

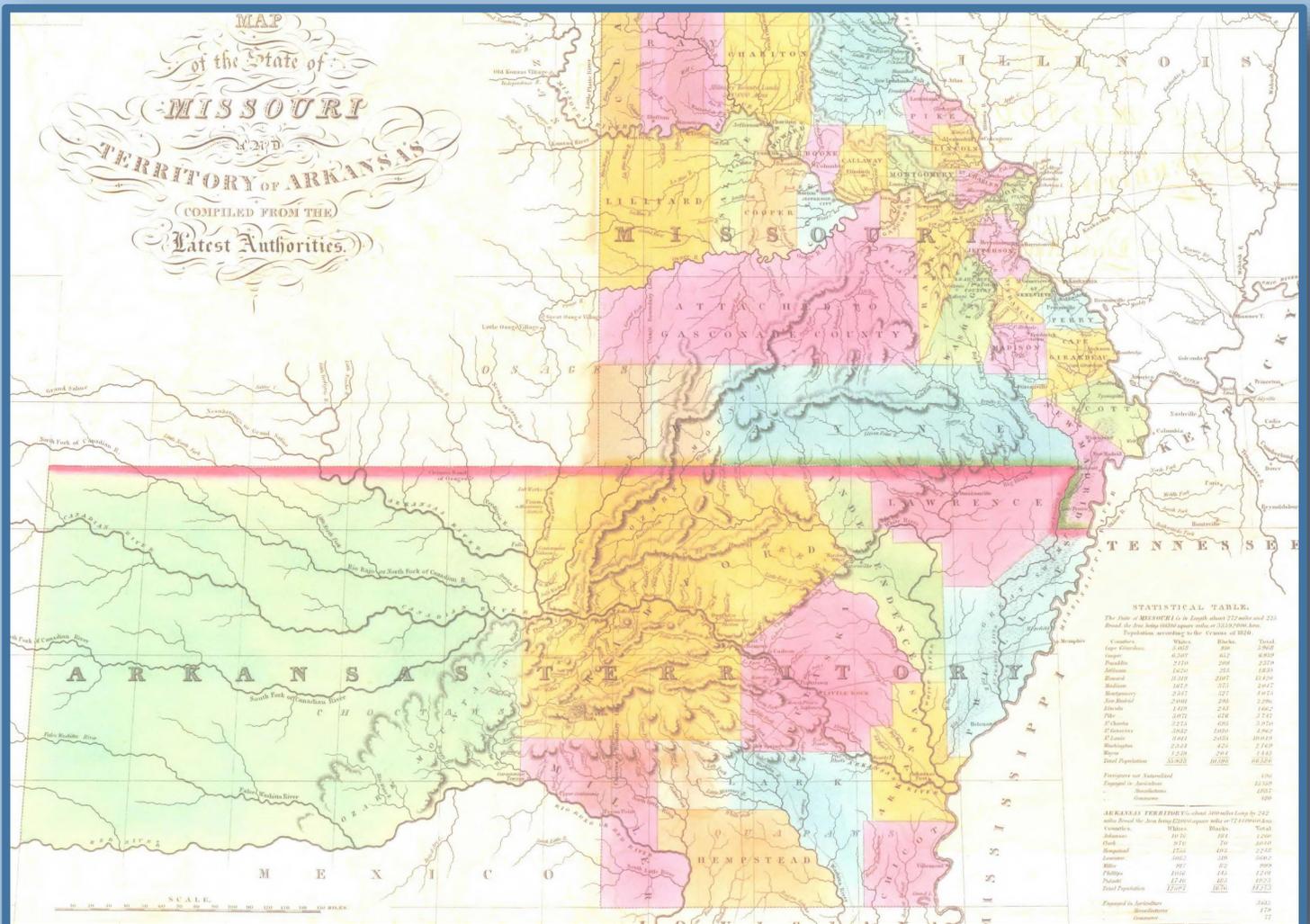
# Arkansas Military History Journal

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## Arkansas Territorial Militia

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**Cover Photograph:** Map of the State of Missouri and Territory of Arkansas Compiled from the Latest Authorities. Published by A. Finley Philadelphia. 1826

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## *Message from the Chair*

The Arkansas National Guard Museum Foundation officers and full-time staff are pleased, once again, to bring you this edition of the *Arkansas Military History Journal*. In these pages, you will discover the origins of the Arkansas National Guard through the Militia Act of 1804 and formation of the Arkansas Territorial Militia. During the 1800s, the local militias were primarily supported by private funds; however, they did answer the call for various national wars to include the War with Mexico, American Civil War, and the Spanish-American War. The Arkansas Territorial Militia of the 1800s, along with The National Defense Act of 1903 and ultimately World War I, helped to form the Arkansas National Guard into the organizations we are all familiar with today. Several of these organizations, like the 142nd Field Artillery Brigade, celebrate their 100th year in 2017! Like all military history, a study of the Arkansas Territorial Militia does not provide a template or road map for our organization today; however, it enlightens today's leaders towards more informed decision-making. If leaders are not able to think about and understand our history, they will be less effective in guiding the organization into the future. Again, we hope you enjoy this edition of the *Arkansas Military History Journal*. Let us know if you have any ideas for future editions!

**BG Keith A. Klemmer**

**Arkansas National Guard Museum Foundation Chair**

## *Message from the Editor*

Unfortunately, many today are misinformed about what militia means or its importance in American military tradition and heritage. In this issue of the *Arkansas Military History Journal* COL Damon Cluck helps clear this misconception. The militia is the forerunner of the modern National Guard. COL Cluck investigates the militia during the colonial period in what became Arkansas to the cusp of statehood in the 1830s. In addition, MAJ Matthew Anderson, in his featured artifact piece, provides detail about the Model of 1816 Musket. We hope to follow up in future editions of the *Journal* with stories about the militia during the early years of the State, the Civil War, and the organization during the late 19<sup>th</sup> century in Arkansas up to the Spanish American War in 1898. Also, in 2017, the *Arkansas Military History Journal* will cover the centennial of Camp Pike and America's involvement in WWI.

**Dr. Raymond Screws**

**Editor/Arkansas National Guard Museum Director**

# Arkansas Military Historian Essay Competition

The Arkansas Military Historian Essay Competition is state wide competition open to students enrolled in grades 9-12 in public, private, and parochial schools, and those in home-study programs. The Arkansas National Guard Museum Foundation, recognizing the importance of encouraging young scholars and promoting research regarding Arkansas Military History, has established this \$500 annual prize. The winning essay will be published in the *Arkansas Military History Journal*.

Each competitor will submit an essay that addresses the following topic:

“What military events have most shaped the social, political or economic development of Arkansas?”

The committee will judge papers according to the following criteria:

- 1) Clear thesis
- 2) Elaboration on the thesis with specific, concrete, personal example(s)
- 3) Evidence of critical-thinking, such as synthesis and evaluation, when reflecting on the essay question
- 4) Organization and fluency
- 5) Overall effectiveness of the student’s ability to communicate the impact that military events have had on the development of Arkansas and its people?

Submission Guidelines:

Length: Submissions for the 9-12 Arkansas Military Historian Essay should be approximately 1,500 words. Formatting: Number all pages except for the title page. All pages are to be double-spaced. Use 12 pt. Times New Roman Font. Margins are to be 1” left and right, and top and bottom. Submissions must be composed in Microsoft Word. The author’s identity is to appear nowhere on the paper. A separate, unattached page should accompany the paper, identifying the author, title of paper, home address, telephone number, email address, and name of school. Papers that do not adhere to these guidelines will be disqualified.

Deadline: Entries must be emailed or postmarked by the annual deadline of May 1<sup>st</sup>.

Winning papers will be announced in NLT 1 August 2017.

The Arkansas National Guard Museum reserves the right to publish in the *Arkansas Military History Journal* any essay (or portion thereof) submitted to the competition. It will do so solely at its discretion, but full acknowledgment of authorship will be given. If someone’s essay is published in whole or in part, the author will receive three (3) copies of the Journal.

To submit your materials by email: Send the following materials as separate attachments in the same email (formatted in MS Word), with the subject line “Arkansas Military Historian Essay”:

1. The paper
2. A page with identifying information (author, title of paper, home address, telephone number, e-mail address, and name of school.)

Email to: [raymond.d.screws.nfg@mail.mil](mailto:raymond.d.screws.nfg@mail.mil)

To submit your material by mail:

Send five copies of the paper and five copies of the page with identifying information. In the lower left hand corner on the front of the envelope write: **Arkansas Military Historian Essay Competition** and mail to:

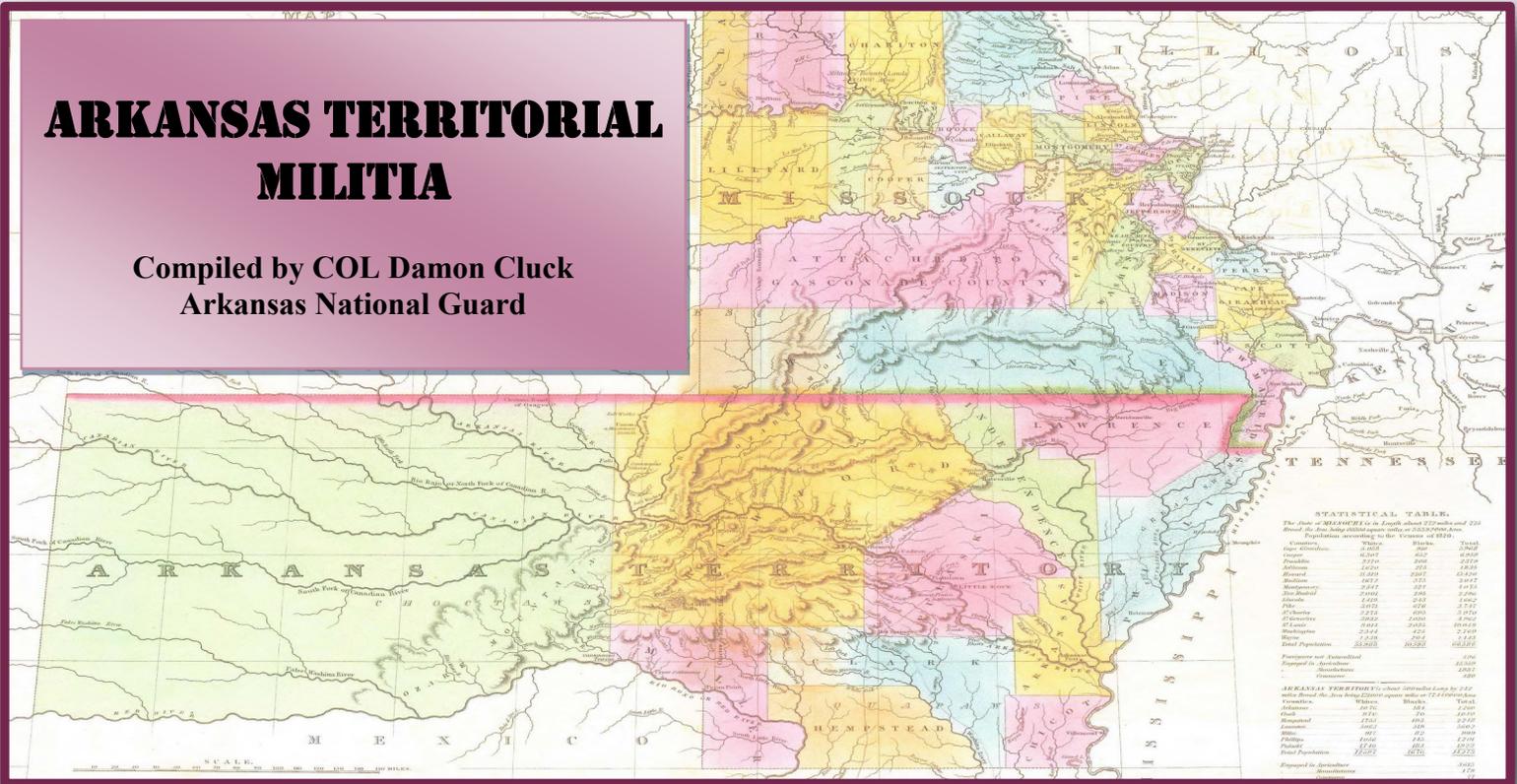
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# ARKANSAS TERRITORIAL MILITIA

Compiled by COL Damon Cluck  
Arkansas National Guard



The Arkansas Territorial Militia was the forerunner of today's Arkansas National Guard. To understand the development of the territorial militia, one must understand the role envisioned by the framers of the constitution for the militia in the national defense, the development of laws governing the militia, and the evolution of what would become the state of Arkansas from the vast lands acquired by the United States in the Louisiana Purchase. The Arkansas National Guard traces its roots to the creation of the territorial militia of the District of Louisiana in 1804. As the District of Louisiana evolved into the Territory of Missouri and the first counties were organized, regiments of the Missouri territorial militia formed in present-day Arkansas. Territorial governors struggled to form a reliable militia system in the sparsely populated territory. When the Arkansas Territory evolved from the Missouri Territory, the militia reorganized, gradually evolving from a single brigade composed of nine regiments to an entire division composed of six brigades, each containing four to six regiments. The local militia organization, with its regular musters and hierarchy added structure to the otherwise loosely organized territorial society. The Territorial Militia quelled problems with the Indian Nations and stood ready to deal with trouble along the Mexican border due to an ambiguous international border and during the prelude to the Texas War of Independence.

