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ORGANIZED MILITIA
IN
THE UNITED STATES
FROM 1846 TO 1860
BY
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A THESIS SUBMITTED FOR THE DEGREE
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FOREWORD.

The author wishes to state that this thesis pretends to be nothing more than a preliminary study of an entirely new field. As far as has been possible in the limited time and space, there has been an honest attempt to picture the entire field in a general way. For this study, the United States Documents have been examined carefully and , in addition, the following states have been studied with care; Massachusetts, New York, Virginia, and Wisconsin. All the available material in one state has been carefully studied; namely, Indiana.

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Chapter I.

The Militia of the United States.

The term , Militia, as it is used in the United States, has three distinct meanings. The dictionary meanings are two, and conditions have added a third. The first dictionary definition calls the militia that body of men between the ages of eighteen and forty-five who are able-bodied and can be called out for duty; the second definition includes a more limited class—only those between the ages of eighteen and forty-five who are actually enrolled in companies. This is commonly called the "enrolled militia." A militiaman, in order to be an "enrolled" member, need only to have his name on the rolls; it makes no difference whether he comes to drill or not. The third definition is one which actual conditions forced on the public. Theoretically, all members of the "enrolled" militia are also "active", but, as will be demonstrated later, this was not the case. Thus came about the use of the term "active" for those members of the enrolled militia who actually came out to drill. The three classes, then, are those who could possibly be called into service, the "enrolled", and the "active". It is to this third variety of militia that this thesis is addressed.

and the purpose is to determine, in so far as possible, what it was doing from the beginning of the Mexican War to the beginning of the Civil War, and what was actually accomplished by it.

Mr. Upton, in his "Military Policy of the United States", remarks that ... "up to that time [the Mexican War] the militia system ... had been regarded as the great bulwark of national defense"¹. It seems evident that the bulwark had weakened considerably before this time but, at any rate, there had been a continued conscious attempt on the part of Congress and most of the legislatures to remake their schemes so as to fit the requirements of new conditions. The basic law for all militia organization was passed by Congress on May 2, 1792². This act entitled "An Act to provide for the Militia to execute the laws of the Union, suppress insurrections and repel invasion." It left many loop-holes which had to be taken care of as occasion demanded. In 1803 a long step forward was taken when the Adjutant-Generals of the various states were required to make annual returns to the President of men, arms and ammunition.³ In 1808 the President was given authority to require the executives of the states to ... "take effectual measures to organize and equip"... their portion of the militia, and equip-

1. Emory Upton, The Military Policy of the United States, (Washington, 1912) p.221.

2. United States Statutes at Large, 1789-1799. p.264. A full discussion of this and following Congressional Acts will be found in the chapter "Units and Officers of Militia".

3. United States Statutes at Large, 1799-1813. p.207.

ment was offered to each state in proportion to its annual
⁴ returns. In 1820 the states were required to use the discip-
⁵ line and field exercise of the army. This completed the program
of the General Government to the beginning of the Mexican War.
There seems to have been a gradual working out of what was
hoped would be an effective policy.

At the same time that the General Government was taking
measures, the state legislatures were making repeated attempts
to hold popular interest in measures of defense. In 1855 the
author of a pamphlet advocating militia reform in Massachusetts,
wrote, "The idea of reforming the militia is not a new thing in
Massachusetts; for the military themselves, and our legislators
at their urgency, have been trying their hands upon it for some
⁶ thirty years!" The Indiana Legislature passed Acts referring to the
Militia organization fourteen times in the period from 1800 to
⁷ 1840.

It is impossible to set an exact date for the beginning
of the decline in interest in the militia, but certain it is that
it occurred many years before the Mexican War. The causes for it
were many: lack of military necessity, rareness of drill days,
expense of the system, and the commutation and fine plan. As the
memory for the War of 1812 gradually faded, the military spirit

4. United States Statutes at Large, 1799-1813. p. 207.
5. United States Statutes at Large, 1813-1823. p. 577.
6. William Jenks, Reform of the Militia, (Boston, 1854), p.1.
7. Indiana Laws, 1807, p.245; 1816-17, p.175; 1831, p.417;
The Militia Law of Indiana, Sixth Edition, 1821-22; Laws of
Indiana, 1822, p.52; 1826-27, p.39; 1829-30, p.93; 1833, p.122;
1834-35, p.263.

faded also. When the immediate need seemed gone the hardships imposed by the system began to be noticed. The day set for drill was usually sometime in April and late in October. The morning was taken up with getting the roll called and the drilling took place usually between two and four in the afternoon. Very often the officers in command did not appear until late in the day.⁸ It is suggestive of the situation in at least some sections to hear an Adjutant-General, in his annual report, say ... "I must express a doubt of the propriety of an officer's reading the words of command from printed cards. Such a practice might not be convenient or available on a field of battle."⁹

Not only was the drill felt to be of no real use, but there was a real burden in the loss of time occasioned to many who had come long distances on the parade days. It was felt to be a shame by many that they had to leave their employment and stand for several hours in the sun waiting for the officer to come and tell them to go home.¹⁰ The fines imposed and the commutations allowed were felt to be burdensome. In practically all the states one could buy his right to absent himself from the parade day by the payment of from seventy-five cents to three dollars.¹¹ To those who did the work and got the training this did not seem fair. At first the fines were enormous in comparison with the offense of being absent, and, in some cases impris-

8. William B. Bryan, A History of the National Capitol, (New York, 1916) p. 146.

9. Report of the Adjutant-General of Massachusetts, 1847, p.18.

10. Bryan, National Capitol, p. 146.

11. Laws of New York, 1849, p. 440.

onment was included with it. This became so odious that the
¹²
 imprisonment clause was removed. Thus, from lack of interest
 and from the burdens imposed, the militia system had generally
 fallen into disrepute by 1840. All manner of claims for exemp-
 tion were set up. New York serves well as an example of this.
 Here the Lieutenant Governor, all legislators, all judges,
 state officers, college teachers, academy teachers, county offi-
 cers and conscientious objectors were exempt from all military
¹³
 duty. In 1833 the Circuit Court, sitting in the District of Co-
 lumbia, decided that all government clerks were exempt from
¹⁴
 military duty.

Perhaps the lack of interest is most evident in the
 incompleteness of the annual returns. During the entire period
 there are constant complaints, alleging that the small number
 of militia on the records is due to the fact that the enrolling
 officers in the small units fail, either in turning in complete
 reports or in turning them in at all. It is suggestive of the
 prevalence of this neglect that the complaint comes from all the
 states, no one seeming to have had complete results. The com-
 plaint is the more severe because the general government allowed
 the state, by the Act of 1808, to have a given amount of equip-
 ment for each man. If the rolls were incomplete, necessarily the
¹⁵
 state lost arms which it could have had.

12. Keim, "Report of Committee on Militia", in New York Review,
 Vol. 7, (1840), p. 393. "The proposition for imprisonment in case
 the fines be unpaid is one which, in the present state of public
 opinion, could never be acceded to!"

13. Digest of New York Militia Law, 1848.

14. Bryan, National Capitol, p. 146.

15. United States Statutes at Large, 1789-1799, p. 479.

One year the Adjutant-General makes a long and careful explanation of the situation to the legislature, asking for some remedy. The next year, discouraged by lack of attention to his last year's request, he merely remarks that he has no way of getting effective records. In this matter the state Adjutant-Generals were often remiss, failing to send in reports to the general government. The following table illustrates the looseness of the records that the Adjutant-General of the United States kept. Whenever there is no report for a year the previous record was carried over, thus often misrepresenting to the extreme the actual man-power of the state. Gradually legislatures began to make provision for more careful returns, by making the penalty heavier on the officers who failed in their duty.

The duties of the Adjutant-General being so slight in many states, the position was made unattractive and, as a result, the office was poorly administered. In many cases the incumbent knew nothing military. David Reynolds, Adjutant-General in Indiana in 1846, offers a fair example of this point. General Lew Wallace refers in his Autobiography to a visit to the office of Reynolds and refers to him in this manner, "He knew nothing military, and to his credit, he made no pretention to such knowledge!" The equipment of the office and the salary were alike unattractive. General Wallace goes on to say, "Prior to that day a few days after the battle of

16. On page 7.

Table illustrating the years in which returns
were sent from the states to the General Gov-
ernment, during the period,
1846 - 1860 .

<u>State.</u>	<u>Number of</u>	<u>Dates of reports received by the Government.</u>
	<u>years.</u>	
Ark.	3-	1843-'54-'59.
Ala.	5-	1844-'47-'48-'50-'51.
Cal.	3-	1853-'54-'57.
Conn.	7-	1846-'51-'52-'54-'56-'57-'58.
Del.	1-	1827-
D.C.	2-	1832-'52.
Fla.	1-	1845-
Ga.	2-	1839-'50
Iowa.	0	
Ky.	7-	1846-'47-'48-'49-'50-'51-'52.
La.	6-	1829-'47-'51-'56-'58-'59.
Ill.	3-	1841-'51-'55.
Ind.	1-	1832.
Md.	1-	1838.
Mass.	11-	1846-'47-'48-'49-'51-'52-'53-'54-'56-'58-'59.
Me.	6-	1845-'50-'51-'52-'54-'56-'58.
Mich.	6-	1845-'47-'49-'50-'52-'54.
Minn.	2-	1851-'59.
Miss.	1-	1838.
Mo.	2-	1844-'53.
N.H.	8-	1846-'47-'48-'49-'51-'52-'53-'54-'55.
H.J.	2-	1829-'52.
N.Y.	10-	1846-'47-'48-'49-'50-'51-'52-'54-'55-'56.
N.Car.	1-	1845-
Ohio.	2-	1845-'58
Ore.	0-	
Pa.	6-	1846-'47-'52-'54-'55-'58.
R.I.	8-	1846-'47-'50-'51-'52-'54-'56-'58.
S. Car.	4-	1846-'48-'54-'56.
Tenn.	1-	1840-
Tex.	1-	1847-
Utah.	3-	1851-'52-'53.
Vt.	1-	1843-
Va.	9-	1846-'47-'48-'49-'50-'51-'53-'54-'58.
Wis.	5-	1840-'48-'52-'54-'55.

16. The American Almanac, 1846-60.

Resaca) the Adjutant-Generalcy had been bare of importance, because without patronage or a decent salary; the title was its only attraction. The office had its habitat in the State House. I call it an 'office' in lack of another word more exactly descriptive. There being no organized militia, why an office, or for that matter, why an Adjutant-General.¹⁷ "In this case the Adjutant-General was required to hold open an office in the State Capitol and his remuneration was one-hundred dollars a year. Until recently, his office had been in the front room in his house, located in a small town in southern Indiana.

