

THE DECLINE OF THE PENNSYLVANIA MILITIA 1815-1870

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ALTHOUGH the militia of the United States has played an exceedingly important role in the nation's past, much of its history has remained in the shadows. This lack of knowledge applies to a significant number of professional historians as well as to the public at large. For example, while it is generally known that most of the original thirteen colonies promptly founded militias for protection against hostile Indians and rival colonial powers, many do not realize that two separate and highly different militia systems, one compulsory and the other voluntary, existed side by side in most colonies from an early date. Nor is there much understanding of the evolution of these two militias in the antebellum years. Few fully appreciate that by 1850 the compulsory militia had declined to the point where it was little more than a vehicle for registering men eligible for military service and that the volunteers had come to more closely resemble a men's social club than a bona fide military organization.

This latter point, namely the health and vitality of the volunteers by the mid-nineteenth century, is a significant one. Its importance lies in the fact that it is a crucial element in an argument which historians of the militia have increasingly advanced in recent years.¹

As the story goes, the volunteers, which had gradually become the official militia of most states, was in serious decline by the Civil War

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¹ See: William H. Riker, *Soldiers of the States: the Role of the National Guard in American Democracy* (Washington, 1957); Robert V. Bruce, *1877: Year of Violence* (Indianapolis, 1959); Ronald Gephart, "The Reorganization of the Nebraskan Militia and the Omaha Strike of 1882," *Nebraska History* 45 (Mar. 1965): 89-120; Martha Derthick, *The National Guard in Politics* (Cambridge, 1965); and Joseph J. Holmes, "The National Guard of Pennsylvania: Policeman of Industry, 1865-1905" (Ph.D. diss., University of Connecticut, 1970).

Not all allegations concerning the use of the militia by the employer class against labor are of recent vintage. For example, see: Francis V. Greene, "The New National Guard," *Century Magazine* 43 (Feb. 1892): 483-98 and Bernard O. Flower, "Plutocracy's Bastilles: Or Why the Republic Is Becoming an Armed Camp," *Arena* 10 (Oct. 1894): 601-21.

years. In fact, by 1870 it had degenerated to such an extent that its future as an effective organization was in doubt. Then came the depression of the 1870s and the widespread strikes and violence which accompanied it. Stunned by the large loss of life and massive destruction of property during the general strikes of 1877, and with memories of the Paris Commune still fresh, many employers feared that the nation was on the verge of anarchy and revolution. Consequently, they, and others with a stake in the social and economic status quo, allegedly began to cast about for the best means of holding militant workmen in check. Their choice fell upon the militia. As a result of that decision, employers and their supporters embarked on a campaign to rejuvenate and strengthen the militia. They lobbied for increased public appropriations for the organization, joined it in increasing numbers, gained control of its officers' corps and recruitment policies, instituted new training directives, and made large private contributions to its upkeep. This new interest resulted in a rebirth of the national guard (the name by which the militia had generally come to be known by the last third of the nineteenth century) and enabled it to function as industry's most effective weapon against labor. Indeed, in a very real sense, the national guard became a private police force of industry and remained so into the twentieth century.²

Much of this argument suggesting an alliance between employers and the national guard in the latter decades of the nineteenth century rests upon an assumption of the militia's decline prior to 1870; a claim, admittedly, with which all students of the guard are not in agreement.³ For this reason, it is the objective of this study to determine whether such a degeneration did, in fact, occur. To this end, the experience of one state, the Commonwealth of Pennsylvania, was examined.

The decision to concentrate on one state was made for several reasons. First, while the militias of the states were in many ways similar in the years in question, they also had many differences. Further-

2 This is the thesis of my dissertation ("The National Guard of Pennsylvania: Policeman of Industry, 1865-1905"). To my knowledge, this is the only work which examines in detail the claims that in the last third of the nineteenth century employers and their sympathizers joined, supported, and controlled the national guard to use it in their struggle with labor.

3 Jim Dan Hill, a student of the guard, vigorously denies that the militia was either "moribund or decadent" in the decade after the Civil War. He admits a strengthening of state military forces after 1877 but denies that this development was in any way connected with "capitalistic pressures on pliant State Governments for an industrial police." See Jim Dan Hill, *The Minute Man in Peace and War: a History of the National Guard* (Harrisburg, 1964), 128.

more, the pace of their evolvement was uneven. This resulted in varying degrees of development and makes generalizations difficult. Secondly, until 1970, most of the historians who pictured an ailing national guard being given a new vitality and mission by businessmen and their allies, did so without an in-depth study of either the entire guard or any part of it. This frequently resulted in their making some rather large generalizations based upon bits and pieces of evidence drawn from a wide range of states. It was, therefore, thought best to develop in detail the experience of one state for this study.

The Commonwealth of Pennsylvania was selected because of its size, its industrial prominence, and its leadership of the populous eastern seaboard states, making up the industrial heart of the nation in the nineteenth century. If the militia degenerated in Pennsylvania, it probably did so in other large industrial states, and for much the same reasons. Establishing the facts for Pennsylvania, whose militia constituted between 5 and 10 percent of the nation's total between 1800 and 1877, would point out its similarities with the entire country.

