

CHAPTER IV
Revolution and Reconstruction—1764-83
SUBMARINE, TORIES, TEA PARTY



FOR THE GRIEVANCES cited in the Declaration of Independence there was a maritime background. Large bodies of armed troops came to New York by sea, and the Port's world trade was cut off by marine blockade. The "taxes . . . without our consent" were dramatically focused upon two items Americans refused to buy: tax stamps, carried by water from England; and tea, twice water-borne from China, as it was reshipped from Great Britain.

In 1764 warships carrying troops from England arrived to enforce collection of customs. Great Britain was determined to stop smuggling; the colonials were to import nothing except in British ships, unless the British had inspected it en route; exports were to be sent to Great Britain alone, and no wool could be exported or even sent to other colonies. There was a heavy duty on sugar from the non-British West Indies and a low duty on molasses used in the manufacture of rum for export. These were some of the Acts of Trade around which controversy centered.

In the following year the ship *Edward* brought New York its first stamps, consigned to James McEver, newly appointed distributor, who hastily resigned his position in fear of his life. The conservative merchants proposed a Stamp Act Congress, to which the Provincial Assembly quite properly sent delegates. Working for the same ends but in different fashion, the Sons of Liberty, who had forced McEver's

resignation, burned Governor Colden in effigy and presented such a show of strength and purpose that Colden removed the supply of stamps from the *Edward* to his own residence inside Fort George.

While the merchants met in Burns' City Arms Tavern to vote on a boycott resolution, the Sons of Liberty were drafting these words for Colden:

... we can with certainty assure you of your fate, if you do not this Night solemnly make oath before a Magistrate, and publish to the People, that you will never . . . endeavor to introduce or execute the Stamp Act.

With this threat, delivered November 1, they added that if necessary they would hang him "upon a signpost, as a memento to all wicked governors."

The agitation was successful, and on March 18, 1766, Parliament repealed the Stamp Act but left the Acts of Trade in effect. The Sons of Liberty celebrated repeal by erecting a liberty pole in The Fields—the open land which is now City Hall Park—while the Assembly ordered the erection of two statues, one of Pitt and the other an equestrian figure of George III.

It was not until the passage of the Townshend Acts (reaffirming those broad and almost limitless powers of taxation that had been strangling colonial trade) that the conflict was renewed on specific issues. This was in 1767, and again boycott followed immediately the news of the enactment. In one year, 1768-69, the Port's official imports from Great Britain dropped from nearly half a million pounds to a negligible figure whose custom duties were estimated at forty shillings. The Provincial Assembly was forbidden to pass any other act whatever until it had appropriated funds to support His Majesty's armed forces. The colony had to submit to Parliament's taxation and also had to consent to taxing itself and giving up money for the army of occupation. For the second time Parliament sought to cure boycott with repeal (1770), while retaining—in affirmation of the monarch's prerogatives—a token tax of threepence on a pound of tea.

Bostonians expressed their resentment through a tea party. New York had its own tea party on April 22, 1774. Captain Lockyear's ship, the *Nancy*, just missed the party, arriving in port on the eighteenth and leaving on the twenty-third, tea still aboard. Lockyear knew his errand was dangerous but had a trick in reserve. On arrival he asked permission to go ashore to buy provisions for the return crossing. Once on land he visited agents and discussed deliveries. Militant citizens rushed him back on board ship, where he stayed, virtually incommunicado, until the *Nancy* sailed.

The decks of the *London*, Captain Chambers, were a poor setting for an international incident. She had only eighteen cases of tea on board, and Chambers, after first denying that they were there, claimed them as his own. Although this ruse failed, the attempted deception so angered the citizens that they caused Chambers to be held at Fraunces' Tavern while they boarded the *London*. Watched by a large number of spectators, including bandmen who chose "God Save the King" as a suitable musical accompaniment, they then threw the eighteen cases of tea into New York Harbor.

Congresses and Committees

The First Continental Congress met in 1774 at Carpenters' Hall, Philadelphia. To this the Provincial Assembly of New York sent accredited delegates. Then followed the battles of Lexington, Concord, Bunker Hill, and a second Congress. The Assembly, whose political elements were always nearly balanced, veered Royalist for a time and voted military supplies for the British troops garrisoned in the colonies. It also refused to accredit delegates to the Second Continental Congress, one of whose purposes was the creation of the Continental Army.

