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### Pioneers, Patriots, and Politicians: The Tennessee Militia System, 1772-1857

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*University of Tennessee - Knoxville*

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To the Graduate Council:

I am submitting herewith a dissertation written by Trevor Augustine Smith entitled "Pioneers, Patriots, and Politicians: The Tennessee Militia System, 1772-1857." I have examined the final electronic copy of this dissertation for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy, with a major in History.

Stephen Ash, Major Professor

We have read this dissertation and recommend its acceptance:

Paul H. Bergeron, Bruce Wheeler, Charles Aiken

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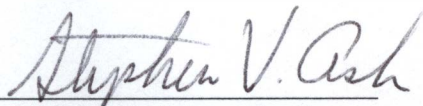
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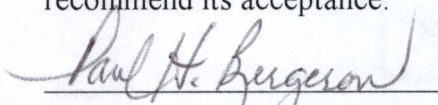

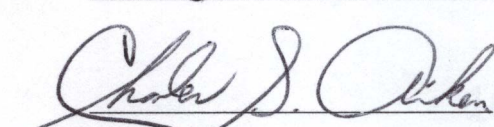
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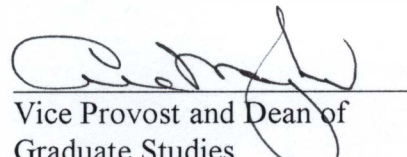
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Graduate Studies

PIONEERS, PATRIOTS, AND POLITICIANS: THE TENNESSEE MILITIA SYSTEM.  
1772-1857

A Dissertation  
Presented for the  
Doctor of Philosophy  
Degree  
The University of Tennessee, Knoxville

Trevor Augustine Smith  
May 2003

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## Dedication

To Lenore for her love, patience and support





## Acknowledgments

The help of numerous friends and advisors made this dissertation possible. At the University of Tennessee professor Wayne Cutler introduced me to this topic and supported me with my research. My committee members, professors Paul Bergeron, Bruce Wheeler, and Charles Aiken offered important criticism and advice, which enabled me to improve the work considerably. And finally, my major professor, Stephen Ash, carefully and patiently guided me through this dissertation. I greatly appreciate his time and effort.

I would like to thank the staff at the Special Collections Library at the University of Tennessee, particularly Nick Wyman, for helping me locate sources. I also appreciate the assistance of the staff of the Hodges library in Knoxville. At the Tennessee State Library and Archives Tom Kanon, Marilyn Bell Hughes, Susan Gordon, and Darla Brock assisted me considerably, and helped me procure sources that would have ordinarily been unavailable.

The History Department at the University of Tennessee has been very supportive throughout this process. The department provided funds through the Bernadotte Schmitt research fellowship. Special thanks go to Penny Hamilton and Kim Harrison in the department office.

My parents, professor Charles Smith and Cecil George Smith, have assisted me far beyond what could be expected. I am especially grateful for their willingness to take over my business pursuits thus giving me the time to complete this project. Finally, I

would like to thank my future wife, Lenore Reda, for her patience and support.

## Abstract

Like all U.S. states, prior to the Civil War Tennessee maintained an active militia system. This dissertation examines the establishment, function, and decline of this organization. For more than eighty years the Tennessee militia participated in a number of military conflicts. It also played an important role in the state's social and political development.

The militia was among the first institutions established by the early Tennessee settlers. It began as an informal collection of every able-bodied male. By 1800 the militia had grown considerably, and the volunteers, who served by choice, assumed the burden of meeting the state's military needs.

During Tennessee's first years, the militia was useful as a support mechanism for Tennessee's bureaucratic processes. It was the framework by which men paid taxes and voted. Militiamen also built roads. During the early nineteenth century the militias had become important social institutions, and militia membership became a tool for men seeking social and political advancement. The militias eventually emerged as political organizations as well. Militiamen worked together to assert their political will, and volunteer companies became associated with political parties.

The Tennessee militia was a very active military organization. The earliest militiamen defended against hostile Indians and were thus critical to the survival of the white settlements. By the 1780s, however, the militia became a tool to drive the state's Indian people from their tribal land. In 1838 the state used the militia in the infamous

Indian removal. Militiamen from the Volunteer State also participated in every major antebellum conflict. When in active service Tennessee volunteers typically performed well. However, during peacetime many volunteer companies did not train regularly. The state did, however, always maintain a few well-trained and well-armed companies.

After the removal of the eastern Indians the Tennessee militia declined rapidly. By 1850 the state no longer needed to keep large numbers of men trained for military service, and the militia ceased to exist as a functional organization.

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## *Introduction*

In July 1848, two regiments and one battalion of tired and homesick Tennesseans boarded ships at Vera Cruz, Mexico, and sailed toward home. These men had served for one year during the Mexican War as militiamen. Although they had experienced little fighting, like all victorious soldiers they returned home as heroes. They were not only proud of their service to their country, but also proud of their status as citizen soldiers of their home state, for they were part of an honored military tradition dating from the state's first white settlements.

In the eyes of these men and the general citizenry, the Tennessee militia had consistently proven itself to be one of America's finest military institutions, with an unstained record of victory and courage. During its long history the Tennessee militia had played a prominent role in some of America's greatest military victories, including the battles of King's Mountain, Horseshoe Bend, and New Orleans. Furthermore, the Tennessee militia had produced Andrew Jackson, the most celebrated war hero of his day and to his contemporaries the embodiment of a great leader.<sup>1</sup>

What these soldiers did not know was that they were the last true members of their organization to see active service. As in other states, by the late 1840s the militia no longer served a useful purpose in the Volunteer State, and had thus largely disbanded. By the 1850s men who had at one time willingly invested time and money in military

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<sup>1</sup> John T. Moore and Austin P. Foster, *Tennessee the Volunteer State, 1769-1923* (4 vols. Chicago: S. J. Clarke Publishing Company, 1923), 1: 437-38.

training no longer felt compelled to do so. Laws requiring this training were repealed, and one of Tennessee's most significant institutions quietly came to an end.

The militias were the foundation of the American military from the beginning of white settlement in North America until the late antebellum era. These bodies of citizen soldiers, loyal to their state or local government, served in every military conflict and to many Americans represented the ideals of freedom and democracy. They were critical to the survival of white settlement, as well as to the formation and development of the United States.

Despite their importance, the militias have received scant attention from historians. The most recent work on the militias is James Whisker's *The Rise and Decline of the American Militia System*, which focuses almost exclusively on the colonial era and is, for the most part, a study of the militia laws. Two earlier works, *The American Militia, Decade of Decision, 1789-1800*, and *History of the Militia and the National Guard*, both by John K. Mahon, discuss the militia from a national perspective, emphasizing the development and decline of the American militia ideal. Mahon argues that the United States relied on the militias for two reasons: first, Americans were wary of strong central governments and thus opposed standing armies that could be used to suppress the rights of free people; and second, after the American Revolution the U.S. government could not afford to maintain a large army and turned to the relatively inexpensive militias as a means of national defense. Mahon is critical of the militia system, noting that militiamen were typically poorly trained and poorly equipped. He observes that state militias declined during the antebellum era, and by the time of the



Civil War were defunct in most states, at least functionally if not officially. This decline was due largely to lack of funding and support by the federal and state governments.<sup>2</sup>

A dissertation by Kenneth O. McCreedy, "Palladium of Liberty: The American Militia System, 1815-1861," was the first study to recognize the diversity of the militia systems. McCreedy builds on Mahon's conclusions, acknowledging that many militiamen were poor soldiers and not well-trained and equipped. However, McCreedy asserts that the changing society and economy of the United States during the antebellum years made the militias obsolete and their maintenance burdensome. McCreedy does not insist that every state militia was improperly maintained. Instead, he emphasizes that each individual state militia was organized to meet the needs of its state and declined when it was no longer necessary.<sup>3</sup>

Several state militia studies have been written, including dissertations on the militias of Florida, California, the District of Columbia, Virginia, South Carolina, and Kentucky, and books on those of Louisiana, Kentucky, and Pennsylvania. These works support McCreedy's point that each state militia had a distinctive purpose and experience. The California militia, for example, was a police organization designed to maintain law and order. In South Carolina the militia was a tool to control the large slave population.<sup>4</sup>

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<sup>2</sup>Mahon, *History of the Militia and the National Guard*, 81-82, 97-98.

<sup>3</sup>Kenneth O. McCreedy, "Palladium of Liberty: The American Militia System, 1815-1861" (Ph.D. diss., University of California at Berkeley, 1991), 5-7, 148-52.

<sup>4</sup>George C. Biddle, "The Organized Florida Militia from 1821 to 1920" (Ph.D. diss., Florida State University, 1965); Dello Dayton, "The California Militia, 1850-1866" (Ph.D. diss., University of California, Berkely, 1951); Martin K. Gordon, "The Militia of the District of Columbia, 1790-1815" (Ph.D. diss., George Washington University, 1975);

While it has been mentioned in many works on the history of Tennessee, as well as in studies of the conflicts in which Tennesseans participated, the Tennessee militia has never been the topic of a major study. The purpose of this dissertation is to remedy this deficiency. It examines the creation, evolution, and decline of the Tennessee militia. The militia began as a loosely organized arrangement of frontiersmen, and evolved into one of the state's most significant antebellum institutions. It played a key role in the establishment and organization of the state government, and was an important social and political institution until its dissolution in the 1850s. The militia was also a very active military organization. Its members took part in numerous local, regional, and national military campaigns.<sup>5</sup>

This study is based on an assortment of primary sources. No large collection of exclusively militia-related material exists. Most of the information has come from collections of government documents such as the governors' papers, legislative reports, and state laws. Eyewitness accounts of militia events also have proved useful as have

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Frederick S. Aldridge, "Organization and Administration of the Militia System of Colonial Virginia" (Ph.D. diss., American University, 1964); Theodore H. Jabbs, "The South Carolina Colonial Militia, 1663-1733," (Ph.D. diss., University of North Carolina, Chapel Hill, 1973); Harry S. Laver, "Muskets and Plowshares: Kentucky's Militia, the Creation of Community, and the Construction of Masculinity, 1790-1850" (Ph.D. diss., University of Kentucky, 1998); Jack David L. Holmes, *Honor and Fidelity: The Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821* (Birmingham: Privately printed, 1965); Richard G. Stone, *A Brittle Sword: The Kentucky Militia* (Lexington: University of Kentucky Press, 1977); William P. Clarke, *Official History of the Militia and the National Guard of the State of Pennsylvania from the Earliest Record to the Present Time* (Philadelphia: C. J. Hendler, 1909).

<sup>5</sup>Maurice L. Rowland, "The Militia Laws of Tennessee to the Year 1860" (Master's Thesis, George Peabody College for Teachers, 1927) is an informative, albeit incomplete, compilation of militia legislation.

newspapers, collections of family papers, and muster rolls.

The Tennessee militia existed before the Volunteer State was born, played a key role in bringing the state into existence, and took on new roles as the state matured.

Tennessee's history cannot be properly understood without some appreciation of the militia. If this dissertation makes that appreciation possible, it will have accomplished its purpose.



## *Chapter I*

### **The Militia Ideal and the Creation of a National Defense System**

The arduous colonization of North America by England in the seventeenth and eighteenth centuries created a new kind of citizen. Unlike the European peasant who looked to the state for protection and guidance, this citizen looked inward. Fiercely independent, he saw no need for guidance or assistance from any earthly authority higher than himself.

The advancing Age of Absolutism created a European school of thought that struck fear into the hearts of many North American colonists. Whereas many Europeans viewed absolutism as a natural expression of God's authority which created and maintained order and stability, these colonists saw absolutism as little more than the tyrannical oppression of the individual. The principle tool of the tyrant was the military. Early colonists looked with abhorrence as European despots engaged huge military machines to squelch any attempt at citizen rule.

Early Americans intending to create a new society without the chains of military oppression faced a dilemma, however: no society, however enlightened or free, can survive without the stability and protection an army provides. The solution to this dilemma was the citizen-soldier. The citizen-soldier would be a free man, with neither the ability nor the inclination to participate full-time in military affairs. Also, he would have no desire to defend those forces that infringed on the liberties of others. Citizen-

soldiers could, however, with proper training, be prepared to defend their homes, maintain order, and perform all other necessary functions of an army. The American colonists believed that trained citizen-soldiers would provide the benefits of a military without the risks to liberty.

The institutional manifestations of the citizen-soldier ideal were the militias. These organized units of part-time soldiers could, in theory, be trained as well as any professional army. The militia tradition had its origins in medieval Europe. Prior to the Norman Conquest, a hierarchical "fyrd" system of militia existed in England. The "select fyrd" was a military organization of infantrymen comprised of members of the upper peasantry. All men possessing a specified degree of wealth had to participate, and the crown required these men to train regularly and be prepared for military service. A "great fyrd" complemented the select fyrd. Every able-bodied man in a given locality comprised the great fyrd. Custom dictated that these men be called only for defense. In 1066 King Harold used members of both the select fyrd and the great fyrd at the battle of Hastings.<sup>1</sup>

After the Norman Conquest, English monarchs continued the militia tradition. In 1181 Henry II declared in the "Assize of Arms" that all able-bodied males were to own arms and be prepared for military service to the King. In 1285 Edward I declared in the "Statute of Winchester" that such men were to be used to defend the nation and ensure internal tranquility. Over time, law and custom defined the duties of English militiamen as almost exclusively defensive. Parliament eventually forbade the crown to send the

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<sup>1</sup>C Warren Hollister, *The Military Organization of Norman England* (Oxford: Clarendon Press, 1965), 15-16.

militiamen outside of their respective localities, although monarchs frequently ignored this restriction. In 1326, for example, English militiamen went to France and devastated a French army at the battle of Crecy.<sup>2</sup>

As feudalism declined, the nature of warfare changed. The longbow and later muskets and cannons made the mounted knight obsolete and made the infantry the most critical component of an army. Tudor monarchs, who ruled during the sixteenth century, greatly increased the effectiveness of the militias, which were well suited for service as infantry. By the time of American colonization, the militia was a basic element of English life. By the mid-seventeenth century substantial numbers of English men, although not professional soldiers, were armed, trained, and ready to defend the crown. The American colonies adopted this militia system.<sup>3</sup>

The colonists quickly realized a genuine need for their militias. The ever-present possibility of war with Spain or France as well as the conflicts with Indians required that the colonial militias be large and active. And, too, the possibility of slave insurrection was never far from the colonists' minds.

The early colonists established rudimentary militias almost immediately after arrival in the New World. The colonies were mostly capitalist ventures, and the investors placed a high priority on the protection of their investments. Many colonial leaders, such

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<sup>2</sup>Charles G. Cruickshank, *Elizabeth's Army*, 2nd ed. (London: Oxford University Press, 1966), 2-5.

<sup>3</sup>For a detailed discussion of the British militia during the Tudor years see Lindsay O. Boynton, *The Elizabethan Militia, 1558-1638* (London: Routledge and Keagan Paul, 1967); Alfred W. Crosby, *Throwing Fire: Projectile Technology Through History* (Cambridge: Cambridge University Press, 2002), 70-73.

as John Smith and Miles Standish, were soldiers by training and wasted no time before preparing the settlers for military confrontations. In most cases, however, these early militias required little more than that all able-bodied men be prepared for local defense. In 1623, Virginia required all adult male citizens to possess a firearm and in 1626 made all men between the ages of seventeen and sixty subject to military service. A similar law passed in 1639 required all white males of military age to render military service if called on to do so by the colony. Other colonies established militia policies resembling those of Virginia. Massachusetts Bay passed a law in 1631 requiring all males between the ages of sixteen and sixty to organize into militia units. Maryland and New York had similar laws.<sup>4</sup>

The core of every colonial militia was the company. The company was the smallest unit in a militia system and it was generally made up of men from a specific geographic area. Companies existed in most towns or other localities in colonial America and varied in size based on the number of eligible men. They might number anywhere from twenty to two hundred. Large companies divided when enrollment grew beyond manageable size. The militia members usually elected the company officers, although selection methods varied. High-ranking officers were generally appointed by the colonial governor or the legislature. Officers tended to be the men with the most formal military training, and militia leadership brought with it a measure of status within a community.<sup>5</sup>

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<sup>4</sup>Russell F. Wiegley, *History of the United States Army* (New York: Macmillan, 1967; reprint, Bloomington: Indiana University Press, 1984), 4-6.

<sup>5</sup>John K. Mahon, *History of the Militia and the National Guard*, 15-16.



The training of the early militias varied considerably among the colonies. Militia companies trained more frequently when a military threat was present. Each colony had laws requiring regular drill and practice, but these were not systematically enforced. Militiamen frequently avoided training, and in some cases militiamen studied military techniques that were better suited for the battlefields of Europe than for the frontiers of North America. Considering the successes and failures of these early militias, most military historians agree that early colonial militias were insufficiently trained.<sup>6</sup>

One frequent problem for colonial militias was a lack of arms. The militia members were generally required to provide their own firearms, yet many ordinary citizens could not afford to do so. State-owned weapons were few. The problem of arming the militias was aggravated by the dearth of gunsmiths in the colonies and an all too frequent shortage of gunpowder.<sup>7</sup>

Over the course of the colonial era, the militias became more formalized and eventually took the form they would carry well into the antebellum era. In most cases, all able-bodied men were required to maintain membership in their local militia company. Laws required the men to muster and train regularly and to keep a working firearm. However, by the eighteenth century these regular militias met rarely, if at all, and hardly constituted an effective military force. Laws that regulated the militias were laxly enforced. The reason for the decline lies in the rural nature of the colonies. Most men

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<sup>6</sup>Ibid., 18.

<sup>7</sup>Ibid., 17; Michael Bellesiles, *Arming America: The Origins of a National Gun Culture* (New York: Alfred A. Knopf, 2000), 95-96.

were farmers and could not afford to devote much time or money to military training. Once threats of Indian attacks lessened, most communities saw little reason to require every able-bodied man to stand fit for call.<sup>8</sup>

The militia systems, however, did not fade. Volunteer militia companies emerged where regular militias effectively disappeared. Men who served out of choice rather than obligation formed volunteer militias. Volunteer companies were almost exclusively self-supporting, and they were in some respects as much fraternal organizations as state-authorized military entities. These volunteer companies filled the military role that, in theory, belonged to the regular militia and to the entire male population. Until the mid-nineteenth century most states maintained this dual system of an inactive regular militia and an active volunteer militia. States typically considered their volunteer militia companies to be the only militia groups of any consequence, and most militia laws passed applied to them. When a military need arose during the colonial or antebellum era, these volunteer companies would muster. Once organized, the men would become soldiers, either officially or unofficially, in the service of the state or federal government.<sup>9</sup>

An important characteristic of the volunteer militias was the high social and economic standing of their members. Well-to-do and better-educated members of a community comprised the bulk of volunteer militiamen. The most obvious reason for this is the expense of belonging to such an organization. Although theoretically the state and local governments funded the militia companies, in practice government bodies gave

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<sup>8</sup>McCreedy, "Palladium of Liberty," 9-14

<sup>9</sup>Ibid.; Mahon, *History of the Militia and the National Guard*, 17-18, 31-32.

volunteer militias very little support. Membership thus required the purchase of a uniform, a firearm, and other supplies. Because volunteer companies met and drilled on a regular basis, often several times a year, members had to have the financial means to devote considerable time to the militia. Membership in volunteer cavalry units was especially expensive, given the high cost of horses and equestrian equipment. These units were often limited to the upper classes. Membership in a volunteer company became an important status symbol and often a virtual requirement for men seeking positions of respect and leadership in a community.<sup>10</sup>

By the late colonial period, the system had matured into a well-organized, albeit imperfect, military structure. Fear of tyrannical central authority had reached a high point by this time, making a loosely organized group of volunteers the preferred basis for a military. Despite crown attempts at consolidating the militia system, the thirteen colonies fiercely defended the autonomy of their militias.<sup>11</sup>

The defense of an autonomous militia system paralleled the development of American revolutionary thought. The Age of Enlightenment produced a generation of English philosophers who disapproved of centralized authority and gave emphasis to individual self-worth. Some of the more radical of these philosophers openly criticized long-standing British institutions such as the church and the monarchy, arguing that these organizations did not act in the best interests of the people. Two of these writers, John Trenchard and Thomas Gordon, enjoyed wide readership in the colonies during the

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<sup>10</sup>Mahon, *History of the Militia and the National Guard*, 75, 81-84.

<sup>11</sup>*Ibid.*, 23, 31-34.

eighteenth century. Their most popular work, *Cato's Letters*, denounced all forms of centralized power, and helped form the ideological basis of American individualism. By the late colonial period, the writings of Trenchard and Gordon, as well as other philosophers espousing similar views, circulated extensively throughout the colonies. The educated classes read and took to heart these writings.<sup>12</sup>

These philosophers were very critical of standing armies and the power they represented. These men argued that power, such as that held by an autocratic state, was by its very nature aggressive. Power corrupted men and destroyed liberty. The standing army was the method by which men in power oppressed the people, and thus standing armies were incompatible with a free society. In a 1698 pamphlet Trenchard asserted that every English monarch since James I (1603-1625) had used a strong army to enforce despotic rule. The result, he said, was that the English people "had so entirely lost all sense of liberty, that they grew fond of their chains."<sup>13</sup>

The role of the militias as defenders of liberty did not prevent them from defending the crown when called. By definition the militiamen were soldiers and the colonial militias participated in all major colonial wars. During these conflicts the significant flaws in the militia systems became apparent. Because each colony maintained an independent militia system and the autonomy of each militia was fiercely defended, inter-colonial military cooperation was virtually impossible. The colonies were

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<sup>12</sup>Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1968), 22-54.

<sup>13</sup>Thomas Trenchard, *A Short History of Standing Armies in England* (publisher unknown, 1698; reprint, London: Booksellers of London and Westminster, 1731), 33.

very reluctant to commit their militias to campaigns outside their own borders, and many militiamen refused to accept orders from officers not their own. This forced the British government to enlist men from outside the militia organizations when troops were needed.<sup>14</sup>

Colonial militiamen fiercely defended their right to determine where they served and how long they served. Thus, colonial militias rarely engaged action beyond their own localities; and when called for action, they rarely remained mustered for more than a few days or weeks. Although the colonists acknowledged the need for cooperation in times of major military conflicts, in practice they generally refused to cooperate. Colonists believed their safety lay in a voluntary effort by independent citizens rather than a large-scale operation controlled by a central authority. Most military conflicts in the colonies were Indian skirmishes handled by the militias on a local level. Colonists saw larger conflicts as primarily the responsibility of the British regular army.

The French and Indian War (1754-63) saw the first use of American militias on a large scale; and although the British won, the inadequacies of the militia system became apparent during the conflict. During the first three years of the war, colonies frequently refused to provide men. In 1757, the British government made a number of changes designed to coax the colonies into participating. The British chose more officers from among the colonists, and granted colonial officers equal authority to those from Britain.