Although patriotic historians of Pennsylvania make a large point of the major financial and military role played by the commonwealth in the nation's early wars, Pennsylvanians were not always so eager for military involvement. In fact, William Penn's colony was among the last of the original thirteen to permit its citizens to bear arms in a legally constituted militia. Early settlers of the territory, which later came to be known as Pennsylvania, were briefly part of the colony of New York after it passed from the Dutch to the British and accordingly served in the latter's militia which dates from 1664. However, with the founding of Pennsylvania by William Penn in 1681, all military organizations and obligations were abolished. In line with their religious convictions, Penn and his fellow Quakers made no provisions whatever for the maintenance of a militia in their "Frame of Government" in 1682.⁴

Officially, Pennsylvania's militia came into existence in 1747 with the organization, by Benjamin Franklin, of the "Associators," an all-volunteer force of twelve hundred men, which eventually grew to ten thousand. Faced with a Quaker government which refused to take any measures to protect the colony from a threatened Spanish and French invasion, resulting from their war with England, Franklin recruited and trained his volunteers without either official sanction or fi-

⁴ *Pennsylvania Military Regulations No. 80 of the Commonwealth of Pennsylvania* (Harrisburg, 1937), 3, 4, 69 (hereafter cited as *Pa. Military Reg.*).

nancial support. Neighboring New York lent fifteen cannons, and a lottery provided funds for some additional field pieces and fortifications around Philadelphia.⁵

Official approbation for Franklin's volunteers did not materialize until November 25, 1755. Again beset by citizens' demands for protection, this time from the French and Indians on its western borders, the Pennsylvania Assembly passed the Militia Act of 1755.⁶ This measure legalized a military force to be composed of those who were willing and desirous to be united for military purposes within the province. Thus, the Pennsylvania militia began as a wholly volunteer organization, a situation in which it again found itself by 1860.

In 1757, two years after its recognition of the Associators, the Pennsylvania Assembly enacted the first compulsory militia law in the colony's history. That act directed town and borough constables to enroll all males between seventeen and forty-five years of age. Exemptions were granted for servants, apprentices, conscientious objectors, and several other categories of people, such as judges. Other provisions of the measure directed sheriffs to divide their counties into districts and divisions using as many adjacent townships as necessary to organize companies of not less than sixty and not more than one-hundred men. Each company elected a captain. To be eligible, a man had to have a freehold worth one-hundred and fifty pounds a year or be otherwise worth three-hundred pounds. Every enrolled militiaman was required to provide his own arms and appear for training on the first Mondays of March, June, August, and November.

Establishment of the compulsory, enrolled militia in 1757 left Pennsylvania with two militia systems: a volunteer force which was an outgrowth of Franklin's volunteers, and a compulsory one in which all males in a prescribed age category were obliged to serve. Legally, membership in the volunteers did not excuse a citizen from service in the compulsory militia.

Pennsylvania did not alter its military establishment in any important way until well into the nineteenth century. It enacted many militia laws between 1757 and 1800, but most of them concerned the enrollees and were of little consequence. In fact, except for their service in the revolutionary war, there are few legal references to

5 See: Leonard W. Labaree et al., eds., *Autobiography of Benjamin Franklin* (New Haven, 1965), 182, 183-84.

6 *Pa. Military Reg.*, 3.

volunteers. And those that do exist are frequently obscure and confusing.⁷

The variety of names by which the two militias of Pennsylvania were known has been the cause of much confusion. For example, the official militia of Pennsylvania was variously known as the "militia," the "compulsory militia," and the "enrolled militia." Likewise, Franklin's volunteers and their successors were called "Associators," "organized militia," "active militia," "voluntary militia," "uniformed militia," "volunteers," and sometimes, just "militia." On April 7, 1870, the legislature of Pennsylvania officially designated its militia (by that time, the militia included only volunteers) as the "National Guard of Pennsylvania."

The birth of the new nation in 1789, however, did affect a significant change in the militia of all states, including Pennsylvania. In one of its major compromises, the Constitutional Convention in Philadelphia divided authority over state troops between federal and state governments. It empowered Congress "to provide for organizing, arming, and disciplining the Militia, and for governing such parts of them as may be employed in the Service of the United States" while "reserving to the States respectively, the appointment of Officers, and the authority of training the Militia according to the discipline prescribed by Congress."⁸ Without this compromise, probably no agreement could have been reached. Understandably, the militia was a matter of grave concern to the Constitutional Convention. The fact that it was to be the nation's principal defense against foreign aggression had to be balanced against the colonies' determination to retain real power within the federal structure.⁹ Also, an important factor was the traditional, public fear of a large concentration of military power in the central government.¹⁰ Indeed, many antifederalists remained unsatisfied with the guarantees afforded by the militia clause of the Constitution and pressed for passage of the second amendment which further emphasized the right of the people to bear arms.

