

## The “Gaspee Affair” of 1772: The First Blow for Freedom – Part 2

past time we discovered a little known (or at least seldom taught) part of American history which revolved around the activities, and fate, of HMS Gaspee, one of King George’s warships (a two-masted 8 gun schooner), which had been used very successfully in 1772 in Narragansett Bay off the coast of Rhode Island, to disrupt what the colonists considered to be “free trade”, but which the British government considered “smuggling”. Again, I’m indebted to two authorities on this subject, *The Warwick, Rhode Island ‘Digital History Project’*, and *Dr. John Concannon, Webmaster of Gaspee Virtual Archives*, from both of which I quote freely to tell this tale of what may have been one of the main events that precipitated the War of the Revolution.

Recall that the HMS Gaspee was “lured” into the low tide shallow water off Namquid Point on June 9, 1772, and grounded itself as it pursued the HANNAH, a smaller colonial trading ship belonging to Rhode Islanders. Once Hannah escaped from the hated Gaspee’s pursuit, she sped to Providence where her Captain, Benjamin Lindsey, notified local patriots of Gaspee’s distress. A patriotic sea captain named Abraham Whipple rounded up several long boats and sixty patriot volunteers and proceeded to leave Fenner’s Wharf, quickly rowing the six miles to the sandbar where the Gaspee was stranded until high tide.

Muffling their oars, the colonists used the moonless night to stay out of sight of the watch aboard HMS Gaspee. Detection, they realized, would result in their being blown to pieces by the guns of the Gaspee. By the time that Gaspee’s watch detected the colonial raiders, King George’s ship was surrounded. A patriot named John Brown (no—not THAT John Brown), calling himself the “Sheriff of Kent County”, demanded the surrender of the British ship and its captain and crew. In response, Dudingston ordered his crew to resist being taken by the colonists, and opened fire with small arms as the Rhode Islanders swarmed over the decks of the Gaspee. In the ensuing battle, Captain Dudingston was shot by a musket ball, which penetrated his arm and pierced his groin. He fell helpless to the deck, and the remainder of the Gaspee’s crew, most of which had been asleep below deck, were overwhelmed and captured by the Rhode Islanders, forcing Dudingston to surrender his vessel. The captured British crew was bound, put in the longboats, and freed ashore in the Pawtuxet area. The colonists seized the ship’s documents, then ordered the Gaspee to be burned. As the conflagration reached its waterline, its stores of gunpowder ignited, causing a vast explosion witnessed from shore. Dudingston was taken to town and given prompt medical treatment, and he eventually regained his health. He was court martialed in England, was exonerated, and eventually became an Admiral in the British Navy.

Little did these Rhode Island patriots realize that those flames from the burning of HMS Gaspee would soon illuminate the colonists’ path toward an inevitable conclusion—revolution and separation from the mother country. But as we shall discover, in reality it was the overzealous—and in the minds of the colonists-- **illegal**—reaction to this incident which really did stir up the emotions, and soon the furor, of patriotism on the part of our colonial ancestors.

As was to be expected, King George and Parliament were furious over this affront to their traditional governmental authority. The King offered a large monetary reward to anyone who would turn in any of the “raiders” to the colonial governor. Not surprisingly, no colonists admitted to

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knowing anything about this “affair” when they were called to testify before a Royalty-appointed “Court of Inquiry” (see quote from Thomas Jefferson regarding this Court, from Part 1 of this article). This “Court of Inquiry” was set up as what we today would call a “kangaroo court”, and was given the specific power to send ANY colonial suspects directly to England for trial, a proposal that the colonists considered to

be a great threat to their basic liberties in English law that they had lived under their entire lives.

Most people who are historically literate know that colonial British “Americans” believed they enjoyed the same rights as their counterparts in England, having derived such from ancient Anglo-Saxon law and from Magna Charta of 1215. **Especially sacred to our colonial ancestors was the right to a trial by a jury of one’s peers, including the right to have that trial conducted LOCALLY!** The threat posed by this “Court of Inquiry” to send colonial suspects 3000 miles away to England would logically make any kind of defense virtually impossible, nor would witnesses be able to travel that vast distance to testify for the defense, if indeed there was such. The presumption of innocence was thereby almost negated.

The colonists knew that having a local trial also demanded a local jury that would be familiar with local customs and laws, including a knowledge of the reputation of the accused. Colonial courts had traditionally been judicially independent from strict British oversight, and often sided with the defendant in court cases brought by the British Crown against colonists. Our colonial ancestors knew that British courts back in “Mother England” were usually not as understanding or lenient. We can only imagine the strong indignations that this decision by the “Court of Inquiry” brought about by threatening to bypass the colonial court system.

As Dr. John Concannon summarized the outcome of this “affair”:

***“This threat to colonial rights greatly incensed (British) American leaders and set off a chain reaction starting with Virginia, followed quickly by all other Colonies, to create permanent Committees of Correspondence and to suggest the First Continental Congress (which happened in the Fall of 1774). Thus began the political and ideological movement from a collection of single, independent British colonies towards a unified American country.”***

This “Gaspee Affair” and the affront to our colonial ancestors presented by this “Court of Inquiry” were front page news in their newspapers and pamphlets, giving direction to the spirit of independence that arose rapidly in the years prior to 1775. **This threat to send colonial defendants back to England for trial provided Thomas Jefferson and the others who wrote our Declaration of Independence at least two of the 27 “injuries and usurpations” listed by our Founders in that great document** as causes that impelled them to separate from Mother England. For example, of the 27 “grievances” listed, #18 says: *“For depriving us in many cases, of the benefits of trial by jury”*; #19 says: *“For transporting us beyond Seas to be tried for pretended offences”*. Our colonial ancestors took such grievances quite seriously!

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It can be argued whether or not this “Gaspee Affair” and its “kangaroo court” inquiry and the threat to the colonists’ legal system (an “inquiry” which lasted about a year), actually precipitated the War of the Revolution; surely it was the source of a few of those grievances. This “affair” was actually MORE violent than was the momentous event that happened less than three years later on the village green in Lexington, Mass. That was called “the shot heard ‘round the world”. The “Gaspee Affair” was more of an “ideological shot”, but it surely was heard around the world.

John Adams said it best: “***The Revolution was effected before the War commenced. The Revolution was in the minds and hearts of the people.***”. Adams was correct—it was. Hopefully, the resistance against ever-growing and ever more powerful government STILL IS!