

MAINE STATE LEGISLATURE

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OF THE

STATE OF MAINE,

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A. D. 1841.

Augusta:
SEVERANCE AND DORR, PRINTERS TO THE STATE.

1841.

R E P O R T

OF THE

ADJUTANT GENERAL

OF THE

MILITIA OF MAINE.

DECEMBER 31, 1840.

Published agreeably to Resolve of March 22, 1836.

AUGUSTA:

WM. R. SMITH & CO., PRINTERS TO THE STATE.

1841.



STATE OF MAINE.

ADJUTANT GENERAL'S OFFICE, }
Augusta, December 31, 1840. }

His Excellency JOHN FAIRFIELD, *Governor and Com-
mander-in-Chief:*

DEAR SIR:—I have the honor herewith to make the General Inspection Return of the Militia of the State, for the year 1840. A duplicate thereof will be made to the President of the United States.

The number of the Militia is forty six thousand three hundred and thirty eight, and an increase from 1839, of seven hundred and five.

The following are the corps into which the Militia is divided, with the number in each, viz:

Cavalry, one thousand seven hundred and twenty-eight,	1,728
Artillery, two thousand two hundred and twelve,	2,212
Infantry, thirty-five thousand three hundred and eight,	35,308
Light Infantry, four thousand eight hundred and eighty four,	4,884
Riflemen, two thousand two hundred and six,	2,206
Aggregate,	46,338

The number of Companies returned this year is larger than in any previous one, being five-hundred and seventy; and returns have been received from all the Regiments

and Battalions, except the Battalion of Artillery in the first Brigade of the fifth Division.

Number of Companies returned this year,	570
Number not returned,	132

Whole number of Companies, May 1, 1840, 702

More than half of the Companies not returned this year were returned in 1839, and the others in previous years, as will appear in the table annexed.

Annual Brigade returns have been received from all the Brigades, and an abstract thereof is annexed hereto. The Brigade Majors appear to have faithfully discharged their duty. By this return it will be seen, that of the whole number enrolled, twenty-two thousand five-hundred and seventy-nine only were present at the annual Regimental and Battalion inspection; being eighty less than in 1839.

There have been twenty-five new Companies ordered to be organized the past year, viz :

Infantry, eight Companies,	. . . . .	8
Light Infantry, fifteen, "	. . . . .	15
Riflemen, two, "	. . . . .	2
		<hr/>
	Total,	25

Twelve Companies have been disbanded, viz :

Cavalry, one Company,		1
Artillery, one "	. . . . .	1
Infantry, three "	. . . . .	3
Light Infantry, five "	. . . . .	5
Riflemen, two "	. . . . .	2
		<hr/>
	Total,	12

Ten hundred and forty-three officers have been commissioned, and six hundred and nineteen discharged, during the year.

No General Courts Martial have been held the past year. There have been six Division Courts, returns of which have been received, and at which nine officers were tried, of whom seven were found guilty of charges preferred, and six were removed from office. Fines were imposed to the amount of one hundred and fifteen dollars, which the several Division Advocates have been directed to collect.—The pay rolls, amounting, as made up by the respective Courts, to the sum of five hundred sixty dollars and twenty five cents, will be presented to the Legislature.

The following appropriations for military purposes, were made by the Legislature of 1840, and for the expenditure of which the acting Quartermaster General was made accountable, viz :

For alteration and repair of Artillery,	900 00
For purchase of musical instruments and colors,	700 00
For transportation and laboratory stores,	300 00
For the erection of a gun house in Frankfort, additional,	50 00
For the erection of a gun house in Orland,	300 00
For the erection of a gun house in Limerick,	300 00
For repair of the gun house in Farmington,	50 00
For repair of the gun house in Anson,	50 00
For repair of the gun houses in Readfield, Monmoth, and Waterville,	150 00
For erecting a magazine, shed, and fences, at the Bangor Arsenal, and for the purchase of additional land,	1,200 00
For purchase of books of instruction for the use of officers of the militia,	2,000 00

And the following appropriations were made in 1839, but the expenditure thereof was not completed until this year, viz :

For finishing the gun house in Bowdoinham,	87 92
For repairing the gun house in Turner,	200 00
For erecting a gun house in Frankfort,	300 00
For erecting a gun house in Phillips,	200 00
For erecting a gun house in Warren,	250 00
For repairing the gun house in Boothbay,	60 00

And in addition, there were balances of appropriations of 1839, at the close of that year, which have been expended in whole or in part the present year, and which will be referred to in their respective accounts.