## Colonial Militia in Arkansas

Prior to the 1804, "Louisiana Purchase," the area that is now Arkansas was a colonial possession of the European powers of France and Spain. France claimed and governed the area that became Arkansas from 1682 until 1762 when France ceded the colony to Spain. French hunters and trappers settled the area, and many French officials remained in authority even during the period of Spanish rule. **Louisiana** (Spanish: *Luisiana*) was the name of an administrative district of the Viceroyalty of New Spain from 1762 to 1802 that consisted of territory west of the Mississippi River basin, plus New Orleans. Spain acquired the territory from France, who had named it *La Louisiane* in honor of King Louis XIV in 1682. The district retroceded to France, under the terms of the Third Treaty of San Ildefonso (1800) and the Treaty of Aranjuez (1801). In 1802, King Charles IV of Spain published a royal bill on October 15, effecting the transfer and outlining the conditions. However, Spain agreed to continue administering the colony until French officials arrived and formalized the transfer (1803). The transfer ceremony from Spain to France was on November 30, 1803, just three weeks before the formalities of cession from France to the United States pursuant to the Louisiana Purchase.<sup>1</sup>

The French established the first permanent military presents in Arkansas in 1686 when they built a trading fort near the confluence of the Arkansas and Mississippi Rivers known as the Post of Arkansas, or later simply Arkansas Post. Due to constant flooding the actual post was moved and at least four separate forts were built in the area, all designed to protect the local population and control access to the Arkansas River. The Post of Arkansas played a role in many of the wars of the colonial period, including the Chickasaw Wars war of 1736-1763, the French and Indian War of 1754 –1763 and the American Revolutionary War. In 1782, during the American Revolutionary War and the Anglo-Spanish War (1779–83), Spanish Colonial Governor Bernardo de Gálvez recruited men from the Canadian settlements of Louisiana and Galveston to aide their American allies by attacking British interest in the Gulf of Mexico. They participated in three major military campaigns: the Baton Rouge, the Mobile, and the Pensacola, which expelled the British from the Gulf Coast.<sup>2</sup>



Colonial society included several classes, the gentry, merchants, farmers, and hunters. Colonial military officers assigned to Arkansas were members of the gentry, some by virtue of noble birth and some by virtue of obtaining the rank of knight. Merchants, by far the wealthiest segment of society, were next, followed by the few habitants that were interested in agriculture and formed the beginnings of what would become the planter class during the antebellum period. Finally, colonial officials viewed the hunters as an unsavory lower class, not fit for polite society. The national origin of colonial Arkansas habitants was a majority French, but also included a small German community and a few American refugees during the revolutionary period. The French/Spanish militia system was similar in many respects to the English system used in the British colonies, with militia service being mandatory for all males of a certain age. Habitants viewed the militia system as an avenue for advancement in the class system. Colonial militia officers used the honorific Don, which otherwise denoted membership in the landed aristocracy or gentry. In 1803, when the U.S. Congress approved the acquisition of Louisiana, President Thomas Jefferson communicated to congress information regarding the new territory that included background on the geography, the population, the resources, laws in existence and the militia in the region. According to a return made to the Spanish court by the Baron of Carondelet, the District of Arkansas contained one Company of Infantry and Cavalry numbering 100 men. The District of Ouachita, headquartered at present day Monroe, Louisiana, included the area that is now Camden, Arkansas included a single company of Cavalry numbing 100. The same report provided an alternate strength of the militia units in the area with Arkansas listed with 150, and Ouachita listed with 300.<sup>3</sup>

The original act of congress, which provided for the government of the new Territory of Louisiana, directed the organization of a militia with all males between the ages of 18 and 45 liable for service. The Governor of the Territory was empowered to appoint the officers and the President appointed the Commander of the Militia.<sup>4</sup>

## American Militia Tradition

Robert L. Kerby opined in his 1977 article, “The Militia System and the State Militias in the War of 1812” that the militia system of the United States was the product of colonial tradition and experience, modified by a measure of constitutional compromise between the interests of the states and those of the national government. The revolutionary state governments were disinclined to surrender to the new national government prerogatives wrested from the British Empire. During the decade following Independence, the states preserved their authority in matters of military policy. Having repudiated George III for keeping "among us, in times of peace, Standing Armies without the Consent of our legislature," the states respectively retained the power, under the Articles of Confederation, to "keep up a well-regulated and disciplined militia, sufficiently armed and accoutered" to provide for the common defense.<sup>5</sup>

One reason for calling the Constitutional Convention of 1787 was the inability of the weak central government to bring appropriate military force to bear against the members of Shay’s Rebellion. The status of the militia was therefore among the questions debated by the convention. The delegates finally decided to bring the state militias "under one plan of discipline" by giving the new federal Congress authority to "provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving

to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress." Congress was also empowered to "provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions," while the president was designated "Commander in Chief... of the Militia of the several States, when called into the actual Service of the United States." States demanded prompt enactment of specific constitutional assurances guaranteeing the autonomy of the states' authority over their militia forces. "A well-regulated Militia, being necessary to the security of a free State," the Constitution was amended in 1791 to insure that "the right of the people to keep and bear Arms shall not be infringed."<sup>6</sup>

The compromise arranged between 1787 and 1791 placed the militia in an ambiguous situation. The precise relationship between national and state authority was not defined. The success of the militia system would therefore depend upon close cooperation between the states and the federal government and upon the diligence exercised by each sovereign in the exercise their responsibilities.<sup>7</sup>

The first requirement for an efficient militia was organization. Sensitive to the states' concern for the preservation of autonomy in military affairs, Congress provided a regulatory plan to standardize the arming, organization, and discipline of the militia which conformed to existing practice and which encouraged the states to continue building upon past tradition. Although the organic act of 1792 established norms for the organization of militia forces, it did not provide for federal supervision and enforcement. In 1803, in an attempt to introduce a measure of federal supervision, the states and territories were obliged to submit annual militia returns to the war department.<sup>8</sup>

## Creation of a Territorial Militia

The official history of the Arkansas militia begins in 1804, when the United States bought a huge tract of land west of the Mississippi River from France. At the time of the "Louisiana Purchase," the District of Orleans included the area that would eventually enter the Union as the State of Louisiana. The District of Louisiana included all of the area north of present-day Louisiana. At first, the new Indiana Territory administered the "District of Louisiana." In 1804, the District of Louisiana was designated as the Louisiana Territory and the new territory was subdivided into districts – namely, St. Charles, St. Louis, Ste. Genevieve, Cape Girardeau, and New Madrid – stretching along the Mississippi River with no definite boundaries to the west. The area of the present State of Arkansas lay within the District of New Madrid, which stretched from the present Arkansas-Louisiana state line to the present city of New Madrid, Missouri.<sup>9</sup> The authorities found that there were few people in the new territory to enroll in the militia. Low and swampy, early Arkansas attracted few settlers, and many of those who did come were itinerant French hunters and trappers who were hardly temperamentally fit for the militia, which required a settled population.



## Militia law of the District of Louisiana

In October 1804, the governor and judges of Indiana Territory met as a legislative body to begin the process of formulating laws for the huge District of Louisiana. It is from this date that the Arkansas National Guard tracks its earliest formation.

The Militia Act of 1804 contained 24 subsections. It made all males between the age of 16 and 50 liable for militia service excepting superior court judges, supreme court judges, the attorney general, the supreme court clerk, all licensed ministers, jail keepers, and those exempted by the laws of the United States. The act laid out the number of officers required for each company, battalion and regiment and required privates and officers to arm themselves "with a good musket, a sufficient bayonet and belt, or a fuse, two spare flints, a knapsack, and a pouch with a box therein to contain not less than twenty-four cartridges.... knapsack, pouch, and powder horn, with twenty balls suited to the bore of his rifle, and a quarter of a pound of powder." Companies were required to muster every other month, Battalions in

April and Regiments in October. Militiamen who failed to attend muster were fined after being tried by court martial, which the commanders were given authority to convene. The act also created the office of Adjutant General and detailed his responsibilities for the formation of "independent troops of horse, and companies of artillery, grenadiers, light infantry, and riflemen."<sup>10</sup>

Section 24 of the law allowed for the formation of volunteer companies:

*When, in the opinion of the commander in chief, such corps can be conveniently raised, and equipped, independent troops of horse, and companies of artillery, grenadiers, light infantry, and rifle men, may be formed, which shall be officered, armed and wear such uniforms as the commander in chief shall direct.*

These independent companies were the only units in the militia that authorized to standardized uniforms, arms and equipment. Formation of independent of volunteer companies became an important part of society. While there are very few records of any governor during the territorial or antebellum period turning out an entire militia regiment for service other than the required musters, there are ample examples of volunteer or "independent" companies turning out for service during times of war or conflict.<sup>11</sup>

## **The Arkansas District, Territory of Louisiana**

By 1806, the lower two thirds of the District of New Madrid was re-designated as the District of Arkansas; the area had two militia units: one Cavalry Company and one Infantry Company. A roster of militia appointments for the District of Arkansas dated July 14, 1806, demonstrates that the new U.S. Administration attempted to promote continuity and stability in the newly acquired territory by appointing officers who either had previously served as colonial militia leaders and or were early settlers to the post during the colonial period:

Major Francois Vaugine  
Captain of Cavalry Francois Valier (Valliere)  
Lieutenant of Cavalry Jacob Bright  
Cornet Pierre (Peter) Lefevre  
Captain of Infantry Leonard Kepler (Keplar)  
Lieutenant of Infantry Anthony Wolf (Wolfe)  
Ensign Charles Bougie (Bougy)  
Major David Delay, inspector and adjutant general

Several of the new militia officers participated in the transfer of Arkansas Post to the new U.S. administration. On March 23, 1804, when Lieutenant James B. Many of the United States Army arrived at Arkansas Post to effect the transfer, he was assisted in the inventory of Spanish and French property by Joseph Bougy, Francois Vaugine, and Pierre Lefevre.<sup>12</sup> It appears that the Colonial leaders sought to secure their relationship with the new administration by intermarrying with the new American settlers in the regions.

Major Francois Nuisement de Vaugine came to Arkansas as the adjutant-major to the Commander of the Post of Arkansas in the late 1780s and served there during the Command of Don Joseph Bernard Valliere d'Hauterive. Vaugine previously served in Company 4, 1st Battalion, Standing Regiment of Louisiana, Spanish Army, allied with U.S. forces during the American Revolution. Vaugine was approximately 19 at the time of this appointment, but as the son of a noble family, appointment to military office at young age was not uncommon. Vaugine's service as an officer did not end there. Records indicated that he served as captain of militia in the Spanish service in the District of Arkansas in 1791, 1792 and as late as 1799, and probably the transfer to the United states. Vaguine's first marriage was to a daughter of Don Joseph Bernard Valliere. Major Vaugine became a U.S. Citizen after the Louisiana Purchase and was appointed First Judge of the Court of Common Pleas and Quarter Sessions for the District of Arkansas. Major Vaugine continued to serve in the Territorial Militia until at least 1814 and his grave in modern-day Jefferson County, Arkansas is marked with a War of 1812 veterans' headstone.<sup>13</sup>

Captain of Cavalry Francois Bernard Valliere was the son of Joseph Bernard Valliere d'Hauterive, a former commander of the Post of Arkansas during the colonial period. The Valliere and Vaugine families intermarried and remained prominent citizens during the U.S. administration. Don Joseph Valliere received the largest Spanish land grant in the colony.<sup>14</sup> Francois Valliere was at the same time appointed to serve as a Justice of the Peace and Common Pleas for the District of Arkansas.

Lieutenant of Cavalry Jacob Bright was one of the new comers to the post, moving there from Chickasaw Bluffs (present day Memphis) early in 1804. He as a partner in the trading house of Morgan and Bright and did a large business trading with Native Americans and traders at the post.<sup>15</sup>

Cornet Pierre (Peter) Lefevre was also a colonial resident of Arkansas. He moved to Arkansas Post from Vincennes, Indiana in 1788 or 1789. Pierre Lefevre, Sr, and an un-named son appear in the 1791 census of Arkansas Post and he received a land grant from the last Commandant of the Post of Arkansas. The last Colonial Commandant granted Lefevre's petition for an extension of his land grant to build a sawmill.<sup>16</sup> Lefevre owned one of the largest and most well documented houses at Arkansas Post, before suffering bankruptcy in 1810.