By 1840 the condition of the militia system throughout the Union was so evidently inadequate that Congress appointed a committee to report on the militia and to make suggestions for its betterment as they saw fit. No definite action was taken on the report but the suggestions were followed in many of the states and, for this reason, it is worthy of some consideration here. The report began with a recognition of the failure of the enlistment plan to obtain soldiers, and recalled the well known fact that privileges and exemptions allowed those who joined and became uniformed had been of no avail.. Next, attention was called to the fact that while the regular soldier was comfortably and handsomely clothed, the militiaman

17. Oran Perry, Indiana in the Mexican War, (Indianapolis, 1908).p. 118.

On account of the extra work put on the office, the Governor recommended that the Adjutant-General's salary be increased.

was thrown on his own resources. To the committee it seemed that something must be done immediately to remedy the defects of the basic law of 1792 or the whole system, now tottering, would inevitably crash.¹⁹

The committee suggested the following changes; Repeal the part of the law of 1792 which required all able-bodied men between the ages of eighteen and forty-five to serve in the active militia, in such states as would provide for 'draught' or voluntary enrollment of one-hundred-and-sixty thousand men and place them at the disposal of the President, and train them for thirty days a year. They thought it advisable to arrange the men into four classes, the first to serve two years, the next group four, the next six, and the last eight. After the plan had been worked a few years it would provide a system which it was thought would not be a burden on anyone. Each man enlisted would serve eight years and then be relieved from further duty. Moreover, the plan included a division of the whole group in any county into two divisions. The two younger companies were to be called the "Peace Establishment" and were to drill one day a year. In case of call the two younger companies would respond first. The general government would pay for the clothing and the pay would be the same as that of the regular army. The individual state would furnish the arms and other equipment, with the exception of the clothing, from the

18. Keim, Report, p. 296.

19. Ibid., p. 296.

money furnished by the government under the provisions of the
²⁰
 Act of 1808.

The Secretary of War disapproved the plan because it did not make sufficient provision for training, far as it was in this respect above the law of 1792. "As well might mechanics be taught their craft by a few days' training each year, as militiamen, by the same process, the duties of a
²¹
 soldier," was the remark of the Secretary. Soon after the report, several states remodelled the systems, using some of the suggestions made in the report. The North American Review for January, for January, 1841 remarks that ... "there is a description of military force in all our cities, that is a farther move in advance of the great body of the militia in all the qualities of organization and officering, than it is behind the regular
²²
 army in these qualities!" The reference was to volunteer companies. During all our history there had been men who had volunteered themselves for regular training and they were the ones who furnished practically all of the real trained men of the period just previous to the Mexican War. After 1840 many states adopted a definite plan for these companies. In that same year Massachusetts passed a militia law, providing for a more careful enrollment of all men between the ages of eighteen and forty-five, and also practically disbanding the existing state militia. Volunteers were to be accepted to the maximum of ten-

20. Keim, Report, p. 298.

21. "Report of the Secretary of War", in The North American Review, Vol. 52., p. 2. (1841).

22. Ibid., p. 15.

thousand. These were to be called the "Active Militia" and were to be subject to call into service before the others were touched. This Act provided no training for the rest of the men of military age. These men were to serve for five years and then to be free from further duty. They met three times a year for drill purposes. In 1847, the Adjutant-General reported that the Volunteer system, after seven years of trial, had proved itself a failure.²³

Indiana during this period offers a good illustration of a desperate attempt to create a new interest in the system. In 1840, an Act was passed, dividing the militia into "Active" and "Sedentary".²⁴ The former division was composed of men from eighteen to thirty and the latter of those from thirty to forty-five. The younger group were to be called on first. Two years later provision was made to accept Independent companies to serve for six years.²⁵ In 1843 it was stipulated that companies of riflemen and cavalry should consist of fifty men, rank and file, and the light infantry of sixty.²⁶ There is no report of the strength of the militia between 1832 and 1844 but many companies were organized.²⁷ By 1844 the Legislature was willing to accept companies containing as few as thirty-two men.²⁸ In 1846 New York did away with the old system and took over the volun-

23. Massachusetts Militia Law Digest, (Boston, 1840) p. 23. Report of the Adjutant General, Dec. 31, 1847, p. 22.

24. Indiana Laws, 1839, pp. 22-25.

25. Indiana Laws, 1842, p. 93.

26. Indiana Laws, 1842-43, p. 21.

27. W.D. Pratt, A History of the National Guard of Indiana, (Indianapolis, 1901), p. 74. Individual companies: Orange Guards, Orange Blues, Vincennes Guards, Marion Guards, Jackson Guards etc.

28. Bryan, National Guard, p. 77.

teer plan. An enrollment act was passed, providing for one uniformed company to each county, each company to contain sixty-four men and to serve for seven years. The commander was given authority to call out a regiment for any six consecutive days- from August the fifth to November the first.²⁹

In 1846, at the opening of the Mexican War, the militia system had reached its lowest ebb up to that time. From Maine comes the appeal, "Shall we rely upon our citizen soldiery, and make our militia an institution efficient and valuable, or shall we, by neglect, suffer it to become degraded."³⁰ The Adjutant-General of Massachusetts, after sending a questionnaire to the military officers of the state, said, ... "the present military system of this state is rapidly falling into decay."³¹ In New York the feeling was so strong that the Minority report of the Committee on Militia could report in 1845 that they thought it advisable to abandon the system.³² The General Assembly of Ohio, in the same year, remarked that, "There seems to be no permanence in the present militia organization."³³ In Indiana, "At the outbreak of the Mexican War the martial spirit of the people of the state was at the lowest ebb. There was no state organization of militia, no arms, no equipment and apparently not a soldier in sight."³⁴ The attention of the Legis-

29. Laws of New York, 1846, p. 337; -Ibid., p. 363.

30. Adjutant-General's Report, Maine, 1844. "A spirit of disorganization and a determination to avoid the performance of all military duty, has prevailed in certain sections of the state for several years"

31. Jenks, Reform, p. 1.

32. Assembly Documents, New York, 1845, Vol.IV.

33. Assembly Documents, Ohio, 1845, Vol.X, Part 1.

34. Perry, Indiana in the Mexican War, Introduction p. 3.

Records of the enrolled militia and of the active militia are so scarce and so incomplete that it is impracticable to get any exact ratio between those who were actually at work and those who merely had their names on the records. The following comparison, gathered from the Adjutant-General's report in Massachusetts, may be taken as a fair example of this relationship:

Year.	Enrolled Militia.	Active Militia.	Total.
1840	83,602	7,255	90,857
1841	81,313	5,902	87,215
1842	80,518	6,150	86,668
1843	81,500	6,350	87,850
1844	81,441	6,372	87,813
1845	84,470	6,337	90,807
1846	90,349	5,490	95,839
Total Average	83,193	6,122	89,573

If Massachusetts can be taken as a fair average, the men actually in the Active militia may be approximated by gaining the relation between the Active and the Enrolled in Massachusetts, and applying this to the total number reported from the various states. By pursuing this process, the result obtained is approximately 140,000. This, of course, cannot be taken at anything more than a guess, but it will serve to give some idea as to the number of men whom President Polk could possibly collect, among the volunteers, who had had any sort of recent training.

By an Act of Congress on May 13, 1846 the President was authorized to call out militia to serve for twelve months

3rd

or until the end of the war. Of course they came as volunteers and not as organized bodies. There was no militia to speak of. As soon as the troops were sworn in to serve in the United States Army they ceased to be Militia. During the Mexican War there was less organization than at any other time during the period under consideration; all the able bodied men with military taste had joined the army. The condition of the militia after the Mexican War will be discussed in chapter four.

37. United States Statutes at Large, 1846 Vol. IX, p.9.

Chapter II.

Units and Officers of Militia.

The Militia Act of May the eighth, 1792 is the basic law for the service through this period and, as such, will be worth some consideration at this point. It is called, "An Act more effectually to provide for the National Defense by establishing an Uniform Militia throughout the United States" and it provides that..."the militia of the respective states shall be arranged into divisions, brigades, regiments, battalions and companies as the legislature of each state shall direct; and each division, brigade, and regiment, shall be numbered at the formation thereof; and a record made of such members in the Adjutant-General's office in the state; and when in the field, or in service in the state, each division, brigade and regiment shall, respectively take rank according to their numbers, reckoning the first or lowest number highest in rank!" Further it is suggested, "That if the same be convenient, each brigade shall consist of four regiments; each regiment of two battalions; each battalion of five companies; each company of sixty-four¹ privates!"

1. United States Statutes at Large, 1792, Vol. II, p. 101.

Concerning the officering of the militia, the law of 1792 provides that..."the said militia shall be officered by the respective states, as follows; To each division, one major-general and two aides-de-camp, with the rank of major; to each brigade, one brigadier-general, with one brigade inspector, to serve also as brigade-major, with the rank of a major; to each regiment, one lieutenant-colonel commandant; and to each battalion one major, to each company, one lieutenant, one ensign, four serjeants, four corporals, one drummer and one fifer or bugler²? Each regimental staff is to consist of an Adjutant, and a quarter-master, each to rank as a lieutenant; one paymaster, one surgeon and a surgeon's mate, one serjeant-major, one drum-major, and one fife-³major.

Concerning the detail arrangements within the various units, it is provided, that each battalion shall have at least one company of grenadiers, light infantry and riflemen; that each division shall contain at least one company of artillery and one of horse. Each company of artillery is to have one captain, two lieutenants, four serjeants, four corporals, six gunners, six bombardiers, one drummer and one fifer. Each troop of horse is to be equipped with one captain, two lieutenants, one cornet, four serjeants, four corporals, one saddler, one farrier, one trumpeter. Each company of infantry is to be provided by the individual state legislatures

2. United States Statutes at Large, 1792. Vol. II, p. 102.

3. Ibid., p. 102.

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with a drummer and fifer or bugler. Each state, moreover, is to provide itself with an Adjutant-General to act as the representative of the Governor in military matters. In regard to the rank of officers, the Act provides that the date of the commission shall be the deciding factor, and that, when ... "two of the same grade bear an equal date, then their rank is to be determined by lot, to be drawn by them before the commanding officer of the brigade, regiment, battalion, company or detachment!"⁵

This law deserves such examination in detail because it covers the field of possible organization so thoroughly that there was little left for the states to modify. This hard and fast characteristic was to give rise to many objections in the future. The changes found in the states are in regard to the number of men in a company, the number of companies in a battalion, and, in some cases, the number of minor officers. The units could not have less than the required number of officers, but there was a possibility of having more. For example, Virginia had only four companies to a battalion instead of the five suggested by the Congressional Act;⁶ Massachusetts allowed a company to organize with only forty-eight members instead of sixty-four. Five serjeants was a common number, and many states allowed companies to have four lieutenants.⁷ With these exceptions, the

4. United States Statutes at Large, 1792. Vol. II, p. 102.

5. Ibid., p.103.

6. Militia Law of Virginia, 1850.

7. Digest of Massachusetts Militia Law, 1840. p. 27.

In this state there were five serjeants and three lieutenants.

organization made by Congress may be taken as applying to all the states.