The United States Congress implemented the constitutional provisions for the militia by passage of the Militia Act of 1792. Destined

7 William P. Clarke, *Official History of the Militia and the National Guard of the State of Pennsylvania*, 2 vols. (Philadelphia, 1909, 1912), 1: 1, 12-13, 31, 49, 154. See also *Pa. Military Reg.*, 4; Riker, 42; Hill, 26-31.

8 U.S. Constitution, Article 1, section 8, clause 16.

9 Riker, 11; Benjamin F. Wright, ed., *The Federalist* (Cambridge, 1961), 208-30, 334-35.

10 Edward Dumbauld, *The Constitution of the United States* (Norman, Okla., 1964), 174.

to have a lasting and adverse effect on the subsequent development of state military establishments, the measure was basically similar to that passed by Pennsylvania in 1757. Congress raised the minimum age for service from seventeen to eighteen and granted exemptions along the lines of the Pennsylvania statute. Significantly, Congress continued the onerous practice of requiring each militiaman to furnish his own arms: in the case of officers, "a sword on hanger and espointon [a short spike]" and in that of privates, "a good musket or firelock, a sufficient bayonet on 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 . . ." Other sections of the act empowered governors to appoint adjutants general for their respective states and directed the adjutants to submit an annual report to their governors with a copy to the president of the United States. The report was to include the number, training, and morale of state forces as well as the amount, type, and condition of available equipment and arms. Finally, the act encouraged the continued growth of volunteer units by noting that such independent organizations antedated the Constitution itself. These volunteers were to "retain their accustomed privileges subject, nevertheless to all the duties required . . . in like manner with the other militia."¹¹ Thus, Congress accorded national, if somewhat ambiguous, sanction to the two militia systems which had grown up throughout the country.

Within a few years after passage of the Militia Act of 1792, most states amended their constitutions to comply with the new federal law.¹² Pennsylvania did so in 1793 and 1799. However, except for the change in the minimum age, few revisions were necessary. The commonwealth had anticipated most of the requirements of the federal statute in its militia reorganizations of 1757 and 1776.

The history of Pennsylvania's compulsory militia between 1792 and 1858 was one characterized by state neglect coupled with half-hearted attempts to make a system function which the citizens of the

11 U.S., *Statutes at Large*, 1: 273-74. In 1792, the volunteer corps in Pennsylvania included such organizations as the 1st Troop Philadelphia City Cavalry (founded in 1774 but claiming to be the nation's oldest military unit in continuous existence). Among the other states there were such units as the Ancient and Honorable Artillery Company of Massachusetts (1741), the 1st Corps of Cadets of Massachusetts (1741), and the 1st Company of Governor's Foot Guard of Connecticut (1771). See: H. M. Boles, "Our National Guard," *Harper's Magazine* 60 (Dec. 1879): 916.

12 Arthur E. Ekirch, *The Civilian and the Military* (New York, 1956), 34.

commonwealth considered both unnecessary and impractical. As early as 1802, enrollees were failing to appear for training. A reorganization in that year not only failed to correct this defect but produced added confusion by increasing the number of high-ranking officers and by establishing guidelines which encouraged divided authority and contradictory training directives.¹³

Its conduct during the War of 1812 brought the militia's growing inefficiency into painful relief. It also substantially worsened its declining public image. Nationally, General William Hull complained of a lack of training and discipline in the enlisted ranks and a failure of officers to understand command responsibility. Short enlistment terms, ranging from one to twelve weeks, further reduced the militia's effectiveness. This practice resulted in the regular army bearing the brunt of the fighting, while state troops normally responded to particular emergencies.¹⁴ Even when compulsory militia participated in major battles, the confusion must have been massive. For example, Pennsylvania's two militias conducted their campaigns independently, with little or no coordination.

Probably, the most persuasive indication of the militia's weakness during the War of 1812 was its refusal to invade Canada. Along with those of the other states, Pennsylvania's troops maintained that the Constitution only required them to defend the nation from foreign invasion. Accordingly, they elected to stay on the American side of the Niagara River and "guard the constitution."¹⁵

Despite its poor showing in the War of 1812, the end of that conflict saw scant efforts to correct the militia's deficiencies. Major William P. Clarke, the principal historian of the Pennsylvania National Guard, defended that failure by suggesting that only a major re-vamping of the federal Militia Act of 1792 could have succeeded in putting state troops on an effective footing. And Congress simply was not interested. The major notes that the militia act was totally unrealistic in expecting to make vigorous, enthusiastic, and efficient soldiers out of men advanced in age and business involvement. At best, such response could only be expected of the young.¹⁶

Failure to connect the basic philosophy of the militia law, to-

13 Clarke, 1: 26.

14 Hill, 15-16.

15 John K. Mahon, "The Citizen Soldier in National Defense, 1789-1815" (Ph.D. diss., University of California, 1950), 296.