Captain of Infantry Leonard Kepler, a member of the small German-speaking community, apparently moved to Arkansas some time prior to 1791. In that year he received, a land grant from Spanish Colonial Governor Esteban Rodríguez Miró y Sabater<sup>17</sup> Leonard Kepler was at the same time appointed to serve as a Justice of the Peace and Common Pleas for the District of Arkansas.

Lieutenant of Infantry Anthony Wolf was likely the son of a German farmer, Michael Wolf, who settled at the Post of Arkansas prior to 1791. Anthony Wolf was born at Arkansas post on February 17, 1782.

Ensign Charles Bougie (Bougy) came to Arkansas Post with two other farming families from Illinois late in 1787. Captain Valliere reported that the new habitants planted their first crops in on ground they had cleared. In the colonial census of 1794, Bougy was the largest slave owner at Arkansas Post, with 11 slaves. He was involved in trade with the Native Americans at Arkansas Post.<sup>18</sup> One of his daughters, Mary Des Ruisseaux (Derreseaux), became the second wife of Major Vaugine after Major Vaugine's first wife died.

## **Militia Law of the Territory of Louisiana**



In 1807, the legislature of the Louisiana Territory passed an updated and expanded Militia Act. The new law had forty-two sections. The maximum age of inhabitants who were required to serve was reduced from 16–50 to 16–45. Militia Officers were now required to wear the same uniform as the United States Army. It increased the frequency that companies were to muster up to 12 times per year, battalions six times and regiments twice. It created the office of Brigade Inspector and set the pay of the Adjutant General at \$150 per year. The procedures for courts martial and the collection of fines and other punishments were significantly expanded. Fathers liable to pay the fines of sons, up to the age of 21, who failed to attend muster. Officers were required to attend training sessions on the Monday before a scheduled muster in order to receive training regarding their duties and on the proper forms of drill. The legislature indicated that where its laws were vague, militia leaders were to look to the regulations of Barron Steuben, which were adopted by Congress in 1779.<sup>19</sup>

Section 37 of the Militia act of 1807 again addressed the formation of volunteer or independent troops of horse and companies of artillery, grenadiers, light infantry, and riflemen. Service in these independent companies was encouraged by exempting members from fines for failure to attend musters of the regular militia. Militiamen received tax exemptions for “a horse, uniform clothing and other accoutrements,” and gained exemption from all civil prosecutions, membership in the volunteer corps.<sup>20</sup>

The legislature of the Louisiana Territory amended the militia law in 1810, to provide for an Inspector General of the Militia with an annual salary of \$250. At the same time, the legislature did away with the salary of the post of brigade inspector and reduced the number of times that the militia would drill each year to six. The legislature also repealed the requirement for officers to meet on the Monday for training before a muster.<sup>21</sup>

## Louisiana Territory becomes the Missouri Territory

On July 7, 1807, the Louisiana Territorial legislature repealed the law establishing the District of Arkansas and extended the authority of the District of New Madrid over the area formerly known as the District of Arkansas. The Legislature also ordered all papers and records of the District of Arkansas delivered to the District of New Madrid. By the summer of 1812, the Territory of Orleans (present-day Louisiana) was ready for admission to the Union as a state. It was thought that the first state to be admitted from the Louisiana Purchase should bear the name Louisiana, so on June 4, 1812, Louisiana Territory was renamed Missouri Territory.<sup>22</sup>

## War of 1812

The first serious test of the new territorial militia came during the War of 1812, which lasted from June 18, 1812, to February 18, 1815. The British provided arms to their Indian allies to conduct attacks on American settlers in Missouri and the Northwest territories for several years prior to the commencement of the war. The British viewed the Indian Nations inhabiting the Mississippi River Valley as valuable allies and a buffer to its Canadian colonies. The Sauk and Fox tribes were key British allies in the war along the western frontier. While no major land battles occurred in the region during the war, the skirmishes with the Indian nations and their British allies in the area north of the Missouri River continued throughout the war and until well after the official conclusion of the war in 1815.<sup>23</sup>

### *GENERAL ORDER TO THE MILITIA OF THE TERRITORY OF MISSOURI 1 MARCH 1813*

*....When companies muster, after the Captain has exercise and inspected his company, they will distribute his company into classes, such as the 1st, 2nd and 3rd class. The first class has the honor of being first called into the field.*

*....No citizen soldier may be ignorant of the manner in which the law requires him to be equipped, he is reminded that is his duty to provide himself with a good musket, with bayonet and belt, or a fusil, two spare flints, a knapsack, powder horn and pouch, with 20 balls, and a quarter of a pound of powder.*

*.....The great boy of the militia will do their duty...the work is their own – the defense of their own fields and fire sides. They have the character, too, of American to support, and the blessings of a mild system of government to preserve.*

*Frederick Bates, acting commander in Chief.*

*William Carr, aide de camp.*

On April 1, 1813, the Militia of the Territory of Missouri was reorganized, under an Act of Congress of the United States providing for the Government of the Territory of Missouri. Since the District of Arkansas had been dissolved. The militia for the former District of Arkansas was officially designated as the 3rd Battalion (Arkansas) of the 5th Regiment, County of New Madrid. Major Vaugine remained in command, but the officers now included several American settlers to the region:

Major Francois Vaugine

1st Company:

Daniel Mooney Capt,

Harrold Stillwell Lt,

Tenace Racine Ensign

2nd Company:

James Scull Capt,  
Peter Lefevre Lt,  
Charles Bougy Ensign

3rd Company:

Blassingham H. McFarlane Capt,  
John Lemmon Lt,  
William Dyle Ensign

Daniel Mooney was appointed as the second Sherriff of the District of Arkansas in 1809. He was identified by Thomas Nuttall as one of the earliest settlers in Arkansas. His name appears in the records of Arkansas County as early as 1804,<sup>24</sup> but he may have been present in Arkansas prior to the Louisiana Purchase.

Harrold Stillwell was the son of an American Revolutionary War Soldier, Joseph Stillwell. The elder Stillwell, while a member of the New Jersey Militia was captured and later released by British soldiers. Joseph Stillwell moved first to Kentucky and then to New Orleans, where he ingratiated himself to the Spanish Government. The Baron de Carondelet, Spanish Governor of the Territory of Louisiana, made an enormous grant of land, on June 22, 1797 along the Arkansas River to Joseph Stillwell. Joseph Stillwell was appointed Judge of the Court of Common Pleas and Harold Stillwell, eldest son of Joseph, was appointed as the first sheriff of the District, which included what is now about the southern two thirds of the state. Harold Stillwell, following in the footsteps of his father. After serving as the first Sheriff of the County, he was their Representative in the 7th and 8th Territorial Legislature, 1829 to 1833.<sup>25</sup>

James Scull was appointed at the same time as a Judge of the Court of Common Pleas and Quarter Sessions. Scull married to Mary Felicite de Vaugine, the daughter Major Francois Vaugine. This union and others like in joined the new class of settlers to the previous French Colonial gentry. Scull eventually became the first Territorial Treasure of the new Arkansas Territory. He was the first Master Mason in Arkansas, receiving his degree on June 17, 1820.<sup>26</sup>

Blassingham Harvey McFarlane was an early settler along the White River. McFarlane settled at the confluence of Polk (Poke) Bayou, and the White River, near present day Batesville, in 1804.<sup>27</sup>

## Missouri Ranger Companies

The history of constant British agitation and conflict with the Indian nations led territorial delegates to the U.S. Congress to urge for the creation of Ranger Companies to assist with patrolling and construction of forts along the Missouri Frontier. In the winter of 1812–13, Congress passed a law authorizing the president to expand the army by raising additional companies of rangers for the protection of the frontiers. In the spring of 1813, three ranger companies were accepted by the Governor of the Missouri Territory.<sup>28</sup>

Among those recruited for service in the Missouri Rangers were members of the Territorial Militia from the District of Arkansas. Edmund Hogan of the 7th Regiment, (Arkansas County), Missouri Territorial Militia eventually filed a claim for pay for services rendered during the war. The petition that Hogan, along with 12 others signed claimed that the militiamen were called into service in May 1813, and that they had served for three months in Ranger Companies organized by Captains Daniel M. Boone, David Musick and Andrew Ramsay and had not been paid for their services.

### *PETITION TO CONGRESS BY U. S. MISSOURI RANGERS*

*December 17, 1814 To the Honorable the Senate and House of Representatives of the United States of America, in Congress assembled.*

*The petition of the Undersigned inhabitants of the Territory of Missouri Most respectfully sheweth,*

*That in the Spring of the Year 1813, when the Frontiers of this and the adjacent Territory were in great*

*danger, they with others who were disposed to avenge the wrongs committed upon their Countrymen in this quarter, and as they understood under the authority of the then Secretary at War joined certain companies of Rangers that were then raising in this Territory, under the command of Captains Daniel M Boone, David Musick, and Andrew Ramsay: ....That your petitioners entered the said service as privates and were received Mustered and inspected about the Twentieth day of May in the same Year, and continued therein until about three Months thereafter when they were dismissed by Brigadier General Howard,...*

*....That since the time of their dismissal, all their efforts to obtain payment for their Services, thus rendered, have been unavailing, and in violation of one of the Maxims of a just Government, that compensation shall be made for all services the public require and receive from individuals-.-.They might with much truth and propriety urge the great sacrifices they made in leaving their families in the Spring, at a time when it was necessary to put in their Crops, to defend their Country. And the losses they have experienced from being put out of employ. the remainder of the Year; but they content themselves in submitting the facts to the National Legislature in the just hope and expectation that they will receive that compensation to which they are justly entitled for their services and that your Honorable bodies will take the circumstances of their case into your wise consideration and grant them relief And they,*

*St Louis December 17, 1814*

*John H. Mifflin  
John Lioual Lefevé  
John H. Madison  
Andrew Sumott  
Andrew Litle  
Thomas Massie  
Gorge Simpson  
John Gibson  
Edmon Hogan  
Mishack Walton of Musicks Company  
James Cleaver  
Joshua Palen  
Corpl Henry Haverstick*

Brigadier General Howard endorsed the petition and indicated the militiamen were received into the service of the U.S. in the spring of 1813, as Rangers by direction of the Secretary of War. They were mustered on May 20, 1813, and continued in service for three months, before being dismissed. Howard agreed that they had not been paid for their services and indicated that "The situation of these men is hard and in my opinion calls for relief. I address you on this subject because It may require a Law to meet their case. They were at the same expense, in equipping themselves as those who are continued in service; and have performed the same duties until their discharge." Claimant Edmund Hogan, a resident of what would become Pulaski County, was eventually appointed as the Brigadier General of the Arkansas Territorial Militia.<sup>29</sup>

## **The Additional Militia Regiments Formed In Arkansas**

On December 31, 1813, the Missouri Territorial legislature created new counties and at the same time divided the former District New Madrid into the counties of New Madrid and Arkansas. At the same time the militia of Arkansas County was designated as the 7th Regiment, Missouri Territorial Militia. The following regimental officers were appointed:

Lieutenant Colonel Commandant – Anthony Haden  
Major of 1st Battalion – Daniel Mooney

1st Company:

Alexr Kendrick – Captain  
William Glassen – Lieutenant  
William Dunn – Ensign

2nd Company:

James Scull – Captain  
Peter Lefevre – Lieutenant  
Charles Bougy – Ensign

3rd Company:

Samuel Moseley – Captain  
Lemuel Currin – Lieutenant

Major of 2nd Battalion – Blassingham H. Mcfarland

1st Company:

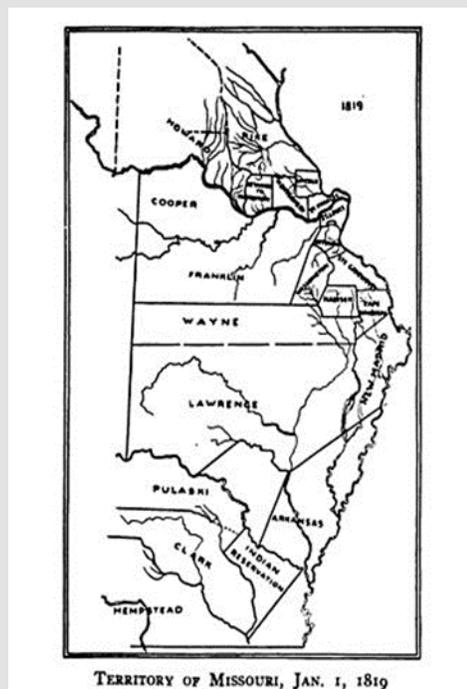
Edmund Hogan – Captain  
John Payatte – Lieutenant  
Joseph Duchassin – Ensign

2nd Company:

John. C Newell – Captain  
Benjamin. Murphy – Lieutenant  
George. Rankin – Ensign

3rd Company:

William Berney – Captain  
Isaac Cates – Lieutenant  
Samuel Gates – Ensign



The 7th Regiment apparently included a volunteer company of Mounted Riflemen, Thomas Reed and Jessie Blackwell are listed as Ensign in the company.<sup>30</sup>

The County of New Madrid still included all of what would eventually become Lawrence County, Arkansas. The New Madrid County Militia was renamed the 5th Regiment of the Territorial Militia and the following regimental officers were appointed:

Lieutenant Colonel Commandant – John M. Hart

Major of 1st Battalion – Stephen Ross

1st Company:

Elisha Winsor – Captain  
Thomas. Winsor – Lieutenant  
Joseph Shields – Ensign

2nd Company:

Edward Mathews – Captain  
Joseph Smith – Lieutenant  
James Lucas – Ensign

3rd Company:

Benjamin Myers – Captain  
John Walker – Lieutenant  
Joseph Westbrook – Ensign

4th Company:

Edward Tanner – Captain  
Andrew. Robertson – Lieutenant  
Jacob Gibson – Ensign

Major of 2nd Battalion – Joseph Hunter

Richard H. Waters Judge Advocate

John Walker Adjutant.