The active militia organization consisted of troops of cavalry, artillery, cadets, grenadiers, light infantry, riflemen, regimental bands, and General Staffs for division, regiment and brigade.⁸ The following comparison, compiled from the report of the Adjutant-General of New York for the year 1847, suggests the amount of variation permitted in the number of companies in a regiment and the number of men in a company, the two places of easiest digression from the general law laid down by Congress;⁹

<u>Number of Companies in a regiment.</u>	<u>Total men in a regiment.</u>	<u>Average num- ber of men.</u>
1 - - - - -	96 - - - - -	96
4 - - - - -	236 - - - - -	59
4 - - - - -	246 - - - - -	61
3 - - - - -	136 - - - - -	45
4 - - - - -	197 - - - - -	44
3 - - - - -	168 - - - - -	56
1 - - - - -	58 - - - - -	58
1 - - - - -	73 - - - - -	73
1 - - - - -	64 - - - - -	64
11 - - - - -	677 - - - - -	62
8 - - - - -	430 - - - - -	54
5 - - - - -	302 - - - - -	60
6 - - - - -	361 - - - - -	60
8 - - - - -	466 - - - - -	58
4 - - - - -	153 - - - - -	38
10 - - - - -	573 - - - - -	57
4 - - - - -	215 - - - - -	54
5 - - - - -	260 - - - - -	52
<u>Final average number of men to a company-</u>		<u>58.</u>

This table, indicating the loose organization of many of the regiments in this state, is a fair indication of a

8. Adjutant-General's Report, Massachusetts, 1847, p. 113.

9. Adjutant-General's Report, New York, 1847,

At the beginning of the Mexican War, most of the regiments that were organized at all were in this confused state.

similar state of things in the other states at the beginning and throughout the Mexican War.

The following chart, showing the staff officers, their units and assistants in Virginia in 1850, may be taken as a fair sample of similar organizations in other states.¹⁰ One change made at the close of the Mexican War is to be noted here; there was an evident need for the office of engineer or a corps of engineers. The state to take the lead in this matter was New York, which state organized a corps in 1848.¹¹

<u>Unit.</u>	<u>Officer.</u>	<u>Assistants.</u>
Division- -	-Major-General-	- One Division-inspector. (rank of Lieutenant-Colonel) Two Aides-de-Camp. (rank of Major) One Division Quarter-master. (rank of Major)
Brigade - -	-Brigadier-General-	One Brigade-inspector. (rank of Major) One Aid-de-Camp. (rank of Captain) One Brigadier Quarter-master. (rank of Captain)
Regiment- -	-Colonel- - - -	One Quarter-master. Six paymasters. One surgeon. One surgeon's mate. One Adjutant (rank of Captain) One Sergeant-major. One Quarter-master-sergeant. Two Principal musicians; One Drum-major. One Fife-major.

The method of selection of officers was never worked out into anything like definite plan during this period. During

10. Militia Law of Virginia, 1850.

11. Adjutant-General's Report, New York, in Assembly Documents, 1845-Vol. II

the fifties there were numerous suggestions made to the effect that it would be wise to introduce the merit system into the selection of officers, but none of these seem to have been acted upon. The methods most in use are well summed up in the report of the Committee on Militia, appointed by Congress in 1840. They reported that, "The officers in some of the states are elected by the privates, and are chosen either for the purpose of throwing contempt on the system, or for a personal popularity which they could only attain by a solicitation unworthy of the character of a commander"¹² In Virginia the Major-Generals and Brigadier-Generals were elected by a joint vote of the General Assembly and the Adjutant-General was appointed by the Governor. With these exceptions, the men in the ranks filled the offices by their vote. The field-offices were filled by the vote of the regimental officers; the new regiments elected their own officers.¹³ In Wisconsin, in 1849,¹⁴ the companies elected their own officers. In 1843, Indiana passed an Act, allowing the second or the second and third lieutenants to be elected by their companies.¹⁵ By an Act of 1844, the same state provided that the regimental officers were to elect two men for Colonel and Lieutenant-Colonel, and their rank, respectively, was to be decided by lot. Electiond for new officers were to take place after notification to the Governor of the vacancy and his order for the

12. Keim, Report, p. 284.

13. Militia Law of Virginia, 1850

14. Revised Statutes of Wisconsin, 1849.

15. Laws of Indiana, 1842-43, p. 90-91.

election. In 1852 a new Act gave the Governor the authority to appoint a resident Brigadier-General in each County, each County to be a regimental district. Each general was to recommend to the Governor suitable men in the County for Colonel, Lieutenant-Colonel and Major; the Colonel was given the right to appoint one captain and two lieutenants in each township for every one-hundred militiamen. The captain of each company was made responsible for the appointment of four sergeants and four corporals. All removals were to be made by court martial.¹⁶ It is doubtless from such systems of selection that the type of officer came who read his orders from printed cards.

This leads naturally to the training of the officers. At all times during the period under discussion it seems to have been meager, often not exceeding that of the privates. If the officers got copies of military tactics, usually they had to procure them for themselves. Many are the complaints from Adjutant-Generals that the legislatures of their respective states have failed to provide money for the purpose of printing or purchasing books of this nature. Here Massachusetts is again a leader; in 1852 the Adjutant-General was authorized to furnish "Scott's Infantry Tactics" to certain¹⁷ of the officers of the militia. Virginia showed some improvement when, in 1850, she required the officers to meet and

16. Indiana Laws, 1844, p. 20; Indiana Documentary Journal, 1853, Part II, p. 7-9.

17. Report of the Adjutant-General of Massachusetts, 1852, p. 29.

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drill for three days previous to the general muster.

There are evidences that offices were many times given as mere honorary titles, and the incumbent of the title needed to know nothing military. During the time when the militia was in good repute, the officers were the most important personages of the community. "A popular man who was so fortunate as to secure a commission as a General, Colonel, or even lieutenant-Colonel or Major, was pretty sure to get a civil office if his aspirations led him that way!"¹⁹ Even when the public sentiment favoring the militia was waning, this desire for the honor of a commission did not seem to disappear. It was claimed that the new militia law of Indiana, passed in 1855, was merely for the purpose of issuing commissions in order to confer military titles.²⁰ In 1857 New York passed a law, allowing anyone who had been in the service for twenty years to be given the honorary rank of Colonel.²¹ Very possibly the habit in some sections of referring to an elderly gentleman as "Colonel" dates from this looseness of organization.

From Colonial times the annual or semi-annual muster day had been "the chief social occasions for the neighborhood!"²² In the early days it had always been attended by

18. Militia Law of Virginia, 1850, p. 20. ..."it the new militia law ought to be printed in pamphlet form and distributed to the officers as speedily as may be!"; Documents of Virginia, 1848, (Document 12). "At present many of these officers regimental adjutants are absolutely incompetent!"

19. Brant and Fuller, History of Bartholomew County, Indiana, (Chicago, 1888).

20. Pratt, National Guard in Indiana, p. 86.

21. Laws of New York, 1857, Vol. I, p. 416.

22. Logan Esarey, A History of Indiana from its exploration to 1850, (Indianapolis, 1915.)

dancing and usually by a barbeque. As the memory of the war with England became dim, and the officers took their duties less and less seriously, the festive feature of the day came into more and more prominence. By 1840 the day had become so much of a farce from the standpoint of military training that it could be said that, "The appearance of a body of militia at a 'training' is a burlesque on all that is military!"²³

The states varied in number and times of days for drill. At first most of them provided for one day only, in some states in the spring and in others in the fall. Many of them later changed to the plan of having two days a year, one in April or May, and the other in October. As early as 1844 Maine provided that the commander-in-chief might, at the approach of danger, ... "order such other and further trainings and disciplining of the militia, or any part thereof, as he may deem necessary!"²⁴ In the same year, Indiana, in an additional Act to the earlier law, decided that the drill should take place at the time fixed by the by-laws of the individual unit or when two-thirds should agree.²⁵ This clause, of course, made it possible to evade the issue entirely until it was too late to drill in a given year. Previously, by an Act of 1833, the muster day had been placed in October.²⁶ The Adjutant-General of Massachusetts, in his annual report for 1852, called attention to the fact that the two consecutive days then

23. Keim, Report, p. 285.

24. An Act to Establish the Militia, Maine, 1844.

25. Indiana Laws, 1844, p. 24.

26. Indiana Laws, 1833, p. 122.

allowed for drill purposes was insufficient. Said he, "The time of the first day is consumed in getting into camp, mounting guard, and being inspected. The next day the troops are reviewed, ...and but little time remains for them to drill!"²⁷

As a result of his complaint the legislature of that year made the time of training three consecutive days. Then came the problem of getting all the men to stay all the three²⁸ days. In Wisconsin, by the militia law of 1858, the commander-in-chief was to direct an annual "school of practice", not to exceed four consecutive days in August or September.²⁹

The earlier encampments were by small units, but the tendency was always toward larger units. There is constant suggestion through the forties, by Adjutant-Generals, that the training be so extended as to include continually larger bodies of men. Indiana had muster by battalions in April and³⁰ by regiments in October. In 1853, Massachusetts had the encampment by divisions for the first time. In the same year it was³¹ suggested by the Adjutant-General that the entire troops of the state would gain by being drilled to-gether, and the suggestion was finally taken up in 1859, when "All the volunteers encamped to-gether at Concord!" The statement of the Adjutant-General, in his report for that year, that ... "the State encamped to-gether...the present year, it being the first encampment held in this country including all the

27. Report of the Adjutant-General, Massachusetts, 1852, p. 25.
 28. Adjutant General's Report, Massachusetts, 1856, p. 18.
 29. Militia Law, Wisconsin, 1858, p. 31.
 30. Esarey, History of Indiana, p. 166.
 31. Adjutant-General's Report, Massachusetts, 1853, p. 28.

troops of a state," was probably correct.

