

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

DURING ITS SESSION

A. D. 1855.

AUGUSTA:

STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

ANNUAL REPORT

OF THE

ADJUTANT GENERAL

OF THE

STATE OF MAINE.

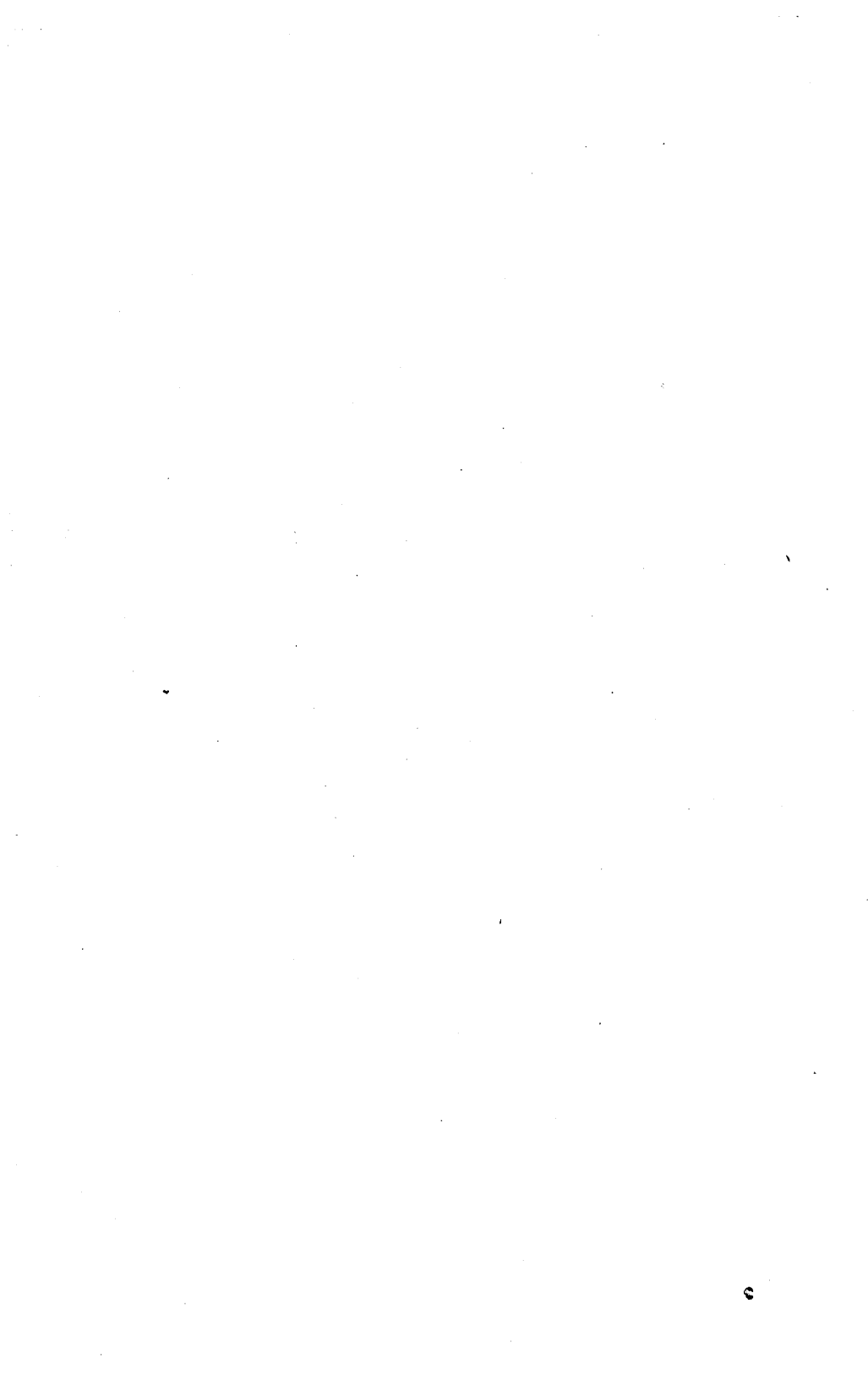
1854.

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Published agreeably to Resolve of March 22, 1836.  
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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1855.



STATE OF MAINE.

ADJUTANT GENERAL'S OFFICE, }
Augusta, Jan. 1st, 1855. }

HON. WILLIAM G. CROSBY,

Governor and Commander-in-Chief:

SIR:—I have the honor to submit the report required by law from this department, for the year 1854.

By the constitution of the United States, "a well regulated militia" is declared "necessary to the security of a free State." By clauses also the most direct and specific in the instrument in question, the power to organize the militia, and prescribe for them a system of discipline, is confided to the federal Congress. Following upon such provision, come both the right and necessity to designate the particular order of arrangement for our citizen troops, as well as, by sequence again, the method of their enrollment and return. Hence, in the act of 1792, establishing an "uniform militia throughout the United States," it is set down—together with the name and character of corps into which the militia are to be divided, the officers requisite, and privates proper thereto—that every citizen, competent for duty, shall be enrolled "by the captain or commanding officer of the company within whose limits such citizen shall reside;"* and that returns shall be made progressively from inferior officers through their superiors, to Adjutants General, who, in turn, shall render annually abstracts to the Commanders-in-Chief of their respective States.

Up to the year 1844, this system was very faithfully observed by the State of Maine. Seeing fit, however, so to do, our leg-

*See Appendix—enrollment of militia, &c.

islative authorities at that date, disbanded, in effect, the whole of the militia within our borders, leaving no adequate means of obtaining returns in any form. In 1848, by another act, the duty of enrolling and returning the militia, so called, was made to devolve upon civil authorities; and in substitute for commanders of companies, and others their superiors, assessors and clerks of towns were put in communication with this department for the purposes stated. Subsequently again, in 1854, those clauses for the enrollment and return of militia by clerks and assessors, were entirely superseded and set aside. As a consequence, therefore, of the whole, no returns of a general character, were in 1854 insisted upon, or received at this office; and no table can at this time be given, purporting to convey statistics of our militia at large.

That a statute of the United States should have fallen into neglect or desuetude among us, can of course be no argument against its validity, nor any impeachment of its moral, not to say legal, binding force. Continuing to remain a member of the confederacy, under the compact adopted at our entrance thereinto, we cannot justly put aside obligations voluntarily incurred, nor make light of laws or regulations held to be for the general good. Nor yet are we, so far as our conduct shall stand in itself practically concerned, to constitute ourselves judges of the necessity, or even abstract propriety of those laws or regulations. What we demand, or exact as one of the parties to a contract, we should as willingly concede to the other. Were our citizens despoiled by a foreign aggressor, even at a remote period of the history of the government? We demand, and continue to urge the demand for an indemnity which cannot but be admitted as just. Were our interior borders subject to the annoyances of a half-hostile, or certainly not over courteous neighbor; or our fisheries interrupted by the ill-timed intermeddling of sinister officials? We ask and receive, on the one hand troops and garrisons, and on the other a naval power to protect our hardy brethren of the coasts. Are our harbors, again, or our river-channels insufficiently guarded

against the possible attacks of an enemy; or do we lack in the armament or general munitions of war? Straightway upon appeal, the most considerable sums are expended in our behalf, and arsenals, and fortifications arise in our midst. The demands, as well of our State for reimbursement of expenditures, and those of our citizens individually for bounty-lands, accruing or incurred through militia service upon our boundary of the northeast,—have they not been to the full responded to, and a fair adjustment rendered in all?

