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THE MONITOR AND THE MERRIMAC.

(Senate Bill 369; House Bill 3840.)

A STATEMENT

*Of the Reasons for making a grant in the nature of Prize-  
Money to the Officers and Crew of the U. S. Iron-Clad  
Steamer Monitor for damage to the Confederate  
Iron-Clad Merrimac, March 9, 1862, and  
her subsequent destruction.*

WASHINGTON, D. C. :

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# THE MONITOR AND THE MERRIMAC.

[SENATE BILL 369 ; HOUSE BILL 3840.]

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These two bills, in support of which we shall offer some suggestions, (Senate Bill No. 369 and House Bill No. 3840,) are identical in every respect.

The bill was introduced in the Senate by Senator J. Donald Cameron, December 12, 1881; was favorably reported by the Committee on Naval Affairs, April 5, 1882, and passed the Senate, May 24, 1882. It is now on the Speaker's table of the House of Representatives.

The House bill was favorably reported by the House Committee on Naval Affairs, January 31, 1882, (the memorial having previously been presented,) and is now on the Private Calendar.

The bill is as follows :

A BILL for the relief of the officers and crew of the United States steamer Monitor who participated in the action with the rebel iron-clad Merrimac on the ninth day of March, eighteen hundred and sixty-two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized and directed to pay to Rear-Admiral John L. Worden and the officers and crew of the United States steamer Monitor who participated in the action with the rebel iron-clad Merrimac on the ninth day of March, eighteen hundred and sixty-two, including Chief Engineer Alban C. Stimers and Acting Master Samuel Howard, such a sum as shall be duly found by the said Secretary to have been the actual value of the said iron-clad Merrimac and her armament at the date of said action, not exceeding the sum of two hundred thousand dollars.

SEC. 2. That the sum to be thus distributed shall be in lieu of the bounty provided by section forty-six hundred and thirty-five of the Revised Statutes of the United States, and shall be distributed in the proportions fixed by law in cases where the capturing or destroying vessel was acting independently of the commanding officer of a fleet, squadron, or division.

SEC. 3. That in case of the death, either before or after the passage of this act, of any person who would be entitled, if living, to share in its benefits, the sum falling due to such person shall be paid to his widow, if living, and if no widow be living, then to his child or children, if living, and if no child or children be living, then to his executor or administrator, for the benefit of his heirs at law.

SEC. 4. That for the purpose of carrying this act into effect the sum of two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Passed the Senate, May 24, 1882.

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#### HISTORY.

For historic accounts of the celebrated engagement of March 9, 1862, between the Monitor and the Merrimac, see

Swinton's Twelve Decisive Battles of the War, pp. 226-261.

History of the Civil War in America, by the Comte de Paris, Vol. 1, pp. 591-608.

Greeley's American Conflict, Vol. 2, pp. 115-120.

For official reports, see

Report of Secretary of the Navy, 1862, pp. 28-32, 91-106.

House Report No. 144, 47th Congress, 1st Session.

Senate Report No. 394, 47th Congress, 1st Session.

For the convenience of Members not having at hand histories of the war as above cited, we give below an ac-

count of the voyage and battle of the Monitor, on which the claim for prize-money in this case is based, drawn from the most authentic sources.

The construction of the iron-clad steamer Monitor was a marvel of engineering skill and promptness. The contract for her construction was signed by Ericsson, her inventor and maker, on the 25th of October, 1861, and on the 30th of January, 1862, she was completed and launched.

Owing to delays, however, from various causes, she did not make her first trial-trip till the 19th of February, and did not sail from New York till the 6th of March, 1862. Lieutenant John L. Worden was placed in command of her with a picked crew consisting of volunteers only. The voyage of this vessel of a new and untried construction was considered too hazardous an experiment to risk the lives of unwilling sailors. It was predicted by many that she would sink in making the passage to Hampton Roads, when a few miles out at sea; and those who sailed upon her absolutely took their lives in their hands. The voyage from New York to Hampton Roads proved to be a difficult and dangerous one. Although she left New York Bay with a moderate wind, it had freshened by noon of the 7th (the next day) to a strong breeze off shore, causing a rough sea which broke constantly and violently over the deck, and forced the water in considerable quantities into the vessel from the hawse-pipes under the turret, and in various other places. About four o'clock in the afternoon, the wind and sea still increasing, the water broke over the smoke and blower pipes, the former six and the latter four feet high, which, wetting the blower-bands, caused them to slip, and finally to break.

The blower being thus stopped, there was no draft for the furnaces, and the engine and fire-rooms became immediately filled with gas. The senior engineer, Isaac Newton, and his assistant, met the emergency with great de-

termination, but were unable to fight against the gas, which, in a very short time, prostrated them apparently lifeless upon the floor of the engine-room, from which they were rescued and carried to the top of the turret, where they finally revived. The engine having been thus rendered useless for either propulsion or pumping, the water, which was entering the vessel in many places, increased rapidly. In the evening the vessel got into smoother water, permitting some repairs to the engine and blowers; but shortly after midnight the sea became rough again, and broke violently over the deck. The wheel-rope, too, became entangled and jammed, and for half an hour the vessel yawed unmanageably; but, fortunately, she finally got into smooth water again.

With no further serious mishap, however, she arrived in Hampton Roads on the afternoon of March 8. About four o'clock in the afternoon they passed Cape Henry light, and soon afterwards heard heavy firing in the direction of Fortress Monroe, indicating an engagement, which they rightly concluded to be with the Merrimac, as they had been informed of her preparation to get to sea. Lieutenant Worden immediately ordered the vessel to be stripped of her sea rig, the turret to be keyed up, and in every way to be prepared for action. About midway between Cape Henry and Fortress Monroe a pilot-boat came along and gave them a pilot, from whom they learned of the advent of the Merrimac, the disaster to the ships Cumberland and Congress, and the generally gloomy condition of affairs in Hampton Roads.

The history of the destruction of these gallant vessels and the subsequent battle of Sunday, the 9th, between the Monitor and the Merrimac, may be best described in the graphic language of Mr. Swinton in his "Decisive Battles of the War:"

"An hour after noon of the 8th of March, 1862, a fleet of steamers was discovered by the Union lookout in Hamp-

ton Roads, descending the Elizabeth River, rounding Sewall's Point, and standing up towards Newport News. The signals were promptly made to the blockading squadron in that neighborhood, whereof two sailing vessels, the frigate Congress and the sloop-of-war Cumberland, were anchored off Newport News, and the remainder of the fleet near and about Fort Monroe, six miles distant. So soon as the tidings spread, the fine frigates Minnesota, Roanoke, and St. Lawrence got under way, slipped their cables, and, with the aid of tugs, moved up towards the approaching enemy. The gale of the previous day had abated, and there was but little wind or sea. As the Confederate fleet steamed steadily into view, its character became apparent; the central figure was the long-expected Merrimac, whose advent had been the theme of speculation through days and nights, for many weeks, not only in the squadron which waited to receive her, but throughout the country. The cry of 'the Merrimac! the Merrimac!' speedily ran from ship to fort and from fort to shore. To the curious eyes of the thousand spectators gazing intently from near, or peering through telescopes from afar, she seemed a grim-looking structure enough—like the roof of an immense building sunk to the eaves. Playing around her, and apparently guiding her on, were two well-armed gun-boats, the Jamestown and Yorktown, formerly New York and Richmond packets, which seemed to act like pilot-fish to the sea-monster they attended. Smaller tugs and gun-boats followed in her wake, some of which had emerged from the James River. On she came, the Cumberland and Congress meanwhile bravely standing their ground; and as the Merrimac approached the latter vessel, she opened the battle with the angry roar of a few heavy guns. The Congress answered with a full broadside, and when the Merrimac, passing her, bore down upon the Cumberland, the latter too brought to bear upon her every available gun in a well-delivered fire. To the chagrin of both vessels, their heaviest shot glanced as idly from the flanks of their antagonist as peas blown at the hide of a rhinoceros. Hot and terrific as was the firing that now took place, the contest could only be of short duration. With fell intent, the huge kraken, unharmed by the missiles rained upon her, bore down upon the Cumberland, and striking that ill-fated vessel with her iron beak, under terrific momentum, rent a great gaping cavern in

her side. In an instant it was seen that all was over with the Cumberland. But, while the waters rushed into the yawning chasm, and while the ship sank lower and lower, her gallant crew, led by their heroic commander, Lieut. Morris, refused to quit their posts, and with loud cheers continued to pour their broadsides upon the gigantic enemy. As the guns touched the water they delivered a last volley; then down to her glorious grave went the good Cumberland and her crew, with her flag still proudly waving at her mast-head.