Inside the regimental organization, many states permitted volunteer companies to become a part of the system. Voluntary enlistment of this nature was permitted by Indiana in 1844, and these organizations, since they were free-will in plan, got only the more energetic and so formed the backbone of the volunteers for the Mexican War. Numerous crack companies are referred to in the County histories of the period, and their relation to the regular organizations is

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clearly brought out. In 1846, just after the outbreak of hostilities, the Adjutant-General called attention, in his report, to..."the claims of that useful body of men-the volunteers of New Jersey, who have been, and may be again, called

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upon to uphold the flag of our country!" In Virginia, the Adjutant-General, in his annual report for 1849, made a clear distinction between the state guard, or regular militia, and the companies of volunteers. Here the inducements to volunteer do not seem to have been as great as in

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some other sections. The organization inside the units was the same in the case of the volunteer companies as in the regular units.

The condition of the militia system after the war is to be considered in another part of this paper, but

33. Indiana Laws, 1844, p. 17; Perry, Indiana in the Mexican War, p. 33. "The Spencer Grays, of New Albany, was a crack company". Ibid., p. 43,..."three regiments were assigned as the quota of Indiana. The County militia formed the nucleus that furnished the men for the company!"

34. Adjutant-General's Report, New Jersey, 1846,

35. Adjutant-General's Report, Virginia, 1849, Document 8, p. 3; Ibid., Document 1, p. 22.

it is necessary to stop here long enough to call attention to the changes in units and officers, brought about by conditions existing at the close of the Mexican War. Diminished interest produced what might be called a period of "skeleton regiments". As early as 1847 in New York, the Adjutant-General suggested a complete reorganization of the militia because so many of the companies of both Infantry and Artillery, had been reduced to small numbers. By the time of the next report the legislature of that state had provided that the artillery, cavalry and riflemen should no longer be divided into regiments, brigades and divisions. ³⁶ Even Massachusetts, who had boasted that she had the best organized militia in the Union only a few years previous, proposed to drop the 'artillery' and 'light infantry' and call it all just infantry. The next year, 1856, the Adjutant-General recommended the dropping of the third and fourth lieutenants from companies; and, in 1858, his report showed that one-third of the companies of the state had been affected by an order of March the twenty-seventh, which provided for the disbanding of all companies having less than thirty-two privates. Much of the trouble in keeping up the size of the units was blamed on the action of the law of 1840, which had practically disorganized the regular units and provided ³⁷ for complete volunteering. Virginia had to make provision for the same situation in 1850. If companies were too

36. Adjutant-General's Report, 1847, New York; Adjutant-General's Report New York, 1848, in Assembly Documents, Vol. II.

37. Adjutant-General's Report, Massachusetts, 1855, p. 25.

small, men from other companies, containing a few too many,
 might be brought in. A reorganization was effected in Wis-
 consin in 1858. In Indiana, also, there was need for re-
 organization. In 1853 a new law had been passed but it had
 been very general in its provisions. In 1856 the Adjutant-
 General made an appeal for a still better organization,
 noting that it was even harder than ever to get returns, to
 say nothing of a better organization. His remark, near the
 end of his report, summed up the case as it existed in many
 states; "Literally, ... there is no report to make..."

38. Militia Law, Virginia, 1850

39. Adjutant-General's Report, Wisconsin, 1858, p. 21.

40. Adjutant-General's Report, Indiana, 1856, in Documentary Journal, Part I, p. 398. He went on to say... "We have sowed commissions broadcast through the state..."; ... "Our desires fell off from an entire reorganization to simply a new enumeration, yet even in these modest efforts we have signally failed, and we have to abide by the enumeration of 1833". This enumeration was still the latest in 1860.

Chapter III.

Material Equipment and Finance for Militia.

Here again, as in the case of the organization of the militia, the general Government furnished the pattern and a large amount of the actual material for the states. In 1803 Congress authorized the constant provision of the whole body of the militia of the United States with arms; and, in 1808 that body made definite arrangements for carrying into effect the earlier provision. By this Act, the Secretary of War, through the department of the Quarter-Master-General, was authorized to provide each state with sufficient arms, each year, to equip the militiamen reported from the state. The basis for the apportionment was one musket, or its equivalent, to each man. A musket was reckoned at thirteen dollars and it was left to each state to determine what kind of equipment would be most useful. For example, if there were a thousand men reported from a state, that state's quota was a thousand muskets, or any other arms stipulated by the state, to the value of thirteen-thousand dollars.

The fact was brought out in a previous chapter that

1. United States Statutes at Large, 1799-1803, p. 207.

the returns were poorly handles in most of the states. The reason for the constant complaint of the Adjutant-Generals was that they could not get their full quota of arms from the Government. It is probable that no state, during this period, got its full quota of arms at any time, for the rolls were never complete. The states varied in their ability to get records but all of them fell far below perfection. Beginning with 1846, the Chief of Ordnance of the Department of War of the General Government made a regular annual statement to the Secretary of War to the effect that the total strength of the militia was by no means being turned in.² The reiteration had no tangible effect, for no law was passed to provide in a better way for the enrollment.

The following table displays the number of muskets, or their equivalent in other equipment, furnished to the states and territories by the Government each year from 1846 to 1860. For lack of space and comparative unimportance, the exact date from which the number of men in each state is reckoned in distributing the arms, is not given. However, the table does show the date for returns from which the Chief of Ordnance was working in 1846. Two points may be gained here from a study of the figures; in the first place, it is evident that the low mark for up-to-date returns is from 1855 to 1858; secondly, the almost continual drop-off in interest in all sections of the country from 1846 on till 1860 is very noticeable.

². Report of the Chief of Ordnance, in Senate Documents, Vol.493, Document I, p. 147.

Table of the arms and other equipment received
by the various states and territories during
the period from 1846 to 1860. 1.

State.	Date of latest report in 1846.	Number of muskets or equivalent materials received by state.																			
		'46	'47	'48	'49	'50	'51	'52	'53	'54	'55										
Ark.	1843-	-	-	-	131	131	139	138	125	133	133	133	133	133	133	133	133	133	133	133	133
Ala.	1844-	-	-	-	477	471	335	331	323	413	507	507	507	507	507	507	507	507	507	507	507
Cal.	-----	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Conn.	1845-	-	-	-	364	443	436	430	421	411	341	341	341	341	341	341	341	341	341	341	341
Del.	1827-	-	-	-	72	71	70	69	67	66	61	61	61	61	61	61	61	61	61	61	61
D.C.	1832-	-	-	-	-	9	9	9	8	52	46	46	46	46	46	46	46	46	46	46	46
Fla.	1845-	-	-	-	94	93	92	90	88	86	80	80	80	80	80	80	80	80	80	80	80
Ga.	1839-	-	-	-	446	440	433	427	408	408	520	520	520	520	520	520	520	520	520	520	520
Ia.	-----	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ky.	1845-	-	-	-	683	698	667	703	646	624	541	541	541	541	541	541	541	541	541	541	541
La.	1829-	-	-	-	115	114	331	327	319	312	290	290	290	290	290	290	290	290	290	290	290
Ill.	1845-	-	-	-	935	922	908	896	876	856	126	126	126	126	126	126	126	126	126	126	126
Ind.	1832-	-	-	-	419	414	407	402	393	384	356	356	356	356	356	356	356	356	356	356	356
Md.	1838-	-	-	-	364	360	354	350	341	334	310	310	310	310	310	310	310	310	310	310	310
Mass.	1845-	-	-	-	706	735	715	766	742	725	791	791	791	791	791	791	791	791	791	791	791
Me.	1845-	-	-	-	347	343	337	333	325	360	413	413	413	413	413	413	413	413	413	413	413
Mich.	1845-	-	-	-	474	468	453	448	437	465	423	423	423	423	423	423	423	423	423	423	423
Minn.	-----	-	-	-	-	-	-	-	-	-	13	13	13	13	13	13	13	13	13	13	13
Miss.	1838-	-	-	-	353	348	343	338	331	323	300	300	300	300	300	300	300	300	300	300	300
Mo.	1844-	-	-	-	474	468	461	455	444	434	403	403	403	403	403	403	403	403	403	403	403
N.H.	1845-	-	-	-	221	227	205	202	203	198	213	213	213	213	213	213	213	213	213	213	213
N.J.	1829-	-	-	-	305	300	296	285	279	259	520	520	520	520	520	520	520	520	520	520	520
N.Y.	1845-	-	-	-	1,263	1,270	1,266	1,332	1,468	1,600	1,754	1,754	1,754	1,754	1,754	1,754	1,754	1,754	1,754	1,754	1,754
N.Car.	1845-	-	-	-	618	610	600	592	578	566	525	525	525	525	525	525	525	525	525	525	525
Ohio.	1845-	-	-	-	1,372	1,354	1,333	1,316	1,286	1,256	1,166	1,166	1,166	1,166	1,166	1,166	1,166	1,166	1,166	1,166	1,166
Ore.	-----	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pa.	1845-	-	-	-	2,113	2,084	2,085	2,058	2,011	1,966	1,825	1,825	1,825	1,825	1,825	1,825	1,825	1,825	1,825	1,825	1,825
R.I.	1845-	-	-	-	108	121	107	102	100	107	95	95	95	95	95	95	95	95	95	95	95
S.Car.	1845-	-	-	-	423	420	213	408	402	393	365	365	365	365	365	365	365	365	365	365	365
Tenn.	1840-	-	-	-	554	547	539	531	519	507	471	471	471	471	471	471	471	471	471	471	471
Tex.	-----	-	-	-	-	-	149	147	144	141	131	131	131	131	131	131	131	131	131	131	131
Utah.	-----	-	-	-	-	-	-	-	-	-	170	170	170	170	170	170	170	170	170	170	170
Vt.	1843-	-	-	-	186	183	181	178	174	170	158	158	158	158	158	158	158	158	158	158	158
Va.	1845-	-	-	-	946	913	922	910	905	881	827	827	827	827	827	827	827	827	827	827	827
Wis.	1840-	-	-	-	41	40	40	59	235	229	213	213	213	213	213	213	213	213	213	213	213

Note;- From 1855 till 1860, the territories of Washington, Nebraska, Kansas, and New Mexico each received 137 muskets per year.