16 Clarke, 2: 29.

gether with increased public apathy engendered by years of relative peace between 1815 and 1861, caused further deterioration of the states' military establishments. In Pennsylvania, for those who bothered to attend, the annual training days soon came to be little more than family outings, "a semi-annual dose of war, gingerbread and root beer."¹⁷ Gathered near some tavern in the Pennsylvania countryside, militiamen, dressed in everyday clothes and armed with an assortment of "broomsticks, canes, and a shotgun or two," would go through the mockery of an inspection. While this was in progress, the women prepared the picnic fare, and the children ran about screaming. Occasionally, a resplendently dressed commander, wearing the only uniform on the field, contributed to the humor of the scene by appearing on a spirited charger and assuming the air of a great field marshal at the head of a magnificent army.

Inability to force attendance at the annual training exercises was probably more important than poor training in bringing about the decline and eventual abandonment of the compulsory militia in Pennsylvania. It certainly was more basic. Theoretically, a man liable for service either participated in annual drills and musters or paid a fine for failure to do so. Increasingly in the 1830s and 1840s, citizens came to consider this choice a form of discrimination against the poor and waged spirited, though unsuccessful, campaigns against it.¹⁸ This type of opposition, plus a growing conviction among state officials that the universal training provision of the federal militia act was both unmanageable and undesirable, resulted in a progressively weaker enforcement effort.

The dramatic decrease in fines for failure to attend militia training exercises demonstrated this fact. In 1816, Pennsylvania collected fines totalling \$5,120.50. This compared with an average of \$1,738.14 for each of the years from 1827 through 1843. After 1837, fines collected never exceeded \$825.00 and fell below \$15.00 for 1842 and 1843.¹⁹ The law prescribed prison terms for nonpayment of fines, but by the

17 Boles, 916.

18 Workingmen argued that the rich could avoid military service by the payment of a fine while the less affluent were forced into militia training with a consequent greater loss of time and money. See Ekirch, 68.

In 1828 and 1829, the Pennsylvania Workingmen's Association was successful in eliciting the sympathy of some politicians, including Gov. Wolf. However, the latter always claimed inability to act in the face of the federal Militia Act of 1792. *Ibid.*; Clarke, 1: 36.

19 Enoch Lewis, *Observations On the Militia System Addressed to the Serious Consideration of the Citizens of Pennsylvania* (Philadelphia, 1845).

late 1840s, the state had given up all thought of imposing such penalties.²⁰

An overall lack of success in attracting a sufficient number of trained officers was another perennial problem for Pennsylvania's compulsory militia. During most of the years between 1792 and the Civil War, the organization suffered from both an excess of high-ranking officers and a chronic shortage in the lower ranks. A not unusual complaint was that of Adjutant General William N. Irvine in 1819 who lamented the fact that the Third Division had only 40 percent of its complement of commissioned and noncommissioned officers.²¹

An important indicator of the breakdown in Pennsylvania's compulsory militia was the negligence or inability of its adjutants general to make the required annual reports to their governors. Such reports were filed in only 44 percent of the years between 1802 and 1862.²² In 1819, Adjutant General Irvine confessed inability to locate the commonwealth's military equipment which was scattered all over the state. Adjutant General Robert Carr in 1821 bemoaned the absence of reports from brigade inspectors despite ten letters of reminder. And many who did respond did so with little attention to form or accuracy. For example, in 1821, only 28,465 of the state's 44,831 muskets were accounted for by inspectors. Adjutant General Carr noted some improvement in reporting in 1822 but, at the same time, admitted the necessity of stopping the compensation of three brigade inspectors who had not complied with the law.²³ By the years immediately pre-

20 *Report of the Heads of Departments Transmitted to the Governor of the Commonwealth of Pennsylvania in Pursuance of Law for the Year Ending November 30, 1848* (Harrisburg, 1849), 4-6 (hereafter cited as *Department Heads Report*). Abandonment of fines occurred much earlier in some states. For example, Delaware ceased all efforts to impose fines in 1816 and admitted that such action rendered hopeless any possibility of maintaining a compulsory militia. See Riker, 27.

21 Clarke, 2: 30.

22 Riker, 26-27.

23 Clarke, 2: 30-31. William H. Riker maintains that the failure of adjutants to submit an annual report usually indicated that they in turn had not received reports from their subordinates, namely, brigade inspectors. He notes the high level of submission of annual reports prior to 1812 when the compulsory militia was still working reasonably well. Riker also suggests that most adjutants would have reported to their governors and the president had they been able to do so. At stake were the arms which the federal government distributed up until 1855 on the basis of the reports. Failure of so many states to qualify for this federal aid was one of the principal reasons which induced Congress in 1855 to pass legislation which distributed its largess based upon the number of senators and representatives of each state. See Riker, 22-24, 34.

ceding and following the Civil War, brigade inspectors were being joined in their disregard for the militia law by county clerks who were not even attempting to enroll and count those eligible for service.²⁴

Public ridicule was probably more damaging to Pennsylvania's compulsory militia than were its partially filled ranks, insufficient officers, deficient training, and inadequate equipment. Institutions cannot normally withstand being scoffed at and mocked by the public, particularly when their own members are involved. Such was the fate of the Keystone State's compulsory militia between 1815 and 1860.