Conditions, then, or laws properly enacted under the same, should be met with as frank a spirit, and as faithful an intent on the part of the government or people of the State of Maine. However irksome, burthensome even, they should be fulfilled,—and to the utmost. Nor yet indeed, can their non-fulfillment involve other than the most palpable breach of faith, as well as—morally at least, and in their degree—the suspension of relations with the central government, together with the forfeiture of claims to general protection and support.

In addition, the very solemn obligations of oaths, on the part of legislators, to support the federal constitution—with the clause that “the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land”—would seem to prompt a consideration not less careful of the military than of any other code. At all events, we might fairly expect, that, with the text always at hand, there would be little advocacy of, or even assent to, enactments directly repugnant to that code.

An abstract of the returns of Volunteers, at present our only form of militia, is given in the table upon a succeeding page.

Connected with the department of volunteers, are evidences more encouraging. The law of 1854, while it set aside clauses for the enrollment and return of militia by authorities having therewith no natural connection, at the same time relieved the volunteer interest from the pressure of the

act of 1852, forbidding the farther issue of arms and equipments. Stimulated, therefore, by the more liberal provisions, our younger classes of duty-men have come forward, entering with zeal and efficiency upon the formation or extension of corps.

Not less than twenty-seven companies have, during the past year, been petitioned for, from various sections of the State. Of this number, fifteen applied in season to be admitted to organization. Of these latter, also, thirteen have, under orders to that effect, chosen officers, and become to all intents and purposes, a portion of our volunteer militia. Their numbers, and arm of service, as raised within towns or cities of the several (geographical) divisions, are as follows,—no companies appearing in the First, Second, Third, or Eighth Divisions,—thus, there appear in the

Fourth Division, two companies; one of Light Infantry—Rockland, and one of Riflemen—Camden.

Fifth division, eight companies; five of Light Infantry—one in Portland, one in Westbrook, one in Freeport, one in Brunswick, and one in Gorham; two of Riflemen—Portland, and one of Cavalry—Portland.

Sixth Division, one company; Riflemen—Waterford.

Seventh Division, one company; Light Infantry—Ellsworth.

Ninth Division, one company; Light Infantry—Bangor.

Entering upon service, as do most of the above, within the bounds of our more densely populated districts, and commanding, by the natural law of the interests they may be called upon to protect, the support and sympathy of the majority about them, they are likely to become both permanent and valuable acquisitions to the volunteer establishment.

Upon petitions granted, orders have been issued for the election of officers for companies of Riflemen at Sedgwick and Bangor. The complete organization of these Companies is looked for at an early date.

Petitions now pending, are from the following named towns and cities, to wit: Acton, Bath, Biddeford, Boothbay, Bluehill,

Bucksport, Eastport, Foxcroft, Frankfort, Hallowell, Newcastle and Orland.

It is not an unhealthful indication, that of the numerous applications preferred, but few have been for companies of Artillery. This arm, in fact, through former organizations, stands already not only up to the fullest proportion—one-fifth—allowable in any case for other troops, but at more than double the proportion set down for militia in the law of the United States.* Springing also, as it does, from the basis of all true military force, Infantry, and being thereto but the efficient as well as terrible auxiliary, it cannot but presume a more familiar acquaintance with tactics and manœuvre, as of military technical knowledge in general, than would be reasonable to expect, or could ordinarily be found, among either officers or men, got together after the manner of our companies of volunteers. It is an arm of progression, and as such, must necessarily demand its preliminary course. The manual of the piece, or even a fair proficiency in the school of the battery, however effective upon occasions of parade, are but a small portion of the acquirements of the true artillerist. In many foreign armies, the privates of artillery are drawn almost entirely from subordinate corps—as presuming a knowledge thereof—while officers have need to graduate at the most thorough of military colleges. The increased expenses of this arm also, direct or indirect, and whether as relates to the State or the individuals in charge, cannot but render it less and less an object with militia; the same amounts, or even less, differently expended for other corps, producing results vastly more satisfactory and desirable. Perhaps it may not be too much to say, that one of the most prolific of exterior causes, inducing the hostility of the legislature to our former organization, was the unceasing demand for appropriations for the benefit of artillery. The sums from year to year afforded for the mere housing and shelter of guns and appurtenance, appear, when cast together, absolutely enormous.

* Appendix—"Complement of Artillery to Infantry."

And all without the apparent rendering of any just equivalent, on the part of the arm itself. It was hardly in the nature of things that such an equivalent should be rendered.

The difficulty, in short, is not at all in raising companies to add to our establishment. It lies rather in the raising of the same upon such a basis as shall promise best for the future of the organizations in themselves, and of the military service of the State generally. To effect these latter objects, may well engross the most careful attention on all hands. Fitted forth with the musket and the rifle, and placed upon the field, unencumbered with what shall check their celerity, impetuosity, or freedom and precision of movement and action, whether individually or in the mass, our gallant militia cannot, as heretofore, but find their truest school of service. At New Orleans, it was, in chief, the deadly small-arm, in citizen hands, that repelled the columns of the invader. At Buena Vista, it was the daring advance into position, and the well-closed front of Volunteer Infantry and Riflemen, that both invited and sustained the brunt and burthen of the fight—strengthened, and made confident, by the presence and play of Artillery, in command of the accomplished soldier of science, and professional education. Nor less was it at Chapultepec, the resistless charge and assault of the newer levies—Maine exhibiting her share—that both secured and held the works, previously shaken and reduced to their attempts, by projectiles from the batteries of our regular military graduates. Any reversal of relations, placing Volunteers or newer men, in charge of Artillery, could not, with all the reliability of the best disciplined men in line, but have materially lessened the chances of success, while the same would certainly have been purchased at a vastly greater sacrifice.

The extended promotion, then, of Artillery, and more particularly to the lessening of encouragement to other troops—in the withdrawal of larger sums for the support of the former—can hardly be otherwise than of doubtful expediency. It perhaps, should be scarcely at all allowed, except in the rarest cases, and as springing among numerous other organizations, in

our largest towns and cities—where indeed, if at all, Artillery is alone likely, under ordinary circumstances, to prove necessary or serviceable.