As was the case in the District of Arkansas, the regimental officers for the County of New Madrid, included men who had served in the French/Spanish colonial militias prior to the Louisiana Purchase. During the Spanish/French colonial regime, there were three companies of militia in New Madrid, two companies of infantry and one company of Dragoons. Captain La Valle, Lieutenant La Forge and Ensign Charpentier were the officers on one company and the other militia company was officered by Captain McCoy, Lieutenant Joseph Hunot, and Ensign John Hart. Captain Richard Jones Waters commanded the company of dragoons, with Lieutenant George N. Reagan, and Ensign John Baptiste Barsaloux.<sup>31</sup>

On January 25, 1815, the Missouri Territorial Legislature created Lawrence County from the lower portion of New Madrid County, bounded on the south by Arkansas County. The creation of Lawrence County necessitated the appointment of a separate commander for the county militia. On January 22, 1815, Missouri Governor William Clark commissioned Louis de Mun Lieutenant Colonel and Commandant of the 8th Regiment Missouri Militia. Lieutenant Colonel de Mun, who had command responsibility for all of Lawrence County, was ordered by the governor to "discharge the duty of Lt. Colonel Comdt. by doing and performing all manner of things..." The Executive Proceedings of Missouri Territory October 1, 1816 – March 31, 1817, contains the following appointments in the 8th Regiment, Missouri Territory (Lawrence County):<sup>32</sup>

Louis de Mun – Colonel Commandant  
John Hines – Lieutenant Colonel  
Robert Bean – Major 2nd Battalion

## **Attitudes toward the Militia at the Conclusion of the War**

The Treaty of Ghent, signed on Christmas Day 1814, ended the War of 1812. By 1816, significant Indian resistance to white settlers in Missouri was at an end. Overall, while there were notable bright spots for the militia during the war, such as the conduct of the Missouri Ranger Companies, and the success of General Andrew Jackson's largely militia force during the Battle of New Orleans, the American militia system came in for much criticism for its conduct during the War of 1812. Between 1812 and 1815, numerous contemporaries testified that militia soldiers were often "very little better than an infuriated mob" and agreed with the observation that the American militia reaped "a plentiful harvest of mortification and disgrace." Samuel P. Huntington attributed the inadequacies of the militia to the "constant confusion and bickering" caused by the scheme of dual control erected by the Constitution and the act of 1792. In the two decades between the establishment of the militia system under the new constitution and the War of 1812, however, the military potential of the militia system was undermined by the society it was designed to defend. The federal government could have done more to supervise and standardize training and to press for the enforcement of the militia laws. Robert L. Kerby assigned the chief fault for the failure to implement the system to the states. Having struggled to achieve the principle that a well-regulated militia is "necessary to the security of a free State,"<sup>33</sup> the states, during the first twenty years between the adoption of the Second Amendment and the war, virtually abdicated responsibility for maintaining their militia forces.

In the years immediately following the War of 1812, the growing professionalism of the regular army, and the poor wartime performance of the militia led many leaders argue for more reliance on a larger standing army. Correspondence between Brigadier General Gains to and Secretary of War John C. Calhoun regarding his preference for regular troops rather than militia forces during hostilities with the Seminole nation in Florida reflects this belief. Gains explained why he had not called on militia support, by commenting "had I not been taught by painful experience that the good to be expected from a force of drafted militia falls too far short of the common expectation." However, the Militia tradition was not dead. Financial realities ultimately weighted in favor of a continued reliance militia system. A financial panic in 1819 led to a debate in the Sixteenth Congress about the role of the standing army vs. the militia. "The anti-army faction asserted that the militia was the only safe and reliable defense for the nation, while a standing army was not only dangerous, but expensive and burdensome."<sup>34</sup> Legislation passed on March 2, 1821, reducing the regular army from 10,000, to 6,000. For at least another generation, the views of Jacksonian Democrats on national military strategy still preferred a militia system to a large standing army. Throughout the territorial period, Territorial governors and legislatures struggled to produce an efficient militia system up to the task of providing for national defense.

## The Militia Law of the Missouri Territory, the First Race Requirement

The legislature of the new Missouri Territory enacted a new militia law in 1815. The Missouri Territory Militia Act of 1815 included 47 sections and changed the service requirements. "Every able bodied, free white male Inhabitant of this territory, between the ages of eighteen and forty-five years, shall be liable to perform militia duty." This was the first reference to the race or status of militiamen in the territorial militia laws. The act, like the previous militia laws, provided for the formation of volunteer companies in addition to the standard militia regiments and provided for the horse and other equipment of members of these volunteer companies to be tax exempt. The militia law changed in 1816 to clarify those persons exempt from militia duty, clarify the duties and account responsibility of paymasters, clarify court martial procedures and to provide for the collection of fines levied by courts martial by the sheriff or constable. The Militia law changed again in 1817, to provide for payment of those members detailed to sit on courts martial, to set the fine for failure to appear at muster at two dollars, and to allow the sheriff a fee of ten percent for collection of fines imposed by the militia courts martial. On December 15, 1818, the Missouri Territorial legislature divided the southwestern part of Arkansas County into three new Counties named, Pulaski, Clark and Hempstead.<sup>35</sup>

## Arkansas Territory

On March 2, 1819, President James Monroe signed the bill creating Arkansas Territory. The act, which created Arkansas Territory, provided that the territorial governor "shall be commander-in-chief of the militia of said territory, shall have power to appoint and commission all officers, required by law, be appointed for said territory..." At the time of its formation, the new Territory of Arkansas included the five counties: Arkansas, Lawrence, Clark, Hempstead, and Pulaski.<sup>36</sup>

## First Territorial Governor, James Miller, 1819–1824



The first governor of Arkansas Territory, James Miller, seemed at first to be the ideal man to establish a militia in the wild new region. Born in 1776, Miller joined the United States Army at an early age and was commissioned an infantry major in 1808. Soon after the War of 1812 broke out, he was promoted to lieutenant colonel of the Connecticut Volunteers. At the Battle of Lundy's Lane, July 25, 1814, Miller gained fame when he responded, "I'll try, sir!" to his commander's question if a British artillery battery on a hilltop could be silenced. The young commander proceeded to take the entire battery, an accomplishment that won for him a promotion to brigadier general as well as a special gold medal from a grateful Congress. Miller distinguished himself in other battles during the War of 1812, including Niagara, Fort Erie, and Chippewa.<sup>37</sup>

The largest hindrance to effectively organizing the militia was the scattered population of only 14,273; and of this number, the majority were scattered around the state on isolated farms. The only real town in Arkansas in 1820 was Arkansas Post, a tiny village of no more than forty houses. To make matters worse, there were few roads in Territorial Arkansas, making communication with the militiamen very difficult. Adjutant General A. P. Spencer noted that some militia units were unable to drill since "the extent of Territory they cover is to [sic] great to muster them at one point." As late as 1827, Governor George Izard complained of the difficulty of organizing the rural Arkansans into a cohesive militia force: "The scattered state of our Population here and the constant changes of Residence among the Inhabitants make it impractical to organize the Militia in such a manner as may render their Service prompt and efficient."<sup>38</sup>

One of the continual organizational problems from the very start was arms procurement. It was a common misconception that the frontiersmen had plenty of weapons in their own family arsenal to arm the militia. And, indeed, the federal Militia Act of 1792 did provide that militiamen were to provide their own arms and equipment; mounted men were even required to provide their own horse and saddle.<sup>39</sup>

Governor Miller realized that the new Arkansas Militia needed arms, therefore, immediately upon his appointment he went to Washington, D. C. where he received an order of the Army Ordnance Department for weapons. On his way, he obtained 400 stand of arms, 40,000 rounds of ammunition, and fifty pistols from the Army arsenal at Pittsburgh, Pennsylvania. Upon reaching Arkansas, Miller discovered there was no public armory, and was forced to store the weapons in a rented building. Miller worked hard to obtain more arms and accoutrements. A "Return of Militia for 1821," located at the Arkansas State Archives, shows that the militia possessed a fairly substantial number of weapons and a diverse variety of related accessories, including: powder horns, pouches, bullet molds, spare flints, cartridge boxes, and belts.<sup>40</sup>

Army officials sometimes proved to be reluctant to cooperate with Miller in his efforts to arm the militia. The War Department had a policy not to supply arms to any militia in which state authorities had not filed reports on its strength. The War Department frequently complained of receiving insufficient reports from Arkansas as its adjutants general apparently had difficulty obtaining cooperation from the commanders in the field.<sup>41</sup>

Governor Miller made the first two appointments in the Arkansas Territorial Militia.

## The First Adjutant General

The Militia Act of 1792 as defined the Office of Adjutant General:

*Sec. 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 state, returns of the militia under their command, reporting the actual situation of their arms, 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...*

Unlike its modern counterpart, the office adjutant general during the 19<sup>th</sup> century was not a command position. While there are examples of adjutant generals assuming command in the field, as was the case during the Pecan Point Campaign, the role of the adjutant general was to act as the military advisor to the governor, conduct inspections and make reports to the commander-in-chief, and to the War Department. The governor served as the commander-in-chief and the units were under the day-to-day command of the senior military commander. In the early territorial period, the senior military commander was a brigadier general appointed by the president. After the territorial militia organized into multiple brigades, and a division formed, the senior commanders were major generals. Some adjutant generals during the 19<sup>th</sup> century did not claim military title; others held the rank of colonel or most usually, brigadier general. This division between the post of adjutant general and brigadier general is confused in certain historical accounts where a brigadier general is identified as the adjutant general; the brigadier general in fact was in command of the Militia Brigade.<sup>42</sup>

Abner P. Spencer arrived in the Arkansas Territory with Governor Miller in 1820. Spencer entered the army from New York on April 30, 1813, as a second lieutenant, assigned to the 29th Infantry Regiment. He was a captain in the War of 1812 and served in the Niagara campaign along with Governor Miller. Spence served as aide-de-camp to General Jacob Brown during the campaigns of 1813 and 1814. Spencer arrived in Arkansas, along with Governor Miller, by a government boat on Christmas Day, 1819. His wife and son accompanied Spencer. Upon reaching Arkansas, they learned that most of the high-ranking posts in the new Territory were already filled, so Governor Miller nominated Spencer Adjutant General of the Territorial Militia. In the early days of the territory, it was common for officials to hold more than one position within the new territory at the same time, so Adjutant General Spencer also served as the sheriff of Phillips County, Arkansas.<sup>43</sup>

General Spencer filed the first known inspection reports of the Arkansas Territorial Militia. The report, dated July 16, 1821, indicates that the Adjutant General had inspected three of the five regiments in the territorial militia. The report states that the expenses for the territorial militia for the period ending October 1, 1821, totaled \$2,399.79. No reason is given for the fact that the 2nd and 5th Regiments were not included in this inspection report. Spencer served as Adjutant General until he resigned in 1823. On June 10, 1823, Terrance Farrelly succeed Spencer as Adjutant General.<sup>44</sup>