1. Reports of the Chief of Ordnance, in Report of the Secretary of War, in Senate Documents, 1846 to 1860.

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	'51	'52	'53	'54	'55	'56	'57	'58	'59	'60
50	122	133	109	96	183	183	183	183	182	182
25	413	507	486	431	411	411	411	411	410	380
23	-	-	-	-	-	-	-	-	-	-
21	411	341	328	342	274	274	274	274	273	253
7	66	61	59	52	137	137	137	137	137	127
	52	46	46	137	137	137	137	137	137	127
8	86	80	77	68	137	137	137	137	137	127
08	408	520	499	442	457	457	457	457	455	422
	-	-	-	195	183	183	183	183	182	169
46	624	541	565	499	548	548	548	548	546	507
19	312	290	337	299	274	274	274	274	273	253
76	856	126	108	957	502	502	502	502	501	464
93	384	356	342	303	594	594	594	594	592	548
41	334	310	297	263	365	365	365	365	364	338
42	725	791	776	789	594	594	594	594	592	548
35	360	413	397	313	365	365	365	365	364	338
37	465	423	406	363	274	274	274	274	273	253
	-	13	13	11	137	137	137	137	137	169
31	323	300	288	257	319	319	319	319	318	295
44	434	403	387	343	411	411	411	411	410	379
03	198	213	199	189	228	228	228	228	228	271
79	259	520	461	319	319	319	319	319	318	295
468	1,600	1,754	1,836	1,749	1,599	1,599	1,599	1,599	1,594	1,477
78	566	525	504	446	457	457	457	457	455	422
286	1,256	1,166	1,120	992	1,051	1,051	1,051	1,051	1,047	970
	-	-	-	-	137	137	137	137	137	137
011	1,966	1,825	1,752	1,551	1,233	1,233	1,233	1,233	1,229	2,142
00	107	95	92	90	183	183	183	183	182	169
02	393	365	350	310	365	365	365	365	364	338
09	507	471	452	400	548	548	548	548	546	507
44	141	131	125	111	183	183	183	183	182	169
	170	16	16	137	137	137	137	137	137	127
4	170	158	152	134	228	228	228	228	228	211
05	881	827	794	704	686	686	686	686	682	633
05	229	213	204	263	228	228	228	228	228	211

ington, Nebraska,
year.

Secretary of

The total expense of the Government for the militia is displayed in the annual reports of the Ordnance Department, as follows;

1846-	-	-	-	-	-	-	-	\$186,169.41
1847-	-	-	-	-	-	-	-	\$163,039.97
1848-	-	-	-	-	-	-	-	\$305,755.60
1849-	-	-	-	-	-	-	-	\$173,709.33
1850-	-	-	-	-	-	-	-	\$191,209.13
1851-	-	-	-	-	-	-	-	\$202,671.17
1852-	-	-	-	-	-	-	-	\$263,586.68
1853-	-	-	-	-	-	-	-	\$191,233.40
1854-	-	-	-	-	-	-	-	\$156,145.43
1855-	-	-	-	-	-	-	-	\$179,535.27
1856-	-	-	-	-	-	-	-	\$144,842.59
1857-	-	-	-	-	-	-	-	\$134,529.40
1858-	-	-	-	-	-	-	-	\$257,594.44
1859-	-	-	-	-	-	-	-	No Abstract.
1860-	-	-	-	-	-	-	-

The variety of articles furnished to the states may be illustrated by the stores sent out from the department in a single year. The following table shows the various articles distributed by the Ordnance Department in 1846;

- 26 Six-pounder bronze guns.
- 30 Six-pounder carriages, with implements and equipments complete.
- 2 Four-pounder carriages, with implements and equipments complete.
- 4 Caissons, with implements and equipments complete.
- 6 Sets of artillery harness for four horses.
- 7 Sets of artillery harness for two horses.
- 4,692 Muskets, with appendages complete.
- 540 common rifles,
- 270 Hall's
- 280 Hall's carbines,
- 1,835 pistols,
- 1,598 sabres.
- 255 artillery swords.
- 4,835 sets of infantry accoutrements.
- 910 common rifle
- 370 Hall's
- 180 carbines
- 1,598 cavalry

3. Report of Chief of Ordnance, in Senate Documents, 1846-1860.
 4. Report of Chief of Ordnance, in Senate Documents, 1846, Vol. 493, Part I, p. 147.

255 artillery sword belts.
 12 extra cartridge boxes.
 192 box-belts.
 120 bayonet scabbards, with frogs.
 120 waist belts.
 120 gun-slings.
 120 brushes and picks.
 62 pairs of holsters and caps.
 100 extra musket wipers.
 25 extra musket ram-rods.
 16,000 percussion caps.
 10,000 carbine ball cartridges.

The preceding table is typical of the variety of materials only; the amount changed materially with each year. Neither of the preceding tables gives an accurate account of what the Government actually owed the states, for many times there are evidences that the states were making efforts to collect back debts. In 1853 a special agent was appointed by the Government to settle up the accounts with all the states. In 1848, the Adjutant-General of Indiana complained that he had received nothing from the general government for two years. The means by which the government gathered statistics on the enrolled militia was provided for in the Act of March 2, 1803. By this Act the Adjutant-Generals of the several states were required to make returns of numbers of enrolled men, arms and ammunition to the President by the first of January of each year.

As far as the records show, the state aid given to the militia was negligible. No instance has been found where a state appropriated funds for this object. Evidently

- 5 . Documentary Journal , Indiana, 1847, Part II, 322.
 6 . United States Statutes at Large, 1799-1813, p. 207.
 7 . There is one possible exception to this but it is isolated.

it was felt that the Government would do enough under the Act of 1808. This was a mistaken expectation for there are many examples of states not having sufficient arms to equip all the companies that had been organized. Indeed, it is from this condition that the real "corn-stalk" militia of the later fifties came. At the beginning of the Mexican War Indiana could say that... "not a dollar had been appropriated by the state!" This same state provided, in 1844, that the Governor was to furnish militia companies with arms, but, from all evidences, the supplying was done from the materials furnished by the general Government to the state. New York passed an Act in 1848, providing the Adjutant-General with "one-thousand dollars...or part thereof needed"... to furnish the commissioned officers with books of tactics. However, this seems to have been an isolated case.

The arms furnished the states varied much in quality as well as in kind. During the fifties percussion muskets were replacing the old flint-locks and every state wanted the new implement. The Government, not being able to supply the entire demand, gave the new arms to the states that made the greatest ado about it, and to the easy ones it gave altered flint-locks, which had been made over into a sort of a percussion piece. In 1858, the Adjutant-General of New York complained that the muskets in that state were almost

9. Adjutant-General's Report, Wisconsin, 1854, p. 5.

10. Indiana Laws, 1844, p. 23.

11. New York Laws, 1849, p. 562.

At no time do books on military tactics seem to have been furnished by the general government.

useless, and that the Government had tried to work off on to him some of the altered muskets, which he had refused to accept. The General Government seems to have succeeded in passing them on New York previous to 1858.¹² Massachusetts made the same complaint and asked, for the second time in 1857,¹³ for the modern rifle. "Sabre-bayonets" were affixed to the arms of that state in 1858, having been accepted in lieu of their quota of muskets for that year.¹⁴ Often there was insufficient equipment for one or more branches of the service. Massachusetts complained that her batteries were unable to do the "battery of manouver" on account of a lack of the proper number of field-pieces.¹⁵ As late as 1861, Indiana had ... "less than five-hundred stands of effective first-class small arms in the state and eight pieces of weather-worn and dismantled cannon. An unknown number of old flint-locks and altered percussion muskets were scattered through the counties, and were in the hands of former members of the disbanded militia.¹⁶ Probably the state was to blame for much of this careless condition of things, but doubtless the general Government must bear much of the brunt of responsibility also for the lack of efficient and complete equipment.

This leads to the question of the care taken by the states of the arms given them. Most of the states provided

12. Adjutant-General's Report, New York, 1859, p.9;
Adjutant-General's Report, New York, 1858, p.7.
13. Adjutant-General's Report, Massachusetts, 1857, p. 40.
14. Adjutant-General's Report, Massachusetts, 1858, p. 39.
15. Adjutant-General's Report, Massachusetts, 1847, p. 20.
16. Pratt, National Guard of Indiana, p. 86.

arsenals for the care of the arms, but these were often poorly constructed and ill-equipped buildings. In 1857, in Wisconsin, there was still need of a place to keep her ¹⁷ quota of arms. Indiana was keeping her stores in any building that could be rented for the purpose, in 1850 and for several consecutive years thereafter. The Adjutant-General begged the General Assembly to provide a suitable building. His opinion was that a fit one could be built for from six to eight-¹⁸ hundred dollars. The report of 1858 noted that Virginia ¹⁹ needed ten-thousand dollars worth of repairs on her armory. In 1846, Illinois appointed a Committee to look into military needs and they reported that a few arms owned by the state, as was the case in that state, did not justify the expense ²⁰ necessary for the erection of a new arsenal.

Reports of the states show a great amount of repairing being done, or needing to be done, to the arms in the hands of the state; both to those arms in the state arsenals and those scattered throughout the state. Practically all the holsters were capped with bear-skin and this was in contin-²¹ ual need of repair on account of the effect of moths. From all sides came the report that there were numerous arms and accoutrements in all the armories needing attention. Much alteration of arms and repairing was completed, but in most

17. Adjutant-General's Report, Wisconsin, 1857, p. 4.
18. Documentary Journal, Indiana, 1859, Part II, p. 280.
19. Adjutant-General's Report, Virginia, 1858, Document 10, p.3.
20. This seems to be an isolated case of the kind.
21. Adjutant-General's Report, Virginia, 1847.

cases there were not sufficient men to keep everything in
 repair. Through carelessness in ²²keeping records and lack of
 provision for proper care, arms given out by the state were
 often left, by the various companies, not only in a state of
 disorder, but without proper equipment for their protection
 from the elements. Massachusetts reports, in 1848, that many
 arms were being returned to the state arsenal and that most of
 them were in need of repair. In Indiana, as late as 1859, the
 Adjutant-General reported that there were numerous arms
 scattered over the state and that most of them were in such bad
 condition that they were not worth collecting and shipping
 back to Indianapolis. Even earlier than this, the same officer
 in Indiana reported that there were... "a great number of arms
 of various kinds, scattered throughout different parts of the
 state-in some places stacked up in a house-in other places
 distributed among the citizens used for hunting, and claimed
 by those who hold them as private property"²⁴ It was also his
 opinion that the individual members of many of the companies,
 upon the companies breaking up, decamped and took the arms
 with them to Ohio, Missouri, and other places...! Doubtless
 much valuable property was lost by such careless happenings,
 and much of the blame may be traced to inaccurate records.