Out of the very few companies raised in 1853, the Bangor Light Infantry, Capt. Hodsdon, stands conspicuous as having fulfilled all the promises of its organization. Through perseverance against many obstacles, and an unremitting attention to the duties of drill and exercise, it has acquired already, as it were, the steadiness and proficiency of a veteran corps. No company holds a higher or more valuable relation with the volunteer interest, throughout the State. The company of Light Infantry at Newcastle, granted leave to organize in 1853, have recently elected officers—Willard T. Brown, captain—and are progressing favorably.

Of companies of a yet older date, seven, of different arms, were, by General Orders of December last, disbanded, and declared to constitute no longer a portion of the volunteer militia. This proceeding was both induced and authorized by the repeated failure, or neglect, on the part of these companies, amounting in some instances to almost positive disobedience, to perform duty, or render returns according to law. There may yet remain some sifting to be done; for it is not only just to those making strenuous effort to place our military upon the most honorable and reputable footing, but it is due to efficiency, and the common credit and dignity of the State itself, that no pretended organizations should hang about,—operating, as they do, as a make-weight and encumbrance, and tending to draw down the public ridicule and contempt. Though there were no more than twenty men enlisted into the service of the State, they should be perfected and disciplined, and to the highest practicable point. It should neither be regarded a privilege extended to them to train and exercise, nor a matter of option or indifference on their part to do duty, once having volunteered the contract. Again, too—though not too far to diverge—were even vanity itself, in gratification of its extremest idiosyncracies, to be induced to enter the ranks of our establishment, it

could but be for the State, in its honor and good faith, and while making the most of material held otherwise of doubtful value or applicability, to see to it that it impeached not the motive; as it would remain likewise for the subject of all, to fulfill promises consistently with the original expressed spirit and intent thereof. Viewed, indeed, in what aspect soever, there are few themes to be entered upon with more of resoluteness or gravity, than the practice, and putting in condition of citizens for the purposes of defense.

Other corps of the earlier establishment, hitherto, perhaps, depressed or discouraged by the seemingly obstructive attitude assumed by the State legislature, have, since the adoption of the measure of 1854, and as influenced, doubtless, by the growing feeling about, taken heart, and addressed themselves with renewed vigor to former duties. Ranks have been recruited, and vacancies of officers filled, and a more efficient and thorough condition induced generally. Of this latter class, the Bowdoinham Artillery, Captain Tincker, is a very worthy and creditable example. From a condition of almost perfect prostration, it has risen to become a corps of high promise. The Saco Guards, Captain Foss, may also be noted in this connection. Even with the additional discouragement of a fire, which consumed a large portion of the property privately purchased by the company, they have come forward again, well fitted and well prepared for service. Another company is the "Mechanic Blues," of Portland, Captain Thomas A. Roberts, admitted to organization in 1851, though not until the present year encouraged to proceed in its line of duties. Ably commanded, and made up of sterling material, it will do credit to its locality and to the State. The New Gloucester Riflemen, Captain Weymouth, the Paris Artillery, Captain Carter, as well as several companies, of different arms, in other directions, are entitled to credit for their exertions,—not omitting the companies of Artillery at Farmington, Brewer and Harmony, respectively in command of Captains Wheeler, Higgins and Bartlett.

Through efforts of officers of the Fifth Division, a regimental

organization has been effected therein, embracing the companies named as follows:—the several foot companies of the city of Portland, five in number; the companies at Westbrook, Freeport, Brunswick and Gorham, and, by transfer from the Fourth Division, the company at Bath. Two of these, the “Bath City Grays,” Lieut. Richardson, and the “Portland Light Infantry,” Capt. Harmon, are of the establishment of 1848, and of a character and reputation too well known to need comment. Several of the other companies also, although petitioned for *de novo*, and ostensibly of recent origin, are, in fact, but the revival, or resuscitation, as it were, of corps the more select of former organizations:—as the “Portland Rifle Corps,” Capt. Pierce, (dating back as far as 1810, under Massachusetts;) the “Harraseeket Guards,” Freeport, Capt. Osgood; the “Saccarappa Light Infantry,” Westbrook, Capt. Jordan, and the “Gorham Light Infantry,” Capt. Harding. The presence of occasional officers, and numerous of the rank and file of these several companies, as registered with them at the time of their virtual disbandment in 1844, together with the high standing and intelligence of the balance of newer material, whether commissioned or otherwise, give earnest of their *esprit du corps* for the future. Not less can be said of the worth and fair promise of remaining companies of the regiment,—as the “Portland Rifle Guards,” Capt. Charles E. Roberts; the “Portland Light Guard,” Capt. Green, and the “Brunswick Light Infantry,” Capt. Cleaveland.

Taken, together, perhaps, a finer or more fortunate organization has never been had in the State; the whole evincing that—consistently with impressions heretofore put forward by this department—our young men do but lack the fostering aid of their State government, to spring into life, a well-regulated and efficient body of citizen soldiery. Colonel Samuel J. Anderson, an energetic and experienced officer of volunteers, was elected to the command of the regiment. A review thereof also, which took place in October last, at Portland, under Major General Wendell P. Smith—to whose efforts too much credit cannot be

attached—passed off in the most satisfactory, as to say orderly and proper manner,—eliciting high commendation.

I should do injustice not to allude to the corps of cavalry, Captain Barnan, raised in Portland during the past season. "The arm of the moment," such a corps would doubtless, in case of need, render effectual service in preserving order and the public peace. It is to be regretted that not more can be done by the State toward placing this deserving body in a condition of perfect equipment,—the proportion of cavalry accoutrements, horse-furniture, &c., being comparatively small in our arsenals. The company of Grattan Guards, Captain Byrnes, organized recently at Bangor, within the division of General Cushman, stand also entitled to the most favorable naming, as full of earnestness and energy. They furnish evidence that our adopted citizens are at all times, in peace as well as in war, at the service of the government under which they reside. And again, the company of Light Infantry at Rockland, Captain Berry, should not be forgotten. Composed, as is the same, of the flower of the young men of the locality, it cannot but acquire distinguished position with our volunteer militia. Ellsworth, Camden and Waterford, exhibit companies of no inferior order of material, commanded by worthy and capable officers.

At the several September reviews within the Eighth Division, many of the companies, and particularly of the brigade organization of General Savage, are reported to have appeared with high credit; although, as cannot but be a subject of regret, in some cases with rather reduced ranks. Some more substantial form of encouragement would seem to be, as it doubtless is, very justly necessary, among many of our volunteers.

As a method of familiarizing troops with one of the most important branches of duty, as well as of inducing in every point, the highest efficiency and discipline in the shortest period of time, I would recommend the system of encampment adopted, and found to operate so successfully, in other States of the Union.

Not less than three days of the year, should be passed in camp by every member of the Volunteer Militia.