<b>Inspected</b>	<b>1st Regiment, Col J Ross</b>	<b>2nd Regiment Col John Willis</b>	<b>4th Regiment, Maj Townsend</b>
<b>Colonels</b>	<b>1</b>	<b>1</b>	
<b>Lieutenant Colonel</b>	<b>1</b>		
<b>Majors</b>			<b>1</b>
<b>Aides</b>	<b>1</b>		
<b>Paymaster</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Quartermaster</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Surgeon</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Surgeon Mate</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Captains</b>	<b>4</b>	<b>8</b>	<b>3</b>
<b>1st Lieutenant</b>	<b>4</b>	<b>8</b>	<b>4</b>
<b>2nd Lieutenant</b>	<b>4</b>	<b>8</b>	<b>4</b>
<b>Ensign</b>	<b>2</b>	<b>8</b>	<b>4</b>
<b>Sergeant Major</b>			<b>1</b>
<b>Sergeants</b>	<b>8</b>	<b>24</b>	<b>16</b>
<b>Corporals</b>	<b>6</b>	<b>13</b>	<b>10</b>
<b>Musicians</b>	<b>2</b>		<b>8</b>
<b>Privates</b>	<b>148</b>	<b>385</b>	<b>171</b>
<b>Muskets</b>	<b>15</b>	<b>2</b>	
<b>Cartridge Boxes</b>		<b>2</b>	
<b>Rifles</b>	<b>85</b>	<b>283</b>	<b>131</b>
<b>Powder Horns</b>	<b>73</b>	<b>283</b>	<b>131</b>
<b>Pouches</b>	<b>73</b>	<b>283</b>	<b>131</b>
<b>Bullet Mold</b>	<b>38</b>		<b>131</b>
<b>Fifes</b>	<b>4</b>	<b>2</b>	
<b>Drums</b>	<b>4</b>	<b>2</b>	

## The First Brigadier General

William O. Allen, another veteran of the War of 1812, secured an appointment as Brigadier General of the Territorial Militia. In the early 19th century, the Brigadier General had important day-to-day administrative responsibilities similar to those of the modern day adjutant general. President James Monroe accepted the recommendation and nominated Allen for the position. Allen won election to the House of Representatives of the Territorial Legislature in November 1819. Allen asked that the office of Adjutant General not be filled until the militia of the territory was organized into two or more brigades. He also supported the establishment of the territorial capital at Arkansas Post, rather than Little Rock. On March 10, 1820, while the Senate was in the process of rejecting Allen's nomination as Brigadier General of the Arkansas Territorial Militia, he was mortally wounded in a duel with Robert C. Oden, a leading Little Rock lawyer. Brigadier General Allen and Oden had apparently quarreled in a tavern at Arkansas Post over a cane, which Brig-

adier General Allen carried. The quarrel resulted in Allen issuing a challenge to Ogden and the two met to fight a duel on a sandbar on the south bank of the Arkansas River. Allen's shot apparently struck Oden in the waist, wounding but not killing him. Oden's shot struck Allen in the head. Allen died at a friend's home one week later. Oden was tried and acquitted of "Receiving a Challenge." This duel resulted in a stiffening of the territorial law against dueling. News of Allen's rejection by the senate apparently arrived in Arkansas after he had died. It appears that Brigadier General Allen had run afoul of the Territorial Secretary, Robert Crittenden and this political difference may have resulted in the rejection of his nomination. General Allen was responsible for forming the Arkansas Militia into a brigade and with appointing Alexander S. Walker as the commander of the 1st Regiment, Arkansas Militia.<sup>45</sup>

## **Brigadier General Hogan**

Governor Miller secured the appointment of Edmund Hogan as Brigadier General, in order to replace Brig. Gen. Allen. Edmund Hogan was a wealthy land owner, judge and Speaker of the House of the territorial legislature whose previous military service included 90 days service in the Missouri Ranger Companies during the War of 1812 and an 1814 appointment as Captain of the 1st Company of the 2nd Battalion of the 7th Missouri Territorial Militia Regiment (Arkansas County). Hogan was probably born in Anson County, North Carolina, in 1780 and grew up in Georgia. Early biographer, Josiah Shinn indicated that Hogan lived in Pulaski County, Georgia, and served as a tax collector, sheriff, state legislator, and a lieutenant colonel in the Georgia militia. However there is reason to question these alleged early accomplishments. The date of his settlement in the Missouri Territory is somewhat unclear, as is the nature of his service during the War of 1812. Many early sources give his arrival in the area that became Little Rock as about 1814, which seems to correspond with his appointment as a captain in the Territorial Militia of Arkansas County. However, it appears that he was at least present in the Missouri Territory, if not the District of Arkansas prior to this appointment. There is evidence that Hogan may have originally settled in the District of Cape Girardeau in what is now southeast Missouri, before moving south to the area that became Arkansas County. In 1798, Hogan owned a farm in the District of Cape Girardeau, across the Mississippi River, from Thebes, Illinois. In 1803, Edmund Hogan appears among the heads of household in the Cape Girardeau District of the Louisiana Territory, at the time of the Louisiana Purchase by the United States from France. In 1806, he served a commissioner to help establish the city of Cape Girardeau. He was a Justice of the Peace for Cape Girardeau on July 8, 1806. His name appears on a September 9, 1811, petition signed by inhabitants of the Territory of Louisiana, asking that Congress pass a law to admit the area to the Second grade of Territorial Government, which entitled them to a delegate in Congress. Some of the names on the petition are annotated as residing in the District of Arkansas, but Hogan's is not. Noted Arkansas Historian Margaret Smith Ross, in a 1956 study of squatter's rights in early Pulaski County, Arkansas concluded that Edmund Hogan was present in Pulaski County as early as 1812.<sup>46</sup>

Whatever the date of his settlement near present day Little Rock, Hogan was one of the first to operate a ferry directly across from *la petite roche*, or "the little rock," a strategic spot on the Arkansas River. Edmund Hogan was the first justice of the peace appointed by the authorities of the Territory of Missouri in Pulaski County upon the formation of the county in 1818. Arkansas County in the third Territorial General Assembly of Missouri in 1816 and 1818, and he served as the Speaker of the House of the Territorial legislature in 1818. On December 18, 1818, Fredrick Bates, Secretary and Acting Governor of Missouri appointed Hogan as Justice of the Peace for several townships in the newly created Pulaski County.<sup>47</sup> In 1821, he was elected Pulaski County representative to the Arkansas Legislature and served until his death in 1828.

By 1820, Hogan sold the ferry and established his home in Crystal Hill, in Pulaski County. He brought with him several slaves and a large amount of money. He was one of the richest men in the territory during the early days, but due to numerous lawsuits arising from land transactions, he lost a large amount of his wealth. His residence at Crystal Hill was described as "the center of fashion and intelligence" of Pulaski County. Naturalist Thomas Nuttall visited Hogan on trips through Arkansas Territory in 1819 and 1820, and wrote of Hogan's place as the "settlement of Little Rock." Governor Miller wanted to make Crystal Hill his personal residence and urged that it become the location for the capital of the State.<sup>48</sup>

President Monroe appointed Hogan as the Brigadier General of the Arkansas militia on March 24, 1821, and he held

the post for approximately two and half years before resigning on October 14, 1823. Hogan apparently took great interest in his military position, and in conjunction with Governor Miller tried to improve the readiness of the militia of the Territory. He was most successful in towns like Arkansas Post and Little Rock. He made a fine appearance in his "regimentals," as did the subordinate officers. During General Hogan's time in office, there were many veterans of the War of 1812 in the territory. They have been described by author Josiah Shinn as "the Western type, free and easy in their manners, very outspoken in their conversation and therefore very hard to control. They were not bad men, but men of independence of character and very tenacious of their opinions."<sup>49</sup>

In addition to an aggressive military reputation, Hogan was also aggressive in business. He was involved in the rampant land speculation that accompanied the movement of the territorial capital from Arkansas Post to Little Rock. This land speculation led to Hogan's involvement in numerous lawsuits. The result of one of these lawsuits may have led Acting Governor Crittenden to write Secretary of War Calhoun on January 30, 1823, regarding the procedures for ordering the arrest of Brigadier General Hogan. Secretary Calhoun responded in a letter dated February 18, 1823, and stated that the governor, as the commander-in-chief of the militia, had the authority to arrest any officer of the militia and to order a court martial. The only caveat was that the court martial of a general officer would have to be reviewed and approved by the Secretary of War.<sup>50</sup>

General Hogan was also a veteran of several heated political campaigns for seats in the council of the Territorial Legislature. Hogan represented Arkansas in the Territorial General Assembly of Missouri in 1816 and 1818, when Arkansas was part of the Missouri Territory. In the election of 1827, there were three candidates, Colonel Walker, General Hogan and Judge Scott. The election was apparently very heated. After the election was over, tensions appeared to calm and everything appeared quiet. On May 31, 1828, a public hanging occurred in Little Rock, which drew spectators from far and near. When the hanging was over Judge Scott made his way to the store of McLane & Badgett on the west side of Main Street. He was discussing the circumstances of the hanging, when General Hogan entered the store. General Hogan was a man weighing nearly two hundred pounds, and stood over six feet tall. Judge Scott was a small man, not weighing more than one hundred and thirty pounds. The conversation soon diverged from the hanging to politics, and before the men knew it they were discussing the old Walker and Hogan political race. This apparently reminded General Hogan of something that occurred in the race between himself, Walker and Scott. Hogan turned to Scott and accused him of writing a derogatory letter about Hogan. Scott stated that the General was misinformed. Hogan reiterated his accusation and Scott denied it again, and apparently accused Hogan of lying. Both men were standing up and as soon as Scott made the last remark, Hogan struck him, knocking him to the floor. Scott remained on the floor for a moment, apparently knocked senseless. As Scott revived, he struggled to his feet, and Hogan prepared to strike another blow. As Scott stood, he unsheathed a dirk from a sword cane which he carried and stabbed the General several times into the body. Hogan vomited blood, fell and expired within an hour. Judge Scott was arrested by his brother, United States Marshal George Scott, and was taken before an officer for trial. The court held Hogan to have been the aggressor and released Judge Scott.<sup>51</sup>

According to Goodspeed's Biographical and Historical Memoirs of Central Arkansas, Hogan's original burial site was on the ground overlooking the Arkansas River where the Old State House now stands. Goodspeed reported that excavations made in 1885 for improvements to the Old State House, revealed three or four graves, containing the remains of Gen. Hogan, his wife Frances, and possibly their children Nancy and James. The disinterred bones were placed in the cornerstone of the new addition. Brigadier Hogan served as Brigadier General until he resigned in a letter dated October 14, 1823. President James Monroe appointed William Bradford to serve as the Brigadier General of the Arkansas Militia following Brigadier General Hogan's resignation.<sup>52</sup>

## Terrance Farrelly

Terrence Farrelly was born in County Tyrone, Ireland, about 1795, but moved to Meadville, Pennsylvania, with his parents around 1800. He arrived at Arkansas Post in November 1819, and rented a store from General William O. Allen, where he carried on business until the latter part of 1820. Terrence was not at his new home long before he became acquainted with the rich young widow, Mrs. Mary Mosely. Mrs. Mosely was the richest widow in the territory. He was Adjutant-General of the Arkansas militia under Generals W. O. Allen, Edmund Hogan and William Bradford.

More than that, famed Arkansas historian Josiah Hazen Shinn described Adjutant General Farrelly thus:

*he was the chief adviser of... Bradford, and to this advice the territory was indebted for the nine regiments of splendid troops the territory afforded in 1825. We have had adjutant generals since Farrelly's day, but none that could muster an army like he had under his charge. The regiments were real live flesh and blood soldiers, commanded by the following colonels: First Regiment, Jack Wells; Second Regiment, James Lemons; Third, Joseph Hardin; Fourth, James Scull; Fifth, Thomas Dooley; Sixth, Pearson Brierly; Seventh, Hartwell Boswell; Eighth, Daniel Mooney; Ninth, Jacob Pennington. General Terrence Farrelly was not afraid of any of these colonels, nor of all of them combined. He could make and unmake them at pleasure.*

## First Regimental Commanders

The Militia Act of 1792 specified the officers allotted to the state militias as:<sup>53</sup>

*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.*

The first regimental commanders after Arkansas became a separate territory were:

Brigade	Regiment	Colonel	County
1st Brigade Arkansas Militia	1st Regiment of Arkansas Militia	James Mops, February 19, 1820	Clark,
		Samuel W. Rutherford	
		Jacob Wells, February 2, 1824	
	2nd Regiment of Arkansas Militia	Allen A. Johnson, October 20, 1826	Pulaski
		Edmund Hogan, (later BG) February 17, 1829	
Brigadier General William O. Allen, 1819	James Lemmons, July 29, 1820		
Brigadier General Edmund Hogan, 1820–1823	Robert C. Oden (who earlier killed BG Allen) 1826.		
Brigadier General William Bradford, 1823–1826	<a href="#">Christian Brumback, 1830[i]</a>		
Brigadier General John Nicks, 1826–1831	3rd Regiment of Arkansas Militia	John Miller, February 2, 1820	Lawrence
		Joseph Hardin, December 3, 1825	
	4th Regiment of Arkansas Militia	James Scull, April 17, 1822	Arkansas

Brigade	Regiment	Colonel	County
	5th Regiment of Arkansas Militia	Alexander Walker, February 18, 1820 Thomas Dooley, December 5, 1823 Edward Crop, October 19, 1828 George Hill, January 23, 1830	Hempstead
	6th Regiment of Arkansas Militia	Pierson Brearly, January 13, 1820 Allen Johnson, October 20, 1828 Oliver Langford Gilbert Marshall, February 6, 1829 Bennett H. Martin, February 9, 1830	Crawford
	7th Regiment of Arkansas Militia	Robert Bean, Hartwell Boswell, September 21, 1824 Townsend Dickson, May 12, 1827	Independence
	8th Regiment of Arkansas Militia	Daniel Mooney, September 14, 1821 Wright W. Elliot, October 20, 1828 William R. Horner, January 16, 1829 <sup>54</sup>	Phillips

