them from an elevation, with little success. I then fired solid shot from a 64-pounder at them, and in this manner disabled them.

Lieutenant Eastman disabled the guns at Portsmouth by breaking off the cascabels and leaving them in the salt water on the beach. After destroying the guns I collected all the lumber, barrace, and wheelbarrows and placed them in and about the bombproof, set fire to the pile and entirely destroyed it. A light-ship, which had been used as a storeship, and which was run upon the shore some distance from the fort, with the intention of subsequently towing off and arming, I also set fire to. At 6:30 this morning I started on our return.

We met with no detention and arrived safely with all hands at 11:30 a. m. I am happy to report that the conduct of our men and the naval brigade was excellent. Lieutenant Eastman, and Lieutenants Tillotson and Rowe of the naval brigade, rendered me most efficient assistance.

I am, respectfully, your
obedient servant,
J. G. Maxwell[2]

"Old timers" claim to have seen the remains of the fort walls on Beacon Island as children, but some time in the early 1930s, possibly during the infamous hurricane of 1933, all remains of the formidable garrison disappeared into Pamlico Sound. During a remote sensing survey, or an electronic search for shipwrecks, in August 1998, the remains of Fort Ocracoke were discovered by divers from Surface Interval Diving Company (SIDCO), a nonprofit archaeological dive team based in Beaufort. Survey work and research is continuing, but many questions have been asked about the cannon and their whereabouts. First, how did Maxwell and his men "fire one gun against another?" Moreover, how did he fire guns that were spiked? Finally, where are the guns today and how many are left?

We know from Maxwell's report that eighteen guns were destroyed and left at Fort Ocracoke. There were four 8-inch navy shell guns and fourteen 32-pounder smoothbore cannon left at the site. So far no record has been found that tells of any recovery of weapons near Ocracoke or Portsmouth. So, theoretically, the eighteen original guns remain somewhere under the sands of Pamlico Sound, near the remains of the site. The two columbiads *were* recovered by CSS *Albemarle* and later ended up at Fort Ellis near New Bern. One of them eventually was allocated to Fort Macon, where they had been originally stationed when they were transferred to Fort Ocracoke. This gun fell into Union hands when that fort capitulated later in the war.

32-pounder Smooth-bore Guns

According to the *Confederate Field Manual*,[3] a gun "technically, is a heavy cannon, intended to throw solid shot with large charges of powder. It may be distinguished from other cannon by its great weight and length, and by the absence of a chamber." The 32-pounder seacoast gun made up the bulk of the fort's weaponry. It is believed that the fort's guns came from the Norfolk Naval Yards and most of the guns would have been navy models as seen below. Though antiquated by the new technology of the Civil War, they had served well during the War of 1812, and were in abundance at the time of the Confederacy's secession from the Union. Generally mounted on wooden, front pintle barbette carriages, they were capable of firing the full range of ammunition including shot, shell, case, canister, and grape. The gun tube was made of iron, had a 6.4 inch bore and measured 125 inches in length. The gun weighed 7,200 pounds. With a 5-degree elevation and an 8-pound powder charge, the gun's range was 1,922 yards.[4] These guns were generally

"smooth-bore" and not rifled units, although 32-pounders were rifled later in the war, greatly adding to their accuracy and effectiveness.

8-inch Navy Shell Guns

Information for these guns has been hard to find. The guns themselves are at least as elusive as the text that describes them. These guns were the predecessors of the Dahlgren, Parrott, and Brooks heavy cannons and were greatly antiquated at the outbreak of the Civil War, in favor of the newer, stronger weapons. The four 8-inch shell guns left at Fort Ocracoke were described as "63 hundredweight" in one of the Union naval reports regarding Maxwell's actions there.[5] The 8-inch guns were founded in a variety of hundredweights with the "63" being the focus here. They had been introduced in 1840, with 417 being produced between the years from 1841 to 1855. They were built for the Navy in the Alger, Columbia, Fort Pitt, and West Point foundries and for a while they were required on the gun decks of first class frigates and ships of the line. Regulations stated that ten should be "carried and collected in one division of the gun-deck."[6] In 1846, the Army accepted six guns, probably to compare with the 1844 8-inch Columbiads, which was by far a better piece.