A riot of serious character, involving the burning of a church, and other acts of desperate lawlessness, taking place in the city of Bath, in the month of July last, the Bath City Grays, under command of Colonel E. K. Harding, were, on requisition of the Mayor, called forth to aid in quelling the disturbance. During the whole night, and the succeeding day and night, the company were under arms, with full ranks; and for several weeks after held themselves in readiness at their armory, to meet the threatened repetition. Even regulars could hardly have come more promptly to the issue, or remained more resolutely at their posts. It were superfluous to speak of the value or credit which must attach to service like this, in the mind of every order-loving citizen.

The following table presents, together with the statement of general organization, an abstract of the returns of militia, as received in 1854.

VOLUNTEER MILITIA.

	Major Generals.	Brigadier Generals.	Adjutants General.	Aides-de-Camp.	Division Inspectors.	Division Quarter Masters.	Division Advocates.	Brigade Majors.	Brigade Quarter Masters.	Colonels.	Lt. Colonels.	Majors.	Adjutants.	Quarter Masters.	Pay Masters.	Chaplains.	Surgeons.	Captains.	Lieutenants.	Cornets.	Sergeant Majors.	Quarter Master Sergeants.	Musicians.	Sergeants.	Corporals.	Privates.	Total Commissioned Officers.	Total Non-commissioned Officers, Musicians and Privates.	Aggregate.	No. of Divisions.	No. of Brigades.	No. of Regiments.	No. of Battalions.	No. of Companies.
General Staff,			1	3																							4	.	4
Division Officers,	8		15	9	6	6																					44	.	44	9
Cavalry,																		1	2	1					5	4	48	4	57	61	.	.	.	1
Artillery,												2	1	1					8	26			21	27	24	354	38	426	464	.	.	.	2	9
Infantry,										1	2	2	2	1	1		1	16	48		2	2	28	41	40	791	74	904	978	.	.	2	.	17
Rifemen,		2						2	2	2	2	2	2	2	2	2	2	23	63		2	2	45	48	37	824	108	958	1066	.	2	2	.	31
Aggregate,	8	2	1	18	9	6	6	2	2	3	4	6	5	4	3	2	3	48	139	1	4	4	94	121	105	2017	272	2345	2617	9	2	4	.	258

In a resolution of the Legislature, passed 1836, asking of the United States "a depot of arms, and the *materiel* of war," at Augusta, it was assumed that ours was "an extensive maritime and inland frontier, which in case of war, would be much exposed." In a subsequent resolution of 1842, (just previous to the disbandment of the militia) demanding "immediate and adequate appropriations for the defense of the State of Maine," it was contended, that our said frontier was "the outward wall" upon which, in the contingency stated, "the American standard would be first raised." Neither engineers, in their reports to the department of war, at Washington, nor military writers in general, have dissented materially from the propositions above laid down.

In a communication from the mayor of one of our chief cities, referred to this office, a military company was insisted upon, as well nigh absolutely necessary to the preservation of order, and the public safety of the locality. The recent actual outbreak in another of our principal parts, shows that the apprehensions of the communication in question, were not probably without some good and sufficient grounds. Divers threatenings, and proceedings of a riotous and insubordinate character, from time to time noted in the public prints, in various sections of the State, appear to have been had, if not in utter disregard or defiance of the ordinary police, at least with the putting to task of their utmost efforts to quell.

Whether we look abroad, then, contemplating the struggles now in progress between nations the most powerful of the earth,—struggles into which, however unwillingly, we may through our commerce, or other peculiar relations, find ourselves ultimately drawn; or whether we turn our eyes to thickly occupied points within our own immediate borders, taking heed, with others, of the disturbing elements which must always there exist, we cannot but conclude upon both the propriety and necessity of fostering and sustaining, through the most liberal means, whatever of force we may find at hand among us.

As the only organized auxiliary of civil authority, in case of need in our midst, and as the sole home-nucleus about which to gather in event of invasion,—are our volunteers. That in a condition of foreign hostilities, they would prove faithful to their standard, we cannot doubt. That, in like manner with the volunteers of other States, as Massachusetts, New York and Pennsylvania, their presence and discipline could be relied upon in interior broil or disturbance, their service has already made manifest. But it is not upon good will, or the empty encouragement of words alone, that our volunteers can altogether subsist, or hold to their organization in the manner desirable and requisite to their fullest efficiency. Coupled with outfit, and the ordinary duties of drill and preparation in all respects, are expenses, which, apart from the time thrown in, fall often with no light weight upon the individual soldier. It is not to profit from the State, that the volunteer enters upon his term of service. It is with a feeling and spirit more nearly akin to the true chivalry. One successful demonstration in behalf of the laws, and the quiet of the community, could not—if, in fact, it have not already done—but from its moral effect alone, to say nothing of the more material interests preserved, repay amply, years of support to the establishment. Nor yet, indeed, is it other than a question, whether, at this moment, some of our cities would willingly see themselves deprived of the corps, which have recently, or more remotely, sprung up within their bounds.

A tax of commutation, of one dime per annum, upon each unenlisted, able-bodied citizen, of an age for duty, and not a member of the fire department, to be assessed and collected after the manner of the ordinary poll-tax, would create a fund going very far to lighten the burthens of our volunteers, and place them upon a footing of comparative pecuniary independence. I would have this fund also distributed annually *pro rata*, to each corps and member thereof, according to duty performed upon the days prescribed by law. An identical

tax in the State of New York, upon the ununiformed or inactive militia, is carried as high as three-fourths of a dollar, and yet is not uncheerfully paid, in consideration of benefits, of no doubtful character, derived from the extended organization in that State—numbering not less than nineteen thousand men. Shall we, then, draw farther, or too inconsiderately upon the resources of our own small force?

An account for services rendered by the company of Light Infantry at Bath, during a portion of the months of July and August, in suppressing the riot before alluded to in said city, will be presented for the consideration of the legislature, at the coming session. Recognizing the entire propriety of such an account, in every sense, as well as the justness of the precedent established by the legislature, under the resolution of July, 1850, for the payment of the Portland Light Infantry, for similar services, I beg to offer my earnest recommendation in behalf of the early and prompt allowance of said charge.

Of the arms and equipments in the possession of troops, but few are stated in returns, to be otherwise than in a serviceable condition. No ammunition of any description, is now furnished by the State, to be accounted for.

One hundred and forty commissions have been issued from this office during the past year; the number of discharges granted being fifty-one.

It is with a feeling of no light regret, that I communicate the death, in December last, of Major General ENOCH C. BELCHER, of the Eighth Division. Adapted both by nature and by acquirements, to the duties of his position, and at all times prompt and energetic in the discharge of those duties, his loss cannot but be very sensibly felt, whether by those more immediately under his command and supervision, or by the volunteer interest at large.

I have alluded to our relations with the United States generally, in the regard of militia.