## Governor George Izard 1824–1828



When newly appointed governor George Izard arrived in Arkansas on May 31, 1825, he found that his predecessor had been unsuccessful in doing more than a bare minimum of militia organization. He found the senior leadership of the Arkansas Militia occupied with other duties. Holding multiple offices was a common practice under Governor Miller. William Bradford, the Brigadier General of the Arkansas Militia, lived at Fort Towson and served as the sutler to the 7th Infantry Regiment. Terrance Farrelly, appointed as Adjutant General in 1823, was living in Arkansas County and serving as the Sherriff of that county. Izard was the ideal man to bring professional military standards to the rough and tumble Arkansas militia. On June 10, 1825, Izard issued a stern general order to all commanding officers telling them to report immediately to either Brigadier General William Bradford at Fort Towson or to the Adjutant General's office in Little Rock. "The organization of the Territorial Militia will engage the full attention of the Commander-in-Chief" Izard wrote, "and will be proceeded on without delay." In a direct warning to recalcitrant officers, Izard promised "the laws for the government of the Militia, will be rigidly enforced..." Izard's interest in the militia attracted widespread attention and support in the state. However, some Arkansans evidently believed that Izard was fighting a losing battle. The editor of the *Arkansas Gazette* endorsed Izard's efforts by urging "the ready and hearty cooperation of every class of our citizens...." But the writer also expressed the belief that the new governor "will find it an arduous task to perform...." Terrance Farrelly reacted to Izard's efforts by resigning the office of Adjutant General in a letter dated June 18, 1825.<sup>55</sup>

## Code duello and Early Militia Officers

Governor Izard appointed Benjamin Desha to succeed Farrelly as Adjutant General. Desha was a veteran of the War of 1812 and a close political ally of powerful Territorial Secretary Robert C. Crittenden. To assist in organizing the forces, Izard appointed two aides, Lieutenants Colonel Henry W. Conway and Ambrose H. Sevier, two of the most powerful political leaders in the Territory. Benjamin Desha held the office of Adjutant General from 1826–1828 be-

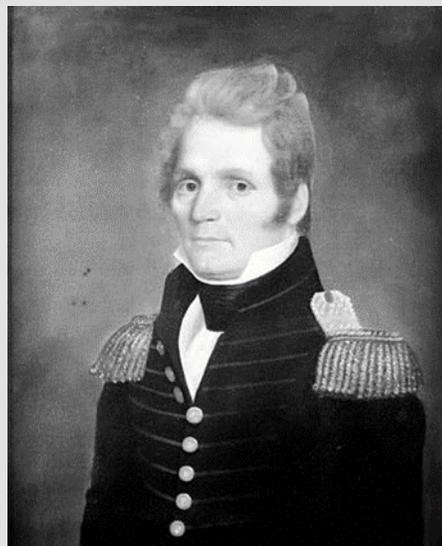
fore resigning in a scandal following a duel between Robert Crittenden and Colonel/Representative Henry Conway. Crittenden and Conway had argued over a political contest between Colonel Conway and Colonel Robert C. Ogden. Crittenden mortally wounded Conway in the duel, which occurred October 29, 1827, on an island in the Mississippi River, opposite the mouth of the White river. Governor Izard next appointed Wharton Rector, Jr. to serve as the Adjutant General. Ironically, Rector had served as the "Second" to Henry Conway in his ill-fated duel with Crittenden.<sup>56</sup>

## Arming the Territorial Militia

Izard found that the state militia had few arms, and he immediately wrote to the War Department for weapons and ammunition to supplement "some boxes of both deposited in a Merchant's Warehouse" in Little Rock. The Secretary of War refused Izard's request since he had not received "returns" of the militia strength in the Territory. The failure to file complete records with the War Department was a common problem throughout the nation. In 1808, Congress attempted to use the power of the purse to encourage the annual submission of militia returns. It appropriated \$200,000 to purchase "arms and military equipments for the whole body of the militia" and offered to donate these supplies to the states in proportion to the numbers of enrolled militia annually reported. This appropriation was repeated each year thereafter. Yet by 1812 only 12,250 stand of the 30,000 made available in 1798 were purchased, and only \$94,792 of the \$1,000,000 appropriated since 1808 had been spent. Federal legislation prohibited a state or territory from receiving its quota of armaments until all records were provided. As early as 1821, Arkansas was denied its quota due to poor reporting. By 1825, Governor Izard reported that the state armaments still amounted to only 400 muskets, 40 pistols, 200 cavalry sabers, 12 drums, 12 fifes, 4000 flints, 40,000 musket ball cartridges, and 3 wall tents.<sup>57</sup>

## First Militia Regulations Published

Izard worked to whip the militia into shape. He and Brigadier General Bradford and Adjutant General Rector pleaded with local commanders to take their responsibilities seriously. Noting that Arkansas lay directly in the path to be used in the removal of the Eastern Indians, the governor spoke frequently of the need "to place the Militia in a condition to afford immediate protection to our settlements, should any disorder attend the passage of those people." Governor Izard's agitation slowly began to get results. In 1825, the legislature authorized the printing of the militia laws of the territory, with a copy of each to go to every officer in the militia. Izard commented "the measures adopted will be of no avail, unless a decided improvement shall take place in the spirit and zeal of the Field and Staff Officers." Izard complained that he was forced to issue three militia reorganization plans in his three years as governor. He worked to regularize musters, established a regimental organization, and tried to improve the officer corps by forcing the resignation of officers who failed to attend musters, left the territory for more than three months, or who failed to send their strength reports. In November 1827, a bill passed providing for the creation of separate battalions in counties was not large enough to form a regiment. The act required that battalion musters be conducted annually in October, and company musters were to be conducted twice annually. Izard's periodic reorganization orders, combined with legislation, resulted in the formation of a much more effective militia system for Arkansas Territory.<sup>58</sup>



## General John Nicks

General Bradford continued in service as both the sutler to the 7<sup>th</sup> Infantry Regiment at Fort Towson and the Brigadier General of the Militia Brigade of the Territory of Arkansas until his death at Fort Towson on October 20, 1826. The president nominated former Lieutenant Colonel John Nicks to become the next Brigadier General of the Arkansas Militia. Like his predecessor, General Nicks served as the post sutler to Fort Gibson until his own death at that location

on December 31, 1831.<sup>59</sup>

John Nicks was born in North Carolina during the Revolution and entered the United States Army as a captain in the Third Infantry July 1, 1808. He served with distinction through the War of 1812 and was commissioned a major of the Seventh Infantry October 9, 1813. He was honorably discharged from the army on June 15, 1815, and on December 2, was reinstated as a captain in the Eighth Infantry with the brevet of major. On June 1, 1816, he was promoted to Major and transferred to the Seventh Infantry. In 1818, he was in charge of the recruiting station at Philadelphia securing recruits for the Seminole War in Florida. During that war, he was actively engaged in assembling and furnishing rations and equipment to the soldiers in Florida and commanded troops in Florida and Georgia. He was later in command of the Seventh Military Department with headquarters at Fort Scott, Georgia.<sup>60</sup>

On June 1, 1819, Nicks was commissioned lieutenant colonel and exactly two years later, after thirteen years of service in the army, he received his honorable discharge. On September 28, 1821, he was appointed sutler to the 7th Regiment then at Fort Jessup, Louisiana, and accompanied that part of his old regiment under Colonel Arbuckle that went to Fort Smith by water and reached there early in the year 1822. After Lieutenant Colonel Nicks took up his residence at Fort Smith he was elected to the Third Territorial Legislature of Arkansas and represented Crawford County in the House of Representatives from October 1823, and was re-elected to the Fourth Legislature serving from October 3, to November 3, 1825.<sup>61</sup>

Upon the establishment of Fort Gibson in April 1824, Colonel Nicks moved with the 7th Infantry as sutler at the new post. Colonel Nicks led a busy life at Fort Gibson in discharging the duties of sutler and representing eastern Oklahoma in the Arkansas Legislature. After the death at Fort Towson October 20, 1826, of Major William Bradford who was serving there as sutler and was also brigadier-general of the militia of Arkansas, President John Quincy Adams appointed Nicks (March 27, 1827) as Brigadier General to fill the vacancy. General Nicks became postmaster at Fort Gibson on February 21, 1827, a station he held to the time of his death. General Nicks became ill at Fort Gibson with pneumonia and after ten days, he died on December 31, 1831. His funeral was the next day. The Protestant Episcopal service was read and he was interred with the full military honors due his rank and service.<sup>62</sup>

## **Militia Divided Into Two Brigades**

The Militia Act of 1792 specified how the state militia units were organized:

*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.*

On November 21, 1829, the Arkansas Territorial Legislature completely overhauled the existing militia law and divided the Arkansas Territorial Militia into two brigades. In April 1830, the United States Congress authorized the Arkansas Territory a second Brigadier General to command the second brigade of Arkansas Territorial Militia.

On April 23, 1830, President Andrew Jackson nominated George Hill to command the 1st Brigade of Arkansas Militia and William Montgomery to command the 2nd Brigade of Arkansas Militia. Brigadier General William Montgomery's appointment replaced Brigadier General Nicks. Brigadier General Nick was forced to vacate the office of Brigadier General of the 2nd Brigade as a result of his residence lying outside the boundaries of the Territory of Arkansas due to the establishment of a new western boundary of Arkansas Territory in 1828. The county militia regiments were assigned to brigades in the following fashion:<sup>64</sup>

Brigade	Colonel	Date of Election	County
1st Brigade Arkansas Militia Brigadier General George Hill, 1830–1836	William B. Woody,	February 9, 1830	Washington,
	Charles H. Pelham,	Feb 5, 1830	Crawford,
	F. N. Clark,	February 9, 1830	Pope,
	Thomas White, Stephen Lewis,	February 9, 1830 September 9, 1830	Conway,
	Christian Brumbach,	July 14, 1833	Pulaski,
	William Baily,	February 15, 1830	Jefferson,
	J Cox,	February 9, 1830	Hot Spring,
	Jacob Wells,	February 9, 1830	Clark,
	Thomas Franklin, Jacob Pennington,	June 16, 1820 January 16, 1832	Union,
	William McDonald,	February 7, 1831	Hempstead,
	James Conway,	October 3, 1825	Lafayette,
	John Clark,	February 15, 1830	Sevier
	John Goodloe Warren Pierson,	1825	Miller
2nd Brigade Arkansas Militia Brigadier General William Montgomery	William Jarrett,	February 5, 1830	Lawrence,
	Thomas Culp,	May 19, 1830	Izard,
			Independence,
	Alfred G. W. Davis, John Saylor,	February 9, 1830 November 11, 1830	Jackson,
	Mark W. J. Zando,	January 23, 1830	St. Francis,
	Mathew Spurlock, Elijah F. Floyd,	January 4, 1831 August 26, 1832	Crittenden,
	James Martin,	February 5, 1830	Phillips,
	Christopher H. Price,	February 5, 1830	Monroe,
	Louis Bobby, William H. Dye,	February 15, 1830 June 6, 1830	Arkansas,
	Andrew Carson, Horace F. Woldworth,	February 9, 1830 February 8, 1830	Chicot

## Election of Militia Officers

The act that created the Louisiana Territory vested in the Governor the power to appoint militia officers. Company commanders selected sergeants within their units. The law reserved to the President the power to appoint General Officers. The Governor appointed the Adjutant General. As we have seen, during the early territorial while Arkansas belonged to the Missouri Territory, the Territorial Governor made all militia appointments. This method gradually gave to a more democratic process in which the enlisted men elected company-level officers. By the time Arkansas became a separate territory, election of company grade officers was the norm. On June 2, 1821, the *Arkansas Gazette* printed the following notice:

*At an election held at the village of Arkansas [Arkansas Post], on the 25<sup>th</sup> on Nov. last, the following gentlemen were elected officers of a Company in the 4<sup>th</sup> regt. Of Arkansas Militia:*

*Oliver H. Thomas Captain.*

*Ignace bogy, first Lieutenant*

*Francois Valliere, second do.*

*Pierre Michelle, Ensign.<sup>65</sup>*

In 1829, the General Assembly of the Territory of Arkansas, in the same act that divided the militia into two brigades, provided for the election of militia officers. The act required the regimental commanders to establish the boundaries of their companies and set the date for the election of regimental and company officers.

By the 1830's, the local newspapers regularly carried notice of militia elections, and the announcement of various candidates for militia offices. Some of these announcements became quite partisan, as in this June 2, 1835 notice that ran in the *Arkansas Gazette*.