“Meanwhile, the consorts of the Merrimac had furiously engaged the Congress with their heavy guns. Warned by the horrible fate of the Cumberland, she had been run aground in an effort to avoid being rammed by the Merrimac. But the latter, at half-past two, coming up from the destruction of the Cumberland, took deliberate position astern of the Congress and raked her with a horrible fire of heavy shells. Another steamer attacked her briskly on the starboard quarter, and at length two more—an unneeded reinforcement—came up and poured in a fresh and constant fire. Nevertheless, until four o’clock the unequal, hopeless contest was maintained; and with each horrible crash of shell the splinters flew out and the dead fell to the deck of the dauntless Congress. She could bring to bear but five guns on her adversaries, and of these the shot skipped harmlessly from the iron hump of the dread monster who chiefly engaged her. At last not a single gun was available; the ship was encircled by enemies; her decks were covered with dead and dying, for the slaughter had been terrible; her commander had fallen; she was on fire in several places; every one of the approaching Union vessels had grounded; no relief was possible; then, and then only, was the stubborn contest ended, and the flag of the Congress hauled down.

“And now, with the waters rolling over the Cumberland, and with the Congress in flames, the Confederate dragon, still belching her fiery, sulphurous breath, turned greedy and grim to the rest of the Union squadron. Arrived within a mile and a half of Newport News, the Minnesota grounded while the tide was running ebb, and there remained, a helpless spectator of the sinking of the Cumberland and the burning of the Congress. The Roanoke, following after, grounded in her turn; more for-

fortunate, with the aid of tugs, she got off again, and, her propeller being useless, withdrew down the harbor. In fine, the *St. Lawrence* grounded near the *Minnesota*. At four o'clock the *Merrimac*, *Jamestown*, and *Yorktown* bore down upon the latter vessel; but the huge couching monster which in a twinkling would have visited upon her the fate of the *Cumberland*, could not, from her great draft, approach within a mile of the stranded prey. She took position on the starboard bow of the *Minnesota* and opened with her ponderous battery, yet with so little accuracy that only one shot was effective, that passing through the Union steamer's bow. As for her consorts, they took position on the port bow and stern of the *Minnesota*, and with their heavy rifled ordnance played severely upon the vessel, and killed and wounded many men.

"The *Merrimac* meanwhile gave a share of her favors to the *St. Lawrence*, which had just grounded near the *Minnesota* and had opened an ineffectual fire. One huge shell penetrated the starboard quarter of the *St. Lawrence*, passing through the ship to the port side, completely demolished a bulk-head, struck against a strong iron bar, and returned unexploded into the ward-room; such were the projectiles which the *Merrimac* was flinging into wooden ships. Very soon the *St. Lawrence* got afloat by the aid of a tug, and was ordered back to Fort Monroe. The grounding of the *Minnesota* had prevented the use of her battery, but at length a heavy gun was brought to bear upon the two smaller Confederate steamers, with marked effect. As for the 10-inch pivot gun, its heavy shot were harmless against the *Merrimac*. Thus the afternoon wore on, till with the parting day died the fury of the battle. At length, at seven o'clock, to the great relief of the Union squadron, all three Confederate vessels hauled off and steamed back to Norfolk.\*

"So ended the first day's battle in Hampton Roads. What wild excitement, what grief, what anxiety, what terrible foreboding for the morrow possessed the Union squadron when night fell cannot be described: all was panic, confusion, and consternation. That the *Merrimac* would renew the battle in the morning was too evident, and the result must be the destruction of a part of the fleet, the dispersion of the rest,

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\*Sewall's Point.

and the loss of the harbor at Hampton Roads. Her first victim would be the *Minnesota*, now helplessly aground off Newport News; next, whatever vessel might be brave or rash enough to put itself in her way; whether she would then pause to reduce Fort Monroe, or, passing it by, would run along the northern coast, carrying terror to the national capital, or making her dread apparition in the harbor of New York, was uncertain. The commander of the fort, General Wool, telegraphed to Washington that probably both the *Minnesota* and the *St. Lawrence* would be captured, and that 'it was thought that the *Merrimac*, *James-town*, and *Yorktown* will pass the fort to-night.' Meanwhile that officer admitted that, should the *Merrimac* prefer to attack the fort, it would be only a question of a few days when it must be abandoned.

"It was upon such a scene that the little *Monitor* quietly made her appearance at eight o'clock in the evening, having left the harbor of New York two days before. Long before her arrival at the anchorage in Hampton Roads, the sound of heavy guns was distinctly heard on board, and shells were seen to burst in the air. The chagrined officers of the *Monitor* conceived it to be an attack upon Norfolk, for which they were too late, and the ship was urged more swiftly along. At length a pilot boarded her, and, half terror-stricken, gave a confused account of the *Merrimac's* foray. The response was a demand upon him to put the *Monitor* alongside the *Merrimac*; terrified at which, the moment the *Roanoke* was reached, he jumped into his boat and ran away. The appearance of the *Monitor* did little to abate the consternation prevailing. That so insignificant a structure could cope with the giant *Merrimac* was not credited; and those who had anxiously watched for her arrival, for she had been telegraphed as having left New York, gazed with blank astonishment, maturing to despair, at the puny affair before them. Her total weight was but nine hundred tons, while that of the *Merrimac* was five thousand;—what had yonder giant to fear from this dwarf? A telegram from Washington had ordered the *Monitor* to be sent thither the moment she arrived; but this, of course, was now disregarded, and the senior officer of the squadron, Captain Marston, of the *Roanoke*, authorized Lieutenant

Worden to take the Monitor up to the luckless Minnesota and protect her.

"It was a memorable night. In fort, on shipboard, and on shore, Federals and Confederates alike could not sleep from excitement; these were flushed with triumph and wild with anticipation; those were oppressed with anxiety, or touched the depths of despair. Norfolk was ablaze with the victory, and the sailors of the Merrimac and her consorts caroused with its grateful citizens. In Hampton Roads, amidst the bustle of the hour, some hopeless preparations were made for the morrow.

"The Monitor, on reaching the Roanoke, found the decks of the flagship sanded, and all hands at quarters resolved, though destruction stared them in the face, to go down in a hard fight. Her sister-ship still lay aground off Newport News, tugs toiling all night painfully, but uselessly, to set her afloat again; meanwhile a fresh supply of ammunition was sent to her. As for the officers and crew of the Monitor, though worn out by their voyage from New York, they had little mind for sleep, and passed much of the night in forecasting the issue of the coming day. The stories poured into their ears respecting the armor and battery of the Merrimac had not dismayed them or weakened their confidence in their own vessel; yet, as the officers had not been long enough on her to learn her qualities, nor the men to be drilled at the guns and at quarters, the guns, the turrets, the engines, the gear, and everything else, were carefully examined, and proved to be in working order.

"While thus in toil and expectation the night hours passed, an entrancing spectacle illumined the waters around. The landscape, a short distance off, in the direction of Newport News, was brilliantly lighted by the flames of the burning Congress. Ever and anon a shotted gun, booming like a signal of distress, startled the air around the ill-fated ship, when its charge had been ignited by the slowly-spreading flames.

"Ten hours now the ship had been burning; and at one o'clock in the night the fire reached the magazine, which blew up with an explosion heard more than fifty miles away. At once, in a gorgeous pyrotechny, huge masses of burning timber rose and floated in the air, and strewed the waters far and wide with the glowing debris of the wreck;

then succeeded a sullen and ominous darkness, in which the flickering of the embers told that the course of the Congress was nearly run. Meanwhile the dark outline of the mast and yards of the Cumberland was projected in bold relief on the illumined sky. Her ensign, never hauled down to the foe, still floated in its accustomed place, and there swayed slowly and solemnly to and fro, with a requiem-gesture all but human, over the corpses of the hundreds of brave fellows who went down with their ship.

