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**Treatment of American
Prisoners of War
During the Revolution**

BY

WILLIAM R. LINDSEY

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Treatment of American Prisoners of War During the Revolution

by

William R. Lindsey *

INTRODUCTION

The American War of Independence was not one war for the British, but two. First, there was a civil war in which an attempt was made to coerce the American Colonies. Beginning in 1775, this war ended at Yorktown in 1781. From 1778 to 1783, there was a second war with the French, and later the Dutch and Spanish as well. As Olive Anderson has succinctly explained, "Only prisoners made in the course of this second war were in a strict sense prisoners of war, for not until six months after Yorktown did parliament enact that American 'rebel Prisoners' might lawfully be 'held and detained' in Britain as prisoners of war. During these years therefore the British government was dealing simultaneously with two categories of prisoners; those who were in the armed forces and merchant marines of powers which it recognized, and those who were American 'rebels'."¹

Prevailing practice was to detain and exchange prisoners locally. Captured Americans on the mainland were generally confined in land prisons in Philadelphia and New York or confined in the infamous prison ships of Wallabout Bay, Long Island. Naval prisoners were primarily detained in England. "Captured Americans created exceptionally awkward problems, since neither wholesale release nor wholesale trial for treason or piracy was practicable, and Habeas Corpus made indefinite imprisonment illegal Yet it was not until 3 March 1777 that the government provided both a solution and a deterrent in 'North's Act,' which temporarily suspended Habeas Corpus with regard to persons charged with high treason in the American Colonies or on the high seas, or with piracy Accordingly from the end of May 1777, Americans . . . were detained at the king's pleasure on a charge of treason or piracy, provided adequate evidence could be submitted to the committing magistrate of their capture on an armed vessel."²

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¹ Olive Anderson, "The Treatment of Prisoners of War in Britain during the American War of Independence," *Institute of Historical Research, Bulletin*, XXVIII (1955), 63.

² *Ibid.*, p. 66.

On March 25, 1782, a parliamentary act designated Americans as prisoners of war, allowing them to be detained, released, or exchanged "according to the custom and usage of war, and the law of nations," even if they had already been committed on a charge of treason or piracy.³

The general tone and attitude concerning the treatment of American prisoners of war during the Revolution were established in an exchange of letters between Generals Washington and Gage during August, 1775. Washington, having heard of the deplorable circumstances and harsh treatment of American prisoners, charged the British with confining the prisoners in a common jail appropriated for felons where no consideration was given those of rank, even though they acted for the noblest of all principles — a love of freedom and their country. He concludes:

My duty now makes it necessary to appraise you that, for the future, I shall regulate my conduct towards those gentlemen who are or may be in our possession, exactly by the rule you shall observe towards those of ours now in your custody. If severity and hardship mark the line of your conduct, painful as it may be to me, your prisoners will feel its effects. But if kindness and humanity are shown to ours, I shall with pleasure consider those in our hands only as unfortunate, and they shall receive from me that treatment to which the unfortunate are ever entitled.⁴

Washington's letters suggest that he is willing to apply a flexible policy towards the British prisoners in the hope that Gage will treat the American prisoners with more dignity. Gage, in his reply, leaves little doubt as to the position of the British government.

Britons, ever pre-eminent in mercy, have outgone common examples, and overlooked the criminal in the captive. Upon these principles, your prisoners, whose lives by the laws of the land are destined to the cord, have hitherto been treated with care and kindness, and more comfortably lodged than the King's troops.

Gage also charges Washington with mistreatment of the British prisoners held captive by the Americans.

I understand there are some of the King's faithful subjects . . . labouring like negro slaves to gain their daily subsistence, or reduced

³ *Ibid.*, pp. 66-67; John K. Alexander, "Forton Prison During the American Revolution: A Case Study of British Prisoner of War Policy and the American Prisoner Response to That Policy," *The Essex Institute Historical Collections*, CIII (1967), 367.

⁴ Peter Force, ed., *American Archives* (4th Series; Washington: Clarke and Force, 1837-46), vol. 3, 245-246.

to the wretched alternative to perish by famine, or take arms against their King and country.

He concludes, "I acknowledge no rank that is not derived from the King."⁵ Both Washington and Gage attempted to transfer the responsibility for the treatment of prisoners of war to the other party.

This study will examine the treatment of American prisoners of war in the American Colonies and those confined elsewhere, mainly in England. The writer, in conclusion, will attempt to place blame for the supervision of the prisoners regardless of side, according to the information available to him in his research. Also, treatment of British prisoners of war during the American Revolution is a proper subject for a companion study.

⁵ *Ibid.*, pp. 246, 328.

I

Treatment of Enlisted Men In Prisons in North America

The treatment of American prisoners of war became a major concern to Washington and the Continental Congress as early as September, 1775. General Gage in August, 1775, had refused to accord the rebels the rights of prisoners of war.¹ This decision meant that the British had a free hand with which to treat their prisoners in any manner in which they wished. It became apparent to the Americans that the treatment would be severe when, on September 14, 1775, they received notice of the death of twenty of the thirty-one prisoners taken at Bunker Hill.² General Montgomery wrote concerning the treatment, "If you avow this conduct, and persist in it, I shall, though with the most painful regret, execute with rigour the just and necessary law of retaliation upon the garrison of Chambly. . . ."³

Sir Joseph Yorke, British minister at the Hague, advised the Cabinet to change the policy established by General Gage. He advised the adoption of an exchange lest hindrance occur in the recruiting campaign in Hesse and other German principalities. Mercenary soldiers would not wish to fight without the guarantee of provisions of exchange. They also would not wish to fight if they thought they might be subject to retaliatory action because of British mistreatment of prisoners.⁴

Lord George Germain wrote to Sir William Howe on February 1, 1776, mentioning the Hessian problem:

It is hoped that the possession of these prisoners will enable you to procure the release of such of His Majesty's officers and loyal subjects as are in the disgraceful situation of being prisoners to the Rebels; for, although it cannot be that you should enter into any treaty or agreement with Rebels for a regular cartel for exchange of prisoners, yet I doubt not your own discretion will suggest to you the means of effecting such exchange, without the King's dignity and honour being committed, or His Majesty's name used in any negotiations for the purpose; I am the more strongly urged to point out to you the expediency of such a measure, on account of the possible difficulties which may otherwise occur in the case of foreign troops serving in *North America*.⁵

¹ Force, *Archives*, 4th Series, vol. 3, 246.

² *Ibid.*, p. 712.

³ *Ibid.*, p. 1138.

⁴ George Adams Boyd, *Elias Boudinot: Patriot and Statesman, 1740-1821* (Princeton: Princeton University Press, 1952), p. 34.

⁵ Force, *Archives*, 4th Series, vol. 4, 903.

The Continental Congress had hoped for a change in British policy and had passed a bill of exchange December 2, 1775. This exchange of prisoners would be proper, citizen for citizen, officer for officer of equal rank, and soldier for soldier.⁶ An exchange policy of this type would have been an excellent form, provided both sides maintained an equal number of available prisoners. This equality, however, was short-lived because of the fall of New York during the winter of 1776.

The British took possession of New York on September 15, 1776, captured Fort Washington on November 16, and acquired nearly 2,700 prisoners. Over 1,000 other prisoners were taken at the battle of Brooklyn. Also, some private citizens were arrested for their political principles in the vicinity of New York City and on Long Island. Thus, General Howe had to provide for at least 5,000 prisoners.⁷ Because of the inadequate facilities for housing the prisoners, New York City became "a City of Prisons." Prisoners were placed in three large sugar houses: in Van Cortlandt's, Rhinelander's, and an old one in Liberty Street; in some of the dissenting churches, Columbia College, hospitals throughout the city, and the two available jails, Bridewell and the very notorious New Jail or Provost. The old City Hall was converted into a guard-house.⁸

The British were now faced with the problem of providing food, clothing, and shelter for 5,000 prisoners during the winter of 1776-1777. General Howe tried to get rid of as many of his prisoners as possible before the winter by requesting 43 officers and 848 men of other ranks for exchange.⁹ Howe's letter to Washington stated:

I shall redeem them by a like number of those in my possession; for which purpose I shall send Mr. Joshua Loring, my commissary, to Elizabethtown, as proper place for the exchange of prisoners, on any day you may appoint, wishing it may be an early one, wherein I presume you will concur. as it is purposed for the more speedy relief of the distressed.¹⁰

Unfortunately, although Washington was as ready as Howe to effect the exchange,¹¹ the New England governments which held most of the

⁶ Worthington C. Ford, et al., eds., *Journal of the Continental Congress, 1774-1789* (34 vols.; Washington: Government Printing Office, 1905-37), III, 400; also see John C. Fitzpatrick, ed., *The Writings of George Washington* (39 vols.; Washington: Government Printing Office, 1931-44), VII, 246.