#### AUGUST ELECTION – 1835

*We are authorized to announce Mr. William S. Lockert, as a candidate for Colonel of the Pulaski county Regiment of Arkansas Militia, and election for which is to be held at the several Election precincts, in this county, on Saturday, the 13<sup>th</sup> instant.*

*Mr. R.F. Finn desires us to withdraw his name from the list of candidates for the office of Colonel of the Pulaski regiment of militia, in consequence of the Saline nag, Billy having entered for the purse. Finn believed he has the bottom, but acknowledges that Billy has the heels.*

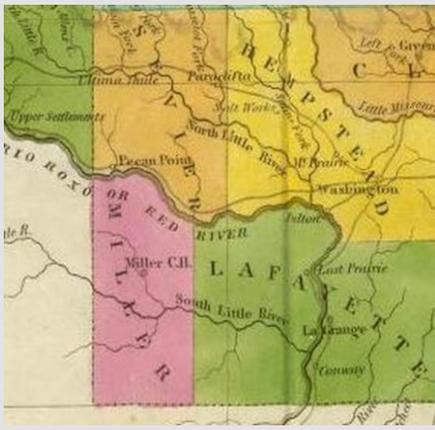
By 1833, militia officers submitted a memorial to congress advocating that the office of Brigadier General be filled in the Militia through election, with only the Field Grade Officers having the right to vote. The election of militia officers frequently resulted in two bad side effects: (1) Officers were elected based on popularity, rather than intelligence or ability, and (2) the militia became deeply immersed in politics. Actually, the militia had long been a stepping-stone to political office: George Washington himself had been a Virginia militiaman. Even the backwoodsman Davey Crockett commented on the political nature of the frontier militia when called upon to give his formula for political success: "Intrigue until you are elected an officer of the militia; this is the second step toward promotion, and can be accomplished with ease." Mr. Shinn wrote that the Territorial Militia officers were often "of the Western type, free and easy in their manners, very outspoken in their conversation and therefore very hard to control." Indeed, Shinn concludes, the militia was composed of "combustible elements."<sup>68</sup>

### Conflict with Native Americans

When Arkansas became a territory in 1819, there were several thousand Indians living in the area. Early Arkansas settlers perceived these Indians as dangerous savages. Most of the tribes, the Quapaw, Caddo, and Cherokee, were in actuality quiet and peaceful. Problems also ensued along the Territorial boundary with the Indian nation, with whites and Indians each wandering across the ill-defined border. The first recorded clash between the Territorial Militia and Native Americans apparently occurred in 1820. A Cherokee chief named Duwali (also known as chief Bowl or Bowles), led his band to settle in the lands along the Red River along the disputed border with Spanish Mexico. Captain George Gray, Indian Agent for the Cherokee Nation at Sulphur Fork, wrote to Secretary of War John C. Calhoun regarding a claim by the Cherokee Nation that two companies of the Arkansas Militia drove them from a village along the Red River. No records exist indicating whether the territorial governor directed or approved of this action or if local authorities executed it on their own. Mr. Calhoun responded to the claim and stated that he lacked sufficient evidence to approve the Cherokee claim for damages resulting from the loss of their villages but pointed out that he could not protect Cherokees if they established villages in areas assigned to whites by treaty.<sup>68</sup>

### The Pecan Point Campaign

The Osage tribe, who ranged over much of northwest Arkansas, were a fierce and warlike plains tribe. Mounted on their ponies, the Osage frequently attacked villages of neighboring Indian tribes. Occasionally white settlers fell victim to the Osage. In March 1820, Reuben Easton, an Arkansas settler, wrote to the War Department complaining of the Osage menace: "There has been a number of murders committed on this river by the Osage Indians and a vast number



of Robbearys [sic] for which the people heir has never Received any Satisfaction..." The Cherokee, who were given a reservation on lands claimed by the Osage, were a more constant target of their warlike neighbors.<sup>69</sup>

Governor George Izard, who succeeded Miller in 1825, attempted to deal calmly with the Indians. However, he was still an old military man, and when trouble between Indians and whites broke out in Miller County in 1828, Izard sent his adjutant general, Wharton Rector, to investigate. Forty-four Pecan Point citizens petitioned Governor Izard on March 20, 1828, asking for protection from hostile Indians. The petition stated that Shawnee and Delaware Indians near the little Miller County settlement of Pecan Point were "pilfering farm houses and Corn-cribs [,] killing Hogs, Driving their Stocks and Horses and Cattle among us ...." If the Indians were not

removed, the settlers protested, there was "no prospect but of being oblidged [sic] to abandon our homes and fields."<sup>70</sup>

Major John Goodloe Warren Pierson, commander of the Miller County militia, asked the governor for permission to call out his company to move against the Indians. The governor, instead, sent Adjutant General Rector to investigate and if necessary "to remove immediately [the Indians], and should they disobey or resist your authority you will call out such a party of the militia as you may consider adequate to compel obedience."<sup>71</sup>



When Rector reached Pecan Point, he found the settlers greatly agitated. The Indians were reportedly stealing and killing livestock and threatening war. Rector immediately ordered the Indians to leave the area, but the Shawnees refused. Calling out sixty-three militiamen under Major Pierson, Rector marched on the main Shawnee village. Just when a battle seemed imminent, the major Shawnee chief announced he would move. The entire Pecan Point foray, about a week in duration, cost the Arkansas militia a total of \$503. Governor Izard, in requisitioning reimbursement from the Secretary of War, detailed costs as follows: Adjutant general's salary (for a full month) and expenses, \$231; pay for one Major for four days, \$12; pay for five company officers for three days, \$30, pay for 56 privates for three days, \$168, rations for all men were a total of \$24.

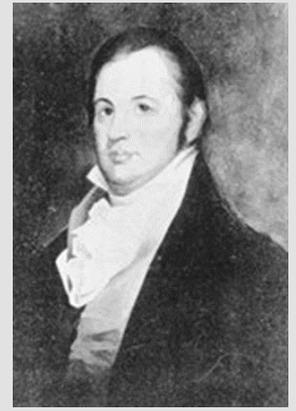
While there were no real battles between the Indians and the Arkansas Territorial militia, the militia did send units on several different occasions to perform patrol duty along the state's western border.<sup>72</sup>

## Social Status

One of the primary roles performed by the militia during the territorial period was social. The prominent military historian, Russell F. Weigley has gone so far as to write, "... the volunteer [militia] companies were at least as much a social as a military phenomenon." Residents of territorial Arkansas spent much of their lives in virtual isolation. Farms were scattered over a huge expanse; roads were rare, and towns were small in both number and size. In essence, people were lonely and militia service gave them an opportunity to do something out of the ordinary. Early Arkansans, especially the elite, also had a great affection for military titles. "Colonel" Robert Crittenden was a mere ensign during his military career, and "General" John Harrington had not served in the regular Army at all!<sup>73</sup> The militia gave status-conscious early Arkansans an easy opportunity to win a military title at very little expense in effort.

## Governor John Pope, 1829–1835

President Andrew Jackson appointed John Pope to become the third Governor of the Arkansas Territory on March 9, 1829. Pope was a Kentuckian who, due to the loss of an arm as a youth had no prior military experience. On June 12, 1833, Governor Pope appointed William Field to serve as Adjutant General.<sup>74</sup>



### A Militia Muster

A muster of the militia during the 1820s or 30s was often an impressive occasion. In more populous areas of the eastern states, the local militia company sometimes drilled as often as once a month. However, where travel was difficult, as in most of early Arkansas, musters usually took place once or twice a year. The legislature of 1827 specified that battalions drilled annually in October, and company drilled at least twice a year, the first Saturday in April and October. Through the years, the date of July 4 evolved as an important mustering time in Arkansas. It was a convenient date to drill since the crops were generally planted by that time, and besides, everyone wanted to have an excuse for a get-together on Independence Day.

#### *COMPANY ORDER*

*THE Company of Arkansas Militia, embraced in the townships of Big Rock and Saline, in the county of Pulaski, are hereby ordered to parade, completely armed and equipped as the law directs, for Company exercise, at the Tavern of N. Peay, in the town of Little Rock, on the following days, viz.:*

*On Tuesday, the 4th day of July next, On Saturday, 9th September next, and On Saturday, 14th October next.*

*A strict compliance with this Order is expected. All delinquents or absentees will be reported to the Court-martial, and fined according to law.*

*By order of Capt. Wheat: R. Munson, Ord. Serg't. Little Rock, June 27, 1826.*<sup>74</sup>

The muster might begin with the firing of a volley, as was the case in 1837, when Captain Albert Pike's artillery company put on quite a show for the residents of Arkansas' capital city. It is difficult to reconstruct the precise manner in which muster training was carried out for few sources exist on the subject. However, it is likely that training was informal, with a good deal of marching and some practice in the manual of arms. Target shooting frequently was included in the day's activities. It is also likely that the muster ended with a large dinner or party, including a liberal amount of whiskey drinking. Sometimes the heavy whiskey drinking began before the muster actually got under way.<sup>75</sup>

In 1830, the Pulaski County regiment was ordered into a special muster for the purpose of being inspected by the governor. The following notice appeared in the local paper:

*Regimental Order Head Quarters Little Rock, January 25, 1830*

*Pursuant to a General Order, issued by the Commander-in-Chief of the Militia of the Territory of Arkansas, on the 21st inst., I do hereby order that all persons attached to the Regiment of Militia composed of the county of Pulaski meet at the house of Nicholas Peay, in the Town of Little Rock, on Saturday the 27th day of February next, at 10 o'clock in the fore-noon, of said day, completely armed and equipped according to law, for the purpose of farther organizing said Regiment.*

*All persons residing within the limits of said Regiment, having in their possession any of the Public Arms belonging to the Territory of Arkansas, are hereby required to deliver the same to the Colonel Commandant, on or before the 27th day of February next. Those who fail to comply with this order,*

will be subjected to the penalties prescribed by law.

*Christian Brumbach Colonel Commandant Militia of Pulaski Co. A.T.*

The regimental commander was a German immigrant by the name of Christian Brumbach. Brumbach, though conscientious, was given to ostentatious military display. He augmented his uniform with heavy gold lace and gilt bullet buttons topped off with a cocked hat and large plume. As the men formed for inspection, the commander discovered some were armed with hickory sticks while others shouldered umbrellas. As the governor's party passed in review, a thunderstorm erupted and, much to Commander Brumbach's dismay, many of the militiamen scurried for cover. Those armed with umbrellas remained in formation. The furious Brumbach, his plume drooping in the rain, ordered a court martial to try the runaways. They were each fined five dollars, and soon thereafter Christian Brumbach resigned his command and left Arkansas.<sup>76</sup>

### Militia Re-organized into Six Brigades

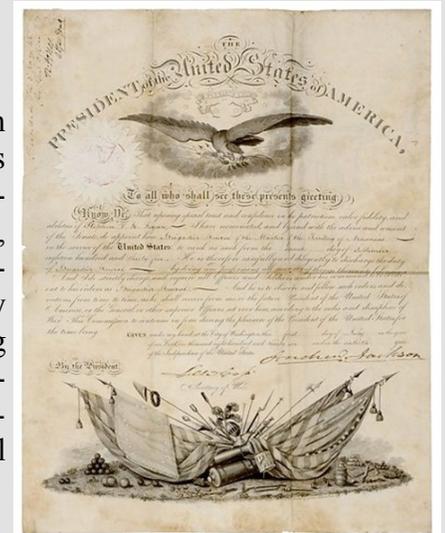
In 1832, the reported militia strength of Arkansas Territory was 2,028. On November 16, 1833, Governor Pope signed a bill from the Territorial Legislature, which divided the territorial militia into six brigades and formed them into a new division. Each new brigade was authorized a Brigadier General to command. The new Brigadiers were required to renumber the regiments within their respective brigades and report this number to the Major General commanding the division. The existing county regiments divided into their new brigades as follows:<sup>77</sup>

Division	Brigade	Colonel	County
1st Division Arkansas Militia	1st Brigade Arkansas Militia	Colonel Thomas J. Mills, February 8, 1836	Mississippi
		Colonel Alphs Madden, September 17, 1833	Phillips,
		Colonel Elijah Floyd, August 26, 1833	Crittenden
		Major Alpheus Maddox, September 17, 1833	Monroe
			Green
		Colonel George Birdwell, September 17, 1833	St. Francis
	2nd Brigade Arkansas Militia Brigadier General Stephen V. R. Ryan	Major William Bailey, February 15, 1830	Jefferson
		Colonel William Dye, 6 January 1836	Arkansas
		Colonel Horace F. Walworth, February 8, 1832	Chicot
		Major Jacob G. Pennington, January 30, 1832	Union
		Colonel William McDonald, February 7, 1831	Hempstead
	3rd Brigade Arkansas Militia Brigadier General George Hill	Colonel James S. Conway, October 23, 1828	Lafayette
		Colonel William L. McMillin, April 26, 1832	Sevier and Miller
		Colonel A. J. Rutherford, August 7, 1833	Clark
			Pike