While in a government claiming to be republican in its character, it cannot, as a principle of the commonest security, but rest incumbent upon every citizen, not to say every co-ordinate or subordinate branch of such government, to respect and maintain to the full extent, all laws emanating from the proper enacting authorities, it is nevertheless equally palpable and just, that those authorities should at all times carefully watch, and with seriousness consider the drift and bias of public opinion; and whether as relates to enactments already ostensibly in force, or to others desirable to be established, so to comport their action and conduct, as not to fall behindhand with the general sense of the mass, nor yet to neglect meeting, upon the very threshold, the demand for alteration or reform.

Beyond question, a very important and radical change has, within the past few years, taken place in the popular sentiment of our State, touching the establishment of militia. From an interest not surpassed by any, in the system of defense put forward by the act of Congress of 1792, before spoken of*—and a very careful administration of that system for a lengthened series of years, our people have fallen into a condition of utter indifference to, and disregard of, its provisions in the whole. In place of the extended and efficient organization, contemplated by the original framers of the act, and earnestly desired to be beheld by them, as our truest resource in case of danger, we have—speaking, of course, outside the comparatively exceeding small force of volunteers, (who can hardly, at the best, be said to come, in all respects, strictly within the law of '92)—but a dispersed and undisciplined population, unskilled in by far the greater proportion, in the commonest rudiments of military art, or, perhaps, in so much as the ordinary manual of the musket itself. For even in this latter regard, it is scarcely to be presumed that there exists the same familiarity with the weapons either of war or of the chase, as in the days of our

*See Appendix, for extracts from said act.

fathers; the change of habit and relation, rendering less necessary the same, as constant and reliable companions.

The notion as well of service upon compulsion, or at any rate as insisted upon indiscriminately, and in the same degree from all ages, held subject for duty, has come to be regarded as little less than a tyranny and exaction. In fact, so deeply seated is the feeling upon these subjects, in the minds of a majority of the community, that it may fairly be held as a question, whether the attempt to-day fully to enforce throughout the State of Maine, the enactment of the United States of 1792, regarding the militia, would not induce among us a species of civil revolution, not to say downright insurrection.

Past doubt, in the widest extension of military knowledge among the people, must rest the surest safeguard of a republic. A nation of soldiers cannot but make itself respected, whether at home or abroad. Until there arose in the earlier republics, such conditions as led through a system of substitutes, to the final establishment of a standing army for defense, and by consequence, to the inverse ratio of decline of military art among the masses, we fail to detect to any important extent, the evidences of that weakness which invited to invasion from without, or which stimulated, as it were, to acts of oppression or disruption from within. While Sparta could boast her "living walls" of citizens in arms, no enemy found passage to her centre. When luxury, and a love of ease, cupidity, possibly prejudice, and a disinclination even to the common physical exertion requisite to the acquirements of the soldier, left to whomsoever the task of warlike preparation, the country of Lycurgus became no longer secure, or impregnable. It were, perhaps, too much to assume that the patriotism and military genius of our State, had declined proportionately with the falling off of the more ordinary military demonstrations. The ardor and earnestness with which our younger generation, to say the least, have seized upon, and availed themselves of the newer system, alone forbid the conclusion. Allowing, then, the whole, and the undiminished attachment of our people to the

country and its interests, we yet fall short of any just analysis of the cause of this wide-spread neglect and disrelish of the act of '92. Nor is it to be supposed that influences resulting from the promulgation of the doctrines of non-resistance, and peace by dissuasion, have had materially to do in bringing about the revolution of sentiment stated. Otherwise we could hardly have looked for the vote of our legislature, proffering, even since the decline of the "old militia,"* money and men, to aid "in the prosecution of the (late) war in Mexico;" nor yet for the more active and gallant endorsement of that war, in the complement—an abundantly full one—of our citizens going forth thereto. The whole evincing that, in the popular sense, the period has hardly yet arrived when the sabre may be safely converted into the sickle; and that, moreover, a peace "conquered" by force of arms, is likely to prove quite as enduring as another. Doubtless the recent want of success of peace delegations to the court of Russia, and elsewhere, in dissuading potentates, or averting the present great war in Europe, could scarcely be more marked among the people of Maine, on any occasion calling upon the nation to gird itself for battle.

Impressions of evils, moral or social, and more particularly the deplorable evil of intemperance—engendered, or held to have been engendered by the practical operations of the act of '92, could no doubt but have exercised a most positive influence in creating a distaste to the same, providing such came to be fully entertained; for upon points of conduct, and the purity of social relation, our people stand not less pre-eminently sensitive, than most inflexible and untemperizing. In view, however, of the potency of a worthier example, and the generally virtuous tone of the public moral about; as well as of the right assumed, and the power and inclination held always at hand, to suppress by stringent laws, any or all the evils complained of—should they indeed come to be developed to any extent by a military system

* June, 1846.

—it is yet equally difficult to suppose a free and loyal community would halt at objections of the kind—serious even as they are—or permit them to come between themselves and their duty to the general government;—the government to which in the future as in the past, they must continue to look for the ratio of protection and support.

Plainly, perhaps, and to cut short digression, the cause lay yet nearer home and the source of all; to wit, within the act of '92 as considered by itself; its inefficiency as a system when fairly administered,—its inadequacy to the objects held in view.

From the outset, exceptions of this character were taken, as against the passage of the measure; and subsequent to its adoption, it was claimed that it could not but fall, by the law of its own vast weight and unwieldiness. By the system rejected for the one in question—the system of General Knox, 1790—a proportion only of the population, were held for duty at a given time; and such, by the criterion of age, and general fitness, and, so far as related to the more active period of instruction—the period of tour in camp—from the classes which could be best spared from industrial interests at large,—young men from eighteen to twenty. Habit, it was contended, would be everything, and this could be fixed during the interval allowed; while carried forward by the principle of progression, to mingle with the bulk of inhabitants, and relieved as well thereafter of the more burdensome forms of duty, our generations would grow up with a military character, and with the sense of reliance which such a character cannot fail to inspire. The clause to subsist and clothe subordinates, and to pay officers, during their original term, was also coupled with the rest.