Very little attention seems to have been paid to
 ammunition, necessary as this article was. Virginia reports

22. Adjutant-General's Report, New York, 1855,
 This gives a good sample of conditions in most of the states.
 23. House Documents, Massachusetts, 1848.
 24. Quarter-Master's Report, Indiana, in Documentary Journal,
 1844, Part, II, p. 42.

the urgent need for cannon balls and shells in 1849. The
 exceptions to the rule are Maine and Massachusetts; the
 former state stipulated that not more than one-hundred
 pounds of powder should be kept at the arsenal;²⁵ the latter
 required that "each town or plantation must keep one-hundred
 pounds of musket balls and one-hundred-and-twenty-eight flints
 for every sixty-four soldiers in the town."²⁶

So much trouble was experienced by the states in
 keeping track of arms given out to individual companies, and
 so many arms were either stolen or destroyed from carelessness,
 that action was finally taken to keep accurate records
 of all given out and their condition after coming into the
 hands of the individual company. In 1848, Michigan was
 recommended to require deposits for arms;²⁷ in 1845, the Governor
 of Tennessee requested power to regulate arms taken out;²⁸ and,
 in 1850, Virginia provided that all companies receiving arms
 should be responsible for their good order and should be required
 to execute bond for their value at the time of their
 leaving the state arsenal.²⁹

The history of this problem and its solution in one
 state will probably give a better idea than a scattering
 account. In Indiana, in 1831, there was passed a law, requiring
 the Quarter-Master to take receipts for all arms drawn

25. Adjutant-General's Report, Virginia, 1849.
 26. An Act to organize the Militia, 1844.
 27. Digest of Militia Law of Massachusetts, 1840, p. 24.
 28. Report of the Militia Committee, Michigan, 1848.
 29. "Governor's Message," in Nile's Register, Vol. 69, (1845) p. 159.
 30. Militia Law of Virginia, 1850, p. 26.

from the public armory. How much interest was being taken in such affairs may be judged from the fact that, not until 1844, was there a receipt to be found in the office of this man. From 1832 till 1837, 1857 muskets had been given out without record of who received any of them, and, by 1844, there were 2401 muskets unaccounted for. In 1842, the General Assembly enacted that the commanding officer of each company should be required to give bond to the Quarter-Master, and that it should be the duty of that officer to procure bonds as quickly as possible for those already out. The Quarter-Master started on the job with a determination to collect for everything outstanding and, by 1844, he was ready to report that he had required bonds on all small arms and had collected \$96,098 in this way; and that he was trying to reclaim all the lost arms with the aid of five agents in different parts of the state. By the next annual report he had collected seven-hundred pieces for which bond had never been given, and, in 1846, he had succeeded in collecting seven-hundred and ninety-three. Moreover, he had succeeded in getting most of the companies to pay the transportation of the arms to and from the arsenal, a thing which the state had never required. In 1853, when the new militia Act was passed, public sentiment has been developed to the place where a provision could be incorporated, requir-

31. Documentary Journal, Indiana, 1844, Part. II, p. 39.

32. Laws of Indiana, 1842, pp. 91-92.

33. Documentary Journal, Indiana, 1844, Part II. p. 42.

34. Report of the Quarter-Master-General, 1846, Part II, pp. 20-21.

ing the Board of Commissioners of each County to be responsible and furnish bond.³⁵

In this militia system the individual soldier had to bear the greater part of the burden of expense. The help that the General Government gave the state was only a beginning. By the Congressional Act of 1792, previously referred to, the equipment of the individual militiaman was definitely stipulated. By this Act, every member of the militia, within six months after his notification, was to equip himself with... "a good musket or firelock, a sufficient bayonet and belt, two spare flints, and a knapsack, a pouch with a box therein to contain not less than twenty-four cartridges, suited to the bore of his musket or firelock, each cartridge to contain a proper quantity of powder and ball; or with a good rifle, knapsack, shot-pouch and powder-horn, twenty balls suited to the bore of his rifle, and a quarter of a pound of powder; and shall should appear so armed, accoutred and provided, when called out to exercise, or into service, except, that when called out on company-days to exercise only, he may might appear without a knapsack!"³⁶ Of course, the later provision of 1808 provided the gun, but the rest of the equipment still had to be provided by the individual. All commissioned officers were to provide themselves with a sword or hanger and esponentoon, and the rest of the officers were to have a sword or hanger, a fusee, bayonet and belt with a cartridge box to con-

35. Documentary Journal, Indiana. 1853, Part II, p. 9.

36. United States Statutes at Large, 1892, vol. II, p. 100

37

tain twelve cartridges. The cavalry officer was to equip himself with a horse at least fourteen-and-a-half hands high, a sword, a pair of pistols, the caps of the pistol holsters to be covered with bear-skin.³⁸ The field officers furnished the state and regimental colors for each battalion.³⁹

No problem was more difficult to solve nor is there one more interesting to read about than that of the uniforms. There was no government regulation on this point and the states did not take the matter in hand until after 1840, and then it was usually left to the individual unit to select. In answer to a general demand for suggestion by the Government as to suitable wearing apparel, the Committee on Militia in 1840 suggested that "no more becoming dress need be sought than the white rifle frock worn by many corps of the revolutionary army!"⁴⁰ It was hinted that this would have an imposing effect. In most of the cases examined the whole decision turned on the question of the imposing appearance of the uniform. In Indiana, during this period, all companies selected their own uniforms, the only check being an order from the Adjutant-General, in 1846, to the effect that when a uniform was adopted by a company, the same material would do for the commissioned officers, "...the usual variations in the trimmings"...being made; for example,⁴¹ ..."one row of brass buttons down the front instead of two"...

37. United States Statutes at Large, 1792, Vol. II, p. 102.

38. Ibid., p. 102.

39. Ibid., p. 102.

40. Keim, Report, p. 296.

41. Adjutant-General's Report, Indiana, 1846, in Documentary Journal, 1846-47.

In Wisconsin, in 1858, every commissioned officer of the line and staff was required to furnish himself with a complete uniform, which was to be selected by the commander-in-chief.⁴² New York and Massachusetts, both in 1852, adopted the uniform of the United States army, New York making enough variation to distinguish their uniform from that of the government.⁴³ The typical names of crack regiments suggests the motley appearance which an annual muster must have presented.⁴⁴

Some financial aid, and a good deal of bad feeling resulted from two sources of revenue not yet mentioned, namely, fines and commutations. From the first, fines had been imposed for non-attendance, failure of officers to call out the troops for muster, and other delinquencies; parallel with the fines had gone the plan of letting a man pay instead of serving. These two sources of money are important enough to call attention here. The first fines were large and burdensome; In 1799, the basic law for Indiana provided that the fines for non-attendance at muster might be from six to one-hundred dollars, at the discretion of the officer in command.⁴⁵ This is typical of the system until the early forties. A probable high spot in the history of the militia fines is found in October, 1840, when the Congressional Committee on Militia reported that imprisonment (an alternative allowed

42. Militia Law of Wisconsin, 1858, p. 30.
 43. Adjutant-General's Report, New York, 1852, p. 8
 44. Blues and Grays were the most popular names.
 45. Esarey, Indiana, p. 166.

in many of the states) was a thing that the public opinion
of the time would not tolerate.⁴⁶ From this time on there is
little evidence of imprisonment and the fines become contin-
ually less and less oppressive. Twenty-dollars was the fine
in Massachusetts, in 1840, for the failure of the Assessors⁴⁷
to turn in their annual records to the town clerk. Uniform
companies in Wisconsin imposed their own fines at their own
discretion.⁴⁸

New York offers a good example of the history of
fines and commutation during this period. Here, the collector
paid the money over to the County Treasurer. In 1846, all
Acts to jail anyone delinquent in militia dues were repealed.⁴⁹
By an Act in 1848, a man was given the option of doing one of
four things; either enrolling himself as a volunteer, or doing
military duty as one of the ununiformed militia, or paying
seventy-five cents commutation, or meeting a fine of three
dollars and costs, for non-attendance at duty.⁵⁰ A Bill was pro-
posed in 1851 to abolish fines and to exempt uniform companies⁵¹
from highway tax and jury duty, but this failed to pass. The
state of New York used the fine money for the improvement of
the equipment of the company from which the fine came, and this
was the general plan in all the states. The fines had become
so small and the commutation price so low that the Adjutant-

46. Report of the Committee on Militia, 1840, p. 293.

47. Digest of Militia Law, Massachusetts, 1840, p. 2.

48. Revised Statutes of Wisconsin, 1849.

49. Laws of New York, 1846, p. 147.

50. Digest of Militia Law of New York, 1848.

51. Laws of New York, 1851, Vol. 4, No. 113.

General, in 1856 could say that the new system favored commut-
 52
 ing rather than appearing. The tendency to-ward small fines
 is illustrated also in Indiana, where, in 1840, the law stipu-
 lated that fines for non-attendance should not exceed three
 53
 dollars. The high fines which remained in force after 1840
 were on the higher officers. Wisconsin provided for a fine of
 from fifty to a hundred dollars for any assessor or clerk who
 should fail to turn in his list of persons liable to military
 54
 duty. Officers in Virginia could be fined from fifty to three-
 55
 hundred dollars for failing to call out the militia. The aver-
 age commutation fee was from seventy-five cents to three dol-
 lars; in Maine, a militiaman drafted for service could buy his
 56
 way out by the payment of fifty dollars.

Placing fines and commutation fees and collecting
 them proved to be very different matters. At no time through-
 out the period under discussion did the states succeed material-
 ly in collecting either. Of the two, however, Commutation
 money came in the easier. New York collected over forty-one-
 57
 thousand-dollars, in 1850, from those who did not wish to serve.
 This was made possible partly through their plan of charging
 the commutation delinquencies remaining unpaid at the end of
 58
 the year, to the town. This did not prove entirely satisfactory

52. Adjutant-General's Report, New York, 1856, p. 5.

53. Indiana Laws, 1839, pp. 22-25.

54. Adjutant-General's Reports, Wisconsin, 1858, p. 20.

55. Militia Law of Virginia, 1850,

56. Militia Act, Maine, 1844.

57. Adjutant-General's Report, New York, 1850, p. 4.

58. Adjutant-General's Report, 1850, in Assemble Documents, New York, Document 15, p. 7.

and it was suggested that better results could be gained by adding it to the regular tax list. This was not done and, in 1859, the Adjutant-General was of the opinion that... "the commutation tax...was...the merest sham...". In 1844 Indiana required the county clerk to keep a list of the delinquencies and to collect the fines. This does not seem to have been entirely successful in reaching the desired end of perfect collection for 1850 finds it impossible, according to the Adjutant-General, to collect fines.