The Assembly then lost its remaining popular support, and many of its functions were taken over by independent bodies. In New York City there was always an active local group: first the Committee of 51, which merged with the Committee of Mechanics to form the Committee of 60, and then the cumbersome Committee of 100; all reminiscent, in

name at least, of civic groups that had functioned in Kieft's and Stuyvesant's administrations. The local steps matched the national progress; lacking delegates to Philadelphia, the people of New York Province met in popular conventions, elected delegates, and accredited them to the Second Continental Congress.

In the City of New York there was a "general insurrection of the populace" in April 1775. The city was in a "state of confusion and anarchy," but a confusion so methodical that when the citizens broke into an armory, six hundred muskets went to the most reliable and trustworthy among them, who formed a voluntary corps and set up a local government. As Great Britain was now the official enemy, her mails were seized and opened; her supplies for Halifax and Boston were unloaded from two sloops in port, and her sympathizers in the Committee of 100 were thwarted by the suspension of that committee in favor of the New York Congress, entirely patriot in membership.

The Second Continental Congress established the Continental Army in 1775 and appointed Washington commander in chief. The New York Provincial Congress, focus of all local committees and governing bodies in the province, became the de facto government in May 1776 by the seizure of the powers and functions of His Majesty's Provincial Assembly. On June 29 General Howe arrived at Sandy Hook with nine thousand British soldiers. Early in July this force was joined at Staten Island by Admiral Howe and a body of Hessian troops. In August another force of British soldiers under General Clinton was added. With nearly thirty thousand representing the Crown, the resultant clashes with the patriot forces extended across Brooklyn, up the length of Manhattan Island, and on into New Jersey, leaving the Port at the mercy of enemy occupation. The patriots controlled all of inland New York, except as expeditions from Canada threatened it, and the stretches of the Hudson River, as well as most of the Sound and the north shore of Long Island. The British controlled the harbor, the ocean coast of Long Island, and the city.

First Submarine in New York Harbor

While Washington was still in possession of Manhattan Island and the British held Brooklyn and the harbor, the British forces on Governors Island were undoubtedly the first soldiers in history to witness a submarine engaged in the maneuver of attacking a battleship. This occurred on August 17, 1776.

The submersible in question was David Bushnell's invention which has since been called the *Turtle*, and the one-man crew was Sergeant Ezra Lee of the Continental Army, whom Bushnell had chosen to operate his odd craft. That the object of the attack, the fifty-gun frigate *Eagle*, was not sunk was due more to bad luck than bad management.

Bushnell, a Yale classmate of Nathan Hale, described his ingenious vessel as looking like "a hardshell clam wearing a hat." The *Turtle* was composed of oak timber scooped out and fitted together in such a manner that the operator, sitting or standing in a very small space, could manipulate it with comparative facility. The top or head was made of a watertight metallic composition on hinges, which permitted the "crew" to get in and out—but that was about all. Nevertheless, the craft could submerge or rise to the surface at will and managed a top speed of about three miles an hour in still water.

Two force pumps by which water could be ejected from the hold, a foot spring which permitted the intake of water, and two hundred pounds of detachable ballast as part of the seven-hundred-pound keel effected submersion and rising. Six small pieces of thick glass in the head supplied light—enough, it is recorded, so that the operator "could see to read in clear water at a depth of three fathoms." The navigator steered by a rudder, the tiller of which passed through the back of the machine at a water joint, and with his other hand he cranked a crude propeller with twelve-inch wooden blades. This amazing craft also had a glass tube, twelve inches in length, which enclosed a piece of cork. The cork rose with the descent of the craft and fell with the ascent, an inch rise denoting a depth of one fathom.

The submarine's torpedo was a "magazine . . . shaped like an egg and itself composed of oak scooped out, with 130 pounds of gun powder, a clock and a gun lock with a good flint that would not miss fire." This was attached to the back of the submarine, papoose fashion, and could be detached when a "sharp iron screw was made to pass out of the top of the machine . . . and adhere to the ship's bottom ... a line leading from this screw to the magazine kept the latter in position for blowing up the vessel."

In the daring and unprecedented attempt to attack the British ship, the submersible was towed by a whaleboat during the night to a position near the *Eagle*. There Sergeant Lee entered it and at slack water, "after two and a half hours' cranking," managed to get beneath his prospective victim. But, "owing probably to the ship's copper and a lack of pressure" (in the screw which was designed to attach the magazine to the hull), the attempt failed.

Lee came to the surface and once more submerged, but morning was beginning to dawn, and he decided that it was strategic to withdraw. It was during his furious cranking to cover the not inconsiderable distance back to the Battery that the British soldiers on Governors Island saw him bobbing along on the surface, boarded a barge, and went out to investigate. Lee released the magazine in hopes of blowing up the barge, but discretion conquered the soldiers' curiosity, while the deadly "egg" the sub had laid drifted past and into the East River, where it exploded. The explosion was witnessed by General Putnam, who was waiting near the Battery for Lee's return.