By the system at present legally in force, the whole population held available for service, are classed together; and being summoned forth, can, of course, but stand commingled, without regard to years or condition, or even of comparative efficiency, one with another. As under the general operation of the plan also, the period of training is but brief—no provision being made for camping troops—it follows, that before the masses

can possibly be brought into more than the commonest order and condition, the necessity arrives for their dismissal, and complete dispersion from the field. Not, perhaps, that even this system, as carried out thoroughly and in good faith, might not do something toward placing us in a condition of comparative defense; nor yet that it has not already proved in some sort available in difficulties; but that in the whole, the effort required in its fulfillment is not satisfactorily answered by the results attained. The citizen, in short, making purchase of his weapon and equipments,* and quitting his accustomed avocations for the duties of parade and the muster-field, did not, one case in the hundred, but feel that he was scarcely more a soldier at the close than at the beginning. And if, with the rest, he found himself satisfied that he had not been actually a subject of entertainment for the purely idle,—an actor, as it were, in a species of legalized farce, of no present or apparent good account whatever—it was, in the main, as much as he could expect, in offset for his pains and expense. That in place of a serious field of effort and attention, musters and parades degenerated at last to mere occasions of holiday, devoted in too many instances, and by far too great a proportion of participants, to dissipation and excess, is therefore the less a theme of wonder. The plan “*to provide for the national defense,*” by the promotion of military art among the people, in furtherance of which plan musters and parades had been set apart, had, in all its chief points, FAILED. So that becoming wearied of the useless burthen and repetition, our people—however disloyally as regarded their general obligations—withdraw from the farther support or countenance thereof; until finding at last their expression through legislative bodies, they swept away at an effort, their own regulations in the matter, and, so far as might be, by interior laws, even the vestige of the act of '92. There was not, in the re-action, so much left as the means of enrollment and return of citizens for duty.

*Appendix—citizens to provide arms, &c.

Now the case cannot but be, in all its aspects, entirely plain. We either require, or we do not require, some uniform system for the whole of the militia of the States. If we require such a system, assuredly it should be no imperfectly-wrought, or ill-arranged affair. The spirit of the age, and the intelligence of the people forbid. If we do not require such a system, then should we at once have done,—but in the manner proper and legitimate. Little good can result from the attempt by any State openly to oppose, or through indirection to thwart or defeat the regular enactments of Congress. The error has been thus far upon our own part, that in lieu of appeal, or the eradication of obnoxious clauses, or remodeling even of the whole of the act of '92, through the authorities alone competent thereto, under the constitution, we have struck blindly, and indiscriminately, for a demolition—come as it might.

Should it appear that there were anything creditable or desirable in the association, we are not found to be alone in our lack of fealty, or in the species of semi-hostile attitude assumed in these relations, toward the general government. In not a few of the States, the law so repugnant to our own tastes, stands, in effect, almost entirely repudiated; while in others, but the merest semblance is kept up, without apparently the least hope or expectancy of the flowing therefrom of any substantial good result.

On the other hand, and as observable wherever the act of '92 has been most thoroughly tried or experimented upon, there is evinced a growing desire and inclination toward some system, holding actively under arms, a less proportion of people. Thus far no compulsory principle has developed itself as connected with the change foreshadowed; the voluntary service of individuals under certain exemptions, and encouragements, being all that appears assumed as requisite. How far the bulk of community have the right to expect the proffered effort of their fellow-citizens, in the protection, in a military relation, of their persons and property, even under any inducements hitherto

ordinarily held out; or whether the system of volunteers were in itself likely to prove, in all respects, the most reliably sound for the future, are questions, perhaps, which might admit of some discussion. Nor is it impossible that some system demanding service from the younger classes, while it at the same time left open to any the voluntary plan, under yet more ample stimulant and support, would suggest a greater harmony with our institutions in general.

But in the manner stated it is, that the popular will and instinct have, earlier or later, made themselves manifest. Thus it is, too, that reforms and alterations, which might not unreasonably have been looked for long since from the centre, are found to be originating, and pressing inward from the extremities. Instead of enactments of Congress, revolutionizing a principle, or correcting an error, we have the laws of States, and the demonstrations of the masses, at war with the whole!

In view, therefore, of this condition of things—to say nothing of the demoralization induced by the neglect of a people to fulfill laws of whatever code—it may, perhaps, well occur to our local legislature, whether some steps be not necessary in procuring a substantial change in the system of militia at large; some effort in the obtainment of statutes better adapted to the spirit and sentiment of the time, whether as exhibited by this or other States of the Union.

The total of expenditures of this department for the year 1854, out of the appropriation of \$1,000 for military purposes, stands at \$745.23; all accounts connected with disbursements, having been regularly rendered, and duly audited and closed, by the Honorable Governor and Council.

A gun-house, with its site, at the town of Garland, remaining unsold, was, under authority of the resolution of 1850, disposed of, for the sum of \$30.00. The expenses of sale, looking up title, making out deed, &c., were \$6.50,—net proceeds being turned into the treasury of the State.

Some few old wheels, several carriages for ship guns, with certain other articles, as a worn-out powder-cart, refuse portions of artillery gear, drag-ropes, &c., the whole being of the original stock received from Massachusetts, and of a character and description so antiquated or decayed as to be unworthy of storage by the State, were, under instructions to that effect, sold off by the keeper of Portland Arsenal—bringing in all \$85.00. Of this amount, \$53.22 were appropriated to cleaning arms, and in payment of ordinary labor at said arsenal, and the balance, \$31.78, carried into the treasury.

Under requisition directed to be made through this department, the quota of ordnance and ordnance stores of the State, for 1854, has been furnished by the United States, in pistols and accoutrements for infantry; of the former, ten, and of the latter, seven hundred and thirty-two sets complete.

It will be remembered that, to expedite issues, apportionments to States for any given year, are made upon the basis of returns of militia for the year preceding. The returns of our own State having, from the imperfect system allowed, continued to fall off from year to year, the over-drafts thereby induced, have kept us in debt with the General Government. By the adjustment of accounts up to the end of 1853, the Chief of Ordnance exhibits a balance in favor of the United States, to be charged against our quota for 1854, of three hundred and three thirteenth muskets,—valued at three thousand nine hundred and three dollars. The returns for 1854 give, as before set down, an aggregate of militia of two thousand six hundred and seventeen; being a falling off from the returns of 1853, of fifty-three thousand and ninety-five,—entitled, in round numbers, and by the standard of issue of the latter year, to about fifteen muskets, valued at one hundred and ninety-five dollars. Allowing, then, our actual number of duty men to have remained the same—as is undoubtedly the case—the cost of our neglect for 1854 alone, is exactly the difference between fifteen and three hundred three thirteenth muskets, making two hundred eighty-five and three thirteenth muskets, of which the market value is

three thousand seven hundred and eight dollars. As moreover, the whole amount of appropriation of two hundred thousand dollars,* is annually consumed in supplying the States; and as we cannot therefore go behind our own returns to make up deficits in the future,—it follows, that while we are left with a debt to pay for constructive over-drafts, other States are actually receiving the arms, which under full returns, could not but be accorded to us. Had this result occurred under the recognition by the State of the system of return prescribed by the United States, it could not certainly but be a source of very sincere regret. As it has taken place by the abandonment merely of an interior system, without the restoration of that of the United States; and as the first step toward any true reform of militia, is to exclude therefrom authorities incompatible with military practice and procedure, such a result may perhaps prove ultimately beneficial, as awakening our local government to a view of its real position.

The following is a table of the military property of the State. A perfectly thorough investigation at all points—such an one as, in the position of matters, it were at this time hardly possible to make, would perhaps vary in some slight degree the figures set down.