The appropriation for alteration and repair of Artillery, together with the unexpended balance of 1839, for equipping new companies of Artillery, have been expended on the carriages and apparatus of the companies in Clinton and Norridgewock ; and in furnishing harnesses, tumbrels, and apparatus for new companies in Orland and Limerick. The expenditures on these accounts have exceeded the appropriations, the sum of one hundred eleven dollars and fifty-one cents.

Musical instruments have been procured ; but silk, suitable for colors, could not be found ; and consequently I have been unable to furnish the Regiments and Battalions with standards as was contemplated. There is an unexpended balance of this appropriation of two hundred twenty two dollars and twenty-four cents.

The sum assigned for transportation and laboratory stores, has all been expended.

Gun houses have been erected in Frankfort, Orland, Limerick, and Warren ; and those in Farmington, Anson, Readfield, Monmouth, Turner, Boothbay, and Bowdoin-

ham, have been repaired, for the appropriations respectively.

No gun house has been erected in Phillips; and as the Company has been disbanded the past year, the appropriation has been refunded to the Treasury.

The appropriation for the Bangor Arsenal, has been expended in the erection of a magazine, shed, and fences, and in levelling the grounds. Finding the lot sufficiently large to answer all purposes intended, no further purchase has been made.

The expenditures at this Arsenal have been more than was supposed would be necessary when the appropriation was made, and the sum has exceeded the amount appropriated. The cost of the magazine has exceeded the estimate made by persons supposed to be competent judges, and the cost of the fence and levelling the lot was more than was supposed it would be. The buildings erected, are necessary to the preservation of the public property, and appear to have been built with economy; and the labor bestowed on the lot and fences, was indispensable to render the establishment safe and useful. Nothing has been done but what the interest of the State required; and although the keeper of the Arsenal, under whose immediate superintendence the expenditure was made, was not authorized to exceed the sum appropriated, yet having taken the best and usual means to ascertain the probable cost of the labor and materials required, previous to the appropriation being made, and having commenced the work, there appeared to him no other safe course than to proceed and complete the buildings, and secure and render useful the lot; trusting to a future appropriation for the excess of expenditure. The amount expended exceeds the appropriation about six hundred dollars.

The sum appropriated for the purchase of military

books of instruction, has not been expended. As the subject of revising the militia law was before the Legislature; and it not being known until late in the season, whether such alteration might not be made as to render it less necessary to make the expenditure, at least to the extent which seemed to be contemplated by the appropriation, the Governor and Council thought proper to delay the purchase for the present season, and consequently the money has not been drawn from the Treasury. It is highly important to the militia that suitable books of instruction should be furnished the officers; and I would respectfully suggest that the Legislature be requested to reappropriate the same sum for this purpose.

The balance remaining of the appropriations in 1839, for repair and removal of arms, has been expended, as has also the balance of the appropriation for repairing the Portland Arsenal.

Pursuant to a Resolve of the Legislature of 1833, I have caused the State's gun house in Brunswick to be sold at public auction, and the net proceeds thereof have been paid into the Treasury.

Accounts of all the beforementioned expenditures, will be immediately presented to the Governor and Council for examination and settlement.

The following appropriations for military purposes, are deemed necessary for the ensuing year, viz :

For alteration and repair of Artillery,	900 00
For transportation and laboratory stores,	300 00
For musical instruments and colors,	700 00
For completing the buildings, levelling the grounds, and procuring water, at the Bangor Arsenal, including the amount already expended beyond the appropriation of 1840,	700 00

For erecting a gun house in Gray,	200 00
For purchase of books of instruction for the use of officers of the militia,	2,000 00
For labor in taking care of military property in the Arsenals,	200 00

I have visited the State Arsenals at different times during the past year, and I find that the military property therein has been preserved with great care. The military store keepers have faithfully discharged their respective duties. The public property in the Arsenals remains about the same as was reported last year, with the addition of muskets received of the General Government; and it is therefore deemed unnecessary to exhibit an inventory at this time.