⁷ Jabez Fitch, *The New York Diary of Lieutenant Jabez Fitch*, ed. by William Henry Waldo Sabine (New York: Colburn & Tegg, 1954), p. 71.

⁸ "A City of Prisons," *Harper's Weekly*, July 17, 1880, pp. 461-462; This article drew heavily on Mary L. Booth, *History of the City of New York*; also see Fitch, *Diary*, p. 72.

⁹ Peter Force, ed., *American Archives* (5th Series; Washington: Clarke and Force, 1848-53), Vol. 2, 438.

¹⁰ *Ibid.*, p. 437.

¹¹ *Ibid.*, p. 464.

British prisoners were unwilling to part with them. This situation occurred because the Continental Congress only had control over an exchange of prisoners taken by the Continental Army. Consequently, a large number had needlessly to endure confinement during the severe winter.

With the exception of the harsh treatment given the Americans during the Canadian campaign at the Cedars,¹² the treatment of prisoners progressively worsened the farther they were removed from the battle area. British combat officers behaved correctly, but provost personnel in New York and Philadelphia acted with brutal severity.¹³

The journey for the enlisted men to the "City of Prisons" started with capture in the general area of New York. The prisoners would first be stripped of their clothing and given old worn-out garments, marking the beginning of their ill treatment. From the time of capture until exchange or death, depending on which occurred first, the prisoners were treated in a most scandalous manner. Samuel Young recalled frequent confinement in a stable with 500 men where food was thrown to them

. . . in a confused manner, as if to so many hogs, a quantity of old biscuit, broken, and in crumbs, mostly moulded, and some of it crawling with maggots, which they were obliged to scramble for . . . next day a little pork given to each of them, which they were obliged to eat raw.¹⁴

As they were marched into New York and displayed to the people of the city as specimens of the American army, the men were subjected to insults by many of the inhabitants. In the prisons, they were often to encounter the most dreadful and disgraceful cruelty. They were confined in the British land prisons during the winter of 1776-1777, destitute of any clothing except for what they wore. Confined in jail with no windows and with nothing to keep out the cold except iron grates, they discovered that the snow would blow in during the winter season and sweep across the great rooms. In the morning, drifts would cover the poor, hungry, unprotected prisoners. Each morning, several frozen corpses were dragged out, thrown into wagons like logs, carted away, and then pitched into a large hole or trench to be covered up like dead animals.¹⁵ In a brief time, the naked bodies would be exposed because of the weather conditions and afterwards be consumed by swine and wild animals.¹⁶

¹² Force, *Archives*, 4th Series, vol. 6, 592.

¹³ Richard H. Amerman, "Treatment of American Prisoners During the Revolution," *New Jersey Historical Society, Proceedings*, LXXVIII (1960), 263.

¹⁴ Force *Archives*, 5th Series, vol. 3, 1233-1234.

¹⁵ Hiram Stone, "The Experiences of a Prisoner in the American Revolution, *Journal of American History*, II (1908), 527.

¹⁶ Fitch, *Diary*, p. 149.

For those who survived, cold and famine were constant companions. Each prisoner received his rations twice a week: one-half pound of biscuit, one-half pound of pork, one-half pint of peas, one-half gill of rice, and half-an-ounce of butter.¹⁷ They were allowed one fire every three days on which to cook the small provisions of food. It was reported that old shoes were bought and eaten with a relish usually reserved for a pig or a turkey. Guards would sell the prisoners old beef bones or other types of garbage, all of which would be hastily consumed.¹⁸ Moreover, prisoners were known to exchange eight dollars in paper money for one in silver in order to purchase food to relieve their hunger.¹⁹

The conditions to which the American prisoners were subjected were bad by any description. They were confined in bare rooms with no straw or hay on which to lie. The British refused to allow them water for washing, and what water was furnished was brought to them in chamber pots, from which they would have to drink or perish. Under these conditions the men became afflicted with lice and other vermin, and they were required to answer the call of nature in their places of confinement.²⁰ As a consequence, they began to die like rotten sheep, with cold, hunger, and disease as constant comrades. Any prisoners who managed to get some satisfactory wearing apparel, such as buckskin breeches or good coats, were compelled to sell them to purchase bread to keep alive. The result would then cause them to face cold and eventual death because of lack of necessary clothing.²¹ Here "amidst filth, disease, and lack of food, death became commonplace and often merciful." Decaying men also brought a pervading stench to the prisons.²²

On December 24, 1776, a group of prisoners was exchanged, and several others had fallen dead in the streets while attempting to walk to the vessels. The health of these exchanged prisoners was so deplorable that some died before reaching home. One man, Lieutenant Oliver Babcock, brought smallpox home with him and died of the disease on January 24. A short time later, two of his children died of smallpox.²³

A letter by a released prisoner explains the conditions of the American prisoners:

The distress of the prisoners cannot be communicated by words. Twenty or thirty die every day. They lie in heaps unburied. What numbers of my countrymen have died by cold and hunger, perished

¹⁷ Force, *Archives*, 5th Series, vol. 3, 1234.

¹⁸ Stone, "Experiences of a Prisoner," p. 528.

¹⁹ Fitch, *Dairy*, p. 79.

²⁰ *Ibid.*, pp. 83-84, 211.

²¹ Force, *Archives*, 5th Series, vol. 3, 1234.

²² Charles A. Jellison, *Ethan Allen, Frontier Rebel* (Syracuse: Syracuse University Press, 1969), p. 171.

²³ Fitch, *Dairy*, pp. 93-94.

for want of the common necessities of life! . . . The New-England people can have no idea of such barbarous policy. Nothing can stop such treatment but retaliation. . . . Rather than experience again their barbarity and insults, may I fall by the sword of the *Hessians*.²⁴

Cries of protest swept through the Colonies. Groups were demanding action for the release of the prisoners. Others were demanding retaliation to ensure better treatment.

Governor Trumbull of Connecticut, on learning of the conditions of Connecticut prisoners, appealed to Washington as follows:

In *New York* between three and four thousand prisoners, the privates all close confined, upon about half allowance; great number of them almost naked; their confinement is so close and crowded that they have scarce room to move or lie down, the air stagnate and corrupt; numbers dying daily.²⁵

Washington, upon receipt of this letter and numerous other complaints, asked Congress to organize a Commissary of Prisoners. He contended the position was necessary in order to bring about a more orderly exchange of prisoners, as well as to guarantee better treatment of those confined.²⁶ Congress responded by stating that an agent should be sent to New York to check on the American prisoners.²⁷ Only after this action was taken did Howe agree to American demands for a suitable person to visit and inspect prison conditions.²⁸ Earlier, Washington had lodged a direct protest to Howe, charging "that many of the cruelties exercised towards Prisoners, are said to proceed from the inhumanity of Mr. Cunningham."²⁹ Howe had responded by replacing William Cunningham in Philadelphia with Henry Hugh Ferguson and had informed Congress that the prisoners would be given proper treatment.³⁰ In doing so, Howe duped both Washington and Congress, for he merely moved Cunningham from Philadelphia to New York where Cunningham continued with his atrocities. Howe also reported to Washington that the prisoners were being kept in "airy roomy buildings" on the same scale as were his soldiers.³¹

The obvious outcome was the imposition of the same abominable environment that existed prior to negotiations. Those who survived

²⁴ Force, *Archives*, 5th Series, vol. 3, 1429-1430.