George Washington described the undertaking as "an effort of genius." Had Lee succeeded in destroying or damaging one British man-of-war, it is conjectural that he might have shortened the war and augmented the victory. As it was, Washington, about a month after this attempt, left the Port in British hands, where it remained for seven years.

New York's Privateers

As the interior of the province remained in the hands of Whigs, or patriots, the invaders depended for supplies on Long Island, other colonies, and Great Britain. This shipping offered splendid objectives for Whig privateers. The Tories, or Royalists, also engaged in privateering, aided by British occupation of the Port itself.

Most of the privateers operated from Long Island, New Jersey, or Connecticut inlets, thus avoiding the British blockade of the Port. Some were small craft intent on seizing a few bales of goods or heads of livestock; others made important captures. It was more advantageous to reap the profits of privateering from Britain's merchant fleet than to confine their operations to those of an organized navy.

However, one privateer, the armed sloop *Montgomery*, under Captain Rogers, "seemed," Rogers wrote, "to be damned unlucky. It is hard to think that we have cruised so long and have got nothing." In 1780 two whaleboats captured a British schooner and were in turn taken by the British, twenty-eight of their crew eventually suffering imprisonment.

Governor Trumbull of Connecticut was accused of allowing privateers to exceed the provisions of their commissions, and some of his men outraged the feelings of local Whigs by making New York their headquarters. The Connecticut marauders were not always careful whose property they seized—or perhaps had their own standards in distinguishing between Whig and Tory. After a sharp exchange of letters between Governor Clinton of New York and Trumbull the latter made an investigation and ordered his citizens to return Whig property.

While private citizens competed to afflict the British through privateering, the Continental Congress was fighting them, through other ports, with an aggressive force of armed fishing craft and merchantmen. Because of the seven-year occupation by the British, New York had little share in this story.

East River Treasure

New York Port holds one of America's oldest treasure-ship mysteries, dating from 1780 when the British frigate H.M.S. *Hussar* foundered in Hell Gate, East River, with a fortune in gold allegedly aboard.

The *Hussar*, a new frigate of the British navy, mounting twenty-eight guns, was dispatched to the colonies to act as paymaster for the British troops. Its treasure room was said to have held approximately four million dollars in gold. Naturally, considerable official secrecy surrounded the transportation of such a sum, and exact verification has never been obtained, either of the amount or that it was actually sent. However, most historians accept the story, and the later costly salvage operations show that wide credence was given it.

The frigate's orders were to proceed through Hell Gate and to meet the British army paymaster at a rendezvous on the Connecticut shore sometime after the ship's arrival in New York on September 13, 1780, but the ever-dangerous Hell Gate added the *Hussar* to its tidal trophies. The ship struck Pot Rock, since removed, and her hull began to fill. The captain tried to gain a point off Port Morris in order to run the frigate aground, but he failed, and the *Hussar* sank in seventy-five feet of water, only her topmasts showing.

Although the British Admiralty stated during the War of 1812 that there was no gold aboard the *Hussar*, this was discounted as a ruse. The East River location of the treasure, with a great city's facilities at hand, offers almost unlimited opportunities to treasure hunters, but Hell Gate has kept its secret to the present day. In 1880 Captain George Thomas, an eccentric character who organized a corporation called Treasure Trove, obtained permission from the United States Treasury Department to conduct salvage operations. The attempt succeeded only in amusing the public. In the present century Simon Lake, the submarine inventor, made a protracted effort to retrieve the treasure. Lake had developed a special caisson diving tube, which he planned to have lowered to the wreck at an angle so that a man might walk down to the

sunken ship from the surface. He made the attempt in 1937 but failed because, as he later explained in his autobiography, the shore line had changed completely since the sinking and he could not locate the hulk.

Union Jack Struck

The Revolutionary War ended in 1783, and on November 25 of that year the Continental Army took formal possession of New York. Washington and Governor Clinton, with their suites, on horseback entered the city and were met at the Bull's Head in the Bowery and escorted to Cape's Tavern. Before leaving the fort the British had cut the halyards under the British flag and had greased the flagpole. An American sailor, John van Arsdale, then climbed the pole by nailing cleats to it as he ascended; he reached the top, detached the British flag, and replaced it with the American standard. The last of the British military embarked that same day, but the fleet did not sail until December 5.