Pennsylvania's militia, with its comical training days and inspections, had become such a joke by 1824 that one of its regiments, the Eighty-Fourth, elected John Pluck, an "ignorant hustler," as its colonel. A board of officers declared the election invalid and ordered new balloting. John Pluck was elected once again. Although his commission was never confirmed, the new "colonel" compounded the farce by holding a parade on May 1, 1824, in which militiamen wore outlandish costumes and carried "ponderous imitations of weapons." In a speech to the "troops," Pluck defended the election by claiming that at least he was not afraid to fight, which was more than could be said of most officers. Commenting on the ludicrous affair, the *United States Gazette* admitted that the militia system was indeed a farce for which some remedy had to be found. Perhaps, making fun of it would do the trick, quipped the editor.

Suggested cures for the militia's ills were not lacking. By the 1830s, Governors J. Andrew Schulze and George Wolf of Pennsylvania had arrived at the point where they favored an encouragement of the volunteer corps and a playing down of the compulsory forces. In their view, this could only be accomplished by a major revision of federal militia laws and a marked increase in appropriations and privileges for the volunteers by state governments. In 1836, Joseph Ritner, another governor of the Keystone State, entreated the public to refrain from judging the usefulness of the militia by its motley appearance at musters and civic functions. Ritner noted that the militia was a wartime organization and, therefore, appeared ridiculous in peacetime. His solution: eliminate useless and costly parades and gradually adapt to a peacetime role.²⁵

²⁴ *Department Heads Report* (Nov. 30, 1858), 6; *Report of the Adjutant General of Pennsylvania Transmitted to the Governor in Pursuance of Law for the Year 1866* (Harrisburg, 1867), 11 (hereafter cited as *Adjutant General Report*).

²⁵ Clarke, 2: 32, 35, 37.

On the whole, the measures proposed to solve the problems of the compulsory militia were ineffective. As a result, the organization in the years after the war with Mexico served only as a draft-registration system. Actual training, even of an inferior nature, practically ceased to exist. William H. Zierdt, historian of Pennsylvania's 109th Field Artillery Regiment, complained that the military spirit had so declined in the state's coal region after 1849 that newspapers did not know nor bother to determine the proper designation of a regiment when reporting on it. In 1855, the *Record of the Times*, a Wyoming Valley newspaper, noted that a lack of military spirit had made it impossible even to maintain a respectable volunteer organization. "It will be a sad thing," murmured the editor, "to be without soldiers on the fourth of July."²⁶

Although it had long since ceased to operate effectively, the official end of Pennsylvania's compulsory militia did not come until April 28, 1858. At that time, the state legislature enacted a law declaring that all subsequent references to the militia would refer only to volunteers. Henceforth, the compulsory militia would exist only on paper. Counties were to continue compiling the names of all men eligible for service under federal law. However, the only use of these lists was to provide a count of available manpower and to facilitate the collection of fines. A fine of fifty cents was to be paid by any man whose name appeared on the compulsory militia list and who was not a member of a volunteer militia unit.²⁷

Of the many factors which contributed to the demise of the compulsory militia, the most effective were the provisions of the federal Militia Act of 1792 which prescribed "universal" military training and required each man to furnish his own arms and equipment. Citizens looked upon these provisions as highly discriminatory and progressively hardened in their resistance to them. For all its defects, the Militia Act of 1792 remained the basic militia law of the nation until passage of the Dick Act in 1903 whereby the militia was officially designated the "Organized Militia of the United States," or the national guard.

Basically important also was governmental neglect of the militia. During its first century, the nation practically ignored state military

²⁶ William H. Zierdt, *Narrative History of the 109th Artillery Pennsylvania National Guard, 1775-1930* (Wilkes-Barre, 1932), 66.

²⁷ Charles J. Hendler, comp., *Official History of the Militia and National Guard of the State of Pennsylvania* (Philadelphia, 1936), 1 (sect. 2) : 14, 15.

establishments. During all those years, Congress passed only five important pieces of militia legislation, and Pennsylvania's legislature was only slightly more attentive.²⁸ In the face of public resistance and the absence of specific pressure for a more efficient military force, state authorities, year after year, either disregarded the militia or enacted half-way measures which further complicated the organization's problems. However, states such as Pennsylvania could afford to neglect their compulsory militia because they had found a workable substitute in their volunteer corps.

As the compulsory militia of Pennsylvania faded into the background, the state quickened its interest in the volunteers. Each decade witnessed an increase in the number of statutes designed to encourage and regulate these forces. Although most of the laws passed prior to 1875 failed to materially improve the efficiency of the volunteer corps, they did suggest the gradual emergence of the organization as the state's official military aggregate.

Pennsylvania, as a state, passed its first law pertaining to volunteers on March 21, 1803. This statute officially noted the existence of a few volunteer militia units and authorized additional ones. It also empowered volunteers to drill on days other than those prescribed for the compulsory militia and abolished all fines for volunteers who failed to attend compulsory regimental drills. Further recognition of volunteers came in 1818 when the commonwealth exempted from compulsory service any citizen who had served for seven successive years in a volunteer unit.²⁹

Another major step towards acceptance of volunteers as its official militia occurred in the 1820s when Pennsylvania began to divide the arms provided by the federal grant-in-aid of 1808 between its compulsory and volunteer forces. In view of the chronic shortage of such equipment, this was a significant move. For example, in 1824, with 158,512 compulsory and 23,736 volunteer forces, Pennsylvania had only 20,594 muskets.³⁰ Accordingly, the decision to allot arms to the

28 The five pieces of legislation were: (1) the heretofore discussed militia act of 1792; (2) a law in 1795 which gave power to the president to call out the militia in case of rebellion or invasion; (3) an act of Congress in 1808 which provided \$200,000 to be divided annually among state militias; (4) a measure in 1820 which directed all state militias to follow the system of discipline and field exercises prescribed for the regular army; (5) an increase in 1887 of the federal annual grant-in-aid to \$400,000. See Greene, 484.

29 Hendler, 1 (sect. 2): 11-12.

30 Clarke, 2: 32.

volunteers was a clear indication that the state's hopes for a viable militia were being centered increasingly on those troops. The state legislature confirmed this intention in 1832 when it ceased all distribution of arms to compulsory forces.

Between 1820 and 1850, the Pennsylvania legislature passed several other measures which granted additional privileges to volunteers. An act of 1849 excused all volunteers from the drills, musters, and parades of the compulsory militia. Volunteers qualified for this exemption if they attended each year a minimum of four training and muster days of their choice.³¹ Failure to do so resulted in fines as well as in possible loss of the exemption.

In the 1850s a different type of fine for the encouragement of volunteers came into use. Philadelphia, in 1852, imposed a tax of one dollar on all its residents who were eligible for compulsory military service but who were not members of a compulsory or volunteer unit. Pennsylvania extended this levy to the entire commonwealth in 1854. Under the state law, the fine was set at fifty cents for all counties except Philadelphia. The money realized was to be paid to volunteer units on the basis of their organized strength.³²

What kind of organization were these volunteers? Certainly, they differed substantially from the compulsory forces which they gradually replaced. Their name suggests one principal distinction. Unlike the compulsory militia in which all white males of a given age were legally required to serve, volunteer units were made up of citizens who freely chose to join. No federal or state law compelled them to do so. Until passage of the Dick Act in 1903, volunteer militia companies were really private clubs whose main interest, at least theoretically, was military training. Such a company came into existence when a group of men resolved to form a military association, draw up a charter, obtain authorization from the state, and secure a place of assembly. Frequently, these companies became legal corporations and, as such, held property and conducted business.³³

As private clubs, volunteer organizations were free to establish their own membership rules. Militiamen voted upon applicants and

³¹ Hendler, 1 (sect. 2) : 11-12, 13.

³² Clarke, 1 : 37, 38, 39, 48.

³³ *History of the Second Regiment, National Guard of Pennsylvania: A Brochure Prepared for Distribution in Connection with an Armory Fund Drive* (Philadelphia, 1891). Each national-guard organization owned or rented its own armory until 1905, when the movement towards state ownership began. At present, only one armory in the entire commonwealth is privately owned, that of the 1st Troop Philadelphia City Cavalry.

chose their officers at annual elections. Members could resign or be discharged at any time. Also, because they constituted a private institution, volunteers were responsible for their own support. Old established units, such as the First Troop Philadelphia City Cavalry, received little public money during their early years. Later, as the compulsory militia declined, Pennsylvania increasingly assigned available military funds to the volunteers and passed new measures in their interest. However, until after 1870, public assistance was extremely modest. At best, it provided a few uniform accessories, some arms, and a small portion of the cost of renting an armory.³⁴ With the possible exception of the "millionaire cavalry of Philadelphia," finances were a perennial problem. Dues, fines, donations, and public contributions usually fell short of meeting expenses. Prior to 1877, few units were even able to afford suitable quarters.

The wearing of uniforms was another distinguishing mark of Pennsylvania's two militias. Volunteers wore them, and compulsory, or enrolled troops, generally did not. From their earliest beginnings, volunteers always attached considerable importance to their dress, but by 1870 this interest had become a passion. Companies vied with each other in displaying wildly colored material, plumes, feathers, furs, gold braid, fancy epaulets, and elaborate swords. Many militia units turned for models to such far-flung military organizations as the hussars, grenadiers, and Zouaves. Some were not satisfied until they had combined the dress of several such aggregates. Not infrequently, the cap from one century was paired with a coat from another. The resultant uniforms were more appropriate for museums or curio shops than for practical, active soldiers. Paying for uniforms was always a problem. In some instances, militiamen met this expense on a weekly installment basis; in others, wealthy members provided the necessary funds, often in return for being elected officers.³⁵

The name "active" militia also pointed up a significant difference, at least in theory, between the two militias. Volunteers were referred to as "active" because they engaged in a heavier training schedule than the compulsory force. However, this additional training did not always result in efficiency. While superior to the compulsory troops, volunteers were in the main decidedly substandard soldiers.³⁶ Interest-

34 Edwin N. Benson, comp., *History of the First Regiment Infantry National Guard of Pennsylvania* (Philadelphia, 1880), 21.