Consequent upon your requisition, I have received of the War Department of the United States, the past year, four hundred and sixty muskets, with their appendages, amounting to the sum of six thousand and ninety-five dollars; being on account of the State's proportion of the annual appropriation by Congress, for arming the militia, under the Act of 1808. These arms are in the Arsenal at Bangor. A requisition has been made, by your direction, for muskets, for the State's proportion of the appropriation for 1841.

The military expenditures by me, in the Quartermaster's and Pay departments, under the Resolve of February 20, 1839, providing for the protection of the northeastern fron- tier, up to December 20, 1840, amount to the sum of	265,485 76
and deducting therefrom for sales of stores, and repayments,	29,301 60
leaves a balance of	<hr/> \$236,184 16

which is the net expenditure by the State in consequence of the call of the militia into public service, for the protection of her territory, in the year 1839, as will be seen by the following

STATEMENT OF THE ACCOUNTS OF THE QUARTERMASTER'S
AND PAY DEPARTMENTS.

FIRST.

QUARTERMASTER'S DEPARTMENT.

RECEIPTS :

Amount received up to December 20, 1839, exclusive of Warrants afterwards return- ed, and of money then and subsequently paid the Pay department,	<u>\$145,655 54</u>
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DISBURSEMENTS.

Amount of payments on Quartermaster's account, up to December 20, 1839,	136,682 03
Deduct therefrom, repayments up to that date,	24,739 13
Net amount of disbursements up to that date,	<u>111,942 90</u>
Amount of payments since December 20, 1839, exclusive of payments to Pay de- partment,	36,333 40
Deduct therefrom, receipts since that date, for sales and repayments,	<u>4,562 47</u>
	<u>31,770 93</u>
Net amount of disbursements,	143,713 83
Balance due the State,	1,941 71
Amount of receipts as first stated,	<u>\$145,655 54</u>

SECOND.

PAY DEPARTMENT.

RECEIPTS :

Amount received up to December 20, 1839,	90,000 00	
Amount received since that date,	2,774 55	
Deduct therefrom a repayment of	12,47	
	<u>2,762 08</u>	
Amount of receipts,		<u><u>\$92,762 08</u></u>

DISBURSEMENTS.

Amount paid up to December 20, 1839,	90,081 32	
Amount paid since that date,	2,401 48	
Deduct therefrom a repayment of	12,47	
	<u>2,389 01</u>	
Net amount of disbursements,	92,470 33	
Balance paid the Quartermaster's department,	291,75	
Amount of receipts as before stated,		<u><u>\$92,762 08</u></u>

THIRD.

QUARTERMASTER'S AND PAY DEPARTMENTS.

RECEIPTS :

Amount of Warrants received up to December 20, 1839,	298,125 87
Receipts from other sources, up to that date,	<u>24,739 13</u>

Whole amount of receipts up to December 20, 1839, as reported last year,	322,865 00
Receipts since December 20, 1839,	4,854 22
Aggregate receipts,	<u>\$327, 719 22</u>

DISBURSEMENTS :

Amount paid for Quartermaster's department, up to December 20, 1839,	136,682 03
Amount paid for Pay department, up to December 20, 1839,	90,081 32
Whole amount of payments up to December 20, 1839, as reported last year,	226,763 35
Warrants not used, and subsequently returned to the Secretary of State,	60,000 00
Payments since December 20, 1839, for Quartermaster's department,	36,333 40
Payments since that date, for Pay department,	2,680 76
Aggregate payments,	<u>325,777 51</u>
Balance as before stated,	1,941 71
Aggregate receipts as before stated,	<u>\$327,719 22</u>

FOURTH.

Amount of Warrants received from the Governor and Council,	298,125 87
Amount of Warrants returned to the Secretary of State,	60,000 00
Amount of cash received from the Treasury,	<u>\$238,125 87</u>

Net amount of expenditures in the Quartermaster's department,	143,713 83
Net amount of expenditures in the Pay department,	92,470 33
Net amount of expenditures for the Militia in actual service,	236,184 16
Balance as before stated,	1,941 71
Amount of cash received from the Treasury, as before stated,	<u>\$238,125 87</u>

By the foregoing statement, it appears that the net amount of payments by me, in consequence of the call of the Militia into actual service, is \$236,184 16