On December 4 Washington bade farewell to his officers at Frances' Tavern and set out to resign his commission before the Continental Congress assembled at Annapolis. A great crowd saw him off at Whitehall Wharf. Before sailing Washington ventured the hope: "May the Ruins soon be repaired, Commerce flourish, Science be fostered, and all the civil and social Virtues be cherished in the same illustrious manner which formerly reflected so much credit on the Inhabitants of New York."

The Port of New York was not well prepared for this desired flourishing commerce. Its shipping was disorganized, its wharves rotted, and frosts had weakened the foundations of such empty warehouses as the British, in their foraging for firewood, had left standing.

Returning New Yorkers who marched up Broad Street with General Washington must have gasped at the canvas-covered ruins where prosperous commercial houses had stood when the patriots fled the city. As a result of two devastating fires one quarter of the buildings lay in ashes, the debris remaining as it fell. Troops and officers had occupied the

better of the remaining buildings but had not improved them. Civilian Tories had hacked joists and girders to feed the ever-hungry open fireplaces. Thus great sections of valuable property had literally gone up chimneys. The desolation of the docks was even more pronounced. Under the ravages of storms and the fluctuating movements of tides, dock planks once soaked with rum and molasses and worn smooth by traffic now sagged into the rivers.

Although New York had lost perhaps half its buildings through incendiarism, collapse, and pillage, the city revived quickly. The population had been twenty thousand in 1776, dropped to half that by the end of the war, but returned to the first figure by 1787. During postwar rehabilitation there was great activity at the waterfront; the Common Council minutes for these years are filled with names of owners, locations of docks, petitions for repair, and generous grants of pounds, shillings, and pence to execute them. Another important city utility to appear at the time was the public market.

Fly Market

In the Dutch period an East River shore road was called De Smit's Valey (The Blacksmith's Valley), for a smith named Cornelius Clopper who had set up his forge at the point where the road crossed Maiden Lane. The word "Valey" was corrupted into "Vly" and finally became "Fly." Brooklyn farmers often landed there in rowboats or scows laden with country produce. Especially at high tide it was a quiet and safe landing place for small boats, and the characters of ferry landing and produce market continued to identify the locality, then known as Fly Market. It lay, when the surveys reached it, at the foot of Maiden Lane, that narrow crooked thoroughfare that earned its name much farther up its hill, where the housemaids gathered to do the domestic washing at a spring. The maids now had another reason for using the lane, for there were three meeting points of kitchen trade at its East River end: a meat market, a fish market, and a produce market. In the building surge

following the Revolution the city erected its Exchange Market House at Fly Market, and other buildings followed from time to time, up to 1805, when other market centers began to supersede it.

Before the war broke the surface, it will be remembered that the merchants had striven for a commercial victory by organization, persuasion, and a boycott enforced with calm tenacity, until finally the opposite policy of the Sons of Liberty won them over to direct action. During this prewar era the merchant colony had organized two groups that survived the war itself and continued into our own times: the Chamber of Commerce of the City of New York in America, thus incorporated by the charter granted by George III in 1770, and the Marine Society of the City of New York, also dating from 1770. In this era of rebuilding the city and refitting the Port the merchant founders of the Chamber of Commerce first met at Fraunces' Tavern on April 5, 1768, although they did not petition for a charter until two years later.

Shipping at the Close of the Revolution

After 1783 American ships were "foreign" to the government of Great Britain. Britain could function as a unit, could harass American ships with duties and restrictions, whereas this country could not retaliate until it had developed national rather than local laws and had formulated a tariff policy. The ports of the West Indies were closed to American shipments of fish in 1783, and United States ships were barred from other ports by a prohibitive schedule of duties. Meantime the Empire was dumping its own products into American markets, chiefly through the Port of New York, and was on the way to gaining control of New York's trade. France and Spain, allies of the United States in war under the treaties of 1778, now closed their ports also. When Holland followed, Sweden was left as the only European power to welcome American goods and shipping, for the open nature of Mediterranean ports was so limited by the swarms of pirates as to make voyages there hazardous and unprofitable. In fact, almost every trade

route known to the American merchant marine was closed. The Port's public utilities were being organized for city growth; its docks were rebuilt and extended; its expanding waterfront strengthened itself and reached out for a new world tie. In the period preceding the enactment of the first national maritime legislation—passed in New York by the Congress of 1789—there was need for such a tie, temporary though it might be.

As the Port had devised the expedient of bolting laws when lack of uniformity threatened its trade in grains, and as it had formed numerous trade combinations using molasses and alcohol, so now it had to improvise again. Ingenuity still lacked the tools of the nineteenth century—steam, electricity, steel—but it contrived an expedient equally important: the ginseng-fur-tea triangle of the first venture into the China trade.