During the latter part of the period, the suggestion that the community might be taxed for the support of the militia became common. A committee appointed by the Lower House of Michigan in 1848, recommended an annual tax for militia support.⁶¹ New York was the first state to take definite action. In 1856, the Adjutant-General said, "Public opinion may not yet be prepared to sanction a direct tax for the support, in part, of the militia. The subject has not been sufficiently discussed, nor has the measure ever been seriously pressed". Evidently no time was lost in pressing the matter for, in 1858, the people of Troy City were required to pay two-hundred dollars for the support of the militia.⁶² Two years later the same state proposed to tax the property of the state to the extent of fifteen-hundred dollars for each regiment.⁶³

59. Adjutant-General's Report, New York, 1854, p. 6.

60. Indiana Laws, 1844, p. 18.

61. Report of Committee on Militia, Michigan, 1848, in House Documents.

62. Laws of New York, 1858, p. 583.

63. Adjutant-General's Report, New York, 1860, p. 14.

Some money was realized from the sale of unserviceable old military stores. As early as 1840 Massachusetts authorized the sale of old materials. In this state two antiquated arsenals were sold; the first, in 1847, bringing \$19,042.72; and the second, in 1852, over \$6000. The next year the interest in several old gun-houses was sold.⁶⁴ The Adjutant-General of New York suggested the sale of old arms and the application of the money derived therefrom to the purchase of tents and camp equipage. This suggestion was acted upon the next year and \$10,000 was realized.⁶⁵

The state expenditure was not great in any case, usually not exceeding the cost of paying the men during time of training.⁶⁶ An average wage for a militiaman for an entire year amounted to something like five to nine dollars. The Adjutant-General was paid, in many states, not more than one-hundred dollars. Nevertheless, there was much complaint at the expense of the system. In 1846, Illinois thought it too expensive to pay for the erection of an arsenal.⁶⁷ A letter to the New York Tribune on May 11, 1846 complained that whereas, in Washington's time we spent ten-thousand dollars for the military, now, with our population increased only four times, we were spending one-hundred-and-sixty-thousand dollars or sixteen times as much.⁶⁸ In 1848, the Adjutant-General of Virginia felt

64. Adjutant-General's Report, Massachusetts, 1847, p. 24.

65. Adjutant-General's Report, New York, 1854, in Senate Documents, No. 28, p. 10.

66. A few instances are found where money was allowed to be used from sale of old materials.

67. There were so few arms worth protecting, it was thought.

68. New York Tribune, May 11, 1846.

that much money was being spent... "withouth a shadow of benefit!"⁶⁹
Even in Massachusetts, where the militia held its own with any
state, "There were many persons who... considered that the...
encampment law... caused... an entirely unnecessary waste of time
and money"⁷⁰.

69. Adjutant-General's Report, In Virginia Documents,
1848, No. 13

70. Adjutant-General's Report, Massachusetts, 1857, p. 25.

Chapter IV.

The Militia After the Mexican War.

A well-known writer on Military History has said that... "the Mexican War marked a great change if not a re-¹volution in our military policy!" Upon examination, this is found to be true, and it is the object of this chapter to show what the change was and how it came about. Incidentally, it will not be beside the question to call attention to the fact that the Mexican War was fought by Volunteers-not by militia. That more died from ignorance of the rudiments of army life than from actual battle experience was unobserved by the average citizen, and, although it would be hard to prove the statement, it may be assumed that a great many people throughout the United States came to the conclusion that we could fight a successful war without the aid of trained² citizens.

Whatever the inter-working causes, the militia continued to decline as it had been declining for many years

1. Upton, Military Policy, p. 221.
2. Adjutant-General's Report, New York, 1850, p. 4.

before the war. This fact is not obvious immediately at the close of hostilities. On the other hand, in many sections of the country the opposite seemed to be the case for the first three or four years. Roughly speaking, the period from 1848 to 1860 may be divided, for convenience sake, into three parts, with no absolutely distinct lines between them. The first period may be called that of the early fifties, with the approximate dates, 1848 to 1853; the second period, the middle fifties, 1853 to 1858; and the third period, the eve of the Civil War, 1858 to 1860. The first is characterized by a generally renewed interest in the militia, undermined in many places by superficiality; the second is the period of real decline, with a few isolated exceptions which serve to prove the rule; the third is a time of excitement before the storm, ending in the revelation that there is, in reality, no military force among the citizens from which to make an army.

The most noticeable change immediately on the close of the war is the improvement in returns from the states. There was a tightening up of the strings everywhere and the results show nearer the truth concerning the number within the enlistment age than at any other point during the period under consideration. The following table displays the returns sent in to the National Government after 1846. As will be shown later, the increase in enrollment does not indicate a similar increase in the active force. The table does serve to show the increasing interest in getting in the returns.

Table showing the militia returns from
1846 to 1860.³

State.	Returns from the States and Territories by years.							
	'46	'47	'48	'49	'50	'51	'52	
Ala.	61,336-	44,332-	44,331-	-	-	58,048-	76,662-	-
Ark.	17,137-	-	-	-	-	-	-	-
Cal.	-	-	-	-	-	-	-	-
Conn.	57,719-	-	-	-	-	-	51,649-	54,391-
Del.	9,329	-	-	-	-	-	-	-
D.C.	1,249	-	-	-	-	-	-	8,201
Fla.	12,122-	-	-	-	-	-	-	-
Ga.	57,699-	-	-	-	-	78,699-	-	-
Iowa	-	-	-	-	-	-	-	-
Ky.	90,976-	88,342-	94,325	88,629	87,607-	81,840-	88,979-	-
La.	14,808-	43,823-	-	-	-	53,230-	-	-
Ill.	83,234-	-	-	-	-	-	170,359	-
Ind.	53,913-	-	-	-	-	-	-	-
Md.	46,864-	-	-	-	-	-	-	-
Mass.	95,839-	94,655-	102,664	101,781	-	-	119,690-	122,343
Me.	44,665-	-	-	-	-	50,605-	62,533-	86,024-
Mich.	60,886-	60,006-	-	60,017	-	63,938-	-	64,669-
Minn.	-	-	-	-	-	-	2,003	-
Miss.	36,084-	-	-	-	-	-	-	-
Mo.	61,000-	-	-	-	-	-	-	-
N.H.	29,639-	27,066-	26,792	27,867	-	-	32,151-	31,440-
N.J.	39,171-	-	-	-	-	-	-	81,984-
N.Y.	165,544-	167,644-	178,574-	201,452	-	224,665-	265,293-	289,306
N.Car.	79,448-	-	-	-	-	-	-	-
Ohio.	176,455	-	-	-	-	-	-	-
Ore.	-	-	-	-	-	-	-	-
Pa.	271,687-	278,070	-	-	-	-	-	13,328-
R.I.	15,786-	14,146-	-	-	-	15,037-	14,443-	15,969-
S.Car.	54,704-	-	55,209	-	-	-	-	-
Tenn.	71,252-	-	-	-	-	-	-	-
Tex.	-	19,766-	-	-	-	-	-	-
Utah	-	-	-	-	-	-	2,575	2,821
Vt.	23,915-	-	-	-	-	-	-	-
Va.	121,336-	121,991-	122,906-	124,202	133,733-	125,128	-	-
Wis.	5,223	-	32,203	-	-	-	-	39,565-

Note- The figures for 1846 do not, in most cases, represent the enrolled figures for 1846. Where it has been possible, the records for the nearest preceding year have been used. This nearest year's record was the one on which the War Department based its distribution of arms. The exact date may be obtained for any state by reference to the table on page , chapter one, of this thesis.

3. American Almanac, 1846-1860

	<u>53</u>	<u>'54</u>	<u>'55</u>	<u>'56</u>	<u>'57</u>	<u>'58</u>	<u>'59</u>	<u>'60</u>
52	-	-	-	-	-	-	-	-
-	-	-36,054	-	-	-	-	47,750	-
-	201,400	-208,645	-	-	207,730	-	-	-
54,391	-	-63,988	-	51,814	51,436	-51,605	-	-
8,201	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
88,979	-	-	257,420	90,732	-	91,284	91,324	-
-	-	-	-	-	-	-	-	-
-	140,356	-142,269	-	155,031	-	-153,453	157,868	-
122,343	-	-2,617	-	73,552	-	-	-	-
86,024	-	-97,094	-	-	-	-	-	-
64,669	-	-	-	-	-	-	157,868	-
-	-	-97,094	-	-	-	-	-	-
-	118,047	-	-	-	-	-	-	-
31,440	33,576	-33,538	-	-	-	-	-	-
81,984	-	-	-	-	-	-	-	-
-289,306	-	-295,563	333,358	337,235	-	-	-	-
-	-	-	-	-	-	-279,809	-	-
-	-	-	-	-	-	-	-	-
13,328	-	-106,957	147,973	-	-	-350,000	-	-
15,969	-	-1,151	-	15,895	-	-16,711	-	-
-	-	-35,125	-	36,072	-	-	-	-
-	-	-	-	-	-	-	-	-
2,821	2,821	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	125,121	-125,531	-	-	-	-	-	-
39,565	-	-49,261	51,321	-	-	150,000	-	-

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A brief study of the table reveals the fact that, in a large majority of the cases in which reports were made at all, there was an increase after the war for a few years; that, in many cases, the majority continued through the period but in continually decreasing proportion, and with many reports not coming in at all; and, finally, that the period just before the Civil War brings a slight increase in the number of returns. Virginia was reported to be in poor condition as regards returns in 1851, but the next year the House passed Bills, providing for the enrollment by the Commissioners of the revenue,⁴ and the reports show an increase of over two-thousand. By 1857, Wisconsin had adopted a plan for getting returns which caused⁵ all the counties in that state but two to report that year. The astonishing result in this case was that the aggregate of 95,806 in this year was an increase of 50,781 over the previous report. New York passed, in 1854, "An Act for the enrollment of the militia and the organization of uniform corps, and the discipline of the military forces of this state!"⁶ Indiana adopted a new Constitution in 1852, making no important changes in the militia system; the next year a new militia law was adopted, however, making the captain responsible for the rolls in his district.⁷ Massachusetts offers a good example of what was going on. Here the Adjutant-General announced, in 1852,

4. Adjutant-General's Report, Virginia, 1851. p. 4.

5. Adjutant-General's Report, Wisconsin, 1857, p. 4.

6. Laws of New York, 1854, p. 1031.

7. Documentary Journal, Indiana, 1853, Part. II, p. 8.

that he had received returns from every city and town and generally within the time specified by law. The actual gain in reports in the case of this state is astonishing. From 1849 to 1850 there was an increase of 12,850; 1852 showed a gain for that year of 2,649; 1853 showed a gain of 16,785. All this was admitted by the Adjutant-General to be due to the improvement brought about by the new law requiring each company to make lists of returns in duplicate and file them directly with the central office.