“At six o’clock on the morning of March 9th, the officer on watch on the Minnesota made out the Merrimac through the morning mist, as she approached from Sewall’s Point. She was up betimes for her second raid, in order to have a long day for the work. Quickly the Monitor was notified, and got up her anchor; the iron hatches were then battened down, and those below depended on candles for their light. It was a moment of anxiety on the little craft, for there had been no time for drilling the men, except in firing a few rounds to test the compressors and the concussion; and all that the officers themselves, who were now to fight the ship, knew of the operation of the turret and guns, they learned from the two engineers who were attached to the vessel, and who had superintended her construction. When the great smoke-pipe and sloping casemate of the Confederate came clearly into view, it was evident that the latter had been smeared with tallow to assist in glancing off the shot. As she came down from Craney Island, the Minnesota beat to quarters; but the Merrimac passed her and ran down near to the ripraps, when she turned into the channel by which the Minnesota had come. Her aim was to capture the latter vessel and take her to Norfolk, where crowds of people lined the wharves, elated with success, and waiting to see the Minnesota led back as a prize. When the Merrimac had approached within a mile, the little Monitor came out from under the Minnesota’s quarter, ran down in her wake, to within short range of the Merrimac, ‘completely covering my ship,’ says Captain Van Brunt, ‘as far as was possible with her diminutive dimensions, and, much to my astonishment, laid herself right alongside of the Merrimac.’ Astounded as the Merrimac was at the miraculous appearance of so odd a fish, the gallantry with which the Monitor had dashed into the very teeth of its guns was not less surprising. It was

Goliath to David, and with something of the coat-of-mailed Philistine's disdain, the Merrimac looked down upon the pigmy which had thus undertaken to champion the Minnesota. A moment more and the contest began. The Merrimac let fly against the turret of her opponent two or three such broadsides as had finished the Cumberland and Congress, and would have finished the Minnesota; but her heavy shot, rattling against the iron cylinder, rolled off even as the volleys of her own victims had glanced from the casemate of the Merrimac. Then it was that the word of astonishment was passed, 'the Yankee cheese-box is made of iron.' The duel commenced at eight o'clock on Sunday and was waged with ferocity till noon. So eager and so confident was each antagonist that often the vessels touched, iron rasping against iron. Through most of the battle they were distant but a few yards. Several times while thus close alongside the Merrimac let loose her full broadside of six guns, and the armor and turret of the little Monitor were soon covered with dents. The Merrimac had for those days a very formidable battery, consisting of two 7½-inch rifles, employing twenty-one pound charges, and four 9-inch Dahlgrens in each broadside. Yet often her shot, striking, broke and were scattered about the Monitor's decks in fragments, afterwards to be picked up as trophies. The Monitor was struck in pilot-house, in turret, in side armor, in deck; but with her five inches of iron, backed by three feet of oak, the crew were safe in a perfect panoply; while, from the impregnable turret, the 11-inch guns answered back the broadsides of the Merrimac."

Swinton's Twelve Decisive Battles of the War, pp. 241-249.

Armor, however, gained the victory over guns. Unprecedented as was the artillery employed, it was for the first time called upon to meet iron-clad vessels. Even the 11-inch Dahlgren guns with which the Monitor was armed could not pierce the sides of the Merrimac, though she was terribly dented and her timbers broken. The Merrimac endeavored to run down the Monitor and destroy her with her iron beak or prow, as she had done the Cumberland

on the day previous, but, by a clever shifting of the helm, the Monitor only received a glancing blow on her side armor; but the blow against the Monitor sprung the ~~steer~~<sup>rudder</sup> of the Merrimac and caused her to leak more than she had been doing. Finally, however, a shot from the Monitor, whose guns had been depressed for that purpose, struck the Merrimac in her only vulnerable part, the junction of the casemate with the side of the ship, causing a leak which induced her officers to abandon the contest.

After four hours of fierce effort she abandoned the fight and steamed away for Norfolk to tell her vexation to the disappointed throng of spectators and then to go into dock for repairs. Her injuries are described by Captain James Byers, master of the steam-tug J. B. White, an eye witness, who examined her in dock the day after the battle, as having been terrible. In his affidavit, quoted in the committee's report, he says:

"The Merrimac came back into the river badly disabled, and almost in a sinking condition. Tugs had to be used to get her into the dry-dock at the navy yard, the crew pumping and bailing water with all their might to keep her afloat. I saw her in the dock at Norfolk next day, was on board of her, and made a personal examination of the ship. The effect of the Monitor's guns upon the Merrimac was terrible. Her plated sides were broken in, the iron plating rent and broken, the massive timbers of her sides crushed; and the officers themselves stated that she could not have withstood the effect of the Monitor's guns any longer, and that they barely escaped in time from her."

In a report made on this battle by Lieutenant (now Admiral) Worden, he says:

"The Merrimac having been thus checked in her career of destruction and driven back crippled and discomfited, the question arises, should she have been followed in her retreat to Norfolk? That such a course would commend itself very temptingly to the gallantry of an officer and be

difficult to resist, is undeniable; yet I am convinced that under the condition of affairs then existing at Hampton Roads, and the great interests at stake there, all of which were entirely dependent upon the Monitor, good judgment and sound discretion forbade it. It must be remembered that the pilot-house of the Monitor was situated well forward in her bows, and that it was considerably damaged. In following in the wake of the enemy it would have been necessary, in order to fire clear of the pilot-house, to have made broad 'yaws' to starboard or port, involving, in the excitement of such a chase, the very serious danger of grounding in the narrow portions of the channel and near some of the enemy's batteries, whence it would have been very difficult to extricate her; possibly involving her loss. Such a danger her commanding officer would not, in my judgment, have been justified in encountering, for her loss would have left the vital interests in all the waters of the Chesapeake at the mercy of future attacks from the Merrimac. Had there been another iron-clad in reserve at that point to guard those interests, the question would have presented a different aspect, which would not only have justified him in following, but perhaps made it his imperative duty to do so.

"The fact that the battle with the Merrimac was not more decided and prompt, was due to the want of knowledge of the endurance of the 11-inch Dahlgren guns with which the Monitor was armed, and which had not been fully tested. Just before leaving New York, I received a peremptory order from the Bureau of Ordnance to use only the prescribed service charge, viz., 15 pounds, and I did not feel justified in violating those instructions, at the risk of bursting one of the guns, which, placed as they were in turret, would almost entirely have disabled the vessel. Had I been able to have used the 30-pound charges, which experience has since shown the guns capable of enduring, there is little doubt in my mind that the contest would have been shorter and the result more decided. Further, the crew had been but a few days on board, the weather bad, mechanics at work on her up to the moment of sailing, and sufficient opportunity had not been afforded to practice them properly at the guns, the mode of manipulating which was entirely novel."

## PRECEDENTS.

The pending bill proposes to grant to the officers and crew of the Monitor the estimated value of the Merrimac, not exceeding \$200,000.

In this the bill follows established precedents. The estimated value of the Alabama, \$190,000, was granted to the officers and crew of the Kearsarge, who destroyed her. (17 Stats. at Large, p. 53.) Numerous other instances are given in the report of the Committee, (House Report No. 144, 47th Congress, 1st session,) as follows:

1. British frigate *Guerriere* destroyed by the U. S. frigate *Constitution*; \$50,000 granted by act of March 3, 1813. Statutes at Large, vol. 2, p. 818.

2. British frigate *Java*, destroyed by Captain William Bainbridge and crew; \$50,000. Same act.

3. British sloop of war *Frolic* captured by U. S. sloop of war *Wasp*; \$25,000. Same act.

4. British brig *Peacock* destroyed by sloop *Hornet*; \$25,000. Act of July 13, 1813, Statutes at Large, vol. 3, p. 4.

5. The *Detroit* destroyed by Lieutenant Elliott and his officers and companions; \$12,000. Same act.

6. British privateer *Dart* captured by U. S. revenue cutter *Vigilant*; full value allowed to the captors. Act April 11, 1814, Statutes at Large, vol. 6, p. 134.