Division	Brigade	Colonel	County	
1st Division Arkansas Militia	4th Brigade Arkansas Militia	Colonel William S Lockhardt, August 1835	Pulaski	
		Colonel Bennett B. Ball, August 21, 1833	Conway	
		Major Alfred G. W. Davis, February 15, 1830	Jackson	
		Colonel Hartwell Boswell, March 12, 1827	Independence	
	5th Brigade Arkansas Militia			Scott
		Colonel Bennel H. Martin, February 9, 1830	Crawford	
		Colonel William G. W. Tewault, July 9, 1835	Pope	
			Johnson	
		Colonel Jeepee Barlett, August 26, 1833	Hot Springs	
			Van Buren	
	6th Brigade Arkansas Militia	Colonel Daniel Thomason, 3 November 1832	Washington	
		Colonel John M. Campbell, February 5, 1834 Colonel John D. Pison, November 23, 1835	Carroll	
		Major Thomas Culp, May 19, 1830	Izard	
Colonel William Jarrell, February 5, 1830		Lawrence		

## Brigadier General Ryan

On December 18, 1835, President Andrew Jackson nominated Stephen Van Renssalaer Ryan to command the 2nd Brigade of the Arkansas Militia. Ryan was not typical of the type of men that received appointments during the Jackson administration. An 1825 graduate of the United States Military Academy at West Point, Ryan served in the garrison at Fort Monroe, Virginia, where he attended the Artillery School for Practice, at Fort Gibsonia Indian Territory. He was on commissary duty at the new federal arsenal in Little Rock from 1831-1832, before resigning from the Army in 1833. He took up residence at the Mississippi river town of Napoleon, Arkansas where he purchased a warehouse, served as postmaster, and was involved in real estate transactions concerning the establishment of a Naval Hospital at Napoleon.<sup>78</sup>



## Governor William S. Fulton, 1835–1836

President Andrew Jackson appointed William S. Fulton to become the fourth and final territorial governor of Arkansas on March 9, 1835. He served until replaced by the first elected governor of the new state of Arkansas in 1836.

## Conclusion

Throughout the Colonial and Territorial periods, the European Militia system, and its American cousin, formed one of the key institutions for organization of frontier society. During the Colonial period the militia provided class-conscious

habitants an opportunity to climb the social ladder. During the transition from European Colony to United States territory, the common militia customs and traditions provided a vehicle for the integration of the existing French and German settlers into the new American government and society. The performance of the U.S. militia system during its first post-revolutionary period conflict, the War of 1812, was not up to expectations, the democratic nature of the American society and fiscal realities combined reinforced the nation's long held preference for entrusting national security to the militia rather than a large standing army. Perfecting the Militia as a competent and capable defender of territorial and national security was the constant work of the Territorial Governors and Legislatures. The first real test of that ability would have to wait until the Arkansas Territory achieved statehood.

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4. *A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 - 1875 Statutes at Large*, 8th Congress, 1st Session, Page 287 of 831, accessed 23 June 2016.
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## Featured Artifact: Model of 1816 Musket



Photo Credits: Painting depicting the Battle of Waterloo. (BBC.COM)

By Major Matthew W. Anderson

November 23<sup>rd</sup> marked the 200<sup>th</sup> Anniversary of the first American military standardized production musket, the Model of 1816. The Model 1816 musket came at a time in American history in which Americans found a new sense of unity following the War of 1812. The musket was in service for next fifty years in the regular army and militias of the United States during westward expansion, the Mexican War and in both the US and Confederate armies during the War between the States.

During the War of 1812 American forces predominantly used the Model of 1795, the first official US musket, produced as two distinctly different variants by Springfield and Harpers Ferry patterned after the French Model 1763 Charleville Musket. Even as the Model of 1795 was being produced, other more modern variants were being evaluated as a replacement. On June 10, 1815, Colonel Decius Wadsworth, Chief of Ordnance advised the Secretary of War that a new musket patterned after the French Model 1777 Charleville Musket was needed to replace the mixed assortment of weapons and calibers in federal stock as well as to incorporate improvements from experience in the War of 1812.

Springfield Armory Superintendent Colonel Roswell Lee and Harpers Ferry Superintendent Mr. James Stubblefield were requested on May 16, 1816 to each submit three muskets for evaluation. On June 24, 1816, Colonel Wadsworth received the muskets and evaluation was conducted over the course of the next month. In a letter dated July 24, 1816, to both Superintendents it was noted that interchangeability of parts was a necessity. The Springfield pattern won out but with further refinements. The new Springfield pattern was completed in August and submitted for evaluation. A letter on August 6, 1816, from Colonel Lee to Mr. Stubblefield outlined the changes made, which included the brass pan being inclined, top of frizzen being turned forward, top end of frizzen spring turned downward, reduced size of the lock, and the combless stock. On November 23, 1816, final design changes were approved by the Secretary of War designating it the Model of 1816 Musket. On November 27, 1816, Deputy Chief of Ordnance Lieutenant Colonel George Bomford notified Colonel Lee that it was approved and directed Springfield to build six examples with six sets of gauges to be shared between the armories to aid in manufacturing standardization. The example pattern muskets were completed in January 1817.

With the Model 1816, the first attempts to standardize production between the two armories was undertaken with the goal to eventually interchange all parts. This would be a gradual process as improved manufacturing processes were developed. To further standardize production, On September 3, 1821, Lieutenant Colonel Bomford directed thirty muskets to be made at each of the armories. These were evaluated and the Harpers Ferry design was selected due to the greater uniformity in production. Superintendent John H. Hall was instrumental in the advances of standardized manufacturing processes to achieve parts interchangeability. Examples were sent out to Springfield Armory and to contractors as patterns for manufacturing parts. One minor change that can be observed is the lower sling swivel on

Springfield manufactured Model 1816s after 1822 moved from the trigger plate extension to the front of the trigger guard following the Harpers Ferry pattern. By 1844, roughly 700,000 Model 1816 muskets would be manufactured, more than any other U.S. musket.

There are generally three variants that are recognized today. The first type was finished in what is called National Armory Bright, which is polished steel. On August 27, 1821, both armories were instructed by Lieutenant Colonel Bomford to switch to a browning process to finish the steel to protect them from corrosion. Finally, on July 7, 1831, Colonel Bomford authorized the change back to National Armory Bright finish. The change was implemented sometime in July – September 1832. Collectors refer to these as Type I, II, and III.

The Model of 1842 was introduced as an improved musket pattern with the introduction of the percussion cap ignition system replacing the flintlock system. Another improvement, a result of the work on manufacturing processes, the Model of 1842 became the first to have fully interchangeable parts between the two armories.

In the spring of 1842, with the transition to percussion muskets, the Secretary of War directed the inspection of all flintlock muskets in federal inventory to be classified as to their suitability for conversion to percussion. This task was assigned to Lieutenant Peter V. Hagner on June 4, 1842. Four classes were identified. First class was "good and serviceable arms made since 1831." No inspection of these arms was necessary since they were of recent manufacture and parts were mostly standardized. They were to be kept secured only to be issued upon special orders. Second class was "good and serviceable arms made from 1821 to 1831 inclusive." They could be issued for regular use and "suitable to be altered to percussion." Third class was "all arms made from 1812 to 1820 inclusive." They were not suitable for use or conversion and only to be used in an emergency. Fourth class was "arms made prior to 1812." They were to eventually be collected and sold as surplus.

In the 1850's, as regular army units began to receive Model of 1842 percussion muskets, first and second class muskets began the conversion process then were rotated out to state militias to replace their federal stocks of flintlock muskets, which in turn would also be converted if designated first or second class. Several variations of conversion to percussion were used. The Maynard Tape Primer System had a roll of two thin strips of paper glued together with fulminate dots spaced in between. It was found to be faster to operate than percussion caps but had problems with rain and alignment causing frequent misfires in battle conditions. The "French" conversion used a drum and nipple which screwed into the existing hole on the right side where the primer pan was formerly located. The "Bolster" conversion used an odd-shape "bolster" brazed or screwed into the existing hole on the right side where the primer pan was formerly located. Probably the most reliable conversion was the "Belgian Alteration" or "cone type" which involved placing a brass plug in where the primer pan was located and a percussion nipple was screwed into a tapped hole at the top of the barrel, just off-set to the lock-plate side.

The Model of 1816 in its original flint lock configuration required the following steps:

1. The firer cocked the hammer to the half cock position
2. Open the frizzen
3. Tear open a paper cartridge with their teeth
4. Place a small amount of powder in the pan
5. Close the frizzen
6. Pour the remaining 110 grain of powder down the barrel
7. Using the ramrod drive the .65 caliber ball and paper down the .69 caliber barrel or alternatively the "buck and ball" comprised of one .65 caliber ball and three .31 caliber buck shot
8. Move the hammer to the full cock position
9. Aim
10. Fire

The Model of 1816 converted to percussion cap required the following steps:

1. Tear open a paper cartridge with their teeth
2. Pour all 110 grain of powder down the barrel
3. Using the ramrod drive the .65 caliber ball and paper down the .69 caliber barrel or alternatively the “buck and ball” comprised of one .65 caliber ball and three .31 caliber buck shot
4. Move the hammer to the full cock position
5. Place a fulminate filled copper cap on the nipple
6. Aim
7. Fire

By converting Model 1816 muskets to percussion cap, the ordnance department removed three time consuming steps, reducing the reload time and thereby potentially increasing the rate of fire. In flintlocks, sometimes powder in the pan would get wet or would not make sufficient contact with the powder in the barrel resulting in a misfire. Percussion cap systems protected the powder in the barrel from getting wet making it generally more reliable. One drawback was that if you had cartridges you had to have at least as many percussion caps to fire them.



**Picture Above:** Model of 1816 US Musket manufactured at Springfield Armory in 1824 then converted to percussion in the 1850's. Note the brown metal finish. (Arkansas National Guard Museum Collection)



**Picture Left:** Close up view of the trigger housing, lock plate and hammer on the 1824 manufactured Model 1816. Note the conversion to percussion involved the removal of the spring and frizzen as evidenced five studs on the front of the lock plate, the ground down brass flash pan, brass plug to fill the hole from the pan to the barrel, replacement of the hammer, and the addition of the cone in the barrel where the percussion caps would be placed. (Arkansas National Guard Museum Collection)



**Picture Left:** Close up of the inspection cartouche on the 1824 manufactured Model 1816. The letters E. T. 3 appear in the oval which stands for Eligha Tobey one of several inspectors at Springfield Armory in 1824. (Arkansas National Guard Museum Collection)

**Picture Below:** Model of 1816 US Musket manufactured at Springfield Armory in 1835 then converted to percussion in the 1850's. Note the 'National Armory Bright' metal finish. (Arkansas National Guard Museum Collection)



**Picture Right:** Close up view of the trigger housing, lock plate and hammer on the 1835 manufactured Model 1816. Note the conversion to percussion involved the removal of the spring and frizzen as evidenced five studs on the front of the lock plate, the ground down brass flash pan, replacement of the hammer. What is different with this is it appears that the barrel was replaced with a barrel built for percussion cap rather than being converted. (Arkansas National Guard Museum Collection)



**Picture Right:** Close up view of the stock on the 1835 manufactured Model 1816. Soldier carved his initials 'JTC' into the stock. (Arkansas National Guard Museum Collection)



**Picture Left:** Close up view of the inspector cartouche on the 1835 manufactured Model 1816. The letters 'EB' are inside an oval to the right. The name of this inspector is unknown at this time. Also, it is not clear why it was stamped twice and what letters are in the cartouche on the left. (Arkansas National Guard Museum Collection)

**Bottom Right:** Close up view of the barrel proof stamps on the 1835 manufactured Model 1816. With the return to 'National Armory Bright' finish in 1831, Colonel Bomford authorized a varnish comprised of beeswax, turpentine, and linseed oil to protect the finish while in storage. This is likely what has given the metal a yellowish tinge. (Arkansas National Guard Museum Collection)



Model 1816 Flintlock and Percussion Cap Muskets were still in service in militias around the United States at the outbreak of the Civil War. For example, at the Federal Arsenal at Little Rock the Arkansas Militia confiscated 10,247 arms on February 8, 1861.

Model 1816 .69 cal (flintlock) 5,625  
Model 1816 .69 cal (percussion-converted) 53  
Model 1842 .69 cal smoothbore (percussion) 357  
Model 1855 .58 cal rifle-muskets 900  
Model 1816 common rifles 125  
Model 1841 rifle ("Mississippi Rifle") 54  
Model 1847 musketoon 2  
Hall's carbines 267  
Hall's rifles (flintlock) 2,864

It is possible, although not confirmed, that the two examples on display at the Arkansas National Guard Museum were in the inventory of the Little Rock Arsenal. The same building which is now the MacArthur Museum of Arkansas Military History.

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