The war seems also to have stimulated reorganization of the system in many states. Wisconsin repealed her territorial law in 1849 and replaced it with a new one in 1851. New York organized a corps of engineers in 1848, brigade inspectors were appointed in 1849, a complete new militia law was enacted in 1851, and, in 1853, the militia laws were codified. The Adjutant-General boasted that "The Legislature of this state has enacted the best militia law of which any of the United States can boast". Virginia made a new militia law in 1849, and the next year provision was made for the organization of Volunteer companies to be composed of from forty-five to eighty members and to be allowed to take in fifty contributing members. Each of the latter were to pay three dollars a year and, for that, to be free from military duty. Just what inducement this was in a Vol-

8. Adjutant-General's Report, Massachusetts, 1852, p. 5.
9. Adjutant-General's Report, Massachusetts, 1850, p. 21.
10. Journal of the Assembly, Wisconsin, 1854, p. 814.
11. Adjutant-General's Report, New York, 1852, p. 7.

12

unteer company is not pointed out. Indiana, which state had tried to pass a new law at the outbreak of the war and failed, finally succeeded in getting a new one in 1852. 13

Of all the states, Massachusetts had the most interesting record in organization, and she maintained her standard longer during the period than any other. The Adjutant-General had reported, in 1848 that there was such an absence of public sentiment in favor of militia that he doubted much whether any law passed by state or nation could remedy the condition. The law of 1840 had practically disbanded the organized militia and left the entire system on the volunteer basis. Partly as a result of this statement of the case the Legislature of Massachusetts passed a law the next year providing for the encampment of the state by battalions. It is evident that the law of 1849 had a good influence, for the same Adjutant-General, in 1850, admitted that a great change had come about. The benefits of the law, as he summed them up, were

with competition, means of testing skill was offered by the large gatherings, there was an opportunity for discussion and correction and, finally, there was an opportunity for battalion drill. The facts are that, in 1852, twenty-one companies were formed and only twelve disbanded. The next year twelve were organized and four disbanded. The average number of men in a company also increased. In 1851 it was

12. Militia Law, Virginia, 1850, p. 23.

13. Documentary Journal, Indiana, 1853, Part II, p. 7.

46.6, in 1852, 55.0, and in 1853, 63.0. There is no doubt that the Adjutant-General was correct when, in 1853, he said that " the militia never enjoyed a higher reputation, was never better organized, and never more free from... objections...". In 1855 he told the state that the Massachusetts militia stood in better repute than any militia in any other state.¹⁴

In contrast with this success in Massachusetts we find a mass of facts that lead in the other direction, especially during the middle fifties and somewhat during the period immediately following the war. 1849 found Virginia volunteers in bad condition. The next year the returns were even smaller than in 1849. In 1853 an act was passed which virtually disbanded the line.¹⁵ In Wisconsin the enrolled militia is increasingly larger from the end of the war until 1856, in spite of the fact that public opinion was against the militia system. Beginning with 1856 there was a decrease in the reports. During that year one company reported; the next year not one company made returns, although it was thought that there were at least twenty or-¹⁶ganized bodies in the state. The returns in New York in 1849 and 1850 are reported as being imperfect. The depart-

14. Adjutant-General's Report, Massachusetts, 1855, p. 22.
 15. Adjutant-General's Report, Virginia, 1849, p. 22;
Adjutant-General's Report, Virginia, 1853, p. 3.
 16. Adjutant-General's Report, Wisconsin, 1857, p. 4.

ments of the Quarter-Master, the Surgeon-General and the Paymaster were without efficiency, and the department of the Commissary-General needed a thorough revision. Parades were entirely abolished in 1852. A new law was put into effect in 1854 but it does not seem to have had much effect in bringing the system back. It was this state which, in 1857, gave the rank of Colonel to anyone who served twenty years in the militia. New Jersey reports no improvement during the period. Even Massachusetts, where the greatest amount of improvement seems to have been made, showed signs of something other than a healthy condition. Like the rest of the states, Massachusetts succeeded in getting a larger enrollment each year, but too, like the other states, the difference between the enrolled and the active branches not only did not improve but actually went under. The following brief table of relationship between the active and enrolled brings out the point clearly. This was also typical of the condition in other parts of the Union:

<u>Year.</u>	<u>Enrolled.</u>	<u>Active.</u>
1848	98,076 - - -	4,588
1849	97,200 - - -	4,591
1850	110,050- - -	4,791
1851	114,496- - -	5,237
1852	116,546- - -	5,809

This table should be compared with the one on page 14 of chapter one in order to see the contrast with the previous years. The number of companies in this state continually

17. Laws of New York, 1857, Part I, p. 416.

18. Adjutant-General's Report, New Jersey, 1950.

19. Adjutant-General's Report, Massachusetts, 1852, p. 15.

decreased after 1855. The number of companies for each of the succeeding three years was, respectively, 108, 106,²⁰ and 102. Despite the fine condition which seemed to exist, a body of men met in Boston in 1855...²¹"interested in either abolishing or remedying the system...."

The most discouraging report came from Indiana. In this state the unusual thing happened. "As soon as the war was over the military spirit died out as quickly as it had been aroused. ...It was impossible to maintain a militia under the laws as they existed, and during 1848 only 135²² commissions were issued." During the period after the war, bills were often passed in one house but they all failed of complete effect until in 1855 when one passed both houses.²³ This, however, was too general to have any improving effect. There was no enumeration in this state after 1831. Three years during the period from 1848 to 1855 there was no report from the Adjutant-General and in 1854 he made what he called an ...²⁴"apology for a report." In this state then, there was not even the general enthusiasm which pervaded most of the states for a short time after the Mexican War.

The period of the later fifties, or the eve of the Civil War, is characterized by renewed interest in some sections, due doubtless to the impending war cloud; in

20. Adjutant-General's Report, Massachusetts, 1856, p. 13.

21. Jenks, Report, p.2.

22. Pratt, National Guard, p. 85.

23. Ibid., p. 86.

24. Documentary Journal, 1855, p. 531. Indiana.

other sections by a continued slump. In New York the actual number of enrolled dropped off in 1858, but the next year²⁵ the returns came in with few missing. In Virginia, in 1858, there was passed a reorganization act but it did not gain the desired ends for the Adjutant-General reported that the Guard was inferior both in material and discipline to what²⁶ it had been for some years. In Wisconsin, the Adjutant-General reported, in 1858, "During the past season, there has been manifested an unusual degree of military spirit²⁷ throughout the state." Here, four days were provided for drill and the state was reorganized into brigades and regiments. Financial conditions were such that the provisions of the law of 1858 regarding reviews and parades were not²⁸ carried out. In Massachusetts, May training day was abolished in 1858 and one third of the companies of the state were affected by the order of December 31, 1858, which ordered the disbanding of all companies containing less than thirty-two privates. This year also showed an actual decrease in the number of enrolled militiamen; only ninety-five companies were in existence. Likewise, in 1859 there was a decrease and the number of companies dropped to eighty-seven. In the light of the facts, the statement of the Adjutant-General may be taken with a grain of salt,

25. Adjutant-General's Report, New York, p. 5. (1858).
26. Adjutant-General's Report, Virginia, 1858, p. 4.
27. Adjutant-General's Report, Wisconsin, 1858, p. 3.
28. Adjutant-General's Report, Wisconsin, 1859, p. 6.

although the actual condition of the organization does not necessarily show the conditions. He said, "In my judgment the Volunteer militia of the State had never been more thoroughly organized, nor in better condition...than at the present time."²⁹

This was the period when the real "corn-stalk" militia throve. The muster day had become such a farce that, in many states, the corn-stalk actually took the place of the gun in parades and the distinguishing uniform of the militiaman was a corntassel in the hat. An incident in Indiana in 1858, clearly indicates the trend. A certain Major Lewis had been appointed in Whitewater County and he determined to make the most of his position. Accordingly, he devised an elaborate uniform composed of a mixture of the clothes worn by all the important generals of history. Training day was set and the men were there with their corn-stalks and the people had come to see the new uniform and the drill. Hardly had the first orders been given when, as the Major was riding down the lines, some member of the force cried after him, "You'll get snake-bit" in the tall grass down there. His indignation was aroused at this lack of respect but the recreant was not to be found for the whole line took up the cry. With that the Major threw off his fancy

29. Adjutant-General's Report, Massachusetts, 1859, p. 52.

uniform and determined to quit, for he realized that it was the system and not merely himself, at which they were poking the fun. Truly, the day when the "training had its attractions was passing.

The probability of Civil War brought some temporary interest in the decayed system in 1859 and 1860, but it was temporary and of no real importance. In Indiana a few new companies were organized in 1859 and 1860, but, in 1860 there was no report from the Adjutant-General at all. In New York there was an increase in 1859 but the next year it was reported that Independent Companies composed all there was in the State to do armed posse service. Massachusetts had no new companies organized from 1856 to 1859, partly due, doubtless, to the fact that the state law allowed only a certain definite number of men for the entire state.

The feeling in general to-ward the possibility of Civil War was well expressed by the Adjutant-General of Massachusetts in his report for 1860. Said he, "Should it become necessary to increase the number of her active militia to a war footing, the present organization offers an easy and a good means!" In conclusion it may be stated

30. O.H. Smith, Early Indiana Trials and Sketches. (Cincinnati, 1858).

31. Documentary Journal, Indiana. 1860.

32. Adjutant-General's Report, 1860, p. 8. New York.

33. Adjutant-General's Report, 1859, p. 33. Massachusetts.

34. Adjutant-General's Report, 1860, p. 38, Massachusetts.

that the interest manifested in the militia had, for many years, been the means of social intercourse and, as such, it still has a warm place in the memory of the older generation.

Approved,

F. L. Paxson

per W. T. Root

Date, July 30/18