²⁵ *Ibid.*, p. 1193.

²⁶ *Ibid.*, p. 1311.

²⁷ *Ibid.*, pp. 1483-1484.

²⁸ David L. Sterling, ed., "American Prisoners of War in New York: A Report by Elias Boudinot," *William and Mary Quarterly*, XIII (1956), 376-377.

²⁹ Fitzpatrick, ed., *Washington*, X, 66.

³⁰ Boyd, *Boudinot*, pp. 45-46.

³¹ "City of Prisons," p. 461.

the severe winter of 1776-1777 were now faced with confinement in close quarters during the summer months. As spring approached, the death rate hovered between seven to ten each day. Winter also had taken its toll. Of sixty-nine captured from one company in December, only sixteen were alive in May, only eight of whom were able to walk.³²

In the spring of 1777, Joshua Loring, the British Commissary of Prisoners, informed the Americans that the American prisoners were in a deplorable condition.³³ Obviously, the fitness of the prisoners was best seen whenever an exchange took place. It was clear that many of the prisoners released by the British were unfit for exchange because of the severity of their treatment.³⁴ As a result, Washington refused to return healthy British soldiers for 2,200 Americans who were so ill upon arrival that many died.³⁵ As one of the captives later reported, "It was evidently the policy of the English to return for sound and healthy men, sent from our American prisons, such Americans as had but just the breath of life in them, and were sure to die before they reached home. The guard were wont to tell a man, while in health, 'You have not been here long enough, you are too well to be exchanged'."³⁶

The British, however, continued their harsh treatment of the prisoners, even though smallpox was raging in the summer of 1777. Twenty prisoners were allowed a half-hour at a time in which to breathe fresh air. Jammed inside, they were divided into squads of six each and alternated places for ten-minute turns as close to the window as possible. There was no furniture on which to sit, and what little bedding existed was infested with vermin. Each morning, from eight to twelve bodies were deposited in the death-cart, eventually to be dumped into ditches on the borders of the city.³⁷

Even though deaths made room for new prisoners, there were still times when prisoners were so closely packed "that when their bones ached at night from lying on the hard oak planks, and they wished to turn, it could only be done by word of command, 'Right,' 'Left,' being so wedged and compact as to form almost a solid mass of human bodies."³⁸

Under these unspeakable conditions, with their lives deteriorating under harsh treatment, it is obvious that escape was a common topic. The British, however, had a definite counter-irritant to such plans. The "remedy" was William Cunningham, "the Provost." As previously

³² Stone, "Experiences of a Prisoner," p. 528.

³³ Boyd, *Boudinot*, p. 36.

³⁴ Gardner W. Allen, *A Naval History of the American Revolution* (2 vols.; Boston and New York: Houghton Mifflin Company, 1913), II, 263.

³⁵ Amerman, "Treatment of American Prisoners," p. 272.

³⁶ Joseph White, "Thomas Andros: Captive," *New England Quarterly*, X (1937), 519.

³⁷ Amerman, "Treatment of American Prisoners," pp. 264-265.

³⁸ *Ibid.*, who cites Booth, *History of the City of New York*, II, 528.

noted, he had been transferred from Philadelphia to New York. His system was to produce heavy mortality, accelerate terror, and thus intimidate not only prisoners, but also soldiers in the field.³⁹ Men caught attempting to escape were threatened with death, beaten, placed in a dungeon, and deprived of food or water.⁴⁰ Jailers would then amuse themselves by devising means of making the prisoners' situation even more intolerable. Not content with seeing them die a slow death from starvation, they would poison the men by mingling a preparation of arsenic with their food.⁴¹ Cunningham in later life confessed:

I was appointed Provost Marshal to the Royal Army, which placed me in a situation to wreak my vengeance on the Americans. I shudder to think of the murders I have been accessory to, both with and without orders from the government, especially while in New York, during which time there were more than 2000 prisoners starved in the different churches, by stopping their rations, which I sold.

There were also 275 American prisoners and obnoxious persons executed The mode for private executions was thus conducted: a guard was dispatched from the Provost, about half past twelve at night to the Barracks street, and the neighborhood of the upper Barracks, to order the people to shut their window-shutters and put out their lights, forbidding them at the same time to presume to look out of their windows and doors on pain of death. After which the unfortunate prisoners were conducted, gagged, just behind the upper barracks and hung without ceremony, and there buried by the black [prisoners] of the Provost.⁴²

The exchange of prisoners on July 16, 1778, further illustrates Cunningham's despicable behavior. At this time, one-hundred-and-fifty starving prisoners were prepared for exchange and bread was brought to feed them. The prisoners, unaware of Cunningham's old trick of poisoning the bread, ravenously consumed the food. They were then divided into two groups, those belonging to the North were sent across to the Jersey side; while those of the South were sent in an opposite direction. The intention was to send these exchanged prisoners as far from home as possible so that most of them might die of the effects of the poison before reaching their friends.⁴³

³⁹ Allen Bowman, *The Morale of the American Revolutionary Army* (Washington: American Council on Public Affairs, 1943), p. 69.

⁴⁰ Stone, "Experiences of a Prisoner," p. 529.

⁴¹ "City of Prisons," p. 461.

⁴² Amerman, "Treatment of American Prisoners," pp. 267-268.

⁴³ Stone, "Experiences of a Prisoner," p. 529.

II

Treatment of Enlisted Men On Prison Ships in North America

Great as were the sufferings of the men incarcerated within the city prisons, their lot was, indeed, exceeded by the agonies of the unfortunate naval prisoners who languished in the prison ships. These vessels were originally intended for the imprisonment of seamen taken captive on the ocean. The first prison ships were transports in which cattle and other stores were carried. Located in Gravesend Bay until the British took New York City, they then were moved to the Hudson and East Rivers. In 1778, these ships were moved to Wallabout Bay on Long Island where they remained until the conclusion of the war.¹

The first prison ship used by the British was the *Whitby*. The precedents established for this vessel were followed by the other prison ships. The prisoners aboard were allowed to keep any clothing and bedding, but received no more of such commodities while on the ship. They were accorded no medical attention, regardless of their health. Inferior provisions and bad water added to the misery of the condemned men. As a result of such neglect, disease was unrelieved, and hundreds died from pestilence or, worse, starvation, because the British commissaries aboard ship cut down rations or substituted bad for wholesome food. The commissaries thus amassed venal profits at the cost of human distress.²

By May, 1777, sandy beaches along the bay shore were filled with the graves of the dead. The prisoners aboard the *Whitby* were transferred to two other vessels. Seeing no hope for an exchange, in October, 1777, they set fire to one of the vessels, choosing death in the flames to the lingering sufferings of disease and starvation. In the month of February, 1778, while the prisoners were being transferred to other winter quarters in Wallabout Bay, the other prison ship was burned.³