Of this, there is charged by the State to the general government, being the amount supposed to belong to the United States to pay, the sum of 209,575 05

Of the balance, there was turned over to the Land Agent, for the use of the civil posse stationed in the Aroostook Country, subsistence and other stores to the amount of 14,604 07

The amount of additional pay to the troops, under the Resolve of March 25, 1839, of \$2,50 per month, and which is that sum additional to the army pay, and consequently not charged to the general government, is 10,817 76

Cannon balls on hand beyond

the sum charged the United States, cost	431,63	
Incidental expenses, including notes due the State; beyond the amount of payments from the Treasury for pensions and other allowances, which do not come into my account of payments, but which are charged to the United States; amount to	755,65	
	<hr/>	26,609 11
Amount of payments as stated above		<u><u>\$236,184 16</u></u>

As required by a Resolve of the Legislature of March 16, 1840, I made up, under your direction, the account of the State against the General Government, up to March 31, 1840, of the expense of her military operations on the northeastern frontier; and by your order, I immediately thereafter proceeded to Washington, and presented the claim to Congress. A bill there passed the Senate, without opposition, providing for the settlement and payment of the claim, in the same manner and to the same extent as had been adopted with other States having claims for services of militia; and allowing the amount which "would have been due from the United States to the militia called into the service of the State in the year eighteen hundred and thirty-nine, for the protection of her northeastern frontier, by the Governor, if said militia had been called into the service of the United States, and regularly mustered by the officers of the United States' army." This bill was committed in the House of Representatives, to the

Committee on military affairs; and the Committee, on the twenty-fifth of May, made a favorable report thereon. It failed in the House through want of time. Had the bill been reached in the course of business, there cannot be a doubt that it would have passed.

There was no opposition on the part of members of either house of Congress, to allowing Maine the pay for the expenses incurred by calling her militia into service for the protection of her territory, under the circumstances attending the call; and although the troops were not ordered out by authority of the General Government, nor mustered and received into service by any officer of the United States' army; yet all acknowledged that the State was not only fully justified in calling troops into service for the protection of her soil, under the exigency which existed, but that she would have been unwise, if not negligent of a high duty, not to have done so. Such being the general feeling throughout the country, as well as in Congress, we may confidently expect that our claim will be allowed by the General Government without unnecessary delay.

It is highly important to the State, that such a bill should be passed by Congress, authorizing the payment of our claim, as will embrace all expenditures which we were compelled to make in our military operations, and such as have been allowed to other States. From a careful examination, while at Washington, of all the laws authorizing payments to other States for militia services, and of the accounts thereof as audited and settled at the proper offices of the Treasury department, I am of opinion that a bill, similar to the one before referred to which passed the United States' Senate, would give to Maine all she can with propriety ask of the General Government. The

claim is now before Congress, and there is strong reason to believe that it will pass the present session.

The Legislature at their last session, made some important changes in the militia law, and in my opinion the alterations will, in most cases, prove beneficial to the service, as well as satisfactory to the militia. The new law requires active duty of those only between the ages of twenty-one and thirty years, excusing all under twenty-one by paying an equivalent which is merely nominal. Nine years duty are to be required of all enrolled, and this I believe will be sufficient to instruct the militia in time of peace. When their services are required in the field, all between the ages of eighteen and forty-five can be called out, should the country demand so large a portion of her citizens. In consequence of the alteration named, the Companies, as at present organized, will be much reduced in the number of members required to perform active duty; and the result must be a consolidation by the Governor and Council, of Companies, Regiments, Brigades, and Divisions. But this will create no serious inconvenience; and it will not require any further legislation on the subject, as the Governor and Council have full authority to make any changes in the organization which they may deem necessary and expedient.

Another favorable alteration in the law, is the exemption from further active duty of those who shall have faithfully served seven years in a volunteer corps. This will give due encouragement to the volunteer companies, without necessarily impairing the efficiency of the local infantry.

The additional pay to the soldier may be considered as evidence of increased favor in which the militia are held by the public; and although the amount they will receive

is a small compensation for the expense in preparing for, and time in performing, military service, yet it is evidence to them that their fellow citizens, for whose benefit as well as their own they devote a portion of their time and property, are not entirely insensible to their claim for remuneration; and it will serve to render less onerous this burden. Although the amount to be paid each person who performs military duty is double the sum formerly paid, yet as the number of whom duty is required is considerably less, it is believed that the expense to the State will not much exceed the amount which has been paid in former years.