7. *Le Duc de Montebello*, *La Petite Chance*, and *L'Intrepide*, "condemned for violation of the laws of the United States;" full value allowed to Captain David Porter and other captors. Act April 13, 1814, Statutes at Large, vol. 6, p. 134.

8. Two hundred and fifty-five thousand dollars (\$255,000) to Commodore Perry and his squadron, for the vessels captured on Lake Erie, in the celebrated engagement September 10, 1813; besides \$5,000 to Commodore Perry personally, in addition to his share of the prize-money. Act April 18, 1814, Statutes at Large, vol. 3, p. 130.

9. British privateer Retaliation captured by American sloop Two Friends; full proceeds granted to captors by act February 7, 1815, Statutes at Large, vol. 6, p. 147.

10. The fleet captured by Commodore Maedonough on Lake Champlain September 11, 1814, ordered to be appraised, and the valuation, not to exceed \$400,000, distributed among the captors as prize-money. Acts of March 13, 1815, Statutes at Large, vol. 3, pp. 224, 229.

11. British sloop Penguin destroyed by the Hornet; \$25,000. Act February 28, 1816, Statutes at Large, vol. 3, p. 254.

12. British armed vessels Reindeer and Avon destroyed by sloop Wasp; \$50,000. Act April 20, 1816, Statutes at Large, vol. 3, p. 296.

13. British sloop Levant destroyed by U. S. frigate Constitution; \$25,000. Act April 26, 1816, Statutes at Large, vol. 3, p. 301.

14. One hundred thousand dollars (\$100,000) appropriated, for distribution as prize money, to Commodore Decatur and his crew, for his celebrated capture of the Algerine vessels, *although the vessels had been, before the passage of the act, restored to the Dey of Algiers.* Act April 27, 1816, Statutes at Large, vol. 3, p. 315.

15. British privateer Mars, captured by Pharaoh Farrow and others, Oct. 19, 1813; full proceeds granted to captors. Act April 27, 1816, Statutes at Large, vol. 6, p. 169.

16. Vessels captured near Barrataria, La., September 16, 1814, "for violation of laws of the United States;" full proceeds, not exceeding \$50,000, given to the captors, "for their zeal, activity, and courage in capturing the same." Act April 27, 1816, Statutes at Large, vol. 6, p. 171.

17. Tender belonging to the British man-of-war Dauntless, with 18 prisoners, captured by Joseph Stewart and others; \$1,800 granted "for their gallantry and good conduct." Act April 29, 1816, Statutes at Large, vol. 6, pp. 175, 176.

18. Boat and 5 prisoners captured by Matthew Guy and others; \$500 granted "as an evidence of the sense entertained of their valor and good conduct." Same Act.

19. One launch and two barges, valued at \$2,645, and 55 prisoners, captured by Capt. Teakle Savage and others; \$4,020 granted by Act March 3, 1817, Statutes at Large, vol. 6, p. 194.

20. British gunboat Black Snake destroyed by Lieut. Gregory and others; \$3,000 allowed. Act May 4, 1824, Statutes at Large, vol. 4, p. 23.

21. A piratical felucca captured by Capt. Thomas H. Stevens, U. S. N., and others, April, 1823; \$2,000 allowed. Act July 14, 1832, Statutes at Large, vol. 6, p. 518.

22. Lastly, we have, in the late war, the allowance of one hundred and ninety thousand dollars (\$190,000) to the Kearsarge for the destruction of the Alabama, by Act of April 17, 1872, Statutes at Large, vol. 17, p. 53, as above alluded to.

In all those of the above cases which arose during the war of 1812, the general law then applicable, (Act April 23, 1800, secs. 5, 7, Statutes at Large, vol. 2, pp. 52, 53,) provided that the proceeds of all captured ships should, when of equal or superior force to the vessel making the capture, be the sole property of the captors; and when of inferior force, should be equally divided between the captors and the United States. Also, that in cases of destruction of enemy's vessels, the prize-money to be paid to the officers and crew of the destroying vessel should be estimated, not according to the value of the ship destroyed, but on the basis of \$20 for each person on board the enemy's vessel at the commencement of the engagement; and even this was only paid in case the enemy's vessel was of equal or superior force to ours. In case of destruction of an enemy's vessel of inferior force to ours, no prize-money whatever was allowed by the general law.

So, too, the law in force at the time of the destruction of the Alabama by the Kearsarge, June 19, 1864, which was the Act of July 17, 1862, (Sec. 4, Statutes at Large, vol. 13, p. 606,) allowed prize-money on the basis of \$100 for each person on the enemy's ship, if of inferior force to the destroying vessel, and \$200 if of superior force.

Yet the practice, both in this and all the other instances cited, with scarcely if any exception, has been to disregard entirely the provisions of the general law, and to grant to the officers and crew of the destroying vessel the full value of the ship destroyed. The pending bill grants to the officers and crew of the Monitor the full value of the Merrimac, *not, however, to exceed \$200,000.* The value of the Merrimac was notoriously at least five times this amount. Before the war she had been a first-class 40-gun steam frigate

of the United States Navy. Having been abandoned and sunk by order of the United States naval commanding officer at Norfolk, when he evacuated that port, she was raised by the Confederates, fitted up by them with a heavy frame of wood strongly and thoroughly plated with railroad iron, and armed with ten heavy guns—four on each side, and one at each end. They were lavish in their expenditures on her. Her total value, when she went into the action at Hampton Roads, was probably not less than one million dollars. In limiting the amount to \$200,000, therefore, the proposed measure falls short of preceding cases of the kind, where the full value of the destroyed vessel has usually been granted.

We may also cite as a precedent, though it has not yet become a law, the bill in relation to the Japanese indemnity fund, which grants to the officers and crew of the United States ship Wyoming the sum of \$254,000, a much larger sum than is asked for the officers and crew of the Monitor, for the destruction of a few Japanese vessels in the Straits of Simonoseki in 1863. Japan was hardly to be considered at that date as a civilized nation, and the destruction of a few vessels of a barbarous navy, brilliant as undoubtedly the exploit was, cannot for a moment be compared to a contest against the latest resources of science, guided in their operations by educated and skillful officers, then unhappily turning their ingenuity against their own country.

In point of importance as a victory, that of the Monitor yields to no other naval engagement of the late war, and to few, if any, of its battles; perhaps none were more far-reaching in their results, whether on land or sea. Take, for instance, the destruction of the Alabama by the U. S. steamer Kearsarge, which, as above stated, Congress very properly rewarded by an appropriation of \$190,000 as prize-money. Without instituting an invidious comparison between the relative importance of these victories, it may not be improper to suggest that the depredations of the Ala-

bama, great as they were, were confined almost, if not quite exclusively, to our merchant shipping; and she seldom if ever attacked any but non-combatants; while the Merrimac, on the other hand, was destined for the destruction of our navy, the breaking up of the blockade, and the bombardment of our large cities on the sea coast. In the first of these objects she was employed, and with great success, during her brief career, and the others might have been accomplished but for the timely and effectual stop put upon her by the Monitor. The prize-money granted in 1872 to the officers and crew of the Kearsarge was but a just recognition of their valuable and gallant services. But there would be a glaring inconsistency in granting the prize-money in that case and refusing it in the present.

It is matter of historic knowledge that the destruction of the whole fleet of United States vessels of war in Hampton Roads by the Merrimac was only prevented by the timely arrival of the Monitor. Two had already been destroyed—the Cumberland and the Congress. The Minnesota lay at her mercy, and was on the eve of the same fate as the other two. The Brandywine, the Roanoke, the St. Lawrence, the Ben Morgan, and several smaller vessels were there also, and there is no reason why they should not have met the same fate. Fortress Monroe would then have been undefended. With that in the hands of the Confederates, the way would have been clear for breaking the blockade, for bombarding Washington or New York with their hitherto invincible iron-clad, and for other results which cannot be contemplated without horror.