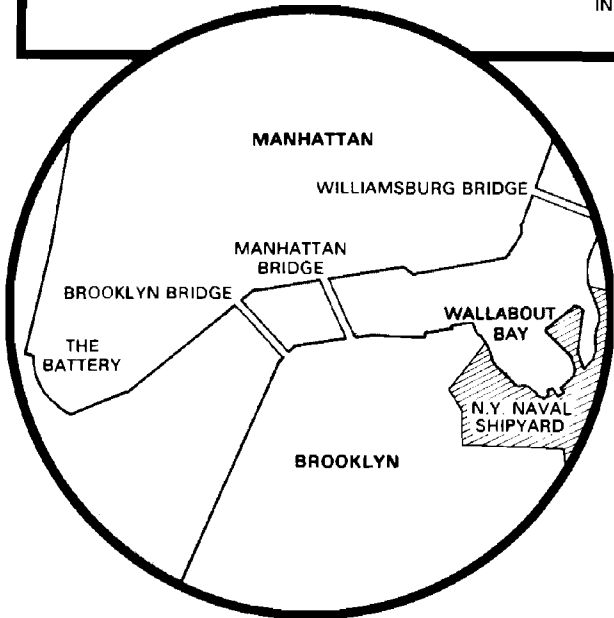
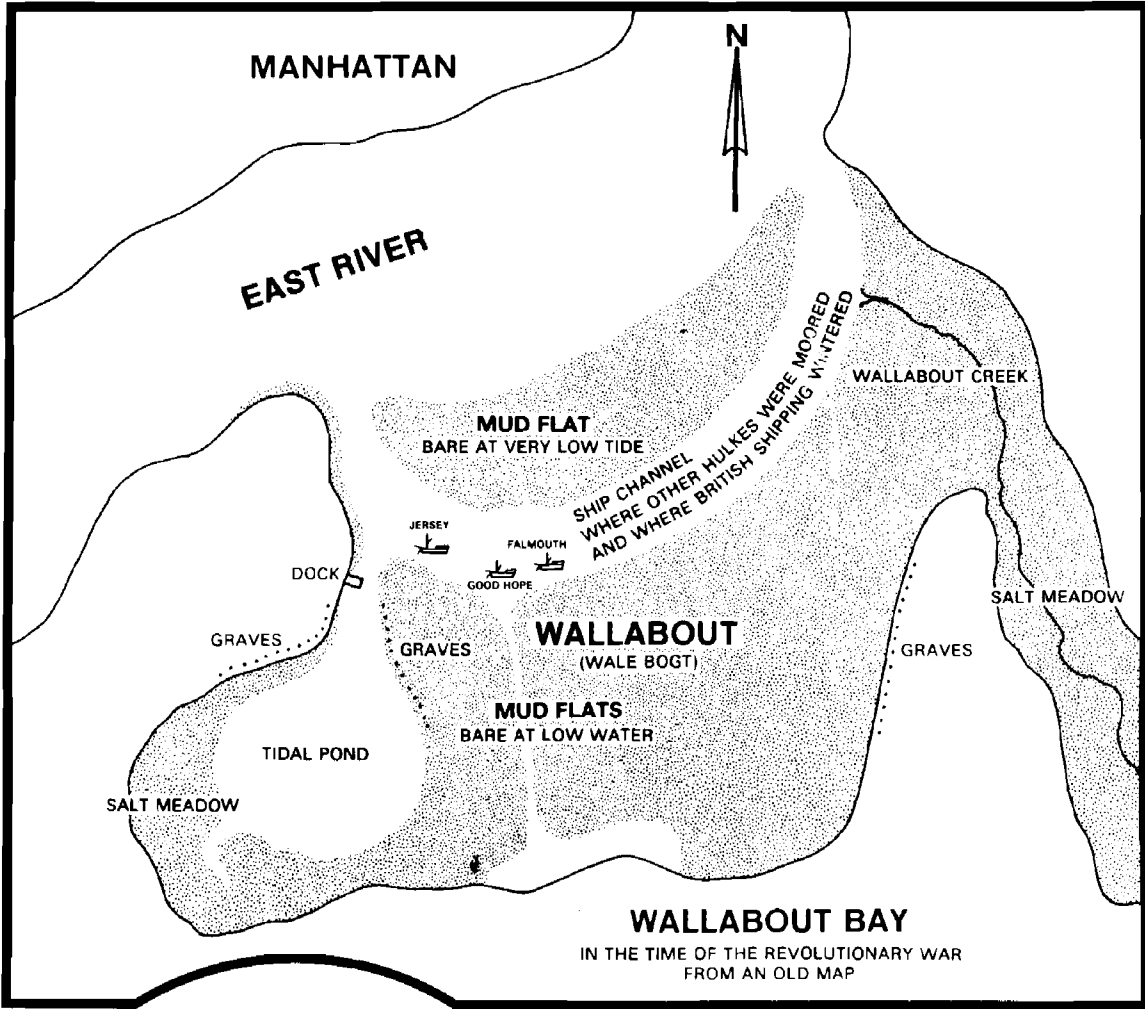
Nevertheless, the burning of the ships did not bring the prison ship era to an end, because the British had others already stationed in New York, and more were sent, including the *Prince of Wales*, *Good Hope* (burned March 1780), *Strombolo*, *Scorpion*, *Hunter*, *Jersey*, *John*, *Falmouth*, *Chatham*, *Kitty*, *Frederick*, *Providence*, *Woodlands*, *Scheldt*, *Glasgow*, *Bristol* and *Clyde*.⁴

¹ "City of Prisons," p. 462; a map showing Wallabout Bay may be found in Jack Coggins, *Ships and Seamen of the American Revolution* (Harrisburg, Pennsylvania: Stackpole Books, 1969), p. 79.

² Amerman, "Treatment of American Prisoners," p. 269.

³ Charles E. West, "Prison Ships in the American Revolution," *Journal of American History*, V (1911), 122.

⁴ *Ibid.*; Amerman, "Treatment of American Prisoners," p. 268.



WALLABOUT BAY

From *SHIPS AND SEAMEN OF THE AMERICAN REVOLUTION*, by Jack Coggins, 1969. Used by permission of the publisher, Stackpole Books, Harrisburg, Pa. 17105.

The most infamous of the prison ships was the *Jersey*, which, until the final exchange of American prisoners, was known more often as "Hell" or "Hell Afloat." The *Jersey* was an old converted sixty-four gun man-of-war, stripped of all fittings except for the flagstaff and bowsprit.⁵ Even her rudder had been removed. A spar had been added amidship in order to support a derrick for hauling in supplies. The ship's company consisted of a captain, two mates, a dozen seamen, and some marines. Also included was a draft of thirty British or Hessian soldiers.⁶

The first care of a prisoner after arriving upon the *Jersey* was to form or be admitted into some regular mess. On the day of his arrival, it was impossible for him to receive any food; even on the second day, he could not gain any time in which to have it cooked. The poor half-famished soul would, then, be forced to wait until the following day. No matter what the condition of the prisoner, guards on no occasion would give out food except at designated times. Messes consisted of six men each and were all numbered. Every morning when the steward's bell rang at nine o'clock, an individual belonging to each mess stood ready to answer to its number. As soon as the number was called, the person representing it hurried forward to the window in the bulkhead of the steward's room from which was handed the allowance for the day.⁷ The allowance for each six men was the equivalent of the full ration for four men. The rations consisted of: Sunday — 1 lb. biscuit, 1 lb. pork, 1 lb. peas; Monday — 1 lb. biscuit, 1 lb. oatmeal, 2 oz. butter; Tuesday — 1 lb. biscuit, 2 lbs. beef; Wednesday — 1½ lbs. flour, 2 oz. suet; Thursday — same as Sunday; Friday — same as Monday; Saturday — same as Tuesday.⁸ These rations, insufficient and miserable, frequently were not given to the prisoners in time for boiling on the same day, and thus, they were forced to fast for another twenty-four hours or to consume the food in its raw state. Since there were no provisions for fresh vegetables, scurvy was naturally one of the diseases which afflicted the prisoners.⁹ The bread was also bad and full of living vermin, but they were reduced to eating it, worms and all, or to starve.¹⁰

The hopelessness and despair of the American prisoners confined on these prison ships are expressed in a letter written by Timothy Parker, December 9, 1776:

There are more than two hundred and fifty prisoners of us on board this ship (some of which are sick, and without the least as-

⁵ "City of Prisons," p. 462.

⁶ Coggins, *Ships and Seaman*, pp. 79-80.

⁷ West, "Prison Ships," p. 123.

⁸ Coggins, *Ships and Seamen*, pp. 80-81; also see West, "Prison Ships," pp. 122-123.

⁹ West, "Prison Ships," p. 123.