The more important objections to the militia law of former years, were, the large number required to be drilled, and requiring the service to be performed without compensation. The former of these has been corrected by the new law, and perhaps to as great extent as is desirable or expedient. The other has been obviated in part, and probably as far as public opinion would at present justify. If in addition to the sum provided for by the new law, the soldier should be allowed some small compensation yearly, for the expense of providing himself with arms, and on condition that he should be constantly equipped and perform all military duty required by law, it would seem to be doing no more than justice to those required to bear arms, and it cannot be doubted that it would give entire satisfaction to this highly respectable and important class in the community.

Although our militia is a National institution, yet it must depend upon State legislation for its efficiency, and even its existence. The law of Congress creating the militia, was passed at the commencement of the General Government; and although many and important defects in the

system have been known to exist for nearly half a century, yet the opinions of distinguished statesmen, as well as the interest or supposed interest of the several States, are so various and contradictory, that it has been found impossible to unite a majority in Congress upon any improved general plan in the organization of the militia, or on any system proposed for military instruction in this important institution. Nor is there any probability that the opinions of individuals, or sectional interest, will harmonise on this subject, and consequently the militia must look to State legislation for support. And I am of opinion that this is the best way, under the peculiar form of our government, in which a militia can be maintained and rendered serviceable to the country. Under the present laws of Congress, the States are authorized to maintain a militia, and it is for the interest of each State to have a military force of this kind at all times at their command. But the location and internal condition of the several States, require a very different degree of strength and efficiency. Under this view of the subject, and considering the exposed situation of our State, it would seem of the greatest importance that our militia should be rendered as convenient in organization and perfect in discipline, as it can be made by State legislation, under the existing laws of Congress. I am of opinion that our new militia law is better calculated to effect these objects, than any which has preceded it; and if further and suitable provision should be made for the instruction of officers, I believe our militia would be rendered as respectable and efficient, as our condition will ever require.

No State in the Union has done so much for the respectability of her militia as Maine; and it is an acknowledged fact, that in no State are the militia so generally

drilled, or so well prepared for immediate service. Our exposed situation and border troubles should induce us to cherish this institution with great care, and by thorough and scientific instruction, render our militia a sure protection of the integrity of the soil of our State.

I have the honor to be,

With great respect and esteem,

Your obedient servant,

A. B. THOMPSON,

Adjutant General.

Abstract of the INSPECTION RETURN of the Militia of the State of Maine, for the year 1840.

	Major Generals.	Brigadier Generals.	Adjutant General.	Hospital Surgeon.	Division Inspectors.	Division Quarter Masters.	Aids-de-Camp.	Brigade Majors.	Brigade Quarter Masters.	Division Advocates.	Colonels.	Lieutenant Colonels.	Majors.	Adjutants.	Quarter Masters.	Pay Masters.	Chaplains.	Surgeons.	Surgeon's Mates.	Captains.	Lieutenants.	Ensigns.	Cornets.	Sergeant Majors.	Quarter Master Sergeants.	Musicians.	Sergeants.	Corporals.	Privates.	Total Commissioned Officers.	Total Non-commissioned Officers, Musicians and Privates.	AGGREGATE.	Number of Divisions.	Number of Brigades.	Number of Regiments.	Number of Battalions.	Number of Companies.		
General Staff.	8	15	1	1	8	8	30	16	11	8																				106		106							
Cavalry.											3	4	9	7	9	4	2	1	3	33	71		35	3	3	58	130	65	1288	181	1547	1728			4	7	39		
Artillery.											5	5	11	10	11	6	3	3	3	37	71			4	5	152	143	127	1616	165	2047	2212			5	8	39		
Infantry.											49	54	55	54	52	52	27	43	42	391	402	391		54	48	1493	1572	1029	29394	1612	33590	35202	8	16	59		461		
Light Infantry.																																						114	
Riflemen,																																							49
Aggregate.	8	15	1	1	8	8	30	16	11	8	57	63	75	71	72	62	32	47	48	613	699	545	35	61	56	2193	2408	1649	37446	2525	43813	46338	8	16	68	15	702		