Admiral Dahlgren described these guns as follows:

They follow the form prescribed by Paixhans; they will be easily recognized by the straight muzzle common to the French canon-obusier of 22 centimeters, they have no sight masses; they are not turned on the exterior, consequently retain the outer crust, which gives them a rough appearance . . . . In 1851 [others were] cast, of the same bore length . . . but following the external form of other recent Navy cannon. They are turned, have sight masses, a bell muzzle, and a stouter knob.

The guns were 107.5 inches long, with a bore of 8.5 inches reducing to 8.0 inches in the chamber.

As to how spiked guns were fired against each other, the *Confederate Field Manual* also answers those questions:

SPIKING AND UNSPIKING GUNS, AND RENDERING THEM UNSERVICABLE.

To spike a piece or to render it unserviceable-Drive into the vent a jagged and hardened steel spike with a soft point, or a nail without a head; break it off flush with the outer surface, and clinch the point inside by means of a rammer . . . .[7]

This is how the weapons were made useless as they were sure to fall into Union hands, but how did Lieutenant Maxwell and his men make the guns serviceable to fire one against another?

To unspike a piece-If the spike is not screwed in or clinched, and the

bore is not impeded, put in a charge of powder of one-third the weight of the shot, and ram junk wads over it with a handspike, laying on the bottom of the bore a strip of wood with a groove on the under side, containing a strand of quick-match, by which fire is communicated to the charge; . . . if this method is not successful...and if an iron gun, drill out the spike, or drill a new vent. To use a piece which has been spiked.-Insert one end of a piece of quick-match in the cartridge, allowing the other to project out of the muzzle of the gun. Apply the fire to the quick-match and get out of the way. When quick-match of sufficient length is not at hand, insert one end in the cartridge, the other projecting in front of the shot; and after ramming the cartridge home, throw two or three pinches of powder into the bore. Place another piece of match in the muzzle, the end projecting out. The piece may be fired in this way without danger. Quick-match in the cartridge may be dispensed with by piercing three or four holes in the cartridge bag. In this manner the gun may be fired with great rapidity.

We know from other reports concerning preparations for Maxwell's expedition, that he did carry sledges and chisels and 32-pound solid shot and 7-pound charges for the purpose of firing one gun against another.[8] This seemingly incredible feat sounds almost commonplace to these men and their rudimentary weapons.

As for those weapons today, they remain hidden. Hopefully not in the rusting bumpers of '57 Chevrolets, but under the sands of Pamlico Sound, awaiting discovery, conservation and display, and for a chance to tell their side of the story of the fort at Ocracoke Inlet.

Endnotes

1   David Schenck Diary, 28, 30 June, 1 July 1861. Southern Historical Collection, Wilson Library, University of North Carolina, Chapel Hill.

2   *Official Records of the Union and Confederate Navies in the War of the Rebellion*, 27 vols. (Washington, DC: Government Printing Office, 1896), ser. 1, 6, pt. 5: 223-224.

3   Ordnance Bureau, *Field Manual for the Use of the Officers on Ordnance Duty* (Richmond: Ritchie and Dunnavant, 1862), 7.

4   Dean S. Thomas, *Cannon: An Introduction to Civil War Artillery* (Gettysburg: Thomas Publications, 1985), 52.

5   *Official Records*, ser. 1, 6, pt. 5: 225. Report from Captain Chauncey aboard *USS Susquehanna*, dated 19 September 1861

6   Edwin Olmstead, Wayne E. Stark, and Spencer C. Tucker, *The Big Guns: Civil War Siege, Seacoast and Naval Cannon* (Alexandria Bay, NY: Museum Restoration Service, 1997), 41-43.

7   Ordnance Bureau, *Field Manual*, 14-15.

8   *Official Records*, ser. 1, 6, pt. 5:222. Letter from Commander Rowan to Captain Chancey, Atlantic Blockading Squadron, U.S. Navy, dated 16 September 1861 and Letter from Commander Rowan to Captain Chauncey, dated 18 September 1861.

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