¹⁰ White, "Thomas Andros," p. 519.

sistance from physician, drug, or medicine). All fed on two-thirds allowance of salt provisions, and all crowded promiscuously together, without distinction or respect to person, office, or colour, in the small room of a ship's between decks; allowed only to walk the the main deck from about sunrising till sunset, at which time we were ordered below deck, and suffered only two at once to come on deck to do what nature requires, and sometimes we have been even denied that, and been obligated to make use of tubs and buckets below deck, to the great offence of every delicate, cleanly person, as well as to great prejudice of all our healths. We have no prospect before our eyes but a kind of lingering inevitable death. . . .¹¹

The number of captives aboard the prison ships would vary, according to the number taken captive and the death rate. As the prisoners increased from a general low of 400 to the high of 1,200 per ship, the mortality rate increased.¹² As men were added, the filthy condition of the ship increased. The British never bothered to clean the ship, even though buckets and brushes were made available.¹³ The horrors of yellow fever, smallpox and dysentery multiplied.

The summer confinement was most severe. So intense was the heat below deck, the prisoners were forced to go naked. The air was so foul at times that a lamp could not be kept burning.¹⁴ In this darkness, men were often startled by a warning of the presence of a person deranged from yellow fever. The men would be roused in the mornings with the cry, "Rebels, turn out your dead." The prisoners would then search among themselves for the dead, and the corpses of those who had died during the night would be brought on deck for mass burial.¹⁵

The confinement of American prisoners aboard the prison ships marked "one of the darkest chapters in our war for independence, and that there were survivors of those horrors of the prison ships is more remarkable than that there were so many deaths."¹⁶ The *Jersey* alone proved the means of destruction to more Americans than any other ship in the British navy.¹⁷ The *Jersey* was never cleaned and lay imbedded in the mud. "All the filth that accumulated among upwards of a thousand men was daily thrown overboard and would remain there till carried away by the tide. The impurity of the water may be easily

¹¹ Force, *Archives*, 5th Series, vol. 3, 1138.

¹² Allen, *Naval History*, II, 635.

¹³ White, "Thomas Andros," p. 518.

¹⁴ Allen, *Naval History*, II, 627.

¹⁵ Amerman, "Treatment of American Prisoners," p. 270.

¹⁶ Dolores B. Colquitt, "Jean Pierre Arnaud, Prison Martyr," *Daughters of the American Revolution Magazine*, LXI (1927), 109; a pencil sketch of the infamous *Jersey* is on p. 109.

¹⁷ White, "Thomas Andros," p. 516.

conceived; and in this water [the] meat was boiled.”¹⁸ As stated in a later report:

No fires warmed her occupants in winter, no screen sheltered them from the August sun; no physician visited the sick, no clergyman consoled the dying there. Poor and scanty food, the want of clothing, cleanliness and exercise, and raging diseases that never ceased their ravages, made the *Jersey* a scene of human suffering to which the Black Hole of Calcutta might be favorably compared.¹⁹

“Hell” remained throughout the war as a center of sickness and death, always replenished with new victims. It is estimated that over eleven thousand died on board the *Jersey* as deaths averaged five a day from 1780-1783. The *Jersey* was abandoned as she lay when the final prisoners were liberated. The dread thought of contamination prevented anyone from venturing on board or even from approaching her polluted frame. The *Jersey* met her death in a manner similar to that of many of her victims. She sank when her hull became infested with worms that ate through her hulk. To a watery grave went the names of thousands who had written their names upon her planks.²⁰

¹⁸ Allen, *Naval History*, II, 634.

¹⁹ “City of Prisons,” p. 461.

²⁰ West, “Prison Ships,” p. 123.

III

Treatment of Officers Confined in North America

There was a startling comparison in the treatment received by enlisted men and that accorded officers taken captive during the American Revolutionary War. Those enlisted men seized by the British were faced with damnable treatment and incarceration in the land prisons or the floating hells, the prison ships. Officers, on the other hand, were treated as gentlemen and were put on their honor by signing a statement of parole. They were permitted to roam at large during daylight hours, provided they remained within a given area and observed certain other restrictions.¹

The officers taken captive in late 1776 were first paroled on Manhattan Island and limited to the City of New York. They used intelligence and cunning to make the right friends, and, before too long, most of the men were living in some degree of comfort befitting their rank.² Money and clothing were often obtained from friends or families.³ The officers were also befriended by the poor and those of low circumstances.⁴ The common prostitutes of the city became a group on whom the officers could depend for money if it could not be obtained from other sources.⁵ Since friends became the most important source for better treatment, officers began to measure friendship according to the standards set by those who could provide them with the necessities to maintain a moderate life style.⁶

In January, the paroled American officers were moved from Manhattan to King's County on Long Island and housed among the Dutch inhabitants in the communities of New Lots, Flatbush, Gravesend, New Utrecht, and Flatlands. They were assigned to houses in pairs, or on occasion three men would be assigned to one house. Each man was responsible for the payment of his keep, the rate for room and board per week being two dollars. Although the men were not always satisfied with the living accommodations, they did have clean rooms with ample food at each meal.⁷

As the weeks and months passed, they become restless. Each man looked for a way in which to relieve his grief and boredom. Since there were few restrictions placed on the officers, they engaged in many

¹ Fitch, *Diary*, p. 15, and pp. 70-254, *passim*.

² *Ibid.*

³ *Ibid.*, p. 93.

⁴ *Ibid.*, p. 146.

⁵ *Ibid.*, pp. 15, 83.

⁶ *Ibid.*, p. 15, and pp. 69-105, *passim*.

⁷ *Ibid.*, pp. 16-17, 156-160.

different activities, spending time in reading, fishing, swimming, taking walks, attending horse races, and participating in eternal card games that continued to all hours of the night.⁸ Lieutenant Jabez Fitch, whose diary gives so much valuable information on the officer prisoners in New York, also records the amorous activities of his often-missing roommate.⁹ Some of the men became so entangled in these adventures that matrimony was the result.¹⁰ It was not uncommon for married men to have their wives and families visit or even live with them during their internment.¹¹

The dichotomy between the treatment of officers and enlisted men is probably most clearly seen in the writings of the officers who were under the generous provisions of parole and continued to visit their men. One officer writes concerning his visit on December 4, 1776: "Made the poor Prisoners a Visit, found them in a very Pityfull Cituation &c; . . . [later I] was Entertained with a good Dinr; on Beef Stakes &c."¹² On another occasion the contrast is illustrated by the description of the miserable conditions confronting the men, and after which the officer returns to Long Island and dines on "Beef Stakes and Rost Pig." Nevertheless, his concern for the prisoners in the jails was expressed when he said,

Indeed the whole of em appear Compleet Objects of Pity, & alth'o they may be Depriv'd of that favour, from the powers of Earth & Hell, yet it is to be hope'd that a Superior Power may soon Interpose in their favour. Heav'n grant the happy Period may be Hastened.¹³

Ethan Allen displayed absolute despair:

I have seen several of the prisoners in the agonies of death, in consequence of very hunger, and others speechless and very near death, biting pieces of chips; others pleading for God's sake for something to eat, and at the same time shivering with the cold. Hollow groans saluted my ears, and despair seemed to be imprinted on every of their countenances. The filth . . . was almost beyond description. The floors were covered with excrements. I have carefully sought to direct my steps so as to avoid it, but could not. They would beg for God's sake for one copper, or morsel of bread. I have

⁸ Charles A. Huguenin, "Ethan Allen, Parolee on Long Island," *Vermont History*, XXV (1957), 106; also see Fitch, *Diary*, pp. 17-18.

⁹ Fitch, *Diary*, p. 18.

¹⁰ Huguenin, "Allen, Parolee on Long Island," p. 110.

¹¹ Fitch, *Diary*, pp. 193-194, 197.

¹² *Ibid.*, p. 80.