#### IMPORTANCE AND RESULT OF THE VICTORY.

In our relations with foreign powers the consequences of the Merrimac's success would have been calamitous to the last degree. Mr. Swinton, in his "Twelve Decisive Battles of the War," (p. 255,) speaks thus:

“The circle of possible results again enlarges; for, with such Confederate naval success, foreign nations must have ultimately inclined to recognition and support of the Confederacy. The Merrimac’s operations would, as their last result, have supplied the Confederacy with whatever arms or munitions of war or other products or fabrics she might require; but, beyond that, the blockade itself would have been so compromised as no longer to command the respect of nations which, hostile from national policy to the Union, waited no aggravated pretext for turning the scale against it. Never were the prospects of the Confederacy for foreign aid brighter than in the spring of 1862, and so strongly was this truth felt at the North, as well as at the South, that the mere presence of Admiral Milne’s British fleet in the St. Lawrence was looked upon with distrust and trepidation, and with many prophecies that it was stationed there to take advantage of the first successful breaking of the blockade. Angry words must have been exchanged with France and England, words would have been followed by blows, the Confederacy would have received the alliance of one or both of those countries, and the Republic have been forever rent in twain. Thus much of what might have been the issue of the battle of Hampton Roads but for the Monitor.”

And these views seem to have generally prevailed at the time among intelligent observers.

It is no answer to this to say that the Merrimac was not destroyed on the spot by the Monitor. If her guns were silenced; her attacks on our fleet repulsed; her career of devastation brought to a close,—then the destruction of all that made her valuable to the enemy was complete. (See her injuries described on p. 7 of Committee’s report, and *ante*, p. .)

The importance attached by the Confederates to their defeat at this time is shown by the following correspondence between Hon. J. P. Benjamin, their Secretary of War, and General Huger, at Norfolk. (See the New York Nation, No. 905, Nov. 2, 1862, p. 378.)

“RICHMOND, VA., *March 9, 1862.*

“Major-General HUGER, Norfolk:

“Your dispatch received; very unsatisfactory. Please inform me, for the satisfaction of the President, whether any of our vessels were injured or not? Whether we lost any killed or wounded? Why the *Virginia*\* withdrew without destroying the *Minnesota*? Whether the *Virginia* is about again to attack the *Minnesota*? Whether the *Virginia* attacked Newport News?

“J. P. BENJAMIN,  
“*Secretary of War.*”

“NORFOLK, *March 10, 1862.*

“TO HON. SECRETARY OF WAR:

“The vessels were not materially injured. The *Virginia* had her prow knocked off, which caused her to leak, and made it necessary to put her in dock, where she is now. Capt. Buchanan received a flesh wound in hip, and is in naval hospital. Lieutenant Minor was wounded, and is with Capt. Buchanan. Newport News battery fired, and *Virginia* returned the fire. *Ericsson's battery*† prevented the *Virginia* from taking *Minnesota*, which got off and has gone to Old Point. This is what I have heard. Commodore Forrest could give you facts.

“BENJ. HUGER,  
“*Maj.-Gen'l Com'd'g.*”

But in the debate in the Senate preceding the passage of this bill, it was charged by a distinguished ex-Confederate officer, that the *Merrimac* afterwards steamed out of the harbor and offered battle to the *Monitor*, which was declined. Let us see, how this matter stands in the light of history.

In the first place, it must be remembered that the *Monitor* was the sole effective protection for our fleet in Hampton Roads against the attacks of the *Merrimac*, and that it

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\*The name by which the *Merrimac* was known to the Confederates.

†The *Monitor*.

would not do to expose her in any spirit of foolhardy bravery. General Wool, then commanding Fortress Monroe, sent the following dispatch to the Secretary of War on the 13th of March:

“FORT MONROE, VA., *March 13, 1862.*”

“HON. E. M. STANTON, Secretary of War:

“Major-General McClellan desires by telegraph to know if the channel between Sewell’s Point and Craney Island could be blockaded. I reply that it would be impracticable without first taking the battery of thirty guns on Sewell’s Point and then sink twenty boats loaded with stone, exposed, however, to a fire of thirty guns on Craney Island. Flag-Officer Goldsborough agrees with me in this opinion. To take the batteries it would require the Monitor. Neither of us think it would do to use the Monitor for that service, lest she should become crippled. *She is our only hope against the Merrimac.*”

“JOHN E. WOOL,  
“*Major General.*”

(Official Records of Union and Confederate Armies, series 1, vol. 5, p. 753.)

General McClellan, too, in his general report dated August 4, 1863, says: “The engagement between the Monitor and Merrimac on the 9th of March demonstrated so satisfactorily the power of the former, and the other naval preparations are so extensive and formidable, that the security of Fort Monroe as a basis of operations was placed beyond a doubt.” (Id., p. 15.)

So, too, Mr. Fox, Assistant Secretary of the Navy, who was at Fort Monroe, and himself witnessed the battle, telegraphed on the very day of it to the Secretary of the Navy: “The Monitor is uninjured, and ready at any moment to repel another attack;” and in a dispatch to General McClellan he says: “*Our hopes are upon the Monitor, and this day’s work shows that the Merrimac must attend to her alone.*”

Report on Armored Vessels, 1864, p. 15.

In the second place, President Lincoln himself directed that special precautions should be taken for the safety of the Monitor, so that she should not be lost by any unnecessary hazarding of her valuable existence, as will be seen by the following dispatch from the Navy Department in response to the one last quoted:

“NAVY DEPARTMENT, *March 10, 1862.*

“It is directed by the President that the *Monitor* be not too much exposed, and that in no event shall any attempt be made to proceed with her unattended to Norfolk. If vessels can be procured and loaded with stone and sunk in the channel, it is important that it should be done.

“The San Jacinto and Dakota have sailed from Boston to Hampton Roads, and the Sabine, in tow of Baltic and a tug, from New York. Gunboats will be ordered forthwith. Would it not be well to detain the Minnesota until other vessels arrive?

“GIDEON WELLES.

“CAPTAIN G. V. FOX,

“*Assistant Secretary of the Navy, Fortress Monroe.*”

Report on Armored Vessels, 1864, p. 15.

Third, and lastly, when the Merrimac did come out, it was she who declined battle, and not the Monitor. Admiral Goldsborough, then Flag-Officer in command of the North Atlantic Blockading Squadron, says, in a dispatch dated Hampton Roads, May 9, 1862: “The Merrimac came out, but was even more cautious than ever. The Monitor was kept well in advance, so that *the Merrimac could have engaged her without difficulty had she been so disposed; but she declined to do it*, and soon returned and anchored under Sewell’s Point.”

Report on Armored Vessels, 1864, p. 22.

In another dispatch of the same date, found on the same page, he says:

“The Monitor had orders to fall back into fair channel way, and only to engage her seriously in such a position

that this ship, together with the merchant vessels intended for the purpose, could run her down, if an opportunity presented itself. The other vessels were not to hesitate to run her down, and the Baltimore, an unarmed steamer of light draught, high speed, and with a curved bow, was kept in the direction of the Monitor, expressly to throw herself across the Merrimac, either forward or aft of her plated house; but the Merrimac did not engage the Monitor, nor did she place herself where she could have been assailed by our ram vessels to any advantage, or where there was any prospect whatever of getting at her."

Thus it conclusively appears that the Monitor remained constantly ready to confront her powerful antagonist had the latter been disposed for the conflict. But her injuries were too severe, and the chastisement she had received at the hands of the little iron raft too fresh in the minds of her masters, to induce a repetition of the encounter of the 9th of March; and, notwithstanding the fact that the gallant and skillful Worden was then on a bed of pain, far from the battle-ground, helpless and disabled from the honorable wounds received by him in the engagement, and no longer directed her movements, it appears that the Merrimac took good care to keep out of the range of the Monitor's guns, by whomsoever they might have been directed.