35 Minute Book of the Wayne Zouaves for 1877, p. 66 (Chester County Historical Society Archives, West Chester, Pa.).

36 Riker, 42, 43; Zierdt, 50.

ed primarily in pageantry and show, they concentrated on the manual of arms and drilling, to the neglect of rifle practice, marches, camping, maneuvers, and general tactics. Training in handling civil disturbances was totally ignored.

“Organized militia,” another name of the volunteers, suggested that these citizen-soldiers, unlike compulsory militiamen, were members of a functioning military unit. They were not simply names on a list who were called up periodically for training. Theoretically, volunteers were in relatively constant touch with their companies, which in turn were organized into regiments and divisions ready for instant service. In practice, however, by 1870 the volunteer militia had evolved into a constantly fluctuating number of independent, scattered, and undermanned companies.³⁷ Little or no coordination existed among them. Too often, a unit existed only on paper. In many instances, an aggregate, with barely enough men to qualify as a company, called itself a division. In 1869, among all Pennsylvania’s volunteers, only those of Philadelphia enjoyed any organization on the regimental level. Conflicting efforts were the result.

Official enlistment figures often provided a poor index of a volunteer unit’s actual strength. In 1860, the Keystone State claimed 19,000 volunteers; in 1871, 17,876; and in 1872, 14,692.³⁸ However, the adjutant general was never certain of the number of men who were truly active at a given time. Even with the best of intentions, it was difficult to maintain accurate, up-to-date records. As a matter of course, companies sprang up, flourished, and then disbanded. For example, Pennsylvania reported a total of 382 companies in 1871. In order to arrive at that figure, the adjutant general had to add 103 new companies formed during the year and subtract 32 which had disbanded, due to either lack of funds or insufficient personnel.³⁹

Their various membership classes provide a good insight into the nature of the volunteers. Not untypically, the First Troop Philadelphia City Cavalry had “active,” “inactive,” “non-resident,” and “honorary” members.⁴⁰ These categories enabled the organization to retain the support of men who no longer desired to be fully active, offered a framework for socializing with a military flavor, and provided

37 Greene, 484, 485; R. M. Vail, ed., *History of the 109th Infantry Pennsylvania National Guard, 1877-1924* (Scranton, n.d.), 5.

38 Clarke, 2: 131, 143; Hill, 50.

39 *Adjutant General Report* (1871), 10.

40 Minutes of the 1st Troop Philadelphia City Cavalry, Sept. 1, 1884 (1st Troop Philadelphia City Cavalry Archives, Philadelphia).

a structure for honoring and gaining the goodwill of prominent citizens. To have been a volunteer militiaman, one need not have even been a military man nor have any absorbing interest in military affairs.

Some companies organized their "inactive" members into an "old guard" or "veteran corps." Made up of retired militiamen, such groups usually occupied the same meeting quarters as the active unit, provided the latter with financial and political support, sponsored social events, and generally acted in the role of senior statesmen. When an active company went into state or federal service or disbanded, an old-guard unit not infrequently assumed the obligations of the former. For example, while active companies from Philadelphia served in the strikes and riots of 1877, old-guard units occupied several armories in the city and made themselves available for service.⁴¹ In some instances, old-guard associations became very large. That of Pennsylvania's Second Regiment increased from one to eight companies between 1840 and 1860. Later, it became the parent organization for five regiments which served during the Civil War.

The motives of those who joined the volunteers also reveal much about the organization itself. Some men became members because they believed that a well-regulated militia was essential to the nation's freedom. Faced with a compulsory militia which was defective and dying, they turned to the volunteers as a substitute. Others chose the volunteers as a way of avoiding the much longer obligation of the compulsory militia.⁴² Although it is true that the state steadily weakened in its determination to enforce service in the compulsory militia, legally the obligation remained. Moreover, enforcement varied with time and place. Consequently, one could not be certain of freedom from harassment if he chose not to serve. Joining the volunteers offered a reasonable alternative.

War veterans, both officers and enlisted men, found the volunteers attractive. Such service afforded them an opportunity to share past military glories and to continue their military experience in a manner not possible in the compulsory militia. Certainly, some citizens gravitated to the volunteers out of sheer love for military life. Others did so by way of continuing a family tradition. Undoubtedly, many simply

41 Interview with Warrant Officer Joseph Harrison of the 103rd Engineer Battalion, N.G.P., Dec. 21, 1967.

42 In 1835, Pennsylvania exempted from compulsory military service all men who had served in a volunteer unit for seven consecutive years. See Hendler, 1 (sect. 2): 11.

sought an opportunity to dress up in fancy uniforms and participate in parades and civic functions.

After 1815, the athletic and social-club aspect of the volunteers was clearly one of their principal attractions.⁴³ A volunteer company provided a clubroom for conversation, card playing, and drinking. It also sponsored dinners, parties, dances, outings, and sports events. Membership in such an organization added spice even to the social calendars of the wealthy. There was, after all, something very colorful and appealing about a fancy dress military reception and ball.

Whatever their motives, volunteer militiamen had the pleasure of attaining them in the company of their peers. From its earliest days, the volunteer militia provided opportunities for men of the same social and economic class to associate with each other. In most of the older states, certain militia units were traditionally composed of the socially elite. Among others, Pennsylvania had its First Troop Philadelphia City Cavalry, Republican Artillerists, and Washington Grays; Connecticut, its First Company of Governor's First Guard; and wealthy New Yorkers, the Albany Burgesses Corps and the "world renowned" Seventh Regiment.⁴⁴

In addition to constituting a majority in certain companies, men of social and financial prominence often served as officers, and even privates, in other volunteer units. The rank and file welcomed such individuals who could provide a high degree of leadership as well as badly needed financial support. However, in the Pennsylvania militia as a whole, one does not detect the same level of class consciousness and ideological motivation before 1877 as after that date.⁴⁵

However one views the Pennsylvania militia, it seems clear that the organization had come upon hard times by the third quarter of the nineteenth century. Its compulsory segment had practically ceased to exist, and its volunteers had degenerated into a loosely knit aggregate of jealously independent units which were more attracted to elaborate uniforms, social activities, and participating in civic functions than to training for service in foreign wars or domestic disturbances. Men

43 Thomas S. Lanard, *One Hundred Years with the State Fencibles, Infantry Corps State Fencibles, Infantry Battalion State Fencibles and the Old Guard State Fencibles* (Philadelphia, 1913), 224-25; Greene, 486.

44 Boles, 916; Riker, 42; Harmon Y. Gordon, *History of the First Regiment Infantry of Pennsylvania* (Philadelphia, 1961), 2; *Old Home Week: Golden Anniversary Brochure of West Pennsylvania*, 1925 (n.p., n.d.).

45 This is a general conclusion drawn from a wide examination of the records, literature, and publicity of Pennsylvania's antebellum militia as well as the statements of its members.

joined the militia somewhat as they have become members of veterans' organizations over the last fifty years. Being an official member did not necessarily mean that one was interested in active military service. At the outbreak of the Civil War, only a small percentage of Pennsylvania's volunteer companies were able to field the thirty-two men required by state law. Many had no arms, and most were without ammunition. This sad lack of preparedness and the militia's poor showing during the war reflected many years of decline in which the militia had become a "reproach" for the state and an "invitation for mockery and scorn."⁴⁶

Attempted reorganizations of the militia by the commonwealth between 1864 and 1870 affected little improvement. Public appropriations remained small. Militiamen still had to purchase their own uniforms and defray most of their housing expenses. By 1870, the federal government theoretically supplied basic arms, but each militia organization had to pay the freight costs.⁴⁷ Little progress was realized in improving the military efficiency, either of individuals or units. The militia was top heavy with high-ranking officers. Each general exercised a somewhat tenuous command over a geographical area rather than a number of men. One commander might have one-thousand troops while another had one hundred.⁴⁸ Major-generals sought increasing numbers of brigadiers, many of whom had no regiments to command. Thus, the Pennsylvania volunteer militia was, in 1870, what it had become by the 1850s, a happy-go-lucky organization more involved in fun and games than in serious soldiering.

Labor violence in Pennsylvania in the early seventies generated additional efforts to improve the militia, but once again, little headway was made.⁴⁹ Nor was it to occur until employers and other capital-oriented citizens stood shocked and frightened by the excesses of labor in 1877 and the evident inability of the militia to control them.

The unmistakable decline of the Pennsylvania militia between 1815 and 1870 does not prove entirely the case for the rest of the country, but it does substantially bolster the claims of a nationwide militia degeneration advanced by a number of historians. Pennsyl-

46 *Adjutant General Report* (1866), 12.

47 *Ibid.*, 106, 107.

48 G. Bow Dougherty, *Historical Souvenirs of the Ninth Regiment* (Wilkes-Barre, n.d.).

49 Strikes such as those in Scranton in 1871, in the lumber mills of Williamsport in 1872, the strike against the New York and Erie Railroad at Susquehanna Depot in 1874, and the exceedingly violent "long strike" against the Reading Coal and Iron Company in 1875.

vania's industrial leadership and its resultant labor unrest gave it more incentive to maintain an efficient military force than most other states. That it failed to do. Indeed, that its militia became progressively weaker in the years in question gives weight to the suggestion that most other state militias were in similar condition.

ERRATA

On page 66 of the January 1974 issue, "Orderly Book I of Colonel Henry Bouquet's Expedition Against the Ohio Indians, 1764 (Part Three)," by Edward G. Williams, William and Daniel Elliot are referred to as brothers. They were cousins.

On page 73 of the same article, note 145 should contain the information that Fort Cumberland, in 1764, was serving the same purpose as it had in 1758, as well as in 1755 — that of being a concentration point for divisions of the army.

Page 130, "Additions to Collections," the name of the donor of a copy of a map of Braddock's Trail through Fayette County and a copy of the *Standard Observer* should be *Richard G. Robbins*.