¹³ *Ibid.*, pp. 89-90.

seen . . . seven dead at the same time, lying among the excrements of their bodies.¹⁴

Tellingly affected by the sight of men subjected to such great suffering, and not capable of rendering help to them, Allen discontinued his visits, confessing, it "was too much for me to bear as a spectator."¹⁵

The officers lived in near luxury, breathing fresh clean air, and enjoying sufficient food. Every precaution was taken to give them good medical attention, such as smallpox shots and regular treatment.¹⁶ With such care, the vast majority were in excellent health. Their good health and freedom would seem to have made escape probable, but that word was seldom discussed in the assemblage of prisoners. These officers placed great value on their parole statements. Moreover, an officer who violated his parole by escaping willfully jeopardized the well-being of those left behind.¹⁷ Washington had also issued a statement that parole violators could not be tolerated and, if found, would be sent back.¹⁸

The excellent treatment and the status given the American officers held by the British in the colonies were best exemplified in a statement made by British General Riedesel during the exchange of Ethan Allan for Lieutenant Colonel Archibald Campbell. Riedesel stated that Allen was a "Prisoner of State, not of War."¹⁹

¹⁴ Jellison, *Ethan Allen*, pp. 171-172.

¹⁵ *Ibid.*, p. 172.

¹⁶ Fitch, *Diary*, pp. 171-178.

¹⁷ Huguenin, "Allen, Parolee on Long Island," p. 111.

¹⁸ Fitzpatrick, ed., *Washington*, VIII, 108.

¹⁹ Huguenin, "Allen, Parolee on Long Island," p. 120.

IV

Treatment of Prisoners in Great Britain

The Americans captured in European waters and many also from the American side of the ocean were sent to prisons in England. The commonly held opinion in the Colonies was that their prisoners would be treated in the same manner as was the custom in the European countries, namely, to send every person, soldier or sailor, under the degree of a commissioned officer, to some inland place, where confinement took place in some old castle. The castle was generally surrounded by a high stone wall, oftentimes with a moat. The prisoners were confined as in a debtor's jail, with a strong guard of militia on the inside and a group of sentries on the outside. They were fed and maintained by a Commissary, who would contract for their support. The usual practice was to place officers on parole to some inland town at a distance far removed from their men. They were to be allowed to negotiate their bills of exchange, but could be confined in a jail if they did not meet those obligations.¹

The Americans also believed that their prisoners would not be confined to the prisons for long because, in the other wars of the eighteenth century, the western powers exchanged prisoners by a regular cartel. The reason for the agreement was that trained manpower was at a premium, and, consequently, the interest of the captor power usually required that its prisoners be exchanged. Thus, an exchange-or-providing-ransom cartel would be instituted. All prisoners would be automatically returned, and a cash ransom paid at stated intervals by whichever power received more prisoners than it required.²

All of these beliefs were well intended, but one major problem entered into the treatment of American prisoners, e. g., the fact that the British government did not recognize the American colonials as belligerents but only as rebels against the King.³ Thus, "the British government naturally refused to entertain American proposals for 'a cartel between nations at war,' but it allowed Americans to be exchanged informally against those few British prisoners whose return could be secured in no other way."⁴

The majority of Americans taken captive on the high seas was confined in two major prisons, Mill Prison near Plymouth and Forton Prison near Portsmouth.⁵ Prisoners were also confined at smaller

¹ Force, *Archives*, 4th Series, vol. 6, 425-426.

² Anderson, "Treatment of Prisoners in Britain," pp. 69-70.

³ Alexander, "Forton Prison," p. 367.

⁴ Anderson, "Treatment of Prisoners in Britain," p. 70.

⁵ Francis Abell, *Prisoners of War in Britain, 1756-1815* (London: Oxford Univer-

prisons near Liverpool, Deal, and Weymouth, and in the prison ship at Chatham.⁶ Prisoners were also confined in other prisons outside of England: Kinsale, Ireland,⁷ Antigua in the West Indies,⁸ and the prisoners detained as slave labor in the coal-pits on Cape Breton, Newfoundland.⁹

Men taken prisoner at sea or on shore were transported to the foreign prisons by ship. It was aboard these ships going to prison that men received their first taste of prison life. They were confined aboard ship for different lengths of time, depending on the place of capture. For example, Ethan Allen was confined aboard ship forty days while on the way to prison. There were thirty-three prisoners confined with him. They stood elbow to elbow in a poorly ventilated and almost totally dark pen no larger than twenty square feet. The congestion was almost unbearable, and the men were forced to sleep on the deck. The close confinement led to most unhealthy conditions. Water was in short supply, and none could be used for washing. Many were afflicted with diarrhea, and only two excrement tubs were on hand to serve nearly three dozen men. Soon their little prison became a horrible hell with filth and vermin present, and added to this was the putrid smell of vomit.¹⁰

Treatment of this nature was geared to encourage defection. The British hoped that such severe treatment would challenge the loyalty of the Americans. As if this harsh treatment were not enough, the sailors aboard the vessels would take the clothes of the prisoners and give them only a frock and trousers to wear. The prisoners were then told, "Those will be good enough for you to be hanged in!"¹¹ One American rejoiced at the opportunity to go to prison after his confinement aboard a man-of-war. Prison seemed "like coming out of Hell and going into Paradise."¹² The promise was often misleading.

Charles Herbert wrote of his imprisonment at Mill Prison:

Many are strongly tempted to pick up the grass in the yard and eat it and some pick up old bones in the yard that have been laying in the dirt a week or ten days and pound them to pieces and suck them. Some will pick up snails out of the holes in the wall and from among the grass and weeds in the yard, boil them and eat them and drink the broth Our meat is very poor in general;

sity Press, 1914), pp. 215-220.

⁶ John K. Alexander, "American Privateersmen in the Mill Prison During 1777-1782," *The Essex Institute Historical Collections*, CII (1966), 320.

⁷ *Ibid.*

⁸ Allen, *Naval History*, II, 651.

⁹ Force, *Archives*, 5th Series, vol. 2, 1105, 1226, 1303.

¹⁰ Jellison, *Ethan Allen*, p. 162.

¹¹ Alexander, "Forton Prison," pp. 367-368.

¹² Anderson, "Treatment of Prisoners in Britain," p. 76; Alexander, "Forton Prison," p. 368.

we scarcely see a good piece once in a month. Many are driven to such necessity by want of provisions that they have sold most of the clothes off their backs for the sake of getting a little money to buy them some bread.¹³

When the English people became aware of this treatment, there were organized protests for better prison conditions. Benjamin Franklin was instrumental in so informing the people of England, and he also continued to apply pressure on the British for exchange.¹⁴ A letter printed in a London paper and signed by "Humanities" probably did much to arouse the English. It stated that the prisoners

. . . are 25 in number, and all inhumanly shut close down, like wild beasts, in a small stinking apartment in the hold of a sloop, about seventy tons burden, without a breath of air, in this sultry season, but what they receive through a small grating over head, the opening in which are not more than two inches square in any part, and through which the sun beats intensely hot all day; only two or three being permitted to come on deck at a time; and they are exposed in the open sun, which is reflected from the deck and water like a burning glass.

I do not at all exaggerate, my Lord, I speak the truth; and the resemblance that this barbarity bears to the memorable black-hole at Calcutta, as a gentleman present on Saturday observed, strikes everyone at the sight. All England ought to know that the same game is now acting upon the Thames on board this privateer, that all the world cries out against and shuddered at the mention of in India. . . .

The putrid streams issuing from the hole are so hot and offensive, that one cannot, without the utmost danger, breath over it; and I should not be at all surprised if it should cause a plague to spread. The miserable wretches below look like persons in a hot bath, panting, sweating, and fainting for want of air; and the surgeon declares that they must all soon perish in that situation, especially as they are almost all in a sickly state with bilious disorders.¹⁵

In September, 1777, conditions began to improve. The Reverend Thomas Wren of Portsmouth took a great interest in the prisoners. He organized local charitable groups to give aid. The Americans also benefitted greatly in 1778 and 1779 from a general subscription organized on their behalf by merchants in England. Wren even gave escapees clothing and information on how to get to London and from there to

¹³ Allen, *Naval History*, II, 642-643.

¹⁴ Francis Wharton, ed., *The Revolutionary Diplomatic Correspondence* (7 vols.; Washington: Government Printing Office, 1889), II, 409-410, 448; VI, 375.

¹⁵ Force, *Archives*, 5th Series, vol. 1, 754-755.

France. Besides the fund raised in England, Franklin sent over what money he could spare for the benefit of prisoners.¹⁶ Much of this was entrusted to an American merchant in London named Digges, who turned out to be a British spy and who embezzled nearly all the money he had received for the use of the prisoners.¹⁷

The improvements within the British prisons were directed by the Commission of Sick and Hurt Seamen. This office set regulations to lessen the rigors of captivity.¹⁸ The prisons were divided into large rectangular wards. The officers' quarters were separated from those for the enlisted men, and the officers were supplied with hammocks or a straw bed.¹⁹ The enlisted men, however, received no such accommodations. Their supplies were adequate water, sanitary arrangements, and exercise grounds. Their rations were to be cooked in a separate cook-house, and the official weekly allotment for each man was adequate. (See the "Table of Victualing.")

For clothing, each man was given a jacket, waistcoat, pair of breeches, shoes and cap, and two shirts and two pairs of stockings.

TABLE OF VICTUALING²⁰

	Beer quarts	bread pounds	beef pounds	butter ounces	Cheese ounces	Pease pints
Sunday	1	1	$\frac{3}{4}$		$\frac{1}{2}$
Monday	1	1	$\frac{3}{4}$		
Tuesday	1	1	$\frac{3}{4}$		$\frac{1}{2}$
Wednesday	1	1	$\frac{3}{4}$		
Thursday	1	1	$\frac{3}{4}$		$\frac{1}{2}$
Friday	1	1	$\frac{3}{4}$		
Saturday	1	1		4 or	6	$\frac{1}{2}$
	7	7	$4\frac{1}{2}$	4	or 6	2

These were provided for the Americans by the Crown until they could receive clothing from their own government's agent.²¹ The Americans received very little from their own government at this time, the Sick and Hurt commissioners asked "the Admiralty either to have an American representative supply prisoners needs or to send all the American away."²²

¹⁶ Alexander, "Forton Prison," pp. 378-383.

¹⁷ Wharton, *Diplomatic Correspondence*, V, 512.

¹⁸ Abell, *Prisoners in Britain*, pp. 3-4.

¹⁹ Alexander, "Forton Prison," pp. 377-378.

²⁰ George Thompson, "Diary of George Thompson of Newburyport, Kept at Forton Prison, England 1777-1781," *The Essex Institute Historical Collections*, LXXVI (1940), 240.

²¹ Anderson, "Treatment of Prisoners in Britain," p. 73.

²² Alexander, "Forton Prison," p. 377.

The Sick and Hurt office also had orders designed to prevent ill health, notably those for the provision of adequate sleeping space, fresh air and exercise, and a supply of water, soap, and tubs. Infected bedding and clothing were routinely burned. New prisoners suspected of infection were quarantined, and if an infectious outbreak was reported in a prison, all arrivals and departures were stopped, and additional doctors were called in for help.²³ The men could even receive a small-pox inoculation upon request. An improvement in the treatment of American prisoners is revealed in the death statistics at Forton Prison. From June, 1777, to November, 1782, only sixty-nine Americans died, or a rate of only 5.75 per cent of those confined.²⁴ The improved conditions, nevertheless, did not eliminate all of the injustices of prison life. Although there were not too many complaints about the food at Forton, "in one case all the prisoners threw the bad beef into the cook's window, and left and went without any." On the next day, the bad meat was served again, but by the agent's orders it was sent back again, and cheese was substituted.²⁵

Prison life in England became tedious and boring. The men were given almost absolute freedom in determining the use of their free time. They organized regular schools where prisoners were taught reading, writing, arithmetic, navigation, and French. They were also allowed to write letters, keep diaries and journals, and purchase books. They became friends of many of the guards, and, through this friendship, they were kept informed about exchange in addition to receiving local newspapers that were brought to them. There is report of one prison clerk arranging "for one prisoner to slip out of prison and spend a few hours with a woman and a bottle of spirits."²⁶

Although the life of the prisoners was far from fun and games, the prisoners were able to maintain a sense of humor, as shown at Mill Prison during the celebration of Independence Day 1778:

July 3, 1778. As it is two years tomorrow since the Declaration of Independence in America, we are resolved, although we are prisoners, to bear it in remembrance; and for that end, several of us have employed ourselves today in making cockades.

They were drawn on a piece of paper, cut in the form of a half moon, with the thirteen stripes, a Union and thirteen stars, pointed out and upon the top is printed in large capital letters, "Independence" and at the bottom, "Liberty or Death," or some appeal to Heaven.

July 4, 1778. This morning when we were let out, we hoisted the American flag upon our hats, except about five or six, who

²³ Anderson, "Treatment of Prisoners in Britain," p. 73.

²⁴ Alexander, "Forton Prison," p. 380.

²⁵ *Ibid.*, p. 376.

²⁶ *Ibid.*, pp. 372-373; Anderson, "Treatment of Prisoners in Britain," p. 73.

did not choose to wear them. The agent, seeing us all with those papers on our hats, asked for one to look at, which was sent him, and it happened to be one which had "Independence" written upon the top, and at the bottom, "Liberty or Death."

He, not knowing the meaning of it and thinking we were going to force the guard, directly ordered a double sentry at the gate. Nothing happened until one o'clock; we then drew up in the thirteen Divisions, and each Division gave three cheers, till it came to the last, when we all cheered together, all of which was conducted with the greatest regularity. We kept our colors hoisted till sunset, and then took them down.²⁷

Escape was the one topic on the minds of most of the prisoners. Much time was spent in planning and executing escapes. The policy of the British government encouraged the men to attempt an escape. Guards were not allowed to fire at fleeing prisoners²⁸ and only two punishments were authorized: loss of turn to be exchanged and close confinement on half rations. They were kept on half rations only until enough money had been saved to pay the reward for their recapture. In the case of Americans, it was £ 50. The Americans could be confined in irons if they continued to cause disruptions.²⁹ Attempts to escape were numerous, sometimes by climbing over the wall, sometimes by burrowing under walls, and sometimes by bribing guards. The systems of tunnelling out of the prison were kept in operation until the final discharge of prisoners.³⁰ The escapes from Forton Prison between June, 1777, and April 1, 1782, were 536 men,³¹ and the escapes from Mill Prison between June, 1777, and March, 1779, were 102 men.³² Men with money had the best chance of final escape. If the prisoners could get help from the local people and reach France, they could then receive aid from Franklin or his friends in getting passage to America.³³

After France, Spain, and Holland became involved in the war, the prisoners from those countries were treated better than American prisoners. Englishmen favoring equal treatment for Americans proposed a fair treatment policy, a proposal that was defeated when, in the course of debate, it was argued

. . . that the diet of prisoners, as persons in a state of inactivity, ought to be sparing, and that just enough to sustain life ought to

²⁷ Clara M. Breed, "Extracts from the Journal of George Herbert," *Daughters of the American Revolution Magazine*, LVII (1924), 626.

²⁸ Alexander, "Mill Prison," p. 337.

²⁹ Anderson, "Treatment of Prisoners in Britain," p. 74.

³⁰ Abell, *Prisoners in Britain*, p. 220.

³¹ Alexander, "Forton Prison," pp. 382-383.

³² Abell, *Prisoners in Britain*, p. 224.

³³ Alexander, "Forton Prison," p. 383.

be the measure of it; for that if more than enough were allowed, it would render the prisoners unhealthy by producing gross humours if they eat it, or if they sold what was superabundant, it was very probable they would buy spirits with it and thereby render themselves unhealthy and unhappy.³⁴

Attitudes such as this one continued to exist until the Battle of Yorktown. Exchange prior to Yorktown had been done sparingly, but in 1782 the rate of exchange increased.³⁵

This change of attitude is seen in Franklin's letter written April 24, 1782:

. . . the parliament of Britain have just past an act for exchanging American prisoners. They have near eleven hundred in the jails of England and Ireland, all committed as charged with high treason. The act is to empower the king, notwithstanding such commitments, to consider them as prisoners of war, according to the law of nations, and exchange them as such. This seems to be giving up their pretensions of considering us as rebellious subjects, and is a kind of acknowledgement of our independence. Transports are now taking up to carry back to their country the poor, brave fellows who have borne for years their cruel captivity, rather than serve our enemies, and an equal number of English are to be delivered in return.³⁶

Conditions continued to improve over the next year, and on March 3, 1783, the British Admiralty ordered all American prisoners sent to France.³⁷

The Americans issued the statement concerning the exchange of their prisoners on April 29, 1783:

The prisoners made respectively by the arms of his Britannic majesty and those of the United States of America, both by land and sea, shall be immediately set at liberty without ransom, on paying the debts they may have contracted during their captivity. And each contracting party shall respectively reimburse the sums which shall have been advanced for the subsistence and maintenance of their prisoners by the sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentic titles which shall be produced on each side.³⁸

The American prisoners released by the British were told, "You all now have received His Majesty's most gracious pardon." Their reply, with a loud cry, "Damn His Majesty and his pardon too."³⁹

³⁴ Allen, *Naval History*, II, 644-645.

³⁵ Alexander, "Forton Prison," p. 386.

³⁶ Wharton, *Diplomatic Correspondence*, V, 326-327.

³⁷ Alexander, "Forton Prison," p. 387.

³⁸ Wharton, *Diplomatic Correspondence*, VI, 397.

³⁹ Walter Drew McCaw, "Captain John Harris of the Virginia Navy," *Virginia Historical Magazine*, XXII (1914), 164.

Conclusion

Starting from the premise that Americans taken in arms were not prisoners of war but traitors or pirates, the policy of the British toward the prisoners and the American attitude toward the British policy must be examined in order to place guilt. There is convincing evidence to show that the general policy of the British concerning American prisoners in the Colonies was as barbarous as any on previous record. The cruelty of their treatment is evident in the fact that one out of every three taken captive perished during the long struggle.¹ The British presented a picture of willingness to negotiate an exchange of prisoners, but were not always acting in good faith. Howe's negotiations were only to satisfy his own army that he had done his best to get back the missing, and to throw the blame on the other side.²

The British also continued to maintain the view that they were extending good treatment to the Americans. Captain George Dawson of the British forces reported the conditions aboard the *Jersey* on February 2, 1781, as determined by a three-officer board of naval enquiry. He asserted that there was no sign of oppression or ill treatment and each man was given a full weekly allowance: Bread—66 oz., Beef—43 oz., pork—22 oz., Butter—8 oz., peas—1 1/6 pts., oatmeal—2 pts. The men were allowed a fire for cooking at all times. He blamed the prisoners' sickness on the want of clothing and on the failure of the prisoners to practice proper hygiene. He, then, stated that the men had never been crowded and were allowed to go ashore daily.³ The British showed their contempt of the Americans by supporting William Cunningham, the Provost of New York. Cunningham was defended, even though it was common knowledge that he alone was responsible for the death of thousands.⁴ Cunningham consistently banished civilians from the city for helping the prisoners.⁵

The British must accept the responsibility for the harsh treatment, but the Americans also must be assigned their share of guilt. The American Commissary of Prisoners, Elias Boudinot, was forced to operate with his hands tied by the Continental Congress. The system under which prisoners were maintained also added to the dilemma. The system, as it had operated in Europe, maintained that each country was responsible for the expenses of their own men held captive.⁶ The problem facing the Commissary was one of economics. The Congress

¹ Amermen, "Treatment of American Prisoners," p. 257.

² Boyd, *Boudinot*, p. 61.

³ Catherine B. Brumbaugh, "Report on the British Prison Ship *Jersey*, February 2, 1781," *Daughters of the American Revolution Magazine*, XLIV (1914), 237-238.

⁴ Elias Boudinot, "Letters of Elias Boudinot," *Pennsylvania Magazine of History and Biography*, XLIII (1919), 285.

⁵ Amerman, "Treatment of American Prisoners," p. 268.

⁶ Force, *Archives*, 4th Series, vol. 6, 425-426.

could not raise any money except Continental currency, which had little or no value in New York City.⁷ Congress also added to the problems of Boudinot when it allotted £ 2, 5s. per cwt. for the purchase of flour to feed the American prisoners. The problem facing Boudinot was how does one buy flour selling for £ 6 per cwt. for only £ 2, 5 s.? He was unable to solve the puzzle and, thus, the prisoners suffered. Even when supplies could be purchased, there was always the problem of delivery. The Americans had received permission to deliver supplies to New York City, but supply ships were required to stop at the men-of-war where all hands would be forced to leave the ship while the British delivered the supplies. Boudinot could sign up few owners who would trust their vessels to strangers since they were afraid of being held hostage.⁸ It is not until the British army was defeated at Saratoga that acceptable money was made available for the care of American prisoners. General Burgoyne paid for the care of his men⁹ and, then, this money was funneled into New York, where it was hoped that it could be used by Lewis Pintard to improve the lot of the American captives.¹⁰

Congress did initiate pressure on the British in January, 1778, to allow the American Commissary of Prisoners to visit New York City for the purpose of inspecting the conditions of prisoners in British hands.¹¹ Elias Boudinot had made arrangements on his own before Congressional action, and visited the New York prisons for about a month after his arrival there on February 3. Again, these were good intentions, but Boudinot states that the purpose was "to inquire and find out the real state of our unfortunate Bretheren, and not to negotiate any general Principles"¹² Consequently, the prisoners remained in the same desperate state, especially in the infamous Provost prison.

Congress and Washington must also accept a part of the blame. Congress, on the one hand, could be criticized for adopting a policy of officer-for-officer, soldier-for-soldier as the medium of exchange, a system workable only when each side maintained an equal number of available prisoners. In fact, during the war, the British had on the average of six times as many prisoners in their hands as did the Americans.¹³ Therefore, even after an exchange, vast numbers of Americans remained under British control. Congress was also reluctant to release captive British soldiers in good physical condition for American

⁷ Boyd, *Boudinot*, pp. 36-37.

⁸ Ford, ed., *J.C.C.*, X, 75-76.

⁹ Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols.; Washington: The Carnegie Institution, 1921-1936), III, 357.

¹⁰ Boyd, *Boudinot*, p. 36.

¹¹ Ford, ed., *J.C.C.*, X, 79-80.

¹² Sterling, ed., "Report by Elias Boudinot," pp. 378, 380; What is probably a draft of Boudinot's report to Washington is in *Ibid.*, pp. 379-393.

¹³ Douglas Southall Freeman, *George Washington* (7 vols.; New York: Charles Scribner's Sons, 1951), IV, 380-381.

seamen, since such an exchange would only build up enemy strength.¹⁴ Washington also could see British bad conduct as a propaganda tool. His hope was that Howe's decisions on exchange would encourage colonial opposition.¹⁵

There were mistakes in American policy on the matter of American prisoners of war, but the basic charges of guilt in reference to these prisoners must be assigned to the British. As a consequence, Americans confined in the British prisons in North America suffered and died as a direct result of British policy. As this policy could be condemned, so British policy in England improved as the war went on and basically can be commended. British forces and the citizens of England were, in most cases, fair and just in their treatment of American prisoners, and those held captive often fared better than was the case with previous prisoners of war.

The literary skill of the poet may be open to question, but the sincerity and dedication to the cause of independence by those Americans held as prisoners make no hollow echo in the following lines:

In Support of the thirteen states
 For which we indured Captivity
 The Motto now that cures all fates
 For me is Death or Liberty.

And let's be resolute and brave
 O se how just our cause appears
 For Independence we will have
 If we fight for it fifty years.¹⁶

¹⁴ Amerman, "Treatment of American Prisoners," p. 273.

¹⁵ Bowman, *Morale*, p. 100.

¹⁶ Alexander, "Forton Prison," p. 388.