*Appendix—Act of 1808.

Notwithstanding efforts made to keep in order and condition the arms deposited at the arsenals of the State, in Portland and Bangor, there yet remains a large amount of this species of property, subject to the most serious damage through want of attention, impossible, under the circumstances, to bestow. Whole tiers of boxes of small arms have lain for years, without the smallest application of the means of cleaning or preservation. There has been no fund sufficient to permit it. In many cases positive rust and corrosion are found to have made their way into even locks and the interior of barrels of muskets and rifles. Some steps should certainly be taken in this matter, or the State will suffer a loss exceedingly disproportionate to the amount or effort required in the prevention. Let the whole of the arms in question be thoroughly overhauled, freed of their deteriorating accumulations, of whatever kind, re-oiled, and put carefully away. There remains other property also, such as camp-equipage, and articles of artillery gear, harnesses, &c., which would not be the worse for its modicum of renewal or repair.

Not less unworthy of their custody, are certain muskets and rifles, returned by, or recovered from, broken or disbanded companies of volunteers, raised under the system of 1848. A set of sixty muskets, from a late company at Lewiston, and of seventy-five rifles, from the commanding officer of a company at St. Albans, were in a condition, requiring no light expenditure to put them again in anything like proper order. It were hardly a just principle to suppose that, in all cases, property issued from the arsenals is, to all intents, expended. It should be kept account of, and cared for in the best manner, and if required to be returned, should be in a fair state of serviceability,—any very extended period of use, and casualties to a reasonable degree, of course, excepted. In the cases named, the results appeared to be those of culpable carelessness and neglect.

Fortunately, however, in these regards, the newer system appears to promise vastly better; the clause requiring armories to be provided in advance by companies, for the deposit and

regular retention of all arms issued, except when required for the strictly military purposes of corps, having had the effect to prevent the scattering of said arms in the hands of individuals,—many of whom, perhaps, were indifferent, and many incompetent, from want of familiarity, to keep weapons in a proper condition. It might be better that every able-bodied citizen of the land were sufficiently familiar with fire arms to keep them in condition; but at present, and until some more thorough or stringent system shall be devised and recognized, the property of the State is an important consideration. In the armories at Bangor, Portland, Bath, and elsewhere, it may be doubted whether, all told, the arms are not in a better condition, decidedly, than the most in our arsenals. The pride and spirit of corps, with the additional facilities of having the arms together, to be attended to by even a single individual, have much to do in these matters. Some provision for the substantial encouragement of company armorers, as well as for the inspection, annually, of armories, with their contents, by a competent person or officer, might not prove of disadvantage to the State, or the militia.

Proposals, verbal or other, and from parties doubtless entirely responsible, have been made within the past year, from two several sources, for the purchase, or exchange for similar property of newer fashion or model, of whatever arms and equipments the State might have on hand to dispose of.

For a State to receive, and afterwards sell off into the hands of private individuals, arms and equipments furnished by the United States, for "arming and equipping the whole body of the militia,"* and more particularly with a view to the benefit of its local treasury, and an expenditure for civil purposes, is a question, which, to say the least, should not be approached without some care. Comity, and the integrity of a sovereign constituent of the Union, are very far from matters light or trivial. Otherwise, by the principle admitted, we might order

* Appendix—Act of 1808.

at once into the hands of contractors, our quota of supplies for a given year, without the trouble or expense of any extra storage whatever. Should it, however, be conceded, that, in the absence of any law requiring the return to the general government of arms and equipments held unserviceable, the States may rightfully dispose of the same,—say with a view to promoting the interests of their interior militia,—we have undoubtedly, arms and equipments on hand, which could not but come within the category. At Bangor Arsenal there is quite a proportion of muskets of this character, and of equipments which were quite as well got rid of. If as a standard of unserviceability also, we adopt the decision of the War Department, or of officers of the army upon boards of survey, we have, perhaps, hardly a thousand muskets in deposit, which would withstand the test. Again, however, the reduction from the original price or valuation would be very great;* so that, at the best, and with the widest latitude, we should take good heed before acting. Arms and equipments, perhaps, though not fully fitted for issue to regulars upon a campaign, may be made to answer a very successful purpose in the ordinary training and practice of portions of our militia. Or this at any rate, if they are to be held at too great a sacrifice.

A resolution introduced into the Senate of the United States, by the Hon. Hannibal Hamlin, pursuant to instructions of the Legislature, to procure if possible the authority for an exchange of the flint-lock arms of this State, for arms originally manufactured with the percussion-lock, was, by the military committee of the Senate, referred to the Secretary of War. The Hon. Secretary reporting that “many of the States had had their flint-lock arms altered to percussion, and that all of them could have the same done at the U. S. Arsenals, for the actual cost of the work, to be deducted from their next year’s quota.”†

* Muskets costing \$13 bringing generally not more than \$3—if even that.

† Communication of clerk of said committee, transmitted to this department by Hon. Hannibal Hamlin—1854.

nothing further appears to have been officially done in the matter. A previous application from this office to the Department of Ordnance, for "bright barreled percussion muskets, originally manufactured as such," made on account of the quota of the State, failed to meet with its fulfillment, on the ground stated, that no muskets of the description had been procured for issue, out of the appropriation for "arming and equipping the militia." Happily, an entire change which has been had in both the manner and principle of altering muskets, entirely obviates objections hitherto urged, whether by volunteers or others;—the arm, in fact, as at present left, being—through the affixture, by screw process, to the barrel (previously cut off just forward of the vent for the purpose) of a patent chambered-breech, with cone-seat admitting the use of the ordinary graceful hammer—not at all to be distinguished, save by the scarcely perceptible joint at the butt of the barrel, from the regular percussion musket, issued to the army. This method of alteration is held also to afford equal strength and security with the original arm. To the rest is added the celebrated Maynard primer, which may or may not be included with the modification, as the States shall desire. A musket forwarded by special permission, and the courtesy of the War Department, to be altered in the new manner, at Springfield Armory, is expected soon to be returned to this office, where it will be kept in deposit, as a sample. While the alterations and improvements in weapons, appear tending in many respects, to a very considerable change in tactics and drill, it behooves us to be fully up with the rest, in any direction. Whatever can be done toward procuring the alteration of any number of our muskets, with the patent breech and chamber, at the least, will be an unquestionable gain to the State. Although, as heretofore shown, legally in debt to the United States, on account of quotas overdrawn, the proximity of the Arsenal at Augusta, and the readiness and facility with which muskets could be transported thither, and when finished, returned to the State—would seem to furnish inducements to

draw yet farther upon the grace of the general government, in the promotion of an interest so essentially valuable to our volunteers.

The keepers respectively in charge of arsenals, have performed their duties with zeal and fidelity. The duties of Mr. Kimball, at Portland Arsenal, in the fitting out of the various new companies of the neighborhood, or of those applying from the interior, have been more than usually difficult and responsible. Much credit is due to him.