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<sup>14</sup>Mahon, *History of the Militia and the National Guard*, 25-26.

Gradually the colonial militias became significantly involved in the war effort, and their increased support helped turn the tide of battle.<sup>15</sup>

Although by the end of the war thousands of colonial militiamen were serving the King, their record was not strong. Some units, such as the New Jersey Blues (a volunteer militia), performed as well as the British regulars. These men considered themselves to be professional soldiers, not militiamen. More typically, however, militia units performed poorly in all respects. The units that did best were the volunteer companies, which were better equipped, trained, and led than their regular counterparts. The New Jersey Blues were by one account "the likeliest well-set men as perhaps turned out on any campaign." The regular militiamen, however, were not only poorly equipped and trained, but were in most cases forced into action against their will. Desertion rates among them were high. One deserter who had been caught complained, "Gentlemen, you seem surprized at our desertion, but youl not be surprized if you'l consider that we have been starved with hunger and cold in the winter, and that we have received no pay for seven or eight months; now we have no cloaths an you cheat us out of our allowance of rum and half our working money."<sup>16</sup>

The American Revolution played a significant role in shaping the militia system that would endure into the antebellum era. Despite the importance of the militia system

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<sup>15</sup>Ibid., 29.

<sup>16</sup>Fredrick P. Todd, "Our National Guard: An Introduction to Its History," *Military Affairs* 5 (Summer 1941), 76; Stanley Pargellis, ed., *Military Affairs in North America 1748-1765: Selected Documents from the Cumberland Papers in Windsor Castle* (New York: D Appleton-Century Company, 1936), 202.

to the founding fathers' ideals of freedom, the Continental Congress found itself militarily unprepared when fighting began in 1775. As had been the case in the French and Indian War, the state militias proved ineffective in fighting a large-scale conflict. Moreover, the well-organized British redcoats were far superior to anything the militia had yet faced. The militias may have worked adequately on the frontier where small bands of soldiers could respond quickly to Indian threats; but as these organizations attempted to form a real army the weakness of the militia system became apparent. The resistance to central authority and the refusal of states to have their young men spend long periods of time away from their homes proved disastrous for the Continental Army. George Washington complained that the militias “come in, you cannot tell how; go, you cannot tell when, and act, you cannot tell where, consume your provisions, exhaust your stores, and leave you at last in a critical moment.”<sup>17</sup>

Despite their poor performance against the British, the militias played an important role in the Revolutionary War. The Continental Congress did not have the resources to create an army by recruitment and training. It relied of necessity on the state militias. Eventually, Congress did begin to raise troops loyal to the central government. These troops fought alongside the militias. Although poorly paid and even more poorly supplied, they were effective because they were under a central command and their organization and command structures were clear.<sup>18</sup>

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<sup>17</sup>John C. Fitzpatrick, ed., *The Writings of George Washington*, (20 vols. Washington: U. S. Government Printing Office, 1931-44), 6: 403.

<sup>18</sup>Mahon, *History of the Militia and the National Guard*, 35-44.

The creation of a functional United States government after the American Revolution was a long and arduous affair. The nation's leadership was divided over many issues, and the new nation's military was among the most fiercely debated subjects. Most Americans viewed the Revolution as a war fought to overthrow centralized tyranny. The Articles of Confederation retained the militia system. In fact, the Articles required that each state "always keep a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and have constantly ready for use, in public stores, arms, ammunition and camp equipage." Under the Articles, however, the Congress had very limited power over the state militia systems. It could not force states to participate in a war and could not control the militia systems.<sup>19</sup>

In writing the Articles of Confederation the framers assumed that the potential abuse of liberties by a centralized army outweighed the advantages of having one. During the years the Articles governed the United States, some leaders, notably George Washington, began to call for a stronger military system. The Congress studied the matter, and a military committee studied the issue, but the nation's leaders took no concrete action.<sup>20</sup>

When the Constitutional Convention met in 1787, in response to the widespread belief that a stronger central government was needed, the future military structure of the United States was one of the most important issues debated. Delegates agreed that some form of militia system was necessary but argued over its organization. The centralizers

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<sup>19</sup>*Articles of Confederation*, Articles 6-9.

<sup>20</sup>McCreedy, "Palladium of Liberty," 18-21.



argued that to have an effective militia the federal government must exercise ultimate command. George Washington and Alexander Hamilton favored the creation of a national militia, composed entirely of volunteers, to serve as an elite corps within the militia system.<sup>21</sup>

The military provisions eventually placed into the Constitution were the result of compromise between the centralizers and their opponents. The centralizers clearly won more concessions. The Constitution granted the federal government power to raise a standing army in peacetime, and made the president commander-in-chief. It further gave the president power to appoint officers for the federal army, albeit with the consent of the Senate. The states could not wage war or refuse to send troops when called on to do so.<sup>22</sup>

The Constitution did not leave the centralizers' opponents empty-handed. The Constitution placed the power to declare war in the hands of the Congress. It also permitted the organization of state militias, and granted states the exclusive authority to appoint militia officers. States needed only to train militias in a manner prescribed by the Congress. Power over the militias resided basically with the states. The Constitution permitted Congress to call forth the militias only to "execute the laws of the union, to suppress insurrection, and to repel invasion." Furthermore, the Second Amendment stated that the militias were necessary and permitted them the right to "keep and bear

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<sup>21</sup> Arthur A. Ekirich Jr., *The Civilian and the Military* (New York: Oxford University Press, 1956), 18-31; Gaillard Hunt and James B. Scott, eds., *The Debates in the Federal Convention of 1787 which Framed the Constitution of the United States of America* (New York: Oxford University Press, 1920), 421, 424, 427, 435.

<sup>22</sup> *Constitution of The United States of America*, Article 1, section 8, section 10, Article 2, section 2.

arms." In the minds of many Americans, the state militias would help ensure state sovereignty against the new federal power.<sup>23</sup>

The Constitution created a well-defined, albeit complex, military structure in the United States. The federal government was to raise the army from among the general population and the army was to have no institutional relationship with the states. The states were to raise the militias, and each militia was to be subject to its respective state laws and customs. However, the Constitution did require the militias to follow guidelines set by the Congress, and required the militias to lend their services to the federal government should the need arise. The provisions in the Constitution regarding federal use of the militias were vague but were understood to mean that militias would become active under federal command should the nation go to war or otherwise face a military crisis. In all other respects, the Constitution left militias free to act according to their states' needs.

After taking office in 1789, George Washington expressed concern over the nation's military structure. Recalling the ineptitude of his disorganized army in the Revolution, he declared that the national government must have a federal force, preferably a national militia, to deal with foreign threats. In early 1790, he presented to Congress a plan to create such a national militia composed of men trained by the states. Congress, however, demurred. A bill to organize the United States military did not pass until May 1792, and it bore little resemblance to Washington's plan. It created neither a national militia nor a select federal corps. Washington nevertheless signed the bill into

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<sup>23</sup>Ibid., Article 1, section 8.

law. It was titled *An Act More Effectually to Provide for the National Defense by Establishing an Uniform Militia Throughout the United States*, and is commonly known as the Uniform Militia Act. It ordered the states to organize their militias into divisions, brigades, regiments, battalions, and companies, and specified the size of each. This uniformity would ensure that the various states' organizations could efficiently combine if a general call-up became necessary. The act also created the office of adjutant general in each state, and required him to report annually to the state's governor on the condition of the militia. This report was to be sent to the president as well.<sup>24</sup>

The Uniform Militia Act contained a number of other important provisions. It set a ratio of infantry soldiers to non-infantry soldiers: a maximum of eleven to one. The non-infantry was to consist of cavalry and artillery, at least one unit of each per division. A militiaman injured in federal service was to receive a federal pension. A militiaman called into federal service was permitted to hire a substitute.

Along with the Uniform Militia Act, Congress passed the Calling Forth Act, which Washington also signed it into law. This gave the president power to call up state militias whenever he deemed necessary, without the permission of the state's governor. It also required a federal judge to inform the president through official channels of any insurrection or invasion. The president could take action only after commanding the

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<sup>24</sup>George Washington, "Message to the United States Senate," in Eileen D. Carzo, ed., *National State Papers of the United States, Part II, Texts of Documents, Administration of George Washington, 1789-1797* (35 vols., Wilmington: Michael Glazier, 1985), 3: 300-308; *Public Statutes At Large of the United States of America*, Second Congress, First Session, Chapter 33 (1792); Richard Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802* (New York: Free Press, 1975), 129-35.

insurgents, again by official means, to cease their disturbance. The Calling Forth Act also stipulated that no militiaman in federal service could be forced to serve more than three months in any year. Along with the Uniform Militia Act the Calling Forth Act clarified the vague terminology of the Constitution.<sup>25</sup>

The states modified their laws to comply with the Uniform Militia Act, but state militia structures changed very little. It is important to note that the two federal laws did not discuss the commissioning of general officers. In some states the governor or legislature appointed such officers, but in other states they were elected. Nor did either act discuss the training of officers or men or the equipping of the militias. Such details were left to the states.

An insurrection known as the Whiskey Rebellion became the first test of the Uniform Militia Act and Calling Forth Act. In an attempt to raise money to pay Revolutionary War debt, the federal government in 1791 placed an excise tax on whiskey. This tax infuriated the nation's grain farmers and whiskey producers, many of whom refused to comply. In western Pennsylvania, one of the nation's chief whiskey-producing regions, full-scale insurrection broke out in the spring of 1794. After a failed attempt at negotiation, George Washington in October 1794 activated the Pennsylvania militia. The 12,000 militiamen met little resistance, and easily put down the rebellion. Many saw this successful use of the militia as proof that the federal government did not need a standing

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<sup>25</sup>*Public Statutes At Large of the United States of America*, Second Congress, First Session, Chapter 28 (1792).

army to ensure domestic tranquility.<sup>26</sup>

Several campaigns against the Indian tribes further strengthened support for the state militias. In 1793, John Sevier led between six and seven hundred Tennessee militiamen against the Creek Indians and won a significant victory that opened new areas of Tennessee for white settlement. The next year more than five hundred Tennessee militiamen defeated a force of Creek and Cherokee warriors at the battle of Nickajack.<sup>27</sup>

Thomas Jefferson, who became President in 1801, did little to change the militia system. Jefferson had no formal military experience, and he had strong reservations about large standing armies. By the beginning of the nineteenth century, the militia system in the United States had taken the form it would carry throughout the antebellum era. The American people expected this system of volunteer and regular citizen-soldiers to augment a much smaller federal army.

The first great test of the nineteenth-century American militia system came in 1812, when the United States and Great Britain once again went to war. When the fighting began, the U.S. regular army numbered only seven thousand men. However, the states had on their rolls approximately seven hundred thousand militiamen. During the war these state militiamen comprised the majority of active troops.<sup>28</sup>

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<sup>26</sup>For a detailed account see Thomas P. Slaughter, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution* (New York: Oxford University Press, 1986).

<sup>27</sup>These two campaigns will be further discussed in Chapter 4.

<sup>28</sup> Robert S. Quimby, *The U.S. Army in the War of 1812: An Operational and Command Study* (2 vols. East Lansing: Michigan State University Press, 1997), 1: 4; Emory Upton, *The Military Policy of the United States*, 4th ed. (Washington:

Militias performed poorly during the war, for several reasons. During the years leading up to the war, most states did not obey the militia training stipulations of the Uniform Militia Act. Consequently, vast numbers of militiamen arrived for duty wholly unprepared for battle with the British. In many cases the men entered the field of battle, fired one volley at the British, and then hastily retreated.<sup>29</sup>

The militiamen frequently did not have arms or other necessary equipment. When the war began every state was short of military materiel. Militiamen regularly mustered and rendezvoused without necessary supplies, and some cases men arrived on the battlefield without weapons. However, some states refused to send their men until guns and supplies could be procured. The militiamen also lacked adequate weapons training. The standard musket at the time required twenty-three steps to load and discharge. Few militiamen had sufficient practice to carry out these steps with any degree of precision.<sup>30</sup>

A third problem plaguing militias during the war was bureaucratic and command conflicts. Because the state militias by law maintained a dual loyalty to their respective states and to the federal government, conflicts arose regarding who commanded the men, how long they were to serve, and where they could be deployed. These problems were particularly troublesome early in the war. The American strategy called for an invasion of Canada in numerous places along its southern border, but often the militiamen refused

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Government Printing Office, 1916), 137.

<sup>29</sup>Robert L. Kerby, "The Militia System and the State Militias in the War of 1812," *Indiana Magazine of History* 73 (June 1977): 117.

<sup>30</sup>*Ibid.*, 119.

to advance. In one instance, on October 12, 1812, New York militia general Stephen V. Rensselaer led 350 U.S. Regulars and 250 militiamen to attack the British at Queenstown, Canada. Although the Americans outnumbered the British three to one, the militiamen refused to cross into Canada, claiming that they could not be forced to serve in a foreign country. The regulars resisted Rensselaer's command because he was not a United States officer. This impasse turned a potentially easy victory into a defeat.<sup>31</sup>

The most serious instance of this sort in the war came in July 1814, when the British landed 4,500 men thirty miles from Washington D.C. Although 93,000 militiamen lived within marching distance and were on alert, the American General William Winder did nothing. As a federal officer, he had no authority to activate the state militias. When permission finally arrived, Winder could not muster the men in time to defend the capital. The British captured and partially burned Washington. This remains one of the most humiliating moments in American military history.<sup>32</sup>

Militiamen did perform admirably on some occasions. The two most notable instances were the battle of Horseshoe Bend in 1814 and the battle of New Orleans in 1815. In both cases the American soldiers came from a variety of sources, but militiamen from Tennessee and Kentucky comprised the majority of combatants. Although not better trained than other militiamen, these men were commanded by Andrew Jackson, who had prodigious leadership abilities. He instilled a strong fighting spirit in even the most poorly trained men. These two victories reinforced the belief among many

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<sup>31</sup>Quimby, *U.S. Army in the War of 1812*, 1: 67-75.

<sup>32</sup>*Ibid.*, 2: 659-97.

Americans that a militia system was superior to maintaining a large federal army. This belief prevailed despite the fact that most militias had been inadequate for the task and had failed miserably.<sup>33</sup>

After the War of 1812, the militia system in the United States began a slow transformation and eventual decline. Regular militias faded as the volunteer militias became more active. Eventually even participation in volunteer companies all but disappeared. A number of factors contributed to these changes. First, the United States population grew tremendously throughout the antebellum era. In 1810 the population was just over 7,200,000, by 1860 more than 31,400,000. As the nation grew, the American people saw no need to keep millions of service-aged men prepared for war. Doing so was not just unnecessary but impossible. Many states relaxed the muster and drill requirements.<sup>34</sup>

Another reason for the decline of militias was the lack of an ever-present enemy. By 1820 most eastern Indians were subdued and their numbers decimated, and the Indian removals in the 1830's eliminated all threat of Indian uprising in the East. Finally, victory in the War of 1812 coupled with the success of the Monroe Doctrine gave Americans a sense of national security. Entering the antebellum era, most Americans considered the militias unnecessary.

The decline of the militias did not, however, mean the decline of the militia ideal.

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<sup>33</sup>Mahon, *History of the Militia and the National Guard*, 75-77.

<sup>34</sup>United States Bureau of the Census, *The Statistical History of the United States from Colonial Times to the Present* (Stamford, Conn: Fairfield Publishers, 1965), 13.



The War of 1812 only reinforced the American belief that citizen-soldiers were the best means of national defense. Laws regarding militias remained on the books, and volunteer companies became more active. These volunteer militias provided the illusion of citizen-soldiery even though most were comprised only of the well-to-do, not common citizens.

In the wake of the war of 1812, efforts to reform the militia emerged. On the national level, John C. Calhoun, Secretary of War in the Monroe Administration, pushed for widespread changes. Calhoun called for a reduction in the number of rank and file militiamen, but not in the number of officers, arguing that suitable officers must be ready to train men in a military crisis. Also during the Monroe administration, William Henry Harrison, chairman of the House Militia Committee, proposed two constitutional amendments granting the federal government more authority in militia training and making military training a significant element in common education. In 1826, Secretary of War James Barbour undertook a complete study of the militia system and produced a report recommending a reduction in the number of militiamen in each state, greater uniformity among the various state systems, and more federal involvement in militia training. Although well meaning, these efforts did little to change the nation's militia structure. States undertook other reforms including reducing the number of militiamen, providing tax incentives for men to participate, and levying fines on men who refused to serve.<sup>35</sup>

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<sup>35</sup>Roger J. Spiller, "Calhoun's Expansible Army: The History of a Military Idea," *South Atlantic Quarterly* 79 (Spring 1980): 189-203; McReedy, "Palladium of Liberty: The American Militia System, 156-58; John K. Mahon, "A Board of Officers Considers the Condition of the Militia in 1826," *Military Affairs* 15 (Summer 1951): 90-93.

Despite their decline in members, until the Civil War the militias remained the backbone of the American military and militiamen participated in many military campaigns. During the Indian removals of the 1830's, militiamen were used to put down resistance. Most notably, in 1832 the Sauk and Fox tribes of Illinois, Iowa, and Wisconsin began resisting. The U.S. government mustered 10,000 militiamen from the region. The resulting Black Hawk War was a disgrace, as the militiamen acted as little more than an armed mob. Eventually a force composed of militiamen and U.S. regulars managed to put down the uprising.<sup>36</sup>

Militiamen also participated in the Seminole War of 1835-42. Like the Black Hawk War, this began as a resistance to Indian removal. This conflict involved all of the United States armed forces and over 30,000 militiamen from various states. Officers of the regular army led the militiamen, which improved the militias' overall performance.<sup>37</sup>

During the Mexican War (1846-48), militiamen comprised more than half the Americans who served. When the war began, a call for 20,000 volunteers produced patriotic musters throughout the country. By 1846, the militia systems in many states were no longer active, and reviving the militias for the war proved difficult. States lacked arms and equipment as well as trained officers. However, in some places volunteer companies had remained active, and many volunteered to serve. For the most part, militiamen serving in the Mexican War had been active in their local organizations before

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<sup>36</sup>Cecil D. Eby, *"That Disgraceful Affair": The Black Hawk War* (New York: Norton, 1973), 174, 199.

<sup>37</sup>Mahon, *History of the Militia and the National Guard*, 78.

the war began.<sup>38</sup>

Recruitment for the regular army took place in tandem with the call for militia volunteers. The militia volunteers were commissioned for twelve months, army regulars for five years. Not surprisingly, volunteer recruitment was more successful. Regular army recruitment increased when the Congress reduced the term of service to the duration of the war and offered a twelve-dollar sign up-bonus.<sup>39</sup>

It is difficult to determine what proportion of Mexican War soldiers came from active militias. Of the 115,906 men who served, 42,374 were from the regular army, 60,931 were state militia volunteers, and 12,601 were militiamen demobilized at the beginning of the war because they had been recruited illegally. Although all state volunteers were classified as militiamen, many belonged to militia companies that were inactive prior to the war, and others joined militia companies hastily arranged when the war began. It is also quite likely that some active militia companies enlisted as regulars rather than volunteers. Despite the fact that the number of militiamen cannot be counted, they played a significant role in the war. Militiamen saw action in every major campaign; and although often criticized, they performed admirably on some occasions. Militia officers such as Albert Sidney Johnston and Jubal Early established distinguished reputations.<sup>40</sup>

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<sup>38</sup>Marvin A. Kreidberg and Merton G. Henry, *History of Military Mobilization in the United States Army, 1775-1945* (Washington: Department of the Army, 1955), 73.

<sup>39</sup>*Ibid.*, 76-77.

<sup>40</sup> *Ibid.*, 78, 71.

By the time of the Civil War (1861-1865), active militias, both regular and volunteer, had all but disappeared. Most states still maintained laws requiring membership in the militia. The militia units themselves were nonetheless obsolete. By the late 1850's most states, including Tennessee, had passed laws eliminating the muster requirements. Without the requirement to muster, militias became paper organizations only. The most striking evidence of the militia deterioration is the fact that both the Union and the Confederacy were overwhelmingly unprepared at the beginning of the conflict, lacking trained men, adequate arms, and necessary supplies.<sup>41</sup>

Historians agree that the Civil War resulted in the destruction of slavery but also in a dramatic increase in federal power at the expense of the states. It is not coincidental that the war thus also resulted in the abandonment of the militia ideal and the belief that the militias were superior to centralized, professional armies.

Although the militias were functionally defunct, when the war began both sides once again called on their states to muster their militias into service. In April 1861 Abraham Lincoln called for seventy-five thousand militiamen to serve for three months. The call went out despite the fact most militia companies had not mustered for years. Other elements of the militia system appeared when the war began. In both the North and the South, the federal governments issued state quotas for men, an accepted practice under the militia system. In many cases the men elected their field officers, and men volunteered and served as cohesive companies. Many groups organized under the

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<sup>41</sup>Mahon, *History of the Militia and the National Guard*, 97-98; *Acts of the State of Tennessee*, Thirty-second General Assembly, First Session, Chapter 32 (1857).

identity of earlier militia companies and certainly a select few companies had been previously active in the militia. Early in the war many of these companies furnished their own arms, uniforms, and equipment. Such self-sufficiency was necessary since neither the Union nor the Confederate government had much to offer. Throughout the war the Union made the distinction between members of the regular army and the state militia volunteers. The Confederacy did not have a regular army. All southern soldiers were classified as state militia volunteers.<sup>42</sup>

These militia characteristics disappeared as the war progressed. In both the North and the South the fact that volunteers were technically militiamen did not carry with it the expectation that volunteers were to have prior military training. Virtually none did, and in the North the militia volunteers trained alongside the federal regulars. On both sides the men were expected to serve as soldiers loyal to a central government, and their organizational and command structures reflected this fact. As the war progressed the numbers of incoming volunteers declined, forcing both sides to use conscription. Arms, equipment and uniforms became standardized, and appointed replaced elected officers. The volunteers became subject to federal laws and regulations, not state militia laws. The leadership in both the North and the South recognized that victory necessitated a centralized army subject to the will of a federal government.

After the Civil War the militia ideal effectively disappeared. The acceptance of a strong federal government made the concept of a strong federal army easier to accept.

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<sup>42</sup>Abraham Lincoln, "Proclamation," in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (128 vols., Washington: U. S. Government Printing Office, 1880-1901), series 3, 1: 67-68.

The fear of a large, powerful federal army oppressing the rights of the people, which gripped the minds of many colonial and antebellum Americans, faded away. The national guards emerged as the successors to the state militias; but guardsmen were not considered citizen-soldiers. They did not exist to provide protection from the federal government, and they were in place primarily to assist in state matters. The American public no longer expected the citizen-soldier to defend the country. The Civil War had proven that a standing centralized army was best suited to face a national threat.