The general policy of prize-money in the navy is a question upon which statesmen and publicists differ. In ancient times the spoils of the enemy were considered the property of the captors, whether taken on land or at sea. The milder policy of modern civilization has abolished the custom of booty in the army, and relegated the subject of prize-money from the domain of lawless plunder to that of law. Property captured in battle is considered to belong to the capturing nation, and is subject to disposition under its laws, in accordance with an enlightened discretion on the part of the law-making power. Propositions have not been wanting for the total abolition of prize-money in the navy, as similar rewards have been

abolished in the army. Up to the present time, however, no such proposition has received favorable consideration by any department of the Government; and should the abolition of prize-money be thought advisable, the measure must, in all justice, operate prospectively only, and furnish a rule for the future, not for the past. After rewarding the heroes of so many engagements, as has been done, it would be a glaring injustice to refuse a similar bounty to the gallant victors of the most celebrated naval engagement of the last half century—perhaps of the entire nineteenth century.

Section 4635, Revised Statutes, governs the question of prize-money in case of destruction of enemy's vessels. But, as shown in the report of the committee, this has been uniformly disregarded in cases of important naval engagements, and the full value of the enemy's vessel granted. Indeed, in this the present measure falls short of former ones, as the bill limits the amount to be paid to \$200,000, though the *Merrimac* is well known to have cost over a million.

#### WHO IS ENTITLED TO THE BENEFITS OF THE PRESENT BILL?

Section 2 of the bill answers this question. The amount is to be distributed "in the proportions fixed by law in cases where the capturing or destroying vessel was acting independently of the commanding officer of a fleet, squadron, or division." The *Monitor* alone is to secure the benefits of the bill.

It is useless to inquire whether other ships or officers would be entitled to share in these benefits if conferred under a general law. Perhaps they would; perhaps not. (Secs. 4631, 4632, Rev. Stats.) The present case, however, is one not governed by general laws, but resting purely on its own circumstances and appealing to the discretion of

Congress. In the exercise of that discretion the rewards of victory will be decreed to those who won the victory. That the Monitor, single and alone, beat the Merrimac, saved the Minnesota and the rest of the fleet in Hampton Roads, retained our possession of the waters of the Chesapeake, delivered our cities and coast defenses from the danger of attack by this powerful iron-clad, and relieved the whole country from its deep anxiety and suspense, can be doubted by none who remember or have read the history of the those times. (See files of New York *Tribune*, *Herald*, and other papers of all shades of political opinion for March, 1862.) The New York Chamber of Commerce expressed its grateful recognition by a resolution of thanks passed March 12, 1862, only three days after the battle. So, too, Congress passed a vote of thanks to Lieutenant Worden, his officers and crew, and a subsequent one to Worden alone. (12 Stats. at Large, pp. 622, 823.)

It may perhaps be suggested that the officers and crew of the U. S. sloop of war Cumberland, which was sunk by the Merrimac on the 8th March, 1862, the day before her encounter with the Monitor, ought to receive an award of prize-money. If their services on that day are deserving of recognition at the hands of the Government, no objection can surely be made to a fair consideration of any independent claim presented on their behalf. The battle in which they took part was, however, a separate and distinct engagement. The Cumberland was at the bottom of the sea when the Monitor made her appearance upon the scene of action. On no theory can that vessel be admitted to share in either the glory of the victory of the 9th of March, or in the material benefits to be conferred upon the victors.

If it is undertaken to attach her claim to the present, a sufficient objection would be that the Cumberland was not victorious in her engagement. She was, on the contrary, sunk in the sea, and her crew either drowned, put to flight,

or captured. The granting of prize-money to a defeated crew is believed to be without a precedent in the history of maritime legislation.

It may be claimed that had the Merrimac not lost or damaged her prow when she rammed the Cumberland, she would have sunk the Monitor when she rammed her on the following day; and that therefore the Cumberland crew was entitled to the credit of causing the retirement of the Merrimac to Norfolk on that day.

An intelligent understanding of the peculiar construction of the Monitor will show this claim to be utterly groundless, so far as the assumed resulting damages to her were concerned.

The Monitor was constructed of two distinct parts, viz., the hull and the armored raft. The first was of iron, and was in length 124 feet, and in breadth at its upper part 34 feet. The latter was of wood, and was in length 173 feet 4 inches, in breadth over all 41 feet 4 inches, and was 5 feet in depth. This raft, which was fastened to the hull, was built of stout oak beams running athwartships at but a few inches apart, on the ends of which was a solid oak backing of 27 inches thickness, and it was covered with 5 inches of iron armor. The deck was of timber 7 inches thick, covered with 1 inch of iron armor.

When going into action on the 9th of March, the armored raft was immersed in the water  $3\frac{1}{2}$  feet.

The prow of the Merrimac was 2 feet below the surface of the water, so that in ramming the Monitor with her prow on, it would have struck the raft  $1\frac{1}{2}$  feet above its lower part and directly against the series of beams with their backing of oak and iron, and could not possibly have done it more damage than was done by the blow she gave with her stem.

Further, the Merrimac's prow projected 2 feet from her stem, and supposing it to have been low enough on her

stem to have reached *below* the Monitor's armored raft, it could not have reached the hull by 1 foot 8 inches.

It is an undoubted fact that the iron beak or prow of the Merrimac was wrenched, twisted, or broken in running into the Cumberland. But the infliction of this injury was merely passive on the part of the Cumberland. Had the Merrimac damaged her prow by striking on a rock before her engagement with the Monitor, as well might the owner of that rock ask a share in the Monitor's prize-money as the officers and crew of the Cumberland in the present case.

If, however, the unquestioned gallantry of the officers and crew of that unfortunate vessel is deserving of material recognition, notwithstanding their total defeat, let an independent bill for that purpose be brought in, considered, and reported, that a measure involving so radical a change in the settled policy of the nation in cases of this class may be thoroughly examined before being adopted. Certainly such a novel policy, however proper in itself, cannot be considered with the deliberation it should be in the shape of a mere rider to a totally distinct measure.

The officers and crew who, by their skill and gallantry, rescued victory out of the jaws of defeat, are alone deserving of the glory and the rewards of their victory.

We cannot better close this pamphlet than with the eloquent language of Hon. Thomas F. Bayard in the Senate, preceding the passage of this bill, May 24, 1882:

"Mr. President, the reproach has oftentimes been made that republics are ungrateful. There is no better opportunity, there will never be a better opportunity, to give a denial to that saying, than the present. This ship, her commander, officers and crew, were the pioneers of the whole world in a new system of naval warfare. Their gallantry was conspicuous not simply by the deeds they performed, but the circumstances under which they performed them. It was then a question, a question scarcely

yet solved, whether it was safe for human life to send a so heavily armored vessel to sea. Her voyage was made rather underneath the water than on top of it, and when she reached Hampton Roads on the critical occasion of her arrival it was to find herself pitted as a rival against American ingenuity, American skill and courage unhappily employed against the American Union. The perils of that voyage can scarcely be exaggerated; the useful results to the Government of the United States of its success cannot be overstated. There is a value in money that can be computed; there is a value in patriotic example that cannot be computed, a part of that unwritten law that tends to make a nation great and her sons faithful even unto death; and when this money compensation, which I believe is on a liberal scale and ought to be on a liberal scale, is proposed to reward this act of extraordinary gallantry, it has the other effect of commemorating an act honorable to our race and to our country and which emblazons upon the face of history the honor of American seamanship, courage, and patriotism. Its influence in the mighty contest then being waged can hardly be overestimated, and the battle between the Monitor and the Merrimac will ever stand conspicuous in the history not only of our civil war but in naval warfare of all time.

“Therefore it is that I hope this measure will not be scrutinized by any narrow view, that it will not be considered in the sole light of precedent, in so many respects was it unprecedented. It may never come again in our day, and centuries may roll on, as they had rolled on, without any such exhibition as this; but we ought not to let it go by unmarked, and I am glad the proposition has been made, and I shall feel myself happy and honored in voting for it.”