I cannot close my report, without again referring to the condition of the enclosure about the arsenal at Portland. The present heavy board-fence exhibits at every point evidences of decay, and may at any time be prostrated by the winds, leaving exposed to incursion or depredation, the public property and grounds about. A liberal appropriation for repairs and reconstructions at this point, could not but prove in the end, a measure of economy to the State.

I would recommend an appropriation of at least three hundred dollars for either arsenal, for the purpose of overhauling and putting in order the arms respectively in deposit thereat.

Very respectfully,

Your obedient servant,

ALBERT TRACY, *Adjutant General.*

APPENDIX.



APPENDIX.

The following are extracts from the laws of the United States, now in force, with regard to the militia; exception being had as to additional officers merely—as Quartermasters General, Division Inspectors, Colonels of Regiments, (in place of Lieutenant Colonels commandant,) Chaplains, &c., provided for in other or subsequent acts, and serving only by their presence and existence to perfect and extend the general organization.

ENROLLMENT OF MILITIA.

An Act passed on the eighth day of May, in the year one thousand seven hundred and ninety-two, entitled, “An Act more effectually to provide for the national defense, by establishing an uniform militia throughout the United States.”

SECT. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each and every free, able bodied, white male citizen of the respective states, resident therein, who is or shall be of the age of eighteen years, and under the age of forty-five years, (except as is hereinafter excepted,) shall severally and respectively be enrolled in the militia, by the captain or commanding officer of the company, within whose bounds such citizen shall reside, and that within twelve months after the passing of this act. And it shall, at all times hereafter, be the duty of every such captain or commanding officer of a company, to enroll every such citizen, as aforesaid, and also those, who shall, from time to time, arrive at the age of eighteen years, or, being of the age of eighteen years, and under the age of forty-five years, (except as before excepted,) shall come to reside within his bounds, and shall, without delay, notify such citizen of the said enrollment, by a proper non-commissioned officer of the company, by whom such notice may be proved.

CITIZENS TO PROVIDE ARMS.

That every citizen, so enrolled and notified, shall within six months thereafter, provide 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 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 appear without a knapsack. That the commissioned officers shall

severally be armed with a sword or hanger, and espartoon; and that from and after five years from the passing of this act, all muskets, for arming the militia, as herein required, shall be of bores sufficient for balls of the eighteenth part of a pound. And every citizen, so enrolled, and providing himself with the arms, ammunition, and accoutrements required as aforesaid, shall hold the same exempted from all suits, distresses, executions or sales for debt, or for the payment of taxes.

* * * * *

ARRANGEMENT OR ORGANIZATION OF MILITIA.

SECT. 3. *And be it further enacted,* That within one year after the passing of this act, 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 numbers 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. 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-four privates. That the said militia shall be officered by the respective states, as follows: to each division, one major general and two aids 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 captain, one lieutenant, one ensign, four sergeants, four corporals, one drummer and one fifer or bugler. That there shall be a regimental staff, to consist of one adjutant and one quartermaster, to rank as lieutenants, one paymaster, one surgeon and one surgeon's mate, one sergeant major, one drum major and one fife major.

GRENADIERS, ARTILLERY, HORSE, ETC.

SECT. 4. *And be it further enacted,* That out of the militia, enrolled, as is herein directed, there shall be formed for each battalion, at least one company of grenadiers, light infantry or riflemen; and that to each division, there shall be at least one company of artillery, and one troop of horse; there shall be to each company of artillery, one captain, two lieutenants, four sergeants, four corporals, six gunners, six bombardiers, one drummer and one fifer. The officers to be armed with a sword or hanger, a fusée, bayonet and belt, with a cartridge box, to contain twelve cartridges; and each private or matross shall furnish himself with all the equipments of a private in the infantry, until proper ordnance and field artillery is provided. There shall be to each troop of horse, one captain, two lieutenants, one cornet, four sergeants, four corporals, one saddler, one farrier and one trumpeter. The commissioned officers to furnish themselves with good horses, of at least fourteen hands and a half high, and to be armed with a sword and pair of pistols, the holsters of which to be covered with bear skin caps. Each dragoon to furnish himself with a serviceable horse, at least fourteen hands and a half high, a good saddle, bridle, mail pillion and valise, holsters, and a breast plate and crupper, a pair of boots and spurs, a pair of pistols, a sabre, and cartouch box, to contain twelve cartridges for pistols.

COMPLEMENT OF ARTILLERY, ETC., TO INFANTRY.

That each company of artillery and troop of horse, shall be formed of volunteers from the brigade, at the discretion of the commander-in-chief of the state, not

exceeding one company of each to a regiment, nor more in number, than one eleventh part of the infantry, and shall be uniformly clothed in regimentals, to be furnished at their own expense; the color and fashion to be determined by the brigadier, commanding the brigade, to which they belong.

* * * * *

ADJUTANTS GENERAL OF MILITIA.

SECT. 6. *And be it further enacted*, That there shall be an adjutant general appointed in each state, whose duty it shall be to distribute all orders from the commander-in-chief of the state, to the several corps; to attend all public reviews, when the commander-in-chief of the state shall review the militia, or any part thereof; to obey all orders from him relative to carrying into execution and perfecting the system of military discipline, established by this act; to furnish blank forms of different returns, that may be required, and to explain the principles, on which they should be made; to receive from the several officers of the different corps throughout the states, returns of the militia under their command, reporting the actual situation of their arms and accoutrements and ammunition, their delinquencies, and every other thing which relates to the general advancement of good order and discipline; all which the several officers of the divisions, brigades, regiments and battalions, are hereby required to make, in the usual manner, so that the said adjutant general may be duly furnished therewith; from all which returns he shall make proper abstracts, and lay the same annually before the commander-in-chief of the state.

ARMING AND EQUIPMENT OF MILITIA.

Act of April 23, 1808.

An Act making provision for arming and equipping the whole body of the militia of the United States.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the annual sum of two hundred thousand dollars be, and the same hereby is, appropriated, for the purpose of providing arms and military equipments for the whole body of the militia of the United States, either by purchase or manufacture, by and on account of the United States.

* * * * *

SECT. 3. *And be it further enacted*, That all the arms, procured in virtue of this act, shall be transmitted to the several states, composing this Union, and territories thereof, to each state and territory, respectively, in proportion to the number of the effective militia in each state and territory, and by each state and territory to be distributed to the militia in such state and territory, under such rules and regulations, as shall be by law prescribed by the legislature of each state and territory.

SYSTEM OF DISCIPLINE FOR MILITIA.

Act of May 12, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the system of discipline and field exercise, which is, and shall be ordered to be observed, by the regular army of the United States, in the different corps of infantry, artillery and riflemen, shall also be observed by the militia in the exercises and discipline of the said corps respectively, throughout the United States.