## *Chapter II*

### **A System to Defend a Free People: The Tennessee Militia Laws**

Prior to 1790, the future state of Tennessee was part of western North Carolina. Once it became a state, Tennessee established a militia system similar to that of North Carolina but with some notable differences. During the years before the Civil War, the Tennessee legislature regularly modified militia laws to adapt to economic and social changes. An examination of Tennessee militia laws reveals an active organization that played an important role in the social and political development of early Tennessee.

To understand the development of Tennessee militia laws in the early years of statehood, one must first examine those of North Carolina. The North Carolina Constitution of 1776 provided for a militia system. Since its founding as a colony, North Carolina had maintained a primitive militia. The 1776 Constitution stated that “The Senate and the House of Commons shall have power to appoint the generals and field officers of the militia, and all other officers of the regular army of this state.” A notable element of this provision is recognition of an existing militia. The Constitution of 1776 did not create the North Carolina militia but rather regulated the manner by which the officers were appointed; and it recognized that such authority was vested in the legislative body.<sup>1</sup>

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<sup>1</sup>1776 Constitution of the State of North Carolina in Francis Newton Thorpe, ed., *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America* (7 vols., Washington: Government Printing Office, 1909), 2: 2787-2799.

In 1786 the North Carolina legislature codified its militia laws, and this code provided a framework for the later Tennessee militia laws. The code structured the order of battle along traditional military lines. Brigades were to be formed in each district throughout the state. Each brigade was to be commanded by a brigadier general and included a brigade major, an aide-de-camp, and a brigade inspector. Each brigade was to be comprised of several regiments, one regiment per county. Each regiment was to be commanded by a lieutenant colonel and included an adjutant, a surgeon, and a drum and fife major. Each regiment was to consist of two or three battalions, each to be commanded by a major. Several companies would comprise a battalion.<sup>2</sup>

The company was the smallest unit of the militia, and the 1786 code strictly defined its structure. Each infantry company was to be commanded by a captain, and included three sergeants, three corporals, one drummer, one fifer, and fifty privates. Cavalry companies included a captain, three sergeants, three corporals, a trumpeter, and thirty-two privates, while artillery companies included a captain, three sergeants, three corporals, two drummers, two fifers, and fifty-two privates.<sup>3</sup>

The code required service from all free men and indentured servants between the ages of eighteen and fifty. Some exceptions were made. Exempted from service were superior court judges, assembly delegates and secretaries, counselors of the state treasury, the attorney general, ministers of the gospel, ferrymen, branch pilots, inspectors of public

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<sup>2</sup>James Iredell, ed., *Laws of the State of North Carolina* (Edenton: Hodge and Wills, 1791), 591-97.

<sup>3</sup>Ibid.



warehouses, justices of the peace, and certain officers who had served in the Revolutionary War. Those exempted were, however, subject to duty in the event of insurrection or invasion.<sup>4</sup>

The duties of the North Carolina militia mirrored those of other state militias. During war, the North Carolina militia was expected to render military service. The power to muster the militia into service rested solely with the governor, or an officer appointed by him. The code stated that the militia was to muster in the event of invasion or insurrection in North Carolina; however, it included no provision for federal service. The code did not mention the use of North Carolina militiamen beyond state boundaries, nor did it mention a maximum length of service.<sup>5</sup>

When in active service, the militiamen were to receive nominal pay. Infantry privates received the lowest pay, two shillings six pence per day. Officers received more, ranging from three shillings for corporals to one pound four shillings for brigadier generals. Cavalrymen and artillerymen received slightly more than their infantry counterparts.<sup>6</sup>

The 1786 North Carolina code emphasized the peacetime duties of the militia. For one thing, it required privates in the militia to attend musters. This provision, if strictly followed, would have been time-consuming. Each regiment and battalion was to muster twice a year at its respective county courthouse. Each company was to muster

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<sup>4</sup>Ibid.

<sup>5</sup>Ibid.

<sup>6</sup>Ibid.

every two months at a place designated by the captain. At the musters, the troops were to be trained according to contemporary military standards. The captains were responsible for such training. The regimental colonel was required to review the troops at least once per year during a regimental muster. If militiamen had actually met as required by law, they would have mustered at least ten times each year.<sup>7</sup>

The 1786 code was very specific about arms and equipment. Each infantry officer was to attend muster with a side arm or spontoon, and each private was to attend with a musket or rifle complete with sufficient powder, flints, and balls for nine rounds. Cavalry officers and privates were to be more elaborately equipped. Each was required to muster with a good horse, a saddle, a bridle, a pistol, a holster, a horseman's sword and cap, shoe-boots and spurs, and a cartouche box with cartridges. Artillery companies were to be armed like the infantry, except that the non-commissioned officers were to carry swords instead of guns.

The code was ambiguous concerning the provisioning of arms. It implied, but did not state directly, that cavalrymen as well as the artillery and infantry officers were to provide their own arms. Presumably the same was true for artillery and infantry privates, although the code did require the state to provide arms to privates who could not afford them. State-owned arms were to be purchased with money collected from fines.<sup>8</sup>

Aside from training, the duties of the officers were largely clerical. Captains were to make yearly returns to the regimental colonel of the strength and condition of their

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<sup>7</sup>Ibid.

<sup>8</sup>Ibid.

companies. Colonels were to make regimental returns to the brigadier generals, who in turn were to make returns to the governor. Once a year the governor was to make a report to the General Assembly.<sup>9</sup>

To become a commissioned officer in the North Carolina militia, the code required a freehold of one hundred fifty acres, or a freehold of any size in a town. Officers were not chosen democratically but rather were appointed. Captains appointed their company's non-commissioned officers. The code was vague regarding the appointment of company officers: it stated that the commissioned officers in each company were to be chosen by seniority, including the captain, but the appointment of captains required the approval of the regimental colonel. The General Assembly was to appoint the commissioned officers for each brigade and regiment. The generals and colonels were to choose their own staff officers.<sup>10</sup>

A last element of the North Carolina militia code concerned military justice. A courts martial was to be held on the day following regimental and battalion musters. The court was to consist of thirteen members, with the eldest field officer serving as president. This court was to assess fines, grant militia duty exemptions based on age or disability, and hear individual grievances. In addition to fining militiamen, the court was authorized to suspend or cashier men found guilty of violating militia laws. However, commissioned officers accused of misconduct were to be tried by a separate, general

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<sup>9</sup>Ibid.

<sup>10</sup>Ibid.

courts martial.<sup>11</sup>

Most offenses identified in the militia law involved neglect of duty. Failure to attend a muster carried a fine of ten to twenty shillings if committed by a private or non-commissioned officer and two to four pounds if committed by a commissioned officer. The same fines applied if a militiaman appeared for muster unarmed, unless he was unable to afford a gun. Privates and non-commissioned officers refusing to obey orders were to be fined twenty to forty shillings. All militiamen, regardless of rank, were subject to a fine of ten pounds for failure to appear when called into active service.<sup>12</sup>

In 1786 the North Carolina Assembly also passed a law applying to its western territory, which would later become Tennessee. By then a significant number of white settlers had moved into the territory, sparking conflicts with the Native Americans. In response, the General Assembly passed “An Act for Raising Troops for the Protection of the Inhabitants of Davidson County.” Under this act 201 men were to be organized into three companies, each commanded by standard company officers and under the overall command of a major. Most of these men were to come from Davidson County, in Tennessee territory. They were to be trained as the commanding officer saw fit and to serve for two years, and were to arm themselves with a rifle or smoothbore and all necessary accouterments. However, the law did provide for the men’s clothing and required the state to furnish lead and powder when needed.<sup>13</sup>

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<sup>11</sup>Ibid.

<sup>12</sup>Ibid.

<sup>13</sup>Ibid., 569-72.

According to this 1786 law, these troops were to receive the same pay and rations as North Carolina militiamen. However, the first half of their first year's pay was to be given in the form of a four-hundred-acre plot of land in the Tennessee territory. The first half of their second year's pay was to be an additional four hundred acres. Officers were to receive two thousand acres each year. The monetary pay for the troops was to be taken from state taxes assessed on land west of the Appalachians. The rations for the men were to be provided by the people of Davidson County.<sup>14</sup>

An interesting part of this bill involved the use of the militiamen for internal improvements. The North Carolina leadership saw a need for roads in addition to military protection in the Tennessee territory. Thus, as part of their duty, the law required these newly organized troops to assemble at Clinch Mountain and cut a ten-foot-wide road to Nashville. The work was to be supervised by a military contractor appointed by the governor.<sup>15</sup>

The first militia law enacted by a Tennessee legislature was passed during Tennessee's brief existence as a federal territory, following its cession by North Carolina in 1790. Legislators entitled this law "An Act for the Relief of Such Persons As Have Been Disabled By Wounds, or Rendered Incapable of Procuring for Themselves and Families Subsistence In the Militia Service of This Territory, and Providing for the Widows and Orphans of Such As Have Died." The territorial legislature, officially known as the House of Representatives and Council of the Territory of the United States

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<sup>14</sup>Ibid.

<sup>15</sup>Ibid.

South of the Ohio, passed this law in September 1794. It was short-lived, however: in 1795, the legislature suspended it and in the following year repealed it.<sup>16</sup>

Tennessee was a federal territory for six years, and during that time the militia code of North Carolina remained in effect. With a militia system in place, the Tennessee territorial government needed only to enact laws tailoring it to the state's unique needs. The first Tennessee state constitution, adopted in 1796, contained four references to the militia. The most significant concerned the militia ideal. Section Twenty-four of Article XI stated: "The sure and certain defense of a free people is a well regulated militia; and, as standing armies, in time of peace, are dangerous to freedom, they ought to be avoided." This section required the state militia to be strictly subordinated to civil authority.<sup>17</sup>

Article VII of the 1796 Constitution referred to the election of officers. Tennessee was far more democratic in this regard than North Carolina. Captains and subalterns were to be elected by the men in their respective companies. The article also stipulated that field officers be elected by the men subject to duty in their respective counties. Brigadier generals were to be elected by the field officers of their brigades, and major generals were to be elected by the brigadier generals and field officers of their divisions.<sup>18</sup>

The two other references to the militia in the 1796 Constitution concerned militia

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<sup>16</sup>*Acts of the Territory of the United States South of the Ohio*, First General Assembly, Second Session, Chapter 23 (1794); *ibid.*, First General Assembly, Second Session, Chapter 15 (1795); *Acts of the State of Tennessee*, First General Assembly, First Session, Chapter 19 (1796).

<sup>17</sup>1796 *Constitution of the State of Tennessee* in Francis Thorpe, ed. *Federal and State Constitutions*, 6: 3414-3425.

<sup>18</sup>*Ibid.*

exemption and substitution. Section Seven of Article VII required the legislature to exempt persons who object to military service for religious reasons. Section Twenty-Eight of Article II permitted the hiring of substitutes.<sup>19</sup>

In September 1797, the state's first governor, John Sevier, himself a former North Carolina militia general, called on the legislature to enact a comprehensive militia law. Sevier reminded the legislature of the need for a well-trained militia. He also noted that volunteer companies were being raised, and said that it was in the best interest of the state to regulate them.<sup>20</sup>

The legislature answered Sevier's request on January 1, 1798, with the passage of a comprehensive militia law. This act, entitled "An Act for the Better Establishment and Regulation of Militia In This State," codified many standard militia practices common in Tennessee as well as in other states.<sup>21</sup>

This law required all free men and indentured servants aged eighteen to forty-five to belong to the militia. As in North Carolina, the law exempted certain state officers, ministers of the gospel, and essential workers such as ferrymen. These men could, however, be called to serve in cases of imminent danger.<sup>22</sup>

The law organized the militia in a manner similar to that of North Carolina. The

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<sup>19</sup>Ibid.

<sup>20</sup>Robert H. White, et al., eds., *Messages of the Governors of Tennessee* (11 vols. to date, Nashville: Tennessee Historical Commission, 1952-98), 1: 25-26.

<sup>21</sup>*Acts of the State of Tennessee*, Second General Assembly, Second Session, Chapter 1 (1798).

<sup>22</sup>Ibid.

militia of each district was to form a brigade commanded by a brigadier general. The brigades were to be formed into divisions (a higher echelon not used in North Carolina), each division to be commanded by a major general. Each county was to have at least one regiment to be commanded by a lieutenant colonel; and each regiment was to be composed of an unspecified number of companies to be commanded by captains. Each company was to include one captain, one ensign, three sergeants, two corporals, one drummer, one fifer, and between forty and eighty privates. Cavalry companies were to include one coronet, three sergeants, three corporals, one trumpeter, and between thirty-two and forty privates. The cavalry companies of each district were to compose a regiment, and were to be raised by volunteer enlistment. Other militia officers included two majors per regiment, as well as one adjutant, all to be appointed by the regiment's commanding officer; and each brigade was to contain one brigade major to be appointed by the brigadier general.<sup>23</sup>

This first comprehensive Tennessee militia law required two regimental musters per year, in May and November. Musters were to be held at the regiments' respective courthouses. The law further required company musters in March, June, September, and December. Men were to arrive at the muster ground by eleven o'clock armed and dressed appropriately. Infantry officers were to have a sidearm and privates a rifle or musket. Cavalry members were to have arms, uniforms, and all necessary equestrian equipment as well as a good horse "fourteen hands high." At each muster the men were to be trained by their captain in accordance with Baron von Steuben's military manual. Roll was to be

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<sup>23</sup>Ibid.



called and a report on the overall condition of the men present made. Cavalry regiments were to hold one additional fall muster.<sup>24</sup>

The law called for fines to be levied for a variety of offenses. Commissioned officers who failed to appear at muster, or who appeared improperly equipped, were to be fined as much as ten dollars, privates and non-commissioned officers as much as two. Commissioned officers could be removed from office for ungentlemanly conduct, neglect of duty, or disobedience and fined as much as twenty dollars. For failing to answer a call, commissioned officers could be fined as much as fifty dollars, all others as much as thirty. Substitutes were permitted for enlisted men.<sup>25</sup>

The law further required that a courts martial be held following each regimental muster. The court was to consist of nine members and the president was to be a field officer. Aside from ruling on offenses and hearing grievances, the court could grant exemptions to persons incapable of serving. As with the North Carolina code, the court was to elect a judge advocate to record the proceedings, to be paid one dollar per day. All fines were to be collected by the county sheriff, and were to go toward purchase of arms and equipment or, if necessary, toward the hiring of substitutes in times of war. A courts martial could also be called after company musters should the captain deem it necessary.<sup>26</sup>

The law granted the governor authority to call the militia to service in times of

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<sup>24</sup>Ibid.; Friedrich Wilhelm von Steuben, *Regulations for the Order and Discipline of the Troops of the United States* (Boston: T. J. and Fleet, 1787).

<sup>25</sup>*Acts of the State of Tennessee*, Second General Assembly, Second Session, Chapter 1 (1797).

<sup>26</sup>Ibid.

insurrection or invasion; officers could muster the militia in times of immediate danger. It made no mention of federal service or service outside Tennessee. However, the law did dictate that no militiaman be required to serve more than three consecutive months. If called into active duty, the men in each company were to be divided into ten groups for rotation. Any substitutes reporting for service were to meet and follow all guidelines and regulations.<sup>27</sup>

The law contained a number of minor regulations, only two of which merit discussion. The first required appropriate returns to be made regarding the strength and condition of the militia. As in the 1786 North Carolina code, each officer was to give to his superior officer a yearly return concerning the men under his command. The final and complete return, following the chain of command, was to be given to the governor. The governor was then to present a comprehensive report of statewide militia readiness to the General Assembly. The second regulation concerned elections. Although a specific election procedure was absent, the law required contested elections to be decided by a courts martial.<sup>28</sup>

The 1798 law effectively defined a Tennessee militia structure. It provided only a basic framework for the militia system, however. A 1799 report by the General Assembly concluded that a more detailed militia law was necessary. The report also

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<sup>27</sup>Ibid.

<sup>28</sup>Ibid.

concluded that state finances were inadequate to fund the existing system.<sup>29</sup>

The absence of specific regulations concerning the organization of the militia into regiments, brigades, and divisions was the most significant oversight of the 1798 militia law. The General Assembly corrected this oversight in 1803 by passing the first of four comprehensive militia law revisions that would be enacted up to the time of the Civil War. In this year the Assembly divided the militia into twenty-six regiments, six brigades, and two divisions. Each county was to have one regiment with the exception of Davidson County, which was to have two. This 1803 law divided each regiment into two battalions. The first division was to contain brigades one through three, organized in eastern Tennessee, including such counties as Knox, Sevier, Blount, and Roane. The second division was to contain brigades four through six, organized in the north central Tennessee counties, then considered to be the western part of the state.<sup>30</sup>

Over the next twelve years, the militia grew rapidly. The General Assembly responded by creating new regiments, but in 1815 found it again necessary to reorganize the militia. The militia law of 1815 created fifty-one regiments, almost double the number of 1803. Few changes took place in the first division: the Assembly added one brigade and four regiments to accommodate three new counties in eastern Tennessee. However, the second division was radically altered, for ten new counties now extended

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<sup>29</sup>Tennessee General Assembly, "Militia Report," box 2, folder 2 (1799), RG 60 unprocessed, Tennessee State Library and Archives, Nashville (hereafter TSLA). This report was prepared by a committee, the members of which are unknown.

<sup>30</sup>*Acts of the State of Tennessee*, Fifth General Assembly, First Session, Chapter 1 (1803).

westward between Knoxville and Nashville. The General Assembly established two or three regiments in each of these counties and added two new brigades. The new counties of the second division comprised what is today south-central Tennessee.<sup>31</sup>

Between 1815 and 1826, the state and the militia continued their rapid growth. During these years, pioneers settled much of what is now West Tennessee. In 1810 the state's population was 261,727. Ten years later it had increased to 422,823, and by 1830 the population had reached 681,904. In 1826 the General Assembly again rewrote the militia law to adjust to this expansion. The new law created ninety-five regiments and fourteen brigades, and added a third division to include the westernmost portion of the state. Other than creating a fourth brigade and nine regiments to accommodate the four new counties in East Tennessee, the Assembly changed little concerning the first division. Similarly, the Assembly made few changes to the second division. In the new third division, the General Assembly created three brigades for eighteen new counties. Each county would contain one regiment except Madison, which would have two.<sup>32</sup>

By 1836, the militia system had once again grown too large for its structure. In this year the General Assembly did not rewrite the entire militia law, but did pass legislation changing the regimental and battalion numerical designations and adding forty-one new regiments, bringing the total to one hundred thirty-six. This legislation brought the total number of brigades to twenty-two and created a fourth division. The

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<sup>31</sup>Ibid., Eleventh General Assembly, First Session, Chapter 3 (1815).

<sup>32</sup>U.S. Census Bureau, *Statistical History of the United States*, 13; *Acts of the State of Tennessee*, Sixteenth General Assembly, First Session, Chapter 69 (1826).

Assembly organized these four divisions geographically. The first division comprised the twenty-six easternmost counties, including the towns of Knoxville and Chattanooga; the second division comprised thirteen counties in the north-central portion of the state and included the city of Nashville; the third division comprised fifteen counties in the south-central portion of the state; and the fourth division comprised the westernmost sixteen counties, including Memphis.<sup>33</sup>

The final overhaul of the militia law occurred in 1840. In that year, the General Assembly added sixteen regiments, nine of which were assigned to seven new counties created in West Tennessee. No new brigades or divisions were created at this time. Over the next twenty years the General Assembly continued to make minor additions and adjustments to the militia law and to add various regiments, but made no more major changes. In 1844, the last regiment was added to the system. It was the 162nd, of Giles County.<sup>34</sup>

The laws defining composition of the militia did not change significantly during the antebellum era. Each revision of the militia law continued to require able-bodied free men and indentured servants between the ages of eighteen and forty-five to serve. The militia laws made no mention of blacks or women. The General Assembly continued to add exemptions. A 1798 law exempted superior court judges, the secretary of state, treasurers, attorneys general, ministers of the gospel, ferrymen, justices of the peace,

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<sup>33</sup>Ibid., Twenty-first General Assembly, First Session, Chapter 21 (1836).

<sup>34</sup>Ibid., Twenty-fifth General Assembly, First Session, Chapter 56 (1840); *ibid.*, Twenty-fifth General Assembly, First Session, Chapter 194 (1844).

postmen, and certain Revolutionary War veterans. By 1840 the list included the comptroller, sheriffs, jailors, operators of gristmills, tollgate operators, religious objectors, public school commissioners, and firemen.<sup>35</sup>

In 1794 the Territorial Assembly created Blount College in Knoxville, and article four of the act creating it exempted the president, vice-president, professors, tutors, and students from militia duty. Students and faculty may appear logical choices for militia exemption, but the General Assembly resisted further attempts to exempt educators and their pupils. In fact, in 1805 some members of the Assembly attempted to revoke the exemption status for Blount College. Some legislators supported educational exemption, but they failed in their attempts to expand it. In 1803, the Assembly rejected a bill that would have granted exemption to Greeneville and Davidson colleges. In 1805 a bill failed that would have granted exemption to all college faculty and students. A similar law failed to pass the General Assembly in 1829. Public school commissioners were eventually granted exemption, but with the exception of Blount College this privilege did not extend to higher education.<sup>36</sup>

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<sup>35</sup>Ibid., Second General Assembly, Second Session, Chapter 1 (1798); *ibid.*, Twenty-third General Assembly, First Session, Chapter 56 (1840);

<sup>36</sup>*Acts of the Territory of the United States South of the Ohio*, First General Assembly, First Session, Chapter 18 (1794); Tennessee General Assembly, "A Bill to Repeal the Law Which Exempts Certain People from Militia Duty," box 7, folder 15 (1805), RG 60 (unprocessed), "A Bill to Exempt the Members of Greeneville and Davidson Colleges from Militia Duty," box 6, folder 10 (1803), RG 60 (unprocessed), "A Bill to Exempt Certain Persons From Militia Duties," box 8, folder 9 (1805), RG 60 (unprocessed), "A Bill Exempting Students, Scholars, Teachers, Tutors, Professors, and School Masters From Militia Duty," box 85, folder 4 (1829), RG 60 (unprocessed), all at TSLA.

In 1817, the General Assembly considered exempting certain workers, specifically persons employed at iron works and furnaces. Although the bill passed the state Senate, it failed in the House of Representatives and was never reintroduced. In 1821, a bill failed which would have exempted court clerks and other public officers. The justification for the bill was that militia duty slowed government work. The next year, the General Assembly failed to pass a bill based on the same argument that would have exempted county trustees. The final unsuccessful militia exemption bill failed the General Assembly in 1847; it would have exempted road overseers.<sup>37</sup>

Twice the General Assembly considered granting certain privileges to militiamen, but in both cases the bills failed. In 1843 the House of Representatives permanently tabled a bill exempting volunteer cavalry members from jury and road duty. In 1846 the house military committee recommended against house bill 168, granting certain exemptions to militiamen. The text of this bill has not survived, but its introduction in the House indicates that interested parties continued to press for special militia privileges.<sup>38</sup>

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<sup>37</sup>Tennessee General Assembly, "A Bill to Exempt Mechanics or Certain Workmen Therein Named From Attending Militia Musters," box 19, folder 3 (1817), RG 60 (unprocessed), "A Bill to Exempt Certain Officers from Militia Duty," box 22, folder 5, (1821), RG 60 (unprocessed), "A Bill Exempting Certain Persons from Militia Duty," box 22, folder 6 (1822), RG 60 (unprocessed), "A Bill To Exempt Overseers of Roads from the Performance of Military Duty," House Bills of the Twenty-seventh General Assembly (1847), RG 60 (unprocessed), all at TSLA.