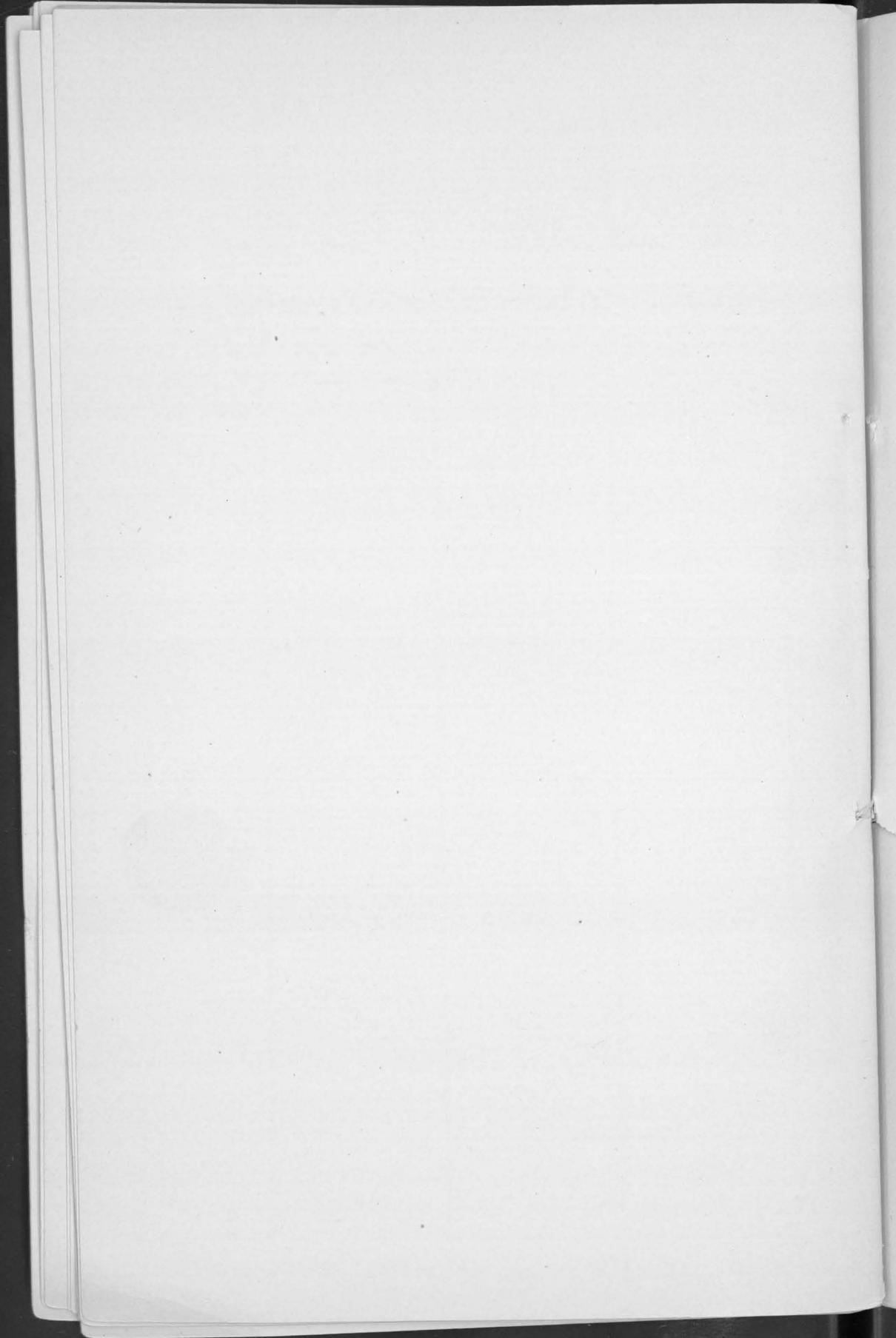
Just as we send this pamphlet to the press, our attention is called to two recent cable dispatches, as follows:

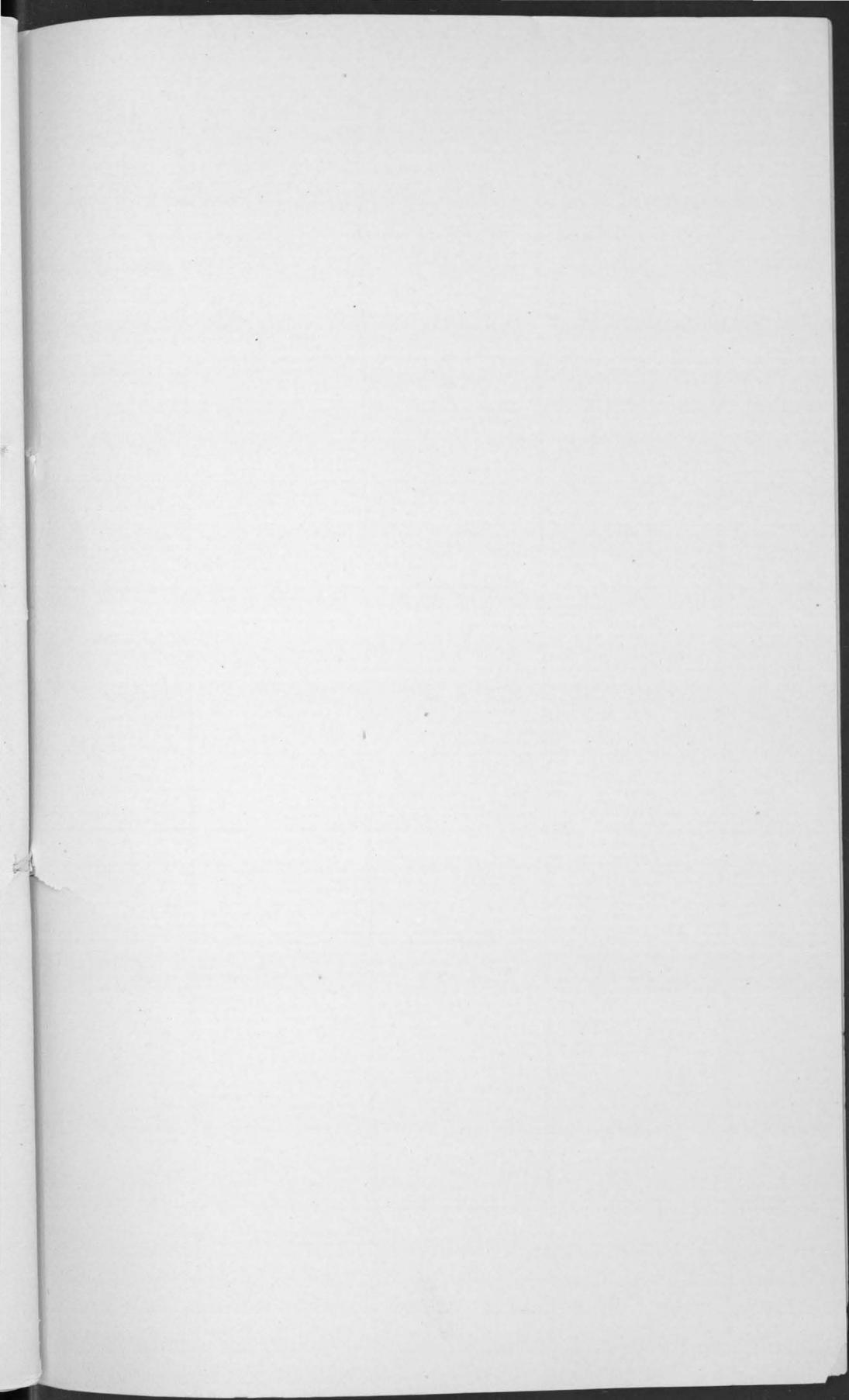
“LONDON, Sept. 24, 1882.—It is officially announced that General Wolseley and Admiral Seymour will be raised to the peerage in acknowledgment of their recent distinguished services in Egypt.”

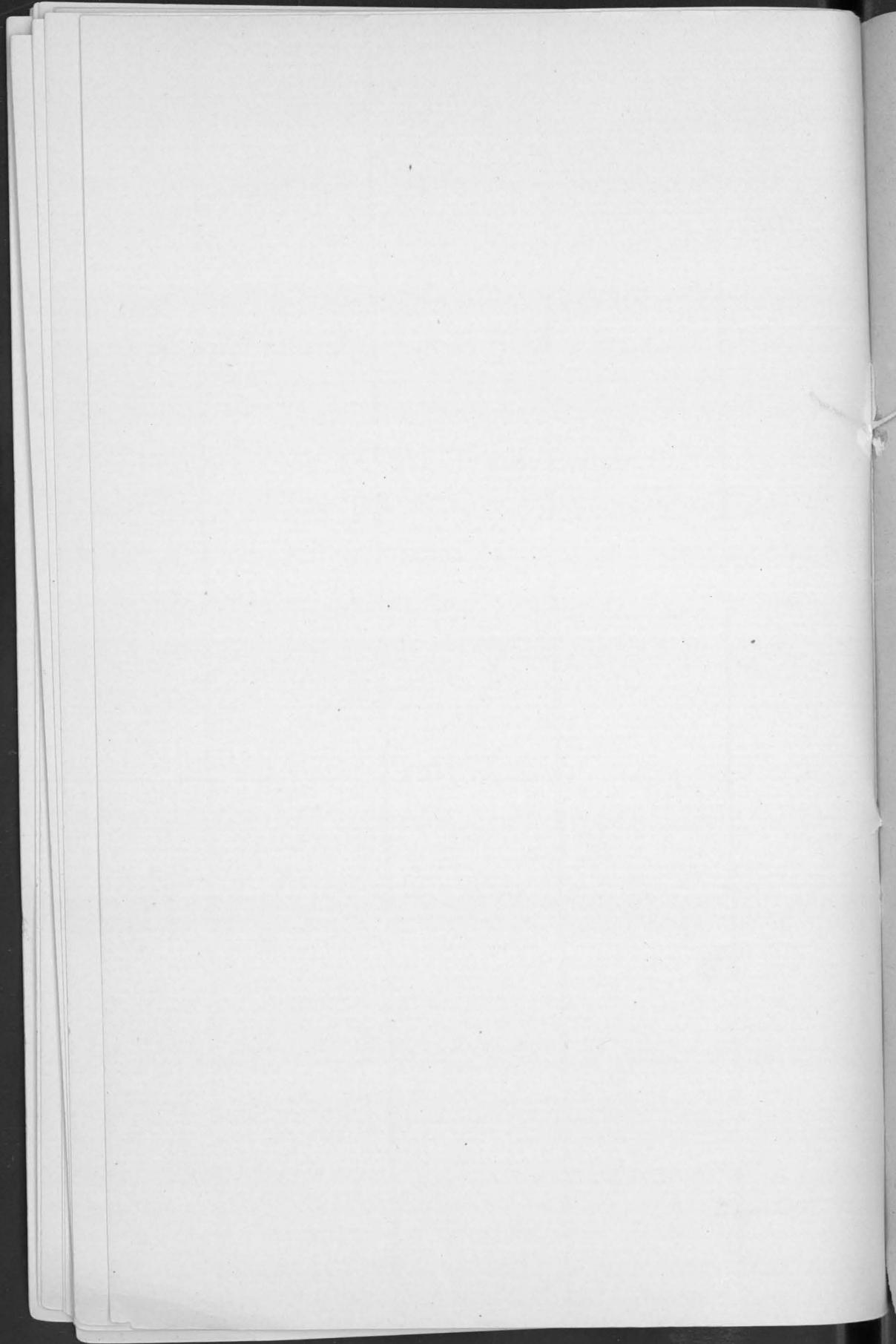
“LONDON, Oct. 26, 1882.—The House of Commons was crowded this afternoon. Mr. Gladstone, moving a vote of

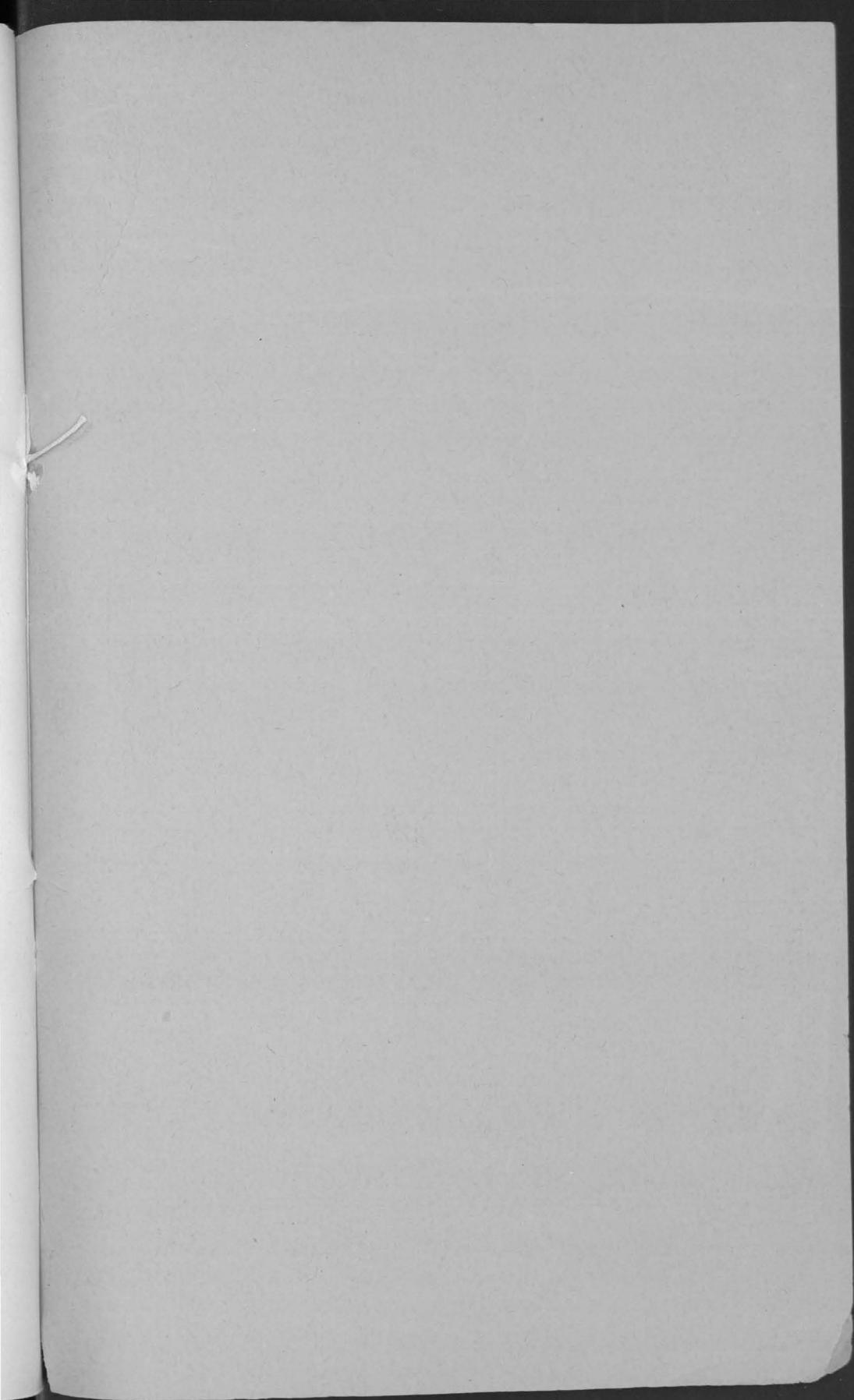
thanks to the commander, officers and men of the British army in Egypt, said he would not ask the House to commit itself to the government's policy. Mr. Gladstone said the Indian contingent was most worthy of the brotherhood into which they had entered. It would be the duty of the government to propose suitable annuities for Admiral Seymour and General Wolseley, who he said had accepted peerages. He spoke for an hour, and concluded with a peroration on the confidence the country might repose in the military forces."

Shall something of the same patriotic spirit which animates the British ministry in rewarding their gallant soldiers and sailors with applause, with annuities, with peerages, with every species of honor for their successful contest against a half-civilized fanatic, be shown by the American Congress towards the heroes of a naval battle who turned the trembling scale of their country's prosperity, nay, perhaps of her very existence? Or shall we still hear a repetition of the reproach so eloquently confuted by the speech of Senator Bayard and the vote of the Senate, that "Republics are ungrateful"?









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