<sup>38</sup>Tennessee General Assembly, "A Bill Exempting Cavalry Volunteer Companies In This State From Serving On Juries and Working On Public Roads," House Bills of the Twenty-fifth General Assembly (1843), RG 60 (unprocessed), "Report of the Committee On Military Affairs," Miscellaneous Reports of the Twenty-sixth General Assembly (1846), RG 60 (unprocessed), both at TSLA.

The General Assembly often granted special consideration to specific groups due to hardships. Many people lived in areas where travel to and from musters was difficult. The legislature responded to these difficulties in two ways. In some cases it exempted individuals living in remote regions from muster. For example, in 1824 militiamen residing on Crow and Paint creeks in Marion County were exempted from battalion and regimental musters. More often the Assembly allowed militiamen in remote areas to muster separately. Occasionally men were reassigned to more convenient regiments or battalions. In 1821 the Assembly granted the men in Captain Nimrod Funk's company of Anderson County residing on Cumberland Mountain the right to muster separately from the remainder of their regiment and to be commanded by a subaltern. In 1822 it created a third battalion in Rhea County to accommodate men living south of the Tennessee River. At almost every legislative session militia companies and regiments presented petitions requesting special treatment for mustering due to hardships. The Assembly considered many bills addressing these issues; like the bills granting exemptions to persons in certain professions, however, many of these were rejected.<sup>39</sup>

The legislature made a variety of changes to the militia laws throughout the antebellum years to manage the explosive growth of the militia, or to make the militia operation more efficient and useful. The duties of the companies did not change significantly, however. Laws required the men to muster at specified times, and to appear

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<sup>39</sup>*Acts of the State of Tennessee*, Fifteenth General Assembly, Second Session, Chapter 134 (1824); *ibid.*, Fourteenth General Assembly, First Session, Chapter 74 (1821); *ibid.*, Fourteenth General Assembly, Second Session, Chapter 155 (1822). For numerous accounts of exemption denials see RG 60, TSLA, *passim*.



ready for service when called. The companies were also mustered, either officially or unofficially, to work on roads and act as slave patrols.

The most common and most time-consuming militia duty was mustering. Throughout the antebellum era, the General Assembly modified the frequency of the company, battalion, and regimental musters. The 1798 law required regimental musters at the county courthouse on the last Thursday of each May and November. Additionally, each company was to muster in March, June, September, and December. In 1801, the Assembly replaced the spring regimental muster with a battalion muster. In 1803, it granted the commanding officers of the regiments and battalions the privilege of choosing the location of the muster. The county courthouses continued to be the most frequent places for musters and one regimental and one battalion muster per year remained the rule. As militia membership increased, the specific days for regimental and battalion muster were changed; but every militiaman could expect to attend a battalion muster sometime in April or May and a regimental muster sometime in October, November, or December.<sup>40</sup>

Unlike the regimental and battalion musters, the company musters were changed often during the antebellum era. In 1801 the General Assembly reduced the number of musters for regular militia companies to three per year and granted captains the authority to select the muster location. The rule was changed in 1803 to require companies to muster every other month excluding January and February. The frequency of musters

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<sup>40</sup>*Acts of the State of Tennessee*, Second General Assembly, Second Session, Chapter 1 (1798); *ibid.*, Fourth General Assembly, First Session, Chapter 1 (1801); *ibid.*, Fifth General Assembly, First Session, Chapter 1 (1803).

reached a peak in 1811. In that year, the legislature passed a law requiring companies to muster once a month, excluding January and February, bringing the total number of musters (including regimental and battalion) required to twelve.<sup>41</sup>

The 1811 law reflected the increased tension between the United States and Great Britain. Even with war looming, however, militiamen resisted the dramatic increase in required musters. Militia units bombarded the Assembly with exemption requests after the law passed. Once the war ended in 1815, the General Assembly reduced the company musters to four per year. Two years later it reduced them to two per year and placed them immediately before the spring battalion muster and the fall regimental muster. In 1819, the Assembly increased the number to four, but allowed those before the battalion and regimental musters to count as two of the four. During the previous year Tennessee troops participated with Andrew Jackson in his military campaign in Florida, and this campaign action likely influenced the Assembly's decision to increase the number of regular company musters. In 1823 the legislature again reduced company musters to two per year. In 1841, the General Assembly abolished the requirement for militia training in the springtime. This 1841 act ended battalion muster, and reduced company musters to one per year.<sup>42</sup>

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<sup>41</sup>Ibid., Fourth General Assembly, First Session, Chapter 1 (1801); *ibid.*, Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Ninth General Assembly, Second Session, Chapter 28 (1811); *ibid.*, Ninth General Assembly, Second Session, Chapter 28 (1811).

<sup>42</sup>Ibid., Eleventh General Assembly, First Session, Chapter 118 (1815); *ibid.*, Thirteenth General Assembly, First Session, Chapter 120 (1819); *ibid.*, Twelfth General Assembly, First Session, Chapter 120 (1820); *ibid.*, Fifteenth General Assembly, First Session, Chapter 61 (1823); *ibid.*, Twenty-fourth General Assembly, First Session,

Political pressure is the most obvious reason for changing muster requirements. Privates in the regular militia resisted frequent muster, and in times of peace considered most militia activity burdensome. In 1815, when companies were still mustering once a month, 131 petitioners termed the militia law “oppressive” and asked the Assembly, “would not a muster once in every two or three months serve every purpose[?]” Conversely, many militia officers pressured the legislature to require frequent musters, arguing that they were necessary to keep the militia well trained. In 1823, after the Assembly had reduced the number of company musters to two per year, thirty officers of the Seventeenth Regiment (Wilson County) asserted that at least four per year were needed, otherwise “what is learned at the one is lost long preceding the next muster.”<sup>43</sup>

The volunteer militia companies usually operated under the same rules as the regular companies. The volunteer militia was not a separate system from the regular militia. The very first militiamen in Tennessee were volunteers, who during the early settlement years formed themselves into loosely organized groups. Governor John Sevier recognized the existence of volunteer companies in his 1797 address to the General Assembly. The 1799 militia law did not expressly recognize volunteer companies. When they were formally recognized in the 1803 revision, they were required to operate under the same rules as the regular militia. Under the 1803 law each regiment could raise a

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Chapter 51 (1841).

<sup>43</sup>Citizens of Greene County, Tennessee, to the General Assembly, 21-1815-1 (September 1815), RG 60 Petitions, TSLA; officers of the Seventeenth Regiment of Tennessee Militia to the General Assembly, box 55, folder 5 (1823), RG 60 (unprocessed), TSLA.

volunteer company of light infantry. The law authorized the regimental field officers to appoint men to raise such a company, which was to contain between thirty and sixty privates and was authorized to elect its own officers. In 1807 the legislature authorized a company of volunteer riflemen to be raised in each county, to consist of between forty and sixty privates.<sup>44</sup>

Militia laws indicate subtle but important differences between the volunteer militia and the regular militia. Volunteer privates were required to have uniforms, but the laws never required uniforms for regular militia privates. Thus, it is likely that volunteers were wealthier than regulars. The 1803 militia law revision dictated that each private in the volunteer light infantry wear a blue coat laced with white, a round hat with one side turned up, and “white small clothes.” The Assembly allowed the volunteer riflemen to choose their own uniforms. In 1811 the Assembly granted the same privilege to the volunteer light infantry, but stipulated that the uniforms must be different from those of rifle companies in the same regiment. In 1815, the legislature revoked the right of the volunteer light infantry and riflemen to choose their own uniforms and instead established uniforms for both groups. Riflemen were to wear a long black hunting shirt and pantaloons, fringed with yellow, and a round cap. In the cap, officers were to have a red plume and all others a black plume. Light infantrymen were to wear a blue hunting shirt, pantaloons, and a round cap, also with red plumes for officers and black plumes for others. In 1821, the Assembly rejected a bill to grant the companies the right once again

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<sup>44</sup>Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Seventh General Assembly, First Session, Chapter 101 (1807).

to choose their own uniforms. That same year a larger militia bill passed the Assembly that included that provision.<sup>45</sup>

Although the choice of uniforms may appear trivial, volunteers considered it important. A rifle company from the Eleventh Regiment (Sevier County) complained in 1821 that the uniforms were “inconvenient, unsoldierlike, and too much resembling the dress of the aborigians [*sic*] of this county.” The men requested permission to choose their own uniform that would be “calculated to [display] the military pride which is so necessary in every soldier.” Other volunteers expressed similar sentiments. In the 1826 militia law revision the Assembly once again established a standard uniform for volunteers. However, the law went one step further by allowing volunteer companies to make independent uniform requests. From that time until the demise of the militia system, volunteer companies regularly requested and received unique uniform privileges.<sup>46</sup>

Volunteer companies required more dedication and resources from their members than regular companies. However, from the earliest days volunteer companies enjoyed

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<sup>45</sup>Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Seventh General Assembly, First Session, Chapter 101 (1807); *ibid.*, Ninth General Assembly, First Session, Chapter 93 (1811); *ibid.*, Eleventh General Assembly, First Session, Chapter 118 (1815); Tennessee General Assembly, “A Bill To Legalize the Uniform of the Light Infantry and Other Volunteer Companies of this State,” box 22 folder 5 (1821), RG 60 (unprocessed), TSLA; *Acts of the State of Tennessee*, Fourteenth General Assembly, First Session, Chapter 55 (1821).

<sup>46</sup>Volunteer Rifle Company of the Eleventh Regiment to the Tennessee General Assembly, 3-1821-1 (1821), RG 60 Petitions, TSLA; *Acts of the State of Tennessee*, Sixteenth General Assembly, First Session, Chapter 69 (1826).

wide popularity. Until after the Mexican War, volunteer units, their members exempt from regular militia duty, never lacked for enlistments. By the 1820s nearly every regiment in the state contained at least one volunteer company. Between 1801 and 1833, the General Assembly officially recognized twenty-three volunteer companies, but ancillary records identify many more. By 1815 participation in the volunteer militia had become so popular that the legislature prohibited any man from leaving a regular company to join a volunteer company if doing so would reduce his regular company to fewer than sixty-four men. In 1820, the Assembly reduced this number to sixty. Also in 1815, the Assembly required all privates in the volunteer infantry to serve a minimum of five years. In 1827 volunteer companies were required to muster four times per year, instead of the two times required of the regulars. In that year too, volunteer companies were prohibited from exceeding one hundred men. The Assembly also rejected a bill to allow any volunteer company to be formed provided it contained forty men. Clearly the Assembly was concerned about the popularity of the volunteer companies and was committed to controlling volunteer enlistment numbers within the regimental structure of the militia system.<sup>47</sup>

In 1827 the legislature did permit the volunteer companies in the Fourth, Fifth, and Ninth brigades to form themselves into three independent volunteer regiments. Each company in these regiments had to contain at least forty men, to be uniformed and

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<sup>47</sup>Ibid., Eleventh General Assembly, First Session, Chapter 118 (1815); *ibid.*, Thirteenth General Assembly, Second Session, Chapter 31 (1820); *ibid.*, Eleventh General Assembly, First Session, Chapter 118 (1815); *ibid.*, Sixteenth General Assembly, Extra Session, Chapter 18 (1827); Tennessee General Assembly, "A Bill to Amend the Militia Laws of This State," box 78, folder 5 (1827), RG 60 (unprocessed), TSLA.

equipped in a “handsome military manner.” The Assembly stipulated that these volunteer regiments be governed by the same rules as the regular militia. In addition to these new volunteer regiments, three volunteer artillery companies were created. These three were formed in Shelbyville in 1822, and Paris and McMinnville in 1827.<sup>48</sup>

Volunteer companies enjoyed unique privileges to reward their extra dedication to the military needs of the state. Some companies were granted the right to draw up their own by-laws and, more importantly, to collect their own fines. The fines were for the exclusive use of the company. In 1840 the Assembly extended the privilege to collect fines to all volunteer companies.<sup>49</sup>

A greater privilege extended to the volunteer companies was the exclusive use of state arms. The state held a very limited number of weapons and other military items, and thus distributed them with great care. In 1812 the General Assembly passed a law dividing the arms between the two divisions then existing. The major generals were to distribute them equally among the various regiments, only one company per regiment being eligible to receive them. The company in each regiment was to be chosen by lot. This regulation was revised in 1821 to require that public arms be distributed exclusively among uniformed volunteer companies. The company captains were to give bond for the

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<sup>48</sup>*Acts of the State of Tennessee*, Seventeenth General Assembly, Private Acts, Chapter 136 (1827); *ibid.*, Sixteenth General Assembly, Extra Session, Chapter 18 (1827); *ibid.*, Fourteenth General Assembly, Second Session, Chapter 214 (1822); *ibid.*, Sixteenth General Assembly, Extra Session, Chapter 189 (1827); *ibid.*, Seventeenth General Assembly, First Session, Chapter 31 (1827).

<sup>49</sup>*Ibid.*, Twenty-third General Assembly, First Session, Chapter 56 (1840).

safekeeping of the weapons.<sup>50</sup>

This second law failed to stipulate the manner of choosing which volunteer companies received the guns, an omission corrected in an 1826 law granting the governor the power to choose. The next year, the Assembly further defined the procedure of arms distribution. The weapons were to be held in the care of the quartermaster general, who was to distribute them to volunteer companies on the governor's orders. The governor would then call on one of the two state treasurers to pay expenses associated with the distribution. In an 1831 law the General Assembly required any company with arms to attain certification by its regimental colonel that they were being properly maintained.<sup>51</sup>

The General Assembly did not neglect the cavalry when enacting militia law. All cavalry members were volunteers. The 1798 law called for the raising of one cavalry company per county, a requirement changed the next year to one per regiment. Thus, each county might now host more than one cavalry company. In the 1803 militia law revision, the General Assembly further defined cavalry regulations. The various cavalry companies in each brigade were to comprise one cavalry regiment, commanded by a lieutenant colonel, and the regiment was to hold muster each fall. As with the infantry, each regimental muster was to be followed by a courts martial. Each cavalry company was to muster three times per year and also attend musters of their infantry counterparts.

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<sup>50</sup>Ibid., Ninth General Assembly, Second Session, Chapter 31 (1812); *ibid.*, Fourteenth General Assembly, First Session, Chapter 55 (1821).

<sup>51</sup>Ibid., Sixteenth General Assembly, First Session, Chapter 69 (1826); *ibid.*, Nineteenth General Assembly, First Session, Chapter 72 (1831).



All other appropriate militia regulations applied to cavalry companies.<sup>52</sup>

Requiring every cavalry company in a brigade to muster at a central location was difficult for many members, and in 1807 the Assembly dropped the requirement.

However, it was reinstated in 1809. In that year, the Assembly also required cavalry regiments to divide themselves into two squadrons, each squadron to muster every fall.

In 1811 the Assembly reduced the regimental muster requirement to every other year, but in 1812 reversed itself, re-establishing the once-per-year requirement. It also increased to four the number of company musters, but ended squadron musters. In 1815 cavalry company musters were reduced to three per year.<sup>53</sup>

The General Assembly never placed significant restrictions on membership in cavalry companies; the company captain received all requests for membership, and he held the power to accept or reject such requests. Nevertheless, the Assembly did consider cavalry membership a serious obligation. In 1812, it prohibited cavalry privates from withdrawing from their company without permission from a courts martial. In 1826, it required cavalry privates to serve at least five years. The same requirement had been placed on the volunteer infantry companies in 1815. Although the cavalry companies, like the volunteer infantry, were eligible to receive state arms, the state did not own

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<sup>52</sup>Ibid., Second General Assembly, Second Session, Chapter 1 (1798); *ibid.*, Third General Assembly, First Session, Chapter 42 (1799); *ibid.*, Fifth General Assembly, First Session, Chapter 1 (1803).

<sup>53</sup>Ibid., Seventh General Assembly, First Session, Chapter 101 (1807); *ibid.*, Eighth General Assembly, First Session, Chapter 89 (1809); *ibid.*, Ninth General Assembly, First Session, Chapter 93 (1811); *ibid.*, Ninth General Assembly, Second Session, Chapter 78 (1812); *ibid.*, Eleventh General Assembly, First Session, Chapter 118 (1815).

horses or equestrian equipment. This effectively restricted cavalry participation to men of means. The law required members not properly equipped to be fined. The additional muster responsibilities further restricted cavalry membership to the wealthier citizens of the state.<sup>54</sup>

Cavalry companies received the same privileges enjoyed by the volunteer infantry companies. In 1815 the General Assembly granted cavalry companies the right to choose their uniforms, the only condition being that they be blue. The Assembly also granted in 1815 a more important and far-reaching cavalry privilege, stipulating that when called into service the cavalry units were to be commanded by their own officers.<sup>55</sup>

The militia laws spelled out the duties of all militia officers. Unlike other aspects of the system, the duties of officers changed little over time. On the company level, the 1803 militia law was the most important enactment. Under its provisions the captain was the commanding officer of the company and the only company officer with specific duties assigned to him by the law. In addition to training and disciplining the men at company muster, the law required him keep accurate records of the strength and condition of his company, and produce a report for the regimental colonel once a year. The law also required the captain to accept new members into his company, oversee discharges, and read the militia law to his men once a year. The 1798 law requiring a captain to divide his company into ten groups for rotation during active service was changed by the 1803

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<sup>54</sup>Ibid., Ninth General Assembly, Second Session, Chapter 28 (1812); *ibid.*, Ninth General Assembly, Second Session, Chapter 78 (1812); *ibid.*, Sixteenth General Assembly, First Session, Chapter 69 (1826).

<sup>55</sup>Ibid., Eleventh General Assembly, First Session, Chapter 118 (1815).

law: now it was four groups instead of ten. The 1815 revision further required the captain to divide his men into groups based on tours of duty. In the event a company was called into active service, men not having previously served a tour were to comprise the first group. The 1815 revision also assigned company lieutenants and ensigns the responsibility to assist the captains in the exercising and disciplining of the men during musters.<sup>56</sup>

Responsibility for drilling and training the men during regimental musters fell to the regimental colonel. He was also responsible for keeping all regimental records and sending reports to his brigadier general. Although expected to drill and train his regiment on muster day, the colonel was not officially assigned this duty until 1815. He was never required to train the men alone, but rather shared this duty with various other officers. In 1799 the General Assembly instructed the regimental colonels to appoint one regimental major to attend each muster and to assist in the training of the men. The major was also to share responsibility for training at the battalion muster. The 1803 law required the brigade major, also known as the brigade inspector and appointed by the brigadier general, to attend the various regimental musters and to inspect and train the men. For such duty he was to be compensated by the state. The General Assembly relieved the brigade major of this obligation in 1817 and assigned the responsibility to the regimental adjutant. In 1824 the Assembly granted the regimental colonel the right to choose his

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<sup>56</sup>Ibid., Second General Assembly, Second Session, Chapter 1 (1798). Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); Ibid., Eleventh General Assembly, First Session, Chapter 118 (1815).

own assistant for training the men.<sup>57</sup>

The adjutant in each regiment had an important role in all aspects of its operation. Appointed by the colonel, the adjutant worked as an administrative assistant. In this capacity he assisted the colonel with keeping all regimental records and submitting all reports. He assisted the brigade major in battalion drills and assisted, officially or unofficially, at regimental drills. The 1812 law required the adjutant to attend muster for each company in the regiment at least once per year.<sup>58</sup>

The duties of the militia generals were largely clerical. The law required them to maintain all necessary records and produce the annual reports on their brigades. They were permitted to appoint their own staff officers to assist them. Brigadier generals were required to attend muster for each regiment at least once every two years for the inspection of the troops. The major generals' responsibilities regarding their divisions were very similar to those of the brigadier generals, but major generals were not required to attend musters.<sup>59</sup>

The state adjutant general, appointed by the governor, assisted the governor in all clerical and operational functions of the state militia system. He received and processed all reports regarding the strength and condition of the militia, and he issued all orders

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<sup>57</sup>Ibid., Eleventh General Assembly, First Session, Chapter 3 (1815); *ibid.*, Third General Assembly, First Session, Chapter 22 (1799); *ibid.*, Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Twelfth General Assembly, First Session, Chapter 120 (1817); *ibid.*, Fifteenth General Assembly, Second Session, Chapter 7 (1824).

<sup>58</sup>Ibid., Ninth General Assembly, Second Session, Chapter 28 (1812).

<sup>59</sup>*Acts of the State of Tennessee*, Fifth General Assembly, First Session, Chapter 1 (1803).

given by the governor. He was responsible for producing the annual report on the strength and condition of the militia, which the governor presented to the General Assembly.<sup>60</sup>

Six other positions in the militia system merit discussion. The quartermaster general, appointed by the governor, supervised the safekeeping and administration of the public arms. The law charged him with distributing these arms to approved companies and maintaining armament records. The quartermaster sergeant functioned as the regimental counterpart to the quartermaster general. The law required each regiment to have a judge advocate, who directed all courts martials. The regimental drum and fife major trained his unit's musicians. This officer attended musters and received payment for his services. The surgeon and the surgeon's mate satisfied the medical needs of the regiment. The law said little about these two positions except that both men were to attend muster.<sup>61</sup>

All officers, regular and volunteer, were required to attend muster in uniform, with arms and other necessary equipment. However, in 1839, the Assembly lifted this requirement for captains and their subalterns. Unless specific exceptions had been granted, officers' uniforms were to be the same as the officers' uniforms in the United

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<sup>60</sup>1796 *Constitution of the State of Tennessee* in Francis Thorpe, ed. *Federal and State Constitutions*, 6: 3414-3425; *Acts of the State of Tennessee*, Fourth General Assembly, First Session, Chapter 1 (1801).

<sup>61</sup>*Acts of the State of Tennessee*, Fifth General Assembly, First Session, Chapter 1 (1803).

States Army.<sup>62</sup>

The law furthermore required officers to attend drill muster for their own training. In 1801, the General Assembly mandated that all regimental officers attend a drill muster the day before the regimental muster and imposed a ten dollar fine on absentees. In 1803 it revised this stipulation, requiring officers in infantry regiments to meet the Monday preceding regimental muster to be drilled by the brigade major; a five dollar fine was levied on any officer absent or unarmed. In 1817 the Assembly relieved the brigade major of the job of drilling and assigned this responsibility to the regimental adjutant. An 1826 law required a drill muster the day before the spring battalion muster, to be overseen by the regimental adjutant. That law also required a once-per-year county drill, under the supervision of the brigade major, to take place at the county courthouse. This drill was abolished three years later, but then reinstated in 1838. In 1841 the Assembly abolished the spring battalion muster and the battalion drill.<sup>63</sup>

The election of officers reflected the democratic spirit that permeated the Tennessee militia system. The 1796 Constitution required company and regimental officers to be elected by their respective militiamen. Generals were to be elected by field officers. The General Assembly specified the election process in 1803. Company

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<sup>62</sup>Ibid., Twenty Third General Assembly, First Session, Chapter 56 (1839).

<sup>63</sup>Ibid., Fourth General Assembly, First Session, Chapter 1 (1801); *ibid.*, Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Twelfth General Assembly, First Session, Chapter 120 (1817); *ibid.*, Sixteenth General Assembly, First Session, Chapter 69 (1826); *ibid.*, Eighteenth General Assembly, First Session, Chapter 17 (1829); *ibid.*, Twenty-second General Assembly, First Session, Chapter 157 (1838); *ibid.*, Twenty-fourth General Assembly, First Session, Chapter 51 (1841).

elections were to be supervised by three judges appointed by the county sheriff. These men were to report the results to the regimental colonel, who in turn reported them to the governor. The candidate with the most votes was to be declared the winner and was to be granted the commission. The winning candidate did not need to receive a true majority to win, only a plurality. In the event of a tie the election judges would cast the deciding vote. The law required that regimental officers be elected in a similar manner. The county sheriff was to advertise regimental elections thirty days beforehand and the polls were to remain open for two days. In the event of a tie the sheriff was to cast the deciding vote. The 1836 law required the sheriff to advertise company elections ten days in advance..<sup>64</sup>

Elections for brigadier generals were to be advertised for forty days prior to the vote, and polling was to take place throughout the bounds of the brigade. In the event of a tie, the winner was to be decided by lot. Major generals were elected in a similar manner, with all field officers and brigadier generals eligible to vote. The votes were to be counted by the governor in the presence of the secretary of state. In the event of a tie, the governor was to cast the deciding vote. Tennessee's new Constitution of 1835 empowered all militiamen to vote for generals. The militia law reflected this change in 1836..<sup>65</sup>

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<sup>64</sup>Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Twenty-first General Assembly, First Session, Chapter 21 (1836).

<sup>65</sup>Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Twenty-first General Assembly, First Session, Chapter 21 (1836); 1835 *Constitution of the State of Tennessee*, Article VIII, Section 1, in Francis Thorpe, ed. *Federal and State Constitutions*, 6: 3437.

In 1803 the General Assembly required all elected officers to serve three-year terms; they were not permitted to resign except for reasons of hardship. In 1815 the Assembly lengthened the term of service to five years for commissioned officers and reduced it to two years for non-commissioned officers. In 1836 the term limit was again altered, requiring regimental officers to serve six years. Also at this time the Assembly set the term of office for generals at eight years, but permitted them to resign after five. All vacancies were to be decided by a special election held under generally the same rules as standard elections. Disputed elections were to be decided by a courts martial.<sup>66</sup>

A final matter addressed in the militia laws was militia justice. A variety of different courts martials was used to administer fines and resolve disputes. The 1797 militia law defined the basic structure of the company, battalion, and regimental courts martials, and this structure changed little over the course of the antebellum era. In all three cases the courts martial took place the day after muster and resolved administrative issues and administered fines.<sup>67</sup>

Special courts martials could be called to resolve significant issues, notably for the trial of high-ranking officers accused of misconduct. These could be called at all levels of the militia structure. The general courts martial was the highest special militia court. Called into session by the governor, it consisted of a major general, who acted as the presiding officer, and twelve other field officers, two of whom were to be brigadier

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<sup>66</sup>*Acts of the State of Tennessee*, Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Eleventh General Assembly, First Session, Chapter 3 (1815); *ibid.*, Twenty-first General Assembly, First Session, Chapter 21 (1836).

<sup>67</sup>*Ibid.*, Second General Assembly, Second Session, Chapter 1 (1797).



generals. The divisional courts martial, presided over by a brigadier general, consisted of the presiding general and twelve other field officers, two of whom were to be colonels. The brigade courts martial, also presided over by a brigadier general, was the lowest-level special militia court. It consisted of the presiding brigadier general and twelve field officers, one of whom was to be a colonel. When special courts martials were called, the court officials and the witnesses were to be compensated for their efforts.<sup>68</sup>

The levying and collecting of fines constituted a small but contentious section of Tennessee militia law. Men could be fined on the company, battalion, or regimental level. In 1803 the General Assembly stipulated that a sergeant in each company was to collect all fines. He was to pass this money to the judge advocate, who in turn was to deposit it with the regimental colonel. The colonel was to use these funds to purchase arms and equipment. In 1815 the Assembly reassigned the duty of collecting fines to the county sheriff, a move that drew loud criticism. One group of petitioners in 1821 asked the Assembly to appoint a provost marshal or some other military official to collect fines, arguing that allowing the sheriff to do so combined the civil and military tribunals of the state, and was thus inappropriate. The Assembly in 1823 again altered the collection procedure, requiring the company captains to collect fines. In 1826 it reversed course, directing the sheriffs once again to collect militia fines. Because collecting fines required extra work, the collection agents were to be compensated for their efforts.<sup>69</sup>

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<sup>68</sup>Ibid., Eleventh General Assembly, First Session, Chapter 3 (1815).

<sup>69</sup>Ibid., Fifth General Assembly, First Session, Chapter 1 (1803); *ibid.*, Eleventh General Assembly, First Session, Chapter 3 (1815); unidentified petitioners to the Tennessee General Assembly, 174-1821-1 (1821), RG 60 Petitions, TSLA; *Acts of the*

The laws governing the Tennessee militia system were similar to those of other states. They embodied the basic tenet of the militia ideal: that citizen soldiers could, with proper training and leadership, provide for the common defense without threatening the liberties of the populace. Although some historians have argued that America's militia system was inefficient and inept, Tennessee militia laws created a system that state lawmakers considered worthy and dependable. State laws also reflect the changing needs of the state throughout the antebellum era. Prior to 1830 militia matters were of great importance and consumed a sizeable portion of legislative time and effort. There were myriad laws enacted and numerous bills, petitions, special requests, and correspondence considered by committees and by the legislature as a whole. After 1830 the General Assembly paid considerably less attention to the militia, focusing instead on issues such as schools, internal improvements, trade, and banking. Little militia legislation appeared after 1845. The General Assembly abolished all muster requirements in 1857, thus turning the militia into a paper organization. The details of the abolition of the militia will be discussed in chapter five.<sup>70</sup>

It is important to note that although militia laws clearly defined the system's organization and operation, those laws do not reflect how ardently or casually the citizen-soldier of early Tennessee followed those regulations. The laws reflect what the militia was envisioned to be, not what it actually was. They do, however, provide a starting

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*State of Tennessee*, Fifteenth General Assembly, First Session, Chapter 61 (1823); *ibid.*, Sixteenth General Assembly, First Session, Chapter 69 (1826).

<sup>70</sup>*Acts of the State of Tennessee*, Thirty-second General Assembly, First Session, Chapter 32 (1857).

point for examining the system, a system that for seventy-five years played a significant role in the state's development.



### Chapter III

#### **A Tool for Survival: The Militia During the Pioneer Years**

The Tennessee pioneers of the early 1770s accepted a tremendous risk when moving into what was then Indian territory. Not only did these families face the typical hardships associated with establishing homes in a wilderness, but immediately on arrival they also faced hostilities with the Indians. Defense was a top priority, and militia participation became an established and necessary part of life.

In 1763, immediately after the French and Indian War, King George III issued a decree prohibiting migration of colonial subjects west of the Appalachian crest. This territory included the vast area that would become Tennessee. Some colonists ignored the proclamation, the fertile lands west of the seaboard settlements being an irresistible lure for the land-hungry. A proclamation from a distant monarch could not stop the tide of migration. In 1768 the dominant Indian tribes in the region, notably the Cherokee, signed with the colonists the Treaty of Fort Stanwix, which ceded the Indians' claim to much of what is today East Tennessee. Two years later, at Lochaber, South Carolina, the Cherokee ceded even more land.<sup>1</sup>

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<sup>1</sup>James G. M. Ramsey, *The Annals of Tennessee to the End of the Eighteenth Century Comprising Its Settlement, as the Watauga Association, from 1769 to 1777; a Part of North-Carolina, From 1777 to 1788; the State of Franklin, From 1784 to 1788; a Part of North-Carolina, From 1788 to 1790; the Territory of the U. States South of the Ohio, From 1790 to 1796; the State of Tennessee, From 1796 to 1800* (Charleston: Walker and James, 1853; reprint, Kingsport, Tennessee: Kingsport Press, 1926), 71; Archibald Henderson, *The Conquest of the Old Southwest* (New York: The Century Company, 1920), 191-92; *The State Records of North Carolina* (30 vols., Winston, North

These treaties resulted in a wave of white settlement into the Tennessee territory. Over the next few years four distinct settlements emerged. One was north of the Holston River centered around a place known as Long Island, near present-day Kingsport; the second was the Watauga settlement, near present-day Elizabethton; the third was in Carter's Valley, near present-day Rogersville; and the fourth was the Nollichucky settlement, near present-day Erwin. Settlers generally ignored treaty boundaries. Three of these settlements were beyond the lines set by the treaties of Fort Stanwix and Lochaber. Only the Long Island settlement was located within the agreed-upon boundaries.

Recognized borders and centralized governments allowed the eastern colonies to codify militia laws. Procedures for commissioning officers, orders of battle, and day-to-day military operations were consistent throughout each colony. In the Tennessee territory, however, the lack of clearly defined boundaries and the extreme isolation required militias to operate independent of a central command. Military decisions were made by local communities and their officers. These officers held official ranks in the militias of either Virginia or North Carolina. Because there was no colonial law under which Tennessee militias functioned, membership participation was informal, but expected. Virtually every able-bodied man belonged to the militia. As portions of Tennessee became a part of North Carolina, that state brought the existing communities under the umbrella of its militia laws. However, local communities continued to exercise a great degree of autonomy.

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Carolina: M.I. and J.C. Stewart, 1896-1907), 4: 314.

The settlers of the four early Tennessee settlements had no illusions regarding the potential for military conflicts with the Indians. It is no coincidence that the founders and leaders of each community were men with military experience. These seasoned leaders began military preparations on arrival, and they and their families played a crucial role in the militia establishment of Tennessee. The North Holston settlement was led by the Shelby family. Its head was Evan Shelby, a native of Wales who had emigrated to the colonies as a teenager in 1735. Shelby served as a captain during the French and Indian War. At North Holston he served as a colonel in the Virginia militia until 1779, when a new boundary line placed North Holston in North Carolina. North Carolina promoted Shelby to the rank of general; he was the first man to carry that rank in the region. Shelby's son, Isaac, also played an important role both as a community leader and as a militiaman. When the Shelbys moved to North Holston, the state of Virginia commissioned Isaac a lieutenant in the militia. During the 1770s Isaac engaged in a variety of militia activities and rose through the ranks. He also served as a member of the Virginia legislature. In 1779, when the new boundary placed his residence in North Carolina, that state commissioned him a colonel. He helped organize the county of Sullivan, and during the 1780s he led militiamen against the British as well as the Creek and Cherokee Indians and served in the North Carolina legislature. He eventually settled in Kentucky and became that state's first governor. He led Kentucky troops during the War of 1812, and in 1818 President James Monroe offered him the post of Secretary of War, which he declined. Three of Evan Shelby's other sons (Evan Jr., Moses, and

James) also participated actively in the militia.<sup>2</sup>

The founder and early leader of the Carter's Valley settlement was John Carter. Details of Carter's past are few, but he was well educated and probably from a prominent Virginia family. He almost certainly had a military background. Soon after spearheading the Carter's Valley settlement he moved to the Watauga area, where in 1772 he chaired a committee of five men designated by the settlers to oversee local government based on the laws of Virginia. In 1776 the people living south of the Holston River applied to North Carolina for annexation as the Washington District, and they appointed Carter to the rank of colonel in the local militia.<sup>3</sup>

Jacob Brown, a native of South Carolina, founded the Nollichucky settlement. In 1776 the people of Washington District appointed him a militia colonel, and during the Revolutionary War he served as a captain and a major. In 1785 he was killed in a hunting accident.<sup>4</sup>

James Robertson was the principal founder of Watauga, the most prominent of the four original Tennessee settlements. Robertson was born in 1742, and lived in both Virginia and North Carolina before moving to the Tennessee frontier in 1770. Along with John Carter, he served as a member of the five-man committee that oversaw the

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<sup>2</sup>Moore and Foster, *Tennessee the Volunteer State, 1769-1923*, 4: 230; Lyman C. Draper, *King's Mountain and It's Heroes: History of the Battle of King's Mountain, October 7th, 1780, and the Events Which Led To It* (Cincinnati: Peter G. Thompson, 1881; reprint, Marietta: Continental Book Company, 1954), 415-16.

<sup>3</sup>Moore and Foster, *Tennessee the Volunteer State*, 2: 86; Ramsey, *Annals of Tennessee*, 106-107, 145.

<sup>4</sup>Ramsey, *Annals of Tennessee*, 145; Draper, *King's Mountain*, 424.



local Watauga government in its early years. During the 1770s he served as a militia captain in campaigns against the Indians, but spent later years as an Indian agent, and even briefly lived among them. In 1780 he helped found Nashville, and eventually became a militia colonel for the newly-created Mero District. In the 1780s North Carolina promoted Robertson to brigadier general, and he remained active as a militia leader well into the 1790s. Robertson's brother, Charles, also migrated with him to the Tennessee frontier and played an active role in the militia.<sup>5</sup>

Through the 1770s most settlers in the Tennessee territory resided in or near one of the four main settlements, but in the 1780s settlement began to expand beyond these areas. Settlers created towns and carved counties out of the frontier. The earliest Tennessee counties were very large, but they were divided as their population grew. As with the four early settlements, men with military backgrounds founded the early towns and counties. These same men became the early territorial and state leaders. With Indian hostilities a regular component of pioneer life, military preparation was always a high priority.

The founding of Watauga demonstrates the role of military men in creating early Tennessee settlements. In 1769, following the treaty of Fort Stanwix, a small number of settlers moved to this region near the Watauga River. James Robertson spent a brief period there in early 1770, and returned later in the year with a group of families to form a permanent settlement. The Watauga settlement was not technically within the boundary of either North Carolina or Virginia, and thus in 1772 the settlers created the Watauga

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<sup>5</sup>Moore and Foster, *Tennessee the Volunteer State*, 2: 223-24.

Association, which was to be the basis of local government. The settlers elected thirteen commissioners, eight of whom, including John Sevier and James Robertson, can be identified as militia leaders. Sevier, Robertson, Charles Robertson, Zachary Isabell, and John Carter, all militia leaders, were chosen as the local court.<sup>6</sup>

When petitioned, the state of Virginia refused to annex the Watauga Association because of its distance from the established Virginia border. In August 1776, the Wataugans petitioned North Carolina for annexation. North Carolina accepted and the region fell into that state's jurisdiction as the Washington District. The petition to North Carolina was signed by 123 male Wataugans. Twelve of the original thirteen commissioners, including the militia leaders, signed at the top. In the petition the Wataugans discussed organizing themselves into a militia, electing officers, and posting militiamen for protection. They also expressed loyalty to the revolutionary cause, and pledged military assistance. The petition makes reference to militiamen then guarding the settlement at outposts and most likely does not contain the names of those on active duty. The petition nevertheless gives a glimpse into the military strength of the Wataugans and demonstrates the militia's prominence in the lives of early Tennessee settlers.<sup>7</sup>

Nashville is an example of a Tennessee town founded by military leaders. In 1779 James Robertson led a few hundred settlers by land to a point in Middle Tennessee known as French Lick, the site of present-day Nashville. The settlers arrived in 1780, built a fort, and planted corn. Two of<sup>7</sup>Ramsey, *Annals of Tennessee*, 107, 134-38. her

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<sup>6</sup>Ramsey, *Annals of Tennessee*, 107,

<sup>7</sup>Ibid., 138-39

groups, led by John Donelson, a militia colonel, and John Blackmore, a captain, also embarked for French Lick in 1779, traveling by river. They arrived at French Lick in 1780, months later than the Robertson party.<sup>8</sup>

In April 1780 Richard Henderson, a Virginia militia colonel, arrived at the settlement. Henderson had surveyed land in the Tennessee territory and was a close associate of Robertson and Donelson. In May 1780 the three men wrote the Cumberland Compact, named for the Cumberland Valley where they were located. Signed by the 256 white male settlers, this document laid the foundation for the local government. The militia provisions in the document made each male over sixteen liable for military service, and gave the government the power to impress horses if necessary.<sup>9</sup>

When the Cumberland Compact was written, the settlement consisted of eight sub-settlements, known as stations, which retained the right to elect their own officers. At the center of each station the settlers built a fort, which could be used for protection and community gatherings. Life for the early Nashville settlers was very harsh. Constant Indian warfare intensified the difficult tasks of clearing and planting land, building homes, and establishing a community. The Indians were still a problem in 1783, when North Carolina organized the region into Davidson County.<sup>10</sup>

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<sup>8</sup>“Early Account of French Lick Settlement,” folder 5, John Haywood Papers, TSLA; John R. Finger, *Tennessee Frontiers: Three Regions in Transition* (Bloomington: Indiana University Press, 2001), 82-83.

<sup>9</sup>Ramsey, *Annals of Tennessee*, 202; Moore and Foster, *Tennessee the Volunteer State*, 1: 109-13.

<sup>10</sup> John Carr, *Early Times in Middle Tennessee* (Nashville: E. Stevenson and F.A. Owen, 1857; reprint, Nashville: Parthenon Press, 1958), 7; Moore and Foster, *Tennessee*

As was the case with the early settlements, military leaders assumed the civil leadership in the early Tennessee counties. Sumner County, established about 1785, demonstrates this fact. The earliest records are of its court in 1787. The seven magistrates were Daniel Smith, David Wilson, George Winchester, Isaac Lindsey, William Hall, John Gardin, and Joseph Keykendall. David Shelby was the county clerk. Edward Douglass and Isaac Bledsoe were soon added as judges. All but Lindsey, Gardin, and Keykendall are known to have been militia officers. Sullivan County, established in 1779, counted among its earliest leaders generals George Maxwell and George Rutledge, and colonels David Looney and Isaac Shelby. Shelby served as justice of the peace as well as colonel-commandant. After Tennessee became a U.S. territory in 1790, Governor William Blount appointed many militia officers to the county offices. For example, in Washington County, created in 1790, three of the four magistrates appointed by Blount were militia officers, one of whom was Charles Robertson.<sup>11</sup>

Throughout the 1770s, 1780s, and 1790s the Tennessee militia remained active in military pursuits. Thus, positions of leadership in the militia were not merely ceremonial. The militia participated in a variety of campaigns against the Indians, notably against the Creek and the Cherokee; and Tennessee militiamen fought in the American Revolution, against both the British and the Indians. In most cases these men were led by the “founding fathers” of Tennessee.

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*the Volunteer State*, 1: 847.

<sup>11</sup>Carr, *Early Times in Middle Tennessee*, 21; Moore and Foster, *Tennessee the Volunteer State*, 1: 836-37; Ramsey, *Annals of Tennessee*, 543.

The military activity of the militia during Tennessee's early years fell into four general categories: minor and major Indian engagements, actions in the Revolutionary War, and service as escorts or guards in hostile and remote areas. Minor skirmishes with Indian tribes occurred regularly in most Tennessee settlements until either the native population was forced out of the area or its numbers were decimated. Minor skirmishes required action by a single militia unit, and the muster duration was a few hours or days at most. Major engagements involved multiple militia units mustered from several areas, even from beyond Tennessee, and the musters could last several weeks or months. Tennesseans also participated in campaigns beyond their own borders.

During the Revolutionary War Tennesseans served in various colonial military organizations. As a cohesive unit the Tennessee militia fought in a variety of actions, notably the battle of King's Mountain. When the militiamen fought as a unit they were usually led by their own senior officers.

Finally, Tennessee militiamen served as escorts for travelers and as guards in frontier forts. As settlers traversed the region in the early years, militiamen often protected them. For further protection militiamen occupied a variety of small forts and blockhouses established along the main routes into the wilderness. Such escort and fort duty did not become a common occupation of the militia until the 1790s, and in some cases Tennessee militiamen shared this duty with federal troops.

The first notable military confrontation between Tennessee militiamen and Indians occurred in 1774. In fall 1773 eighty settlers led by Daniel Boone traversed the Cumberland Gap on their way to Kentucky. During this migration Shawnee Indians

attacked them, forcing a postponement in their journey. The next year violence erupted throughout western Virginia between whites and Indians, most by Shawnee. The whites were angry over the attack on Boone's party; the Shawnee were angry over white encroachment into what they considered their territory. This conflict became known as Lord Dunmore's War and involved militiamen from many frontier regions. It lasted less than a year, and ended in victory for the settlers.<sup>12</sup>

When fighting began Evan Shelby raised a company of fifty men, and in August 1774 the company joined a contingent of four regiments of colonial militiamen led by General Andrew Lewis. Lewis was an experienced frontier fighter from the French and Indian War. The men marched to the small settlement of Point Pleasant, Virginia, and on October 10 a battle began when James Robertson and Valentine Sevier (a son of John Sevier), while hunting, encountered a large body of Indian warriors. The resulting battle of Point Pleasant became the decisive engagement of Lord Dunmore's War.<sup>13</sup>

The battle was a hard-fought victory for the militiamen. When Robertson and Sevier discovered the Indians, they fired at them and quickly retreated. The Indians then advanced on the militiamen and the two sides clashed in a battle lasting the entire day. Shelby's company of Tennesseans played a crucial role. Toward evening Shelby's son Isaac, then a lieutenant, led the Tennesseans and two other companies behind the Indians and attacked from the rear. Surprised and confused, the Indians retreated. This bold move made heroes of Evan and Isaac Shelby, as well as the other volunteers from the

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<sup>12</sup>Henderson, *Conquest of the Old Southwest*, 203-15.

<sup>13</sup>Ramsey, *Annals of Tennessee*, 113-16.

Tennessee territory.<sup>14</sup>

The white victory in Lord Dunmore's War resulted in the Shawnee's relinquishing virtually all land claims in the Ohio River Valley. To the settlers living in the Tennessee territory the results were far more personal. The conflict not only created the region's first local heroes, but also gave the pioneers the opportunity to fight together as Tennesseans. Participation in Lord Dunmore's War was a first step for Tennesseans in forming a regional identity.

The American Revolution began shortly after Lord Dunmore's War. When it began, Tennessee settlers quickly declared loyalty to the revolutionary cause. The settlers were anxious to rid themselves of British interference in their quest for more land. Because North Carolina annexed most of the region in 1776, Tennessee militiamen, although in most respects autonomous, technically became members of the North Carolina militia.<sup>15</sup>

In spring 1776 the settlers began military preparations. By this time the Carter's Valley, Nollichucky, and Watauga settlements had become unified, and residents appointed John Carter and Jacob Brown militia colonels. Families on the westernmost frontier withdrew and the militiamen began to reinforce the more remote forts.

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<sup>14</sup>Ibid.

<sup>15</sup>Ibid., 145; Peter Force, ed., *American Archives: Consisting of a Collection of Authentic Records, State Papers, Debates, and Letters and Other Notices of Public Affairs, the Whole Forming a Documentary History of the Origin and Progress of the North American Colonies; of the Causes and Accomplishment of the American Revolution; and of the Constitution of Government for the United States, to the Final Ratification Therof* (9 vols., Washington: M. St. Clair Clarke, 1837-1853), series 4, vol. 6: 1535.

The settlers did not fear a British attack. Rather, they believed the British would incite the Indians, who viewed the conflict as an opportunity to regain lost land. In May the Tennesseans learned of a planned attack by six or seven hundred Indians, primarily Cherokee. Encouraged by the British, the Native Americans intended to drive the whites from the frontier by attacking Watauga and North Holston simultaneously. The Tennesseans intensified their military preparations and appealed to Virginia for gunpowder and lead. Virginia sent modest quantities of both. Some one hundred Virginia militiamen marched to North Holston, that settlement still being recognized as within the boundary of Virginia.<sup>16</sup>

On July 20, 1776, the Indians attacked. At North Holston two hundred militiamen had gathered for defense. Six captains, at least three of whom (James Shelby, John Campbell, and William Cocke) were Tennesseans, led the combined Tennessee and Virginia forces<sup>17</sup>

The militiamen at North Holston were anxious to engage the Indians. In early July they had assembled west of the main settlements at a small fort known as Heaton's Station. Fearing the Indians would bypass the fort and attack the less protected frontier settlements, the men moved further west to seek out the enemy. On July 19 scouts for the militiamen discovered a large number of Indian warriors near a place known as Island Flats. The next morning the militia troops set out to meet the Indians. They first encountered twenty of them, and attacked. The Indians fled and the militiamen pursued,

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<sup>16</sup>Ramsey, *Annals of Tennessee*, 150-51.

<sup>17</sup>Ibid., 152-55.



but halted after a short distance. Against the wishes of the rank and file, the militia officers, influenced by William Cocke, chose to return to Heaton's Station. Before the men could return, the Indians attacked *en masse*. They attempted to surround the militiamen but were unsuccessful, and the militiamen withdrew to a defensive position. Believing the whites were in retreat, the Indians charged, only to be repulsed with heavy casualties. The Indians then retreated. Although the battle lasted only ten minutes one eyewitness estimated that the Indians suffered forty dead out of roughly two hundred engaged. Only five militiamen were wounded, and none was killed.<sup>18</sup>

Although the militiamen apparently fought bravely, battle accounts do not mention any use of firearms by the Indians. This, along with the casualty figures and the short duration of the battle, suggests that the militia engaged a poorly armed opponent. Furthermore, there appears to have been little or no hand-to-hand fighting.

The whites also successfully repulsed an attack on the Watauga settlers. On July 20 the Cherokee advanced on a small fort west of Watauga known as Gillespie's Station. The militiamen and settlers near the station had earlier withdrawn, along with other settlers, to Fort Lee, near the center of the Watauga settlement. The following day approximately two hundred Indians, some with firearms, attacked Fort Lee. In the fort were approximately one hundred fifty settlers, including forty militiamen led by James Robertson and John Sevier. After spending the day futilely attempting to take the fort, the Indians withdrew. They remained nearby in the woods, however, laying siege to the fort for twenty days. North Holston sent one hundred militiamen to relieve the Watauga

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<sup>18</sup>Ibid.

settlers, but they arrived after the Indians abandoned the siege. In the attack on Fort Lee the settlers killed an unknown number of Indians; the whites suffered no casualties. During the siege the Indians killed two militiamen and captured a boy, whom they later executed.<sup>19</sup>

Two smaller contingents of Indians attacked the Carter's Valley settlement and other settlements scattered through a region known as Clinch Valley. At Carter's Valley the settlers withdrew to a nearby fort and the Indians retreated without attacking. At Clinch Valley the Indians split into small parties and destroyed as much white property as possible. Most of the whites in Clinch Valley had withdrawn to the nearby forts, but a few were attacked and killed.<sup>20</sup>

These Indian attacks were part of a much larger campaign encouraged by the British and waged throughout the southwestern frontiers of the American colonies. The colonists responded with a counteroffensive against the Cherokees. Virginia, North Carolina, South Carolina, and Georgia agreed to coordinate their forces in subduing and punishing the Cherokee. In July 1776, before the Indian attacks on the Tennessee settlers, the Virginia government had begun to muster a force of over one thousand to be commanded by Colonel William Christian. Three hundred North Carolina militiamen joined this contingent. The combined force marched to Long Island, and on September 21 met a small contingent of North Carolina militiamen at the newly constructed Fort

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<sup>19</sup>Ibid., 156-58, 169.

<sup>20</sup>Ibid., 159.

Patrick Henry, situated on the bank of the Holston River.<sup>21</sup>

At Fort Patrick Henry the men engaged in minor fighting with Indians located in the surrounding woods, and one militiaman was killed. Soon the men in the fort were joined by a small group of Tennessee militiamen under Evan Shelby. Colonel Christian had information of a large body of Cherokee warriors in the vicinity, and on October 1 the men left the fort to find them. The combined militia forces crossed the Holston near Long Island, and within a few days were joined by two additional companies of Tennessee militiamen under the command of James Robertson and John Sevier. The further addition of three companies of Tennesseans recruited near Long Island brought the total number of militiamen to eighteen hundred. The Tennesseans formed themselves into a battalion under Evan Shelby but Christian retained overall command. During the next few days the men moved forward into Cherokee territory, and at the Nolichucky River found an abandoned Indian encampment. They continued to move forward, expecting to engage the Indians at the French Broad River, but discovered that the Indians had again withdrawn. The militiamen marched through the area of present day Maryville, and crossed the Little Tennessee River on October 18. Again they expected to engage the enemy, but found their encampments abandoned. The Indians had retreated so quickly that they left most of their supplies behind.<sup>22</sup>

By this point the Cherokee had become deeply divided over how to face the

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<sup>21</sup>Ibid., 166-69; "Report of Colonel Christian," *Virginia Magazine of History*, 17 (1909): 52-56.

<sup>22</sup>*American Archives*, series 5, vol. 2: 540. Ramsey, *Annals of Tennessee*, 166-69.

militiamen. Most feared severe retribution if they did not make peace. Knowing this, Christian sent his men to destroy the villages led by hostile chiefs. These men met little resistance, for most of the warriors were absent. The men made a special effort to destroy the two villages responsible for the execution of the boy captured during the siege at Watauga. In mid-November several Cherokee leaders negotiated peace with Christian.<sup>23</sup>

Not all of the Cherokee warriors agreed to end the hostility. A small contingent, known as Chickamaugas and led primarily by Dragging Canoe (who had led the July attack on North Holston and Watauga), continued to harass the settlers. In spring 1777 a number of minor incidents forced the militiamen to remain vigilant. In one instance Chickamaugas shot and scalped a white settler. James Robertson and nine militiamen pursued and engaged these attackers but were forced to retreat. The settlers believed that most Cherokee did not support this guerrilla activity, and signed a formal peace treaty with the main body of Cherokees in July 1777. Under the terms of this treaty the Cherokee agreed to live peacefully, promised to pursue those Cherokee that continued to be hostile, and surrendered more land. Although the Cherokee were defeated and demoralized, this treaty did not end hostilities. Rather, it prompted a new surge of white settlement, which only increased tension between the two peoples.<sup>24</sup>

In spring 1777 Tennesseans prepared stronger defenses. A contingent of Virginia militiamen remained at Fort Patrick Henry. At Watauga, the settlers concentrated at two locations, and the militia fell under the command of James Robertson. Four hundred

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<sup>23</sup>Ramsey, *Annals of Tennessee*, 166-69.

<sup>24</sup>*Ibid.*, 170-74.

Tennessee militiamen under the command of Evan Shelby and Anthony Bledsoe (also a Tennessean) were stationed further west.<sup>25</sup>

These increased defenses temporarily ended fighting between the Tennesseans and the Indians, but the Tennessee militia remained active. In 1777 Indians began to attack white settlements in Kentucky. On July 4 two hundred assaulted Boonesborough and thereafter surrounded in a siege that lasted until September. Twice East Tennesseans sent militiamen to aid these Kentuckians, forty the first time and one hundred the second. It is not known which militiamen participated in the Kentucky campaign; but when they returned, their stories of fertile land to the west served as a catalyst for further white migration and likely encouraged the settlement of Nashville.<sup>26</sup>

In East Tennessee, hostilities with the Indians temporarily abated after 1777, but in 1779 Virginia and North Carolina launched a major expedition against the Chickamaugas, who had established five towns along the Holston River in what is today the northeastern portion of the state. On April 10 three hundred fifty militiamen under Evan Shelby and one hundred under Virginia colonel John Montgomery embarked down the Holston in canoes to engage the Chickamaugas and destroy their towns. When they reached the town of Chickamauga they encountered five hundred warriors. The warriors fled and the militiamen pursued, killing forty. The militiamen then burned the towns, and

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<sup>25</sup>Ibid.

<sup>26</sup>“Account of Events in Kentucky,” Lyman Draper Papers, 48 J 12, Wisconsin State Historical Society, Madison; Ramsey, *Annals of Tennessee*, 178-79.

returned home by land.<sup>27</sup>

In 1780 militiamen from Tennessee saw their first action against the British in the Revolutionary War. In February of that year, North Carolina called for two hundred men from the Tennessee territory to join a two-thousand-man campaign into South Carolina. One hundred men were to come from Washington County and one hundred from the newly-created Sullivan County. The officers of Washington County agreed to send the men. Sullivan County did not act immediately because Isaac Shelby, colonel for the county, was in Kentucky. Before Shelby could return to muster his men, the British captured Charleston, and an urgent call went out for all available militiamen. When Shelby returned on June 16, four hundred Tennesseans set out to rendezvous with a large contingent of other southern militiamen under the command of North Carolina colonel Charles McDowell. The Tennesseans were under the direct command of Shelby and Major Charles Robertson. John Sevier remained in Tennessee to command the militiamen guarding against Indians. The men under Shelby and Robertson arrived at McDowell's camp, located along the Broad River in North Carolina, in late July.<sup>28</sup>

After capturing Charleston, the British, under the command of General Charles Cornwallis, swept north through South Carolina. A contingent of Redcoats and Tories mustered in Tryon County, North Carolina and marched south to join Cornwallis's

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<sup>27</sup>John Haywood, *The Civil and Political History of the State of Tennessee From Its Earliest Settlement Up to the Year 1796, Including the Boundaries of the State* (1823; reprint, Nashville: Printing House of the Methodist Episcopal Church South, 1891), 72-73; Ramsey, *Annals of Tennessee*, 187-88.

<sup>28</sup>Ramsey, *Annals of Tennessee*, 212; *State Records of North Carolina*, 22: 967.

troops, pausing to capture Thickety Fort, a small patriot outpost. Learning of the fort's fall, McDowell dispatched the Tennesseans, along with two hundred Georgians, to reclaim it. The men surrounded the fort and, following negotiations conducted by future Tennessee senator William Cocke, the fort surrendered without firing a shot.<sup>29</sup>

After this victory, McDowell sent the militiamen to observe the movements of two thousand Tories under British colonel Patrick Ferguson. On August 1 a large number of Ferguson's men attacked the militiamen at Cedar Spring. The militiamen repulsed the loyalists who then retreated; the militiamen pursued for two miles. When reinforced, the Tories resumed their attack. The militiamen retreated in the face of these superior numbers and Ferguson pursued them for five miles. The militiamen's losses were ten or twelve killed or wounded.<sup>30</sup>

The final military action of this campaign occurred a few days after the fight at Cedar Spring. McDowell sent three hundred mounted riflemen, many of them Tennesseans, to join an American force for an attack on a contingent of Tories at Musgrove's Mill. Isaac Shelby commanded the riflemen, who departed on August 17. The next day near Musgrove's Mill the men encountered a patrol of loyalists and fired on them. Both sides quickly made preparations for battle. The Tories, commanded by British Colonel Alexander Innis, had superior numbers and decided to attack the militiamen. Shelby organized his men for defense on a ridge, where they hastily stacked

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<sup>29</sup>Ramsey, *Annals of Tennessee*, 213-14.

<sup>30</sup>*Ibid.*, 217; James D. Bailey, *Some Heroes of the American Revolution* (Easley, South Carolina: Southern Historical Press, 1976), 160-72.

logs and brush as breastworks. A small contingent of militiamen moved forward of this defensive line, and skirmished with the enemy. After this brief fight, the loyalists, believing the militiamen ill-prepared, attacked. William Smith, a militiaman from Watauga, severely wounded colonel Innis as he topped the ridge. The momentum of the battle shifted and the Tories retreated. The militiamen, sensing a decisive victory, pursued, killing several British officers. The battle lasted roughly one hour, and the militiamen lost only six or seven killed. The Tories, however, lost sixty-three killed, ninety wounded, and seventy taken prisoner.<sup>31</sup>

Shelby and his subordinates hoped to remain in the area to engage more Loyalist and British troops. However, when the Continental Army suffered a major defeat at Camden, North Carolina, McDowell, fearing destruction by the advancing redcoats, ordered the Tennesseans to go home. Colonel Ferguson pursued for more than forty-eight hours and more than fifty miles, but the Tennesseans avoided capture. Later in life Isaac Shelby wrote that during this retreat his men did not even stop to prepare meals. They subsisted on green corn and peaches. The Tennesseans also refused to release their prisoners. By the end of the ordeal the men's faces and eyes were so bloated and swollen that they could barely see.<sup>32</sup>

The most celebrated participation in the Revolutionary War by Tennessee militiamen was the King's Mountain campaign. During the retreat from Ferguson's

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<sup>31</sup>Ramsey, *Annals of Tennessee*, 218-19; Williams, *Tennessee During the Revolutionary War*, 134-35.

<sup>32</sup>Ramsey, *Annals of Tennessee*, 220-21; "King's Mountain Letters of Col. Isaac Shelby," *Journal of Southern History*, 4 (1938): 367-77.



forces, Isaac Shelby concluded that the militiamen from Tennessee should try to join with their North Carolina colleagues to stop Ferguson's advance. When the Tennesseans arrived at Gilbert Town, near present-day Rutherfordton, North Carolina, Shelby discussed this plan with Charles McDowell, who agreed. The Tennesseans were sent home for the time being, however, for their commissions had expired.<sup>33</sup>

Ferguson and his forces proceeded largely unopposed into North Carolina, and he made his headquarters at Gilbert Town. They pursued McDowell and his men, who were eventually forced to retreat to Watauga. This episode marked a low point for the patriot cause in southern states. No significant concentration of patriot troops existed south of Virginia, and the southern state governments were in turmoil. South Carolina governor John Rutledge was even forced to operate in exile from Hillsborough, North Carolina.<sup>34</sup>

The Tennessee settlements, however, were still beyond Ferguson's grasp. On October 4 he sent a message to Isaac Shelby demanding a surrender, stating that if the Tennesseans did not "desist from their opposition to the British arms . . . he would march his army over the mountains, hang their leaders, and lay their country waste with fire and sword." Although the Appalachians offered some protection, the Tennessee settlements were not out of reach for the British. Among the loyalists in Ferguson's command were several Americans familiar with the routes through the mountains. Isaac Shelby and John Sevier concluded that the settlers should take the offensive and attack Ferguson before he

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<sup>33</sup>Samuel Cole Williams, *Tennessee During the Revolutionary War* (Nashville: Tennessee Historical Commission, 1944), 138.

<sup>34</sup>*Ibid.*, 139-40.

could reach Tennessee. They requested assistance from the militia of Washington County, Virginia, then under Colonel William Campbell, and the Virginians agreed to participate. Charles McDowell's force and other militia refugees from eastern North Carolina also joined the campaign.<sup>35</sup>

The militia leaders assembled their men at Sycamore Shoals, in Watauga, on September 25. A surge of patriotism swept the Tennesseans, and able-bodied men from all over the region volunteered. When the muster day arrived an enormous crowd gathered to celebrate. The force included four hundred Virginians under Campbell, four hundred eighty Tennesseans under Shelby and Sevier, and one hundred sixty North Carolinians under McDowell. Many more Tennesseans volunteered, but they were required to remain behind to guard against Indians. The attack force departed the next day and crossed the mountains to the east. On September 30 three hundred fifty North Carolinians under Benjamin Cleveland joined them.<sup>36</sup>

One problem faced by these forces was the lack of a commanding officer. They had been assembled outside the direction of the Continental Army or any of the state governments. The colonels elected William Campbell to command, and dispatched Charles McDowell to meet with General Horatio Gates of the Continental Army for further instruction. Gates never acted on the matter. Campbell remained in charge.<sup>37</sup>

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<sup>35</sup>Ramsey, *Annals of Tennessee*, 223-28; Isaac Shelby, "Battle of King's Mountain," in Draper, *King's Mountain*, 562.

<sup>36</sup>Isaac Shelby, "Battle of King's Mountain," in Draper, *King's Mountain*, 565-66; *State Records of North Carolina*, 14: 663-64.

<sup>37</sup>Draper, *King's Mountain*, 562.

Pursuing Ferguson was difficult. At one point the militiamen were forced to change course after two of their number disappeared and were feared to be spies for the British. Also, Ferguson moved rapidly throughout the region. On October 6 the militiamen found Ferguson's trail and began rapid pursuit. Learning he was positioned at King's Mountain, those best equipped pushed ahead of the main group. These men were joined shortly by four hundred militia under North Carolina colonel James Williams. Once again the men divided themselves. Nine hundred of the best equipped traveled throughout the night, arriving at King's Mountain on the morning of the October 7. Most of the remaining militiamen arrived by noon.<sup>38</sup>

Ferguson chose King's Mountain (really a large hill) believing that atop it his men would have a superior defensive position. The militiamen surrounded the hill and attacked at three o' clock in four columns. The Tennesseans under John Sevier were on the north side, those under Isaac Shelby on the south. The battle was ferocious; in many cases smoke completely obscured the soldiers' vision. As the battle progressed, the militiamen slowly closed their circle around the enemy. Ferguson's men frequently charged the militiamen as they advanced up the hill. These charges failed to stop the advance, and eventually the militiamen gained a foothold on the plateau. Against the advice of his officers, Ferguson refused to surrender. When he concluded that defeat was imminent, he and several officers attempted to escape, but were shot and killed by John Sevier's men. After Ferguson's death Captain Abraham DePeyster assumed command

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<sup>38</sup>Williams, *Tennessee During the Revolutionary War*, 149-54; Draper, *King's Mountain*, 177-78.

and surrendered.<sup>39</sup>

Ferguson's force was estimated between nine and eleven hundred strong, almost all of them American loyalists. The militiamen numbered about fifteen hundred, including a few who arrived shortly after the battle. It is likely that all the Tennesseans participated. Between one and two hundred of Ferguson's men were killed, the same number were wounded, and approximately six hundred were taken prisoner. A few escaped. An official report by William Campbell, Isaac Shelby and Benjamin Cleveland stated that the militiamen suffered twenty-eight killed and sixty-two wounded. The most prominent Tennessean killed was Robert Sevier, a captain and brother of John Sevier.<sup>40</sup>

The day after the battle the militiamen began to return home taking the prisoners with them. The march was very difficult, as the men had little to eat and were slowed by their wounded. At one point the militiamen insisted on a court martial for many of the Tories, whom they accused of atrocities against Patriot families. Thirty or so were convicted and sentenced to death, but after nine executions John Sevier and Isaac Shelby called an end to the affair.<sup>41</sup>

Once home the Tennesseans received a hero's welcome. As with Lord Dunmore's War, the King's Mountain campaign gave the settlers an opportunity to act together as Tennesseans, helping to create a distinct regional identity. For the remainder

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<sup>39</sup>Ramsey, *Annals of Tennessee*, 235-38; Draper, *King's Mountain*, 274-81.

<sup>40</sup>Draper, *King's Mountain*, 299-303; William Campbell, Benjamin Cleveland, and Isaac Shelby, "Official Report," in Draper, *King's Mountain*, 522-24.

<sup>41</sup>Shelby, "Battle of King's Mountain," 544.

of their lives the King's Mountain veterans were revered by their friends and neighbors, and some used their fame to further social and political ambition.

The battle was an important victory for the struggling United States, forcing Cornwallis to retreat back to South Carolina and reducing British support in the South. Soon after the Tennesseans returned, American General William Davidson called on western troops to assist in attacking Cornwallis as he retreated. The Tennessee militia leadership agreed to send three companies, all from the Watauga. Davidson's plan was soon abandoned, however, and the Tennesseans never mustered.<sup>42</sup>

Immediately after the return from King's Mountain, hostilities erupted between whites and Cherokees. The Indians were angered by the unabated encroachment of white settlers, and the British encouraged them to fight. Through traders, the settlers learned of an impending attack. John Sevier wasted no time before calling out the militia to subdue this threat. In December two militia companies under Sevier's command, approximately one hundred men, began moving southwest to strike the Cherokee before they could reach the main white settlements. More were called up and were to follow Sevier once they had prepared. On the evening of December 14, while camped near the French Broad River, militiamen discovered a party of Cherokee warriors camped nearby. They fired on them, but then retreated. The next morning Sevier's men were joined by more militiamen, and the combined force crossed the river.<sup>43</sup>

On the morning of the December 16 the militiamen located the Cherokee and won

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<sup>42</sup>Williams, *Tennessee During the Revolutionary War*, 181.

<sup>43</sup>*Ibid.*, 184-85; Ramsey, *Annals of Tennessee*, 262-63.

a swift victory. Sevier sent a small number of men forward to provoke an attack; they then retreated, and when the Cherokee advanced they were met by the main body of Sevier's men. The militiamen quickly closed on the Indians from three sides, and after a brief fight the Indians retreated. The militiamen killed twenty-eight Cherokee and wounded an unknown number. Three militiamen were wounded, but none was killed. This encounter became known as the battle of Boyd's Creek.<sup>44</sup>

After the battle the men camped near the creek and on December 22 Colonel Arthur Campbell, a relative of William Campbell, arrived with one hundred Virginia militiamen. Also on that day, Major Joseph Martin, a Virginian and that state's agent to the Cherokees, arrived with three hundred men from Sullivan County. On December 24 this combined force of seven hundred fifty men moved further into Indian territory. Over the next several days the militiamen engaged in minor skirmishes, burned several Cherokee villages, and killed twenty-nine Cherokee while suffering no casualties of their own. On January 1, 1781 they returned home.<sup>45</sup>

In March Sevier once again led an expedition against the Cherokee, this time against those living near the Nolichucky River in what is today Greene County. One hundred thirty men mustered and set out, eventually destroying between fifteen and twenty villages and killing fifty warriors. One militiaman was killed and one wounded on

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<sup>44</sup>Ramsey, *Annals of Tennessee*, 262-63.

<sup>45</sup>*Ibid.*, 265-67; James Sevier, "Memoir of John Sevier," *American Historical Magazine* 6 (1901): 41-42.

this expedition.<sup>46</sup>

In July 1781 the whites signed a second peace treaty with the Cherokee, but it had little impact on the behavior of either side and in 1782 violence again erupted. In September Sevier assembled two hundred fifty militiamen at Big Island on the French Broad River. They marched south, fought a brief, victorious battle against the Chickamaugas at Lookout Mountain near present-day Chattanooga, and in early November returned home.<sup>47</sup>

In 1781, as Sevier was leading the militiamen against the Cherokee, other Tennesseans were once again confronting the British. Nathanael Greene, who had assumed command from Horatio Gates, learned of a new British expedition into North Carolina led by General Cornwallis. In early February the Tennessee settlers sent between one hundred and one hundred thirty men to join Greene's army. Major Charles Robertson commanded these troops. On March 15 the two armies met at the battle of Guilford Courthouse near what is today Greensboro, North Carolina. Greene outnumbered Cornwallis, but Cornwallis had the advantage of commanding British regulars. The British won the battle, but at a high cost: Cornwallis lost one quarter of his two-thousand-man force. He had hoped to continue north into Virginia, but now found his army too weak to do so. Thus, he retreated south to Wilmington.<sup>48</sup>

By mid-1781 the Americans patriots were on the verge of victory. The British had

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<sup>46</sup>Ramsey, *Annals of Tennessee*, 268-69.

<sup>47</sup>Ibid., 271-73; Sevier, "Memoir of John Sevier," 43.

<sup>48</sup>Williams, *Tennessee During the Revolutionary War*, 195-98.

been driven out of most of the South, but they still held Charleston and some of northern South Carolina, and they were being reinforced. On June 22 Nathanael Greene wrote Isaac Shelby requesting one thousand riflemen. Once again the British had begun marching north, and Greene hoped to stop them quickly. On July 29 seven hundred mounted Tennessee militiamen set out for Greene's camp, but stopped on August 3, when they received news that the British had begun to retreat toward Charleston. The Tennesseans did not wish to march so far, and they feared a long campaign.<sup>49</sup>

On September 16 Greene once again wrote Shelby, informing him that the British had been driven back to Charleston and were on the verge of defeat. At the same time, Cornwallis was trapped at Yorktown, Virginia. Greene requested as many riflemen as possible, and ordered them to march to Charlotte, North Carolina, where they could intercept Cornwallis if he attempted to retreat south. Shelby and Sevier acted quickly, raising six hundred men in two days. While marching to Charlotte, the men learned of Cornwallis's surrender at Yorktown, and they therefore marched into South Carolina and joined with General Francis Marion to help defeat the remaining British forces in the South. Near Charleston they joined a detachment of Marion's men marching on a nearby British fort. The British surrendered only after Isaac Shelby threatened to kill every man inside if they did not. One hundred fifty British soldiers near the fort also surrendered. On their return to Marion's camp the men learned of a larger British force a few miles away; Marion sent his troops to meet this force, but the Redcoats retreated without a fight. The Tennesseans remained in South Carolina until their sixty-day commissions

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<sup>49</sup>Ibid., 217-18.



expired.<sup>50</sup>

When the war ended in 1783 militia activity in East Tennessee temporarily subsided, but tension between the Cherokees and settlers remained high. The increasing encroachment of settlers on Cherokee land and the whites disregard of Cherokee complaints fueled the unrest. In one instance in 1783 the North Carolina General Assembly sought to buy the Cherokee land as far south as the French Broad River, but then took the land before the Cherokees agreed to the purchase; the goods promised by the state never arrived, and the Cherokees were never compensated. By the 1780s the boundary agreements between the Indians and the Tennessee settlers held little more than symbolic value, as the whites practically ignored them. Settlers routinely established homesteads well beyond the agreed-upon borders, and ignored Indian complaints. Furthermore, in 1782 the North Carolina General Assembly gave generous land grants in Tennessee to Revolutionary War soldiers, further increasing the number of whites in the territory.<sup>51</sup>

Immediately after James Robertson and other leaders established their settlement at French Lick in Middle Tennessee, Indian hostilities began. By May 1780 Indian bands had killed several settlers. The settlers formed small groups of militiamen for defense and constructed forts, but they could not prevent the attacks. Among those killed were John Donelson and James Robertson's son, John, a militia captain. In 1781 the Indians

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<sup>50</sup>Isaac Shelby, "Report," in Williams, *Tennessee During the Revolutionary War*, 219-23.

<sup>51</sup>*State Records of North Carolina*, 24: 420.

began attacking the settlers' forts in much larger numbers. By April of that year only Eaton's Station and French Lick Fort remained.<sup>52</sup>

A low point for the Middle Tennessee settlers came on April 4, when some two hundred fifty Indians attacked French Lick Fort. Throughout the day the Indians attacked but could not take the fort. The settlers lost six killed and two wounded, and the Indians lost about forty killed. The next day the Indians attacked again, but failed to dislodge the settlers.<sup>53</sup>

After the failed attacks on Eaton's Station and French Lick Fort the Indians of Middle Tennessee began to wage a guerrilla war against the settlers. The settlers responded with a well-armed and vigilant militia. Militiamen guarded settlers as they worked in the fields, and escorted them as they traveled. Many settlers wished to abandon the region, a move staunchly opposed by James Robertson, who dissuaded them by appealing to their desire for the region's bountiful land. The presence of hostile Indians along all passages out of the region also discouraged the settlers from leaving.<sup>54</sup>

When the Revolutionary War ended in 1783 a new influx of whites poured into the Cumberland region, and in doing so established it as a permanent settlement. The settlers signed a boundary treaty with the Chickasaws in January 1786, but other tribes, notably the Cherokee and Creek, declined to legitimate the settlers' presence. Small

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<sup>52</sup>Carr, *Early Times in Middle Tennessee*, 13; Edward Swanson, "Narrative," folder 5, John Haywood Papers.

<sup>53</sup>Ramsey, *Annals of Tennessee*, 452-54; Swanson, "Narrative," in The John Haywood Papers.

<sup>54</sup>Ramsey, *Annals of Tennessee*, 457; Carr, *Early Times*, 21-23.

skirmishes between settlers and the remaining Indians multiplied in 1786, with dozens killed on both sides. The white leadership decided to mount a campaign against the Cherokee and appealed to the North Carolina government for assistance. It was at this time that the state passed the law organizing 201 men to defend Davidson County. By June 1787 the state militiamen had not arrived, and James Robertson and Anthony Bledsoe, also a militia colonel, separately requested permission from Governor Richard Caswell to mount a campaign against the Cherokee and Creeks using the local militia. They did not wait for Caswell's response. After writing the governor, Robertson raised 130 Cumberland militiamen for the campaign.<sup>55</sup>

The men departed in mid-June and headed toward the Creek village of Coldwater, led by two Chickasaw guides. Once they had located the village they attacked, surprising the villagers, who rapidly retreated toward a nearby creek. Several Indians were killed as they attempted to escape in canoes or by swimming. After the inhabitants fled, the militiamen destroyed the village. On the return trip they engaged in a brief skirmish with Indians. One militiaman was killed and eight wounded; these were the only white casualties of the campaign. The Indian dead numbered between twenty and fifty.<sup>56</sup>

The militiamen sent by the North Carolina General Assembly began to arrive in late July 1787. Major Robert Evans commanded them. The Cumberland settlers, eager to resume their daily activities, welcomed them. The presence of these outside

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<sup>55</sup>Ramsey, *Annals of Tennessee*, 463-65; Iredell, *Laws of the State of North Carolina*, 569-72.

<sup>56</sup>Iredell, *Laws of the State of North Carolina*, 466-71; "Account of Militia Expedition," folder 4, John Haywood Papers.

militiamen also freed the local troops to take a more active role in preventing Indian violence. James Robertson detached militiamen to patrol outside the Cumberland territory and to protect settlers on the outskirts. He also sent patrols to capture or kill hostile Indians. One such patrol, led by Captain John Rains, was dispatched in 1788 with orders from Robertson to kill all Indians found east of the line dividing the Cherokee and Chickasaw land. On this expedition Rains's men killed four Creek men and took a boy hostage who was later exchanged for a white hostage held by the Creeks. The men also seized guns, deerskins and other Indian goods.<sup>57</sup>

In East Tennessee the years immediately following the Revolutionary War saw relative calm between the Indians and the whites, although chaos reigned politically. In 1784 East Tennesseans attempted to secede from North Carolina and form the state of Franklin, but the plan collapsed by 1789. The only militia activity related to the rise and fall of Franklin came in February 1788 when John Tipton, a North Carolina colonel and bitter opponent of Franklin's governor Sevier, seized several of Sevier's slaves by court order. An infuriated Sevier raised 150 militiamen, marched to Tipton's house, and demanded his surrender. Tipton refused, and sent to Colonel George Maxwell in Sullivan County for help. Maxwell raised 180 men and marched to Tipton's aid. When Maxwell arrived, Sevier's men fled. Later that year Sevier was arrested and sent to jail at Morganton, but was soon released and never charged with a crime.<sup>58</sup>

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<sup>57</sup>Ramsey, *Annals of Tennessee*, 476-77.

<sup>58</sup>Moore and Foster, *Tennessee the Volunteer State*, 1: 120-31; Ramsey, *Annals of Tennessee*, 406-409.

In 1788 violence once again erupted in East Tennessee. In May, Cherokee killed eleven members of the Kirk family at their house twelve miles south of Knoxville. In response, John Sevier raised several hundred militiamen and proceeded along the Holston and Tennessee rivers, burning some Cherokee villages and killing an unknown number of Indians. The Cherokee responded by attacking settlers living outside Knoxville. A number of militia companies were raised, one of which lost seventeen men to a surprise attack while they were gathering apples. During the summer John Sevier led several hundred militiamen deep into Cherokee territory. They engaged the Cherokee in a number of small skirmishes, but returned home without fighting any major engagements.<sup>59</sup>

Later that year, in response to Indian attacks on frontier stations, 450 East Tennessee militiamen rendezvoused at Knoxville's James White Fort. Colonels Robert Love, Daniel Kennedy, and George Doherty commanded them. The men marched to a point where the Tennessee River meets the Cumberland Mountain and there they engaged a number of Cherokee and Creek warriors. The militiamen had intended to destroy a nearby Indian village but returned home without doing so.<sup>60</sup>

On the September 21, 1788, two hundred Creek and Cherokee attacked Sherrell's Station on the frontier. John Sevier and forty militiamen who were nearby drove off the attackers. The number of Indian casualties is unknown; no militiamen were hurt. On October 17 three hundred Creek and Cherokee warriors attacked and overran Gillespie's

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<sup>59</sup>Haywood, *The Civil and Political History of the State of Tennessee*, 194-200.

<sup>60</sup>Ramsey, *Annals of Tennessee*, 517-18.

Station on the Holston River, which was occupied primarily by women and children. Twenty eight whites were killed. The Indian chiefs Bloody Fellow, Categiskey, John Watts, and Glass left behind a note accusing the whites of starting the conflict between the two peoples, and ordering the settlers to leave the region or suffer more attacks.<sup>61</sup>

In 1790 the state of North Carolina ceded Tennessee to the United States, marking an end to the region's pioneer era. During its first two decades Tennessee saw significant White settlement and development, made possible by a vigilant and often aggressive militia. Despite the success of the settlers in carving their homes out of the wilderness, Tennesseans ended their pioneer years much as they had begun them, struggling to create prosperity out of difficult surroundings, and relying on the militia to ensure their survival.

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<sup>61</sup>Ibid., 518-19.

## *Chapter IV*

### **Expanding Power and Influence: The Militia's Role in Creating a State**

North Carolina ceded the Tennessee territory to the United States in 1790. The U.S. in turn created the Territory of the United States South of the Ohio River. By then the region was rapidly developing as pioneers poured in, establishing towns and settlements in what are today East and Middle Tennessee. The Cumberland settlements were considered the western edge of the frontier. A census in 1795 counted 77,262 settlers, 66,649 of whom were free whites. When Tennessee achieved statehood in 1796 it contained eleven counties, each with active militias.<sup>1</sup>

William Blount became the territorial governor and remained in that office until statehood. One of the few early Tennessee leaders with little militia experience, Blount was not elected by the people of Tennessee, but rather appointed by George Washington. He was well-known among the nation's leaders in Philadelphia and he used his political influence for the benefit of the territory. He was a capable administrator. By 1790, administrative acumen was more important for a territorial governor than military experience. Blount worked to establish the necessary institutions in preparation for statehood, placing a priority on organizing a well coordinated territorial militia. Without a territorial militia law, he relied on that of North Carolina. He issued commissions to officers, thus legitimizing their positions. During his administration, the generally

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<sup>1</sup>Ramsey, *Annals of Tennessee*, 648.

autonomous militia units effectively relinquished their independent status. Blount fused them into a cohesive, albeit amateur, military organization under the centralized command of the territorial government.<sup>2</sup>

During the territorial period and early years of statehood, the militia served as a framework on which Tennessee's bureaucratic institutions could be built. During the 1790s the population grew rapidly, yet most of Tennessee was still rugged wilderness. Having no other means to oversee this increasing population from migration to settlement, the state turned to the militia, the one institution to which almost every man belonged. In addition to defense, the state was concerned with tax collection, voting, and road building, and the militia became important in each of these activities.

The first bureaucratic use of the militia was for tax collection. The regular militias in each county were divided into captains' companies based on geography, and this structure was useful for tax collection because each company had a list of the men within its boundaries. In 1794, the territorial Assembly passed an act designating the captains' companies as the basis for tax collection. Each county court was to appoint a justice of the peace for each company. These justices were to maintain a list of all men within the boundaries of each captain's company, often referred to as a captain's district, and were to create a list of the property in their district. The company members were to meet at a designated time to provide this information. Taxes were levied on free males age twenty-one to fifty, slaves age ten to fifty, stud horses, town lots, and parcels of land

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<sup>2</sup>William H. Masterson, *William Blount* (Baton Rouge: Louisiana State University Press, 1954; reprint, New York: Greenwood Press, 1969), 177; Finger, *Tennessee Frontiers*, 25-27.



exceeding one hundred acres. The sheriff was to collect the taxes. Although the militia companies were the framework for tax collection, the militiamen were not the only taxpayers. All citizens were subject to taxation. Men outside of taxable (and thus militia) age and single women also paid taxes on their taxable property, excluding themselves.<sup>3</sup>

Knox County provides an example of this tax collection system. Tax records from 1796 show that the companies used for collection included those under the command of captains Campbell, Crawford, Beard, Gillespie, Flenneck, Stone, and Mannefee. The number of taxpayers in each district is listed under the respective captain's name, the number ranging from two in Flenneck's company to twenty in Beard's. Only lists of delinquent taxpayers exist for Stone's and Mannefee's companies, the number being ten and eleven, respectively. Beginning in 1804 Knox County records are more complete, and they reflect the rapid growth of East Tennessee during the early years of statehood. In that year, taxes were collected in twelve captains' districts, the number of taxpayers in each company numbering between thirty-seven and seventy-five. Again the taxpayers are listed under the company captain's name.<sup>4</sup>

The militia structure also proved useful for elections. The first militia election law, passed by the General Assembly in 1796, called for election of colonels and majors at the county courthouses on the first Thursday and Friday of August. All militiamen were eligible to vote. In 1797 the General Assembly passed a law directing that the

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<sup>3</sup>*Acts of the Territory of the United States South of the Ohio*, First General Assembly, First Session, Chapter 3 (1794).

<sup>4</sup>1796 and 1804 Knox County Tax Lists, Knox County Archives, Knoxville, Tennessee.

state's congressional representatives also be elected at the courthouses on the first Thursday in August.<sup>5</sup>

In many cases elections for state and national offices as well as for militia officers were held on muster days. This was not stipulated in the state's laws, but other evidence demonstrates that this was the case. When the General Assembly granted citizens in a remote area of a county the right to muster separately, it included permission to hold elections at that same time. In 1797 the Assembly granted the citizens on the eastern end of Carter County the privilege of holding general musters as well as elections for governor, members of the General Assembly, and representatives to the U.S. Congress at an alternate location to be determined by the sheriff. In 1799 the same privilege was granted to inhabitants of Grainger County residing north of the Clinch River.<sup>6</sup>

Once muster days began to be used for voting, musters often became social affairs for all county residents. County-wide muster days became common after 1800. This trend can be seen in the 1798 militia law requiring cavalry companies to muster at their respective county courthouses on the third day of the fall session of superior court. Not only would cavalry members have the opportunity to take care of court business, but they could also enjoy the attention of other citizens visiting town. Parades, fairs, and political meetings tended to organize around muster days.<sup>7</sup>

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<sup>5</sup>*Acts of the State of Tennessee*, First General Assembly, First Session, Chapter 12 (1796); *ibid.*, Second General Assembly, First Session, Chapter 1 (1797).

<sup>6</sup>*Ibid.*, Second General Assembly, First Session, Chapter 11 (1797); *ibid.*, Third General Assembly, First Session, Chapter 2 (1799).

<sup>7</sup>*Ibid.*, Second General Assembly, Second Session, Chapter 1 (1798).

An important element in the growth of Tennessee was the building of roads. Roads were especially important to the militias, for speedy movement was critical to defense. The state did not rely on the militias exclusively to build roads, but the militias were involved. In 1784, the North Carolina General Assembly passed a law empowering the county courts to summon all taxable males from ages sixteen to fifty to work on public roads. In Tennessee these were the same men belonging to the militia. The law also exempted men on road duty from musters. Laws requiring all able-bodied men to work on roads existed in Tennessee well into the antebellum era.<sup>8</sup>

When North Carolina sent militiamen to the Cumberland settlements in 1786, part of their duty was to cut a road from the lower end of Clinch Mountain to Nashville. The men were unable both to build the road and provide adequate protection to the settlements. In 1787, the Assembly, at the urging of the Tennessee representatives, reassigned the road duty to the local militia. The militia officers of the counties included in the road duty were to appoint men to survey the best route to follow. The militia regiments were then to be divided into several groups, which would rotate their labor duties until the road was built. Local militiamen also built a road from Bledsoe's Lick to the Nashville-Clinch Mountain road.<sup>9</sup>

Once it was independent from North Carolina, Tennessee did not alter the road work requirement for white men. The militiamen continued to work on roads in either a direct or indirect manner. In 1794, the territorial Assembly passed a law providing for the

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<sup>8</sup>Iredell, *Laws of the State of North Carolina*, 569-72.

<sup>9</sup>*Ibid.*, 160, 569-72; Ramsey, *Annals of Tennessee*, 503-504.

construction of a road from Fort South West Point (near Kingston), to the Cumberland settlements, to be paid for by a lottery. This fort was first occupied by militiamen and later by federal troops. Militia leaders were also designated as the commissioners of the road, responsible for siting and cutting it. Evidence suggests that these officers used militiamen to construct this road: in a 1795 letter to James Winchester, Captain Sampson Williams discussed working on the road with his company, and promised to have it completed in time for Winchester's upcoming trip to Nashville.<sup>10</sup>

Road work was indirectly connected with the militia in two failed pieces of legislation considered by the General Assembly. In 1805, a bill failed that would have replaced muster duty with road duty for persons exempted from the militia for religious purposes. In 1815, the Assembly rejected a bill that would have authorized county courts to exempt road inspectors from militia duty.<sup>11</sup>

Although the militia was used for non-military purposes, it also remained active in campaigns against the Tennessee Indians. In the late 1780s militiamen began protecting travelers and manning forts and blockhouses on the frontier, and they continued these tasks throughout the 1790s. By this time, white movement throughout Tennessee was

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<sup>10</sup>*Acts of the Territory of the United States South of the Ohio*, First General Assembly, First Session, Chapter 20 (1794); Luke H. Banker, *Fort Southwest Point, Kingston, Tennessee* (Kingston, Tennessee: Roane County Heritage Commission, 1984), 1-3; Sampson Williams to James Winchester, 17 November 1795, Papers of David Henley, box 1, TSLA.

<sup>11</sup>Tennessee General Assembly, "A Bill Compelling People to Work on Public Roads in Lieu of Musters," box 7, folder 16 (1805), RG 60 Unprocessed, TSLA; *ibid.*, "A Bill for the Better Opening and Keeping in Repair the Public Roads in This State," box 18, folder 4 (1815), RG 60 Unprocessed, TSLA.

common. The most frequently traveled path was between East Tennessee, near Knoxville, and the Cumberland region. Violence between the Indians and whites continued during this period, but troops assigned to frontier protection and escort duty rarely engaged in hostilities.

The first Tennessee militiamen used to protect travelers were mustered in Davidson and Sumner counties in 1788. These one hundred men, under Colonel George Mansco and Major James Kirkpatrick, set out on September 10 and escorted twenty-two families to Knoxville. On October 10, the men returned to Nashville with an unknown number of families. Both trips occurred without incident.<sup>12</sup>

In the 1790s, Governor Blount persuaded the federal government to assume responsibility for protecting the Tennessee frontier. The government subsequently sent arms, military equipment, and some federal troops into Tennessee. The government also assumed the expense of paying not only those federal troops but also the local militiamen for their services. The federal troops and militiamen manned the forts and blockhouses, and were to be reinforced whenever Indian violence threatened. In September 1792, nine Cumberland stations contained between fourteen and twenty men each. In December of that year, seven Knox County stations contained between four and fourteen men; two were vacant.<sup>13</sup>

William Blount believed that if Tennessee was to grow and prosper, Indian

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<sup>12</sup>Ramsey, *Annals of Tennessee*, 482; "Account of a Settlement Expedition from Knoxville to Nashville in 1788," John Haywood Papers, folder 4, no. 4.

<sup>13</sup>Ramsey, *Annals of Tennessee*, 565-66.

resistance to white settlement must be quashed. He was willing to sign treaties, but he doubted that treaties would secure peace. Rather, he believed that permanent peace could be established only through white military victory. He sought to defeat the Indians decisively, and the final major campaigns against the tribes in Tennessee occurred under his administration.

When he assumed office, Blount understood that the Indians of Tennessee could not be defeated without federal assistance. He worked to coax the federal government to join Tennessee in a war against the Indians. He was often frustrated in these attempts but never relented in his efforts. He had good reason to believe that the federal government would cooperate, for conflicts with various Indian tribes remained common throughout the western frontier and the U.S. government deemed the Indian presence a hindrance to westward expansion. In 1791, President Washington sent a two-thousand-man army, comprised of both federal regulars and militiamen, against Shawnee and Miami Indians in southern Ohio. Two hundred Tennessee militiamen were included in this force. The campaign, commanded by General Arthur St. Clair, was poorly organized and ended in a disastrous defeat on November 4 of that year, but it did demonstrate Washington's willingness to secure a western frontier open for white settlement.<sup>14</sup>

In 1791, Blount was contending with four tribes: the Cherokee, Creek, Choctaw, and Chickasaw. These tribes did not wish to fight the whites, but were angered by the continued white settlement on their land. The Indians frequently expressed a desire for

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<sup>14</sup>Ibid., 552-53; Walter T. Durham, *Before Tennessee: The Southwest Territory, 1790-1796* (Piney Flats, Tennessee: Rocky Mountain Historical Association, 1990), 65-67.

peace, contingent on a halt to white encroachment. In fact, in 1790 President Washington met with Alexander McGillvray, a Creek chief, and signed a peace treaty.<sup>15</sup>

When Blount assumed office, the Cherokee were the largest and most powerful tribe in Tennessee. They were divided on how to act toward the whites: many sought peace and cooperation, but the Chickamaugas, who still comprised a large portion of the Cherokee population, remained hostile. In July 1791, Blount negotiated the Treaty of the Holston between the United States and the Cherokees, guaranteeing peace between the two nations and establishing clear boundaries. After the treaty was signed, a party of Cherokee chiefs traveled to Philadelphia, where they signed more treaties promising an annual federal payment to the Cherokees. Blount did not, however, expect peace to ensue. On January 5 and 6, 1792, he wrote to James Robertson and Daniel Smith (a militia general and early settler) noting that President Washington would soon, on the advice of the Congress, consider the issue of war with the Cherokees. He also remarked that federal troops were soon to arrive and that some federal arms had already arrived and more were expected, including a brass cannon.<sup>16</sup>

Anticipating a war with the Cherokees, Blount hoped to pacify the other three tribes. In his January 5 letter to Robertson he expressed hope that he could arrange a meeting with the Creeks to discuss peace. He also recommended gifts to be given the

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<sup>15</sup>Moore and Foster, *Tennessee, the Volunteer State*, 1: 150.

<sup>16</sup>*Ibid.*, 1: 253-54; "The Correspondence of James Robertson," *American Historical Magazine*, 1 (April 1896): 282-84; William Blount to Daniel Smith, 6 January 1796, Governor William Blount Papers: Territory of the United States of America South of the River Ohio, box 1, folder 1, TSLA.

Choctaws and Chickasaws as peace offerings at a meeting to be held the following summer, including fifty rifles, one thousand pounds of gunpowder, two thousand pounds of lead, clothes, blankets and other items.<sup>17</sup>

On February 1, citizens in Tennessee County petitioned Robertson, by then a brigadier general, asking that the militia be called out to protect them from Cherokee violence. Robertson called a council of militia officers and, without Blount's approval, ordered out one hundred militiamen to protect the county. When Blount learned of the call-up he approved it and expressed hope that this threat to settlers would prompt President Washington to initiate a wider Indian campaign. He instructed Robertson to increase the number of active militiamen to 152, and to form them into two companies. They were to serve for three months and follow the regulations of the 1786 North Carolina militia law.<sup>18</sup>

In May 1792, Blount met with the Cherokees and discussed maintaining peace. This meeting was notable because John Watts, one of the most influential Cherokee chiefs and the one most sympathetic to the Chickamaugas, arranged it. Dragging Canoe had died earlier that year, and most of the Chickamaugas looked to Watts as their new leader. At the meeting Blount was greeted by two thousand Indians, given a grand reception, and assured by Watts that the Cherokee no longer wished for war with the whites. But peace was not to be. In September 1792, between three and six hundred Creeks and Cherokees attacked the Cumberland settlements. John Watts led this attack,

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<sup>17</sup>“Correspondence of James Robertson” (April 1896), 282-84.

<sup>18</sup>Ibid., 284-85, 287-91.



supported by fellow Cherokee chiefs Glass and Bloody Fellow. The attack was a surprise but Blount and the militia responded quickly. Blount ordered the mustering of militia throughout the territory, including the brigades commanded by James Robertson and John Sevier. Robertson commanded in the Cumberland region, and Sevier in the east. On September 30, the Indians attacked Buchanan's Station, which contained only fifteen militiamen and a few families. They were repulsed, John Watts being wounded in the attack. In November, fifty-six Cherokee, Creek, and Shawnee warriors attacked forty-two militiamen under Captain Samuel Handley, who were marching to the Cumberland settlements from Knoxville. The militiamen fled, suffering only three casualties. Captain Handley was captured, however, and held prisoner for several months. In December Handley, under duress, wrote a letter calling on Governor Blount to enter into peace talks.<sup>19</sup>

Although Blount was seeking an opportunity to defeat the Indians, he did not welcome these attacks, for he believed Tennessee was unprepared to fight a major Indian campaign. The territory had no money and few military supplies. Moreover, Blount did not believe he had the legal authority to wage a war against the Indians without Congressional approval, for the newly ratified U.S. Constitution granted Congress the exclusive right to declare war. Citing this constitutional restraint, Blount ordered the militia officers not to advance onto Indian land. Rather, the militiamen were to act

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<sup>19</sup> "The Correspondence of James Robertson," *American Historical Magazine*, 2 (January 1897): 61-63, 71-72; Moore and Foster, *Tennessee, the Volunteer State*, 1: 211; Harriette S. Arnow, *Flowering of the Cumberland* (New York: Macmillan Company, 1963), 25-27; Ramsey, *Annals of Tennessee*, 564-67, 571-73.

defensively, attacking only those Creek and Cherokee warriors found within the boundaries of the white settlements.<sup>20</sup>

Blount was optimistic, however, that the federal government would intervene in the conflict. In an October 27 letter to James Robertson, he asserted that Congress would “no doubt . . . do what the dignity of the government requires and redress the sufferings of their frontier citizens.” Blount had two agents, David Allison and Richard Findlenston, in Philadelphia pressing for federal intervention. The federal response was not, however, what Blount had hoped. The government sent two thousand muskets, one cannon, and a large quantity of ammunition, all of which arrived in February 1793, but did not commit to a major campaign. George Washington preferred negotiation, and on February 8 he expressed hope that the Cherokee chiefs would travel to Philadelphia to discuss peace. His message was not delivered until mid-April. In February, a frustrated Blount sent General James Winchester to Philadelphia, where he was expected to meet with George Washington and other leaders and “complain loudly of everything that deserves to be complained of.”<sup>21</sup>

After the attack on Captain Handley’s company, the violence temporarily abated, only to resume in spring 1793. Blount made overtures for peace, and at a meeting with John Watts on April 5, was able to appease the Cherokees with Washington’s invitation to Philadelphia. The Creeks, however, continued hostilities. On April 28 between thirty

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<sup>20</sup> “Correspondence of James Robertson” (January 1897), 80-83.

<sup>21</sup> Ibid.; “The Correspondence of James Robertson,” *American Historical Magazine*, 2 (April 1897): 176, 278.

and seventy Creek warriors attacked Greenfield Station, two and a half miles north of Buchanan's Station. The Indians killed one settler, but retreated when local militiamen arrived. On June 7, Blount himself departed for Philadelphia to meet with the president and discuss federal involvement in the conflict. He left Daniel Smith as the acting governor. On June 17, while in transit, Blount wrote to Smith, saying "A vigorous national war only can bring the Indians to act as they ought, and that I hope we shall have this fall." In Philadelphia, national leaders received Blount well, but he did not persuade them to commit the nation to a larger military campaign.<sup>22</sup>

On June 12, violence with the Cherokees again erupted when Captain John Beard, against orders, crossed the Tennessee river into Cherokee territory and attacked a village wherein resided Hanging Maw, a respected chief friendly to the whites. The militiamen killed between ten and fifteen Cherokees and wounded Hanging Maw and his wife. Within thirty minutes of the attack two hundred Cherokee warriors were mustered. Beard's company retreated, leaving the territory around Knoxville largely undefended. Fearing an immediate attack, Daniel Smith wrote to several Cherokee chiefs and appealed for peace. He reminded them of the invitation to meet with President Washington. The chiefs reluctantly agreed to peace, but called for punishment of Captain Beard. Beard was courts martialed; but because of public support for his actions, the court acquitted

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<sup>22</sup>"The Correspondence of James Robertson," *American Historical Magazine*, 2 (October 1897): 359-61, 366-67; Moore and Foster, *Tennessee, the Volunteer State*, 1: 216; William Blount to Daniel Smith, 17 June 1793, William Blount Papers, box 1, folder 1.

him.<sup>23</sup>

In August, fear of a Cherokee attack prompted Smith to muster militiamen throughout the territory. James Robertson ordered several companies to patrol the area around Nashville. In East Tennessee, where the threat was perceived to be the greatest, militiamen reinforced stations around Knoxville. These militiamen included a detachment under John Sevier at Ish's Station, east of the city. In late August, Cherokee and Creek warriors began to attack houses and stations on the frontier. On the twenty-ninth, they attacked Henry's Station, in East Tennessee, and killed one officer. On September 24, one thousand Cherokee and Creek warriors set out to destroy Knoxville. Descending from the northwest, they plundered and destroyed houses along the way. Because most of the militia was in the field, Knoxville had only forty militiamen. Under the command of James White, who was a militia general and one of the founders of Knoxville, the men prepared for an attack. Once near the city the Indians opted not to attack, but they did raid the house of Alexander Cavet, killing fifteen and taking one prisoner.<sup>24</sup>

The reaction to the attacks came swiftly. On August 30, colonels George Doherty and James McFarland raised 180 men and, against orders, marched west into Cherokee territory, destroying six villages. Also, John Sevier at Ish's Station raised between six hundred and seven hundred men and, with the consent of Daniel Smith, invaded the

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<sup>23</sup> "Correspondence of James Robertson" (October 1897), 367-68; Ramsey, *Annals of Tennessee*, 577-78.

<sup>24</sup> "Correspondence of James Robertson" (October 1897), 369-70; Ramsey, *Annals of Tennessee*, 578-82.

Cherokee territory to the south. These troops destroyed the village of Estanaulee and pursued the Indians into Georgia. There they defeated a small force of Indians and burned the village of Etowah.<sup>25</sup>

After Sevier's campaign into Georgia, the Cherokees and Creeks returned to their homes. When Blount returned, he approved of Smith's actions, but began to reduce the number of active militiamen. He hoped to keep several companies active but had very limited funds from the federal government. On December 6, he ordered the discharge of all active militia within the Mero District (Middle Tennessee), effective at the end of the month. On December 13, he began a two-week meeting with Cherokee leaders, who assured him that Cherokee violence against whites would end and that they would pressure the Creeks to cease hostilities. Blount and the Cherokee chiefs also agreed to exchange prisoners and to hold a second meeting in June 1794. Blount did not leave the meeting optimistic. He told James Robertson that the "want of power in the hands of the chiefs" would make delivering on these promises unlikely.<sup>26</sup>

By 1794, rumors had begun to circulate that Spain, then in possession of the Louisiana Territory, was secretly encouraging the Creeks and Cherokees to attack Tennesseans. For several years the Spanish government had felt threatened by the increasing American settlement of western lands, and had enlisted the help of the Indians to contain this expansion. Through trade with the Spanish the Indians had acquired

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<sup>25</sup>Ramsey, *Annals of Tennessee*, 578-79, 583-88.

<sup>26</sup>"The Correspondence of James Robertson," *American Historical Magazine*, 3 (January 1898): 75-79; "The Correspondence of James Robertson," *American Historical Magazine*, 3 (July 1898): 267-69, 272-73.

weapons and other supplies, and the Spanish government turned a blind eye toward Indian attacks on white settlements. Blount did not believe that the Spanish were directly encouraging Indian attacks, but he feared that such rumors would increase tensions between whites and Indians. In January, he ordered James Robertson to muster militiamen in the Mero District; but the number had to be small due to lack of funds.<sup>27</sup>

In February 1794, sporadic attacks on the settlers in the Mero District prompted Blount to again muster the militia throughout the territory. He declared, “[I]t now appears by the most unequivocal of all proofs that the Indians are for war and not peace.” He revoked his order of December 6, and ordered James Robertson to do whatever necessary to protect the citizens. He still had few funds to pay the militiamen, however, and had yet to receive federal support for an invasion of Indian territory. Thus he also ordered Robertson to observe the “utmost economy” in using the militia. He also sent James White to Philadelphia to lobby the Congress for federal support. Blount’s efforts were opposed by James Seagrove, the U.S. agent for Indian affairs in Tennessee. Seagrove believed that the Creeks and Cherokees wished for peace, and he correctly identified white encroachment as the main cause of hostilities. Seagrove did not hesitate to convey his opinion to the leadership in Philadelphia.<sup>28</sup>

As had been the case earlier, the federal government sympathized with the plight of the Tennesseans, but the War Department did not agree to an invasion of Indian

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<sup>27</sup>“Correspondence of James Robertson” (July 1898), 278-80; Durham, *Before Tennessee*, 73.

<sup>28</sup>“Correspondence of James Robertson” (July 1898), 278-80.

territory. Rather, it authorized mustering militiamen to assume defensive positions within white territory. It also sent to Tennessee six cannons and a large quantity of ammunition. The Congressional Committee on Indian Affairs assessed the situation and recommended that the president be given sole power to approve offensive operations; it also recommended that any unapproved invasion of Indian territory be treated as a criminal act.<sup>29</sup>

Occasional Indian violence occurred during the spring of 1794, and pressure to invade the Indian territory grew, but Blount refused to condone an invasion without federal support. The whites placed considerable blame on five lower Cherokee towns in the southeastern part of the territory, especially Nickajack. By summer, Blount had received reports that warriors from these towns were planning an invasion. He appealed once again to the federal government, but in late July received an order from the War Department barring him from offensive operations, with specific instructions not to attack the five lower towns. By this time, however, the outcry for action against the Indians had grown too loud to ignore. The order not to invade only served to increase public anger.<sup>30</sup>

Blount reluctantly agreed to ignore federal orders and authorized an attack on Nickajack and the other lower towns. James Robertson, who took charge of organizing the campaign, did so informally. Militia units throughout the territory rendezvoused near Nashville, with little written evidence of the intended expedition. Blount kept his

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<sup>29</sup>Ibid., 295-96; "The Correspondence of James Robertson," *American Historical Magazine*, 3 (October 1898): 348-49.

<sup>30</sup>"Correspondence of James Robertson" (October 1898), 353-54; Ramsey, *Annals of Tennessee*, 609.

involvement vague by sending militiamen from East Tennessee to James Robertson to “receive [their] orders,” with no further explanation. A few Kentucky militiamen rendezvoused as well; Blount permitted their participation with some apprehension.<sup>31</sup>

The expedition set out on September 7 under the command of Major James Ore. Approximately 550 militiamen participated, including Andrew Jackson, then a private. On September 13, they attacked the towns of Nickajack and Running Water and surprised the Indians, who put up only minimal resistance. The troops destroyed both towns and killed more than fifty Indian warriors, while losing only three wounded and none killed.<sup>32</sup>

After the battle, Blount informed Robertson that the event was an embarrassment and demanded a full report. Robertson submitted his report on October 1. In it he explained that the invasion was a pre-emptive strike against the lower Cherokees, who he claimed were planning an attack. Nickajack and Running Water had served the Indians as gateways to white territory, he claimed, and the militia had destroyed the towns to make invasions more difficult. Blount needed Robertson’s report to justify the campaign to Congress and the President, and to fend off accusations that the governor was complicit in it. Privately Blount was pleased with the outcome of the campaign, asserting that the destruction of these towns would ensure the cooperation of friendly Cherokees and make a surprise Indian invasion less likely. No punishment was ever handed down as

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<sup>31</sup>“Correspondence of James Robertson” (October 1898), 356-57; Ramsey, *Annals of Tennessee*, 609-10.

<sup>32</sup>Ramsey, *Annals of Tennessee*, 616-17; William M. Toomey, “Prelude to Statehood: The Southwest Territory, 1790-1796” (Ph.D. diss., University of Tennessee, 1991), 185-86.



a result of the Nickajack expedition, but soon after it James Robertson offered to resign his commission as brigadier general. His offer was rejected.<sup>33</sup>

The Nickajack campaign was the last significant expedition by the Tennessee militia against the Indians prior to the War of 1812. While it differed little in purpose and outcome from others during Tennessee's frontier years, it marks a significant political turning point for the state. The planning and execution of the Nickajack campaign reflect Tennessee's growing political ties to the federal government. The new U.S. Constitution, the establishment of Tennessee as a federal territory, and the political maturity of Tennessee effectively eliminated the militia leaders' freedom to act on their own. Tennessee's lack of congressional representation, however, prevented any advantages these closer ties with the federal government could have created.

After the Nickajack campaign, Blount mustered one company of infantry under the command of Captain Nathaniel Evans to patrol the areas between the Tennessee River and the Mero District most frequented by Indians. In November, he met with the Cherokee leadership and both parties agreed yet again to live in peace, and to exchange prisoners. Also in November, Blount learned of a possible invasion of Cherokee land by the Kentucky militia. He wrote its colonel, William Whitley, urging him to prevent it, and threatened to warn the Cherokees in advance if the invasion was not canceled.<sup>34</sup>

The peace agreement with the Cherokees did little to reduce hostility between the whites and the Creeks. Creek violence continued into late 1794. In November, fifty

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<sup>33</sup>“Correspondence of James Robertson” (October 1898), 359-63.

<sup>34</sup>*Ibid.*, 366-72.

Creeks attacked the families of Colonel Isaac Titsworth and his brother John along the Red River, killing ten. The local militia pursued but did not engage the attackers. Also in November, forty Creek warriors attacked several families living at a station near Clarksville in Middle Tennessee, including that of Valentine Sevier. Sevier survived, but several whites were killed, including one of his sons. The number of Creek casualties is unknown.<sup>35</sup>

Both attacks took place in the Mero District. Blount called for more militiamen in Mero to muster, but invading Indian territory was prohibited by order of the Secretary of War. Nevertheless, Blount still hoped that the plight of the Tennesseans would not be ignored. On December 4 he wrote, "I cannot suffer myself to doubt but the present session of Congress will order an army in the course of next spring or summer, sufficient to humble if not destroy the Creek nation."<sup>36</sup>

Blount remained optimistic about a federal campaign against the Creeks, but the government took no action. In March 1795, he received a letter from Secretary of War Timothy Pickering informing him that Congress would no longer allow offensive operations against the various Indian tribes and chastising him for attempting to provoke a conflict. Pickering was particularly troubled by Blount's recent attempts to promote war with the Creeks, noting that such a war might encourage other tribes to attack the Creeks as well. He also criticized Blount for permitting white Tennesseans to settle on Indian land, asserting that doing so violated Indian sovereignty and was the primary cause

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<sup>35</sup>Ramsey, *Annals of Tennessee*, 619.

<sup>36</sup>"Correspondence of James Robertson" (October 1898), 374-75.

of Indian-white conflict. He instructed Blount to remove all illegal white settlements and maintain peace with the tribes.<sup>37</sup>

After receiving this letter Blount no longer pushed for an Indian war. In 1795, Indian violence declined significantly. In that year a peace treaty was negotiated with the Chickasaws, by which that tribe received a generous allotment of goods, including six howitzers and a significant supply of ammunition, all from the federal government. This treaty was likely negotiated by James Robertson, then the acting United States representative to the Chickasaws, and Colonel David Henley, the United States War Department agent in Tennessee. The Creeks also moved toward peace, although a formal treaty was not negotiated at that time. In June 1795, Isaac Titsworth traveled into the Creek nation to retrieve his daughter and a slave, both of whom had been taken prisoner during the attack in 1794. The Indians released the two without hesitation, and Titsworth reported to Governor Blount that most of the Creek leaders and warriors were resolved to avoid further conflict with the whites.<sup>38</sup>

Militiamen remained on frontier duty, but their numbers were reduced. James Robertson ended his tenure as brigadier general on August 5, 1795. With peace established, Blount turned his attention to road-building, and travel became more frequent. In October, he stated to one group of travelers, “You with the families with you on your way to Nashville . . . may pass without the least apprehension of injuries. I have

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<sup>37</sup>“The Correspondence of James Robertson,” *American Historical Magazine*, 4 (April 1899): 179-86.

<sup>38</sup>“Correspondence of James Robertson” (October 1898), 376, 381, 383-86.

now to recommend to you and to other travellers and people of all descriptions to treat the Indians of every description wherever found, as friends.”<sup>39</sup>

During Tennessee’s six years as a federal territory, the U.S. government assumed the militia expenses. Prior to 1790, Tennessee militiamen had received little or no monetary compensation for their services. Many campaigns against the Indians had been informally organized, and in a number of cases militiamen participated to ensure their very survival on the frontier. In some cases the militiamen received land, as was the case with the 1788 muster to protect Davidson County. But for the most part, early Tennessee militiamen fought solely to secure their stake in the territory, and they understood that the informal nature of their activities precluded their receiving any money for their efforts. In his nearly twenty-year career as a Tennessee militia leader, John Sevier was compensated only once--for the Etowa campaign, which was his last.<sup>40</sup>

Once the militia assumed frontier and guard duties, the number of active militiamen represented only a small proportion of the eligible men in the territory. No longer fighting for the survival of the white settlements, these men expected to be paid for their services. The U.S. War Department assumed the militia expenses and also procured the provisions for the men on duty.

David Henley was the federal agent responsible for meeting the needs of the militiamen. All federal funds used for militia purposes first went through him. To

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<sup>39</sup>“Correspondence of James Robertson” (April 1899), 175-77; “The Correspondence of James Robertson,” *American Historical Magazine*, 4 (July 1899): 256-59, 267-68; “Correspondence of James Robertson” (October 1898), 363-64, 377.

<sup>40</sup>Ramsey, *Annals of Tennessee*, 588.

procure rations he contracted with a local merchant who, for a fee, acquired the necessary provisions and had them distributed. To pay the militiamen, Henley required an authorization from the governor, which included a detailed account of which companies were to be paid and the time served. Once Henley received the authorization, he gave the money to the militia paymaster for distribution. The men's pay was meager. In 1795 privates were paid \$6.66 per month; officers were paid slightly more, depending on rank.<sup>41</sup>

In most cases Henley relied on one man, John Gordon, to provide the rations. Gordon was also a militia captain. Each year the two men negotiated an extensive contract which was forwarded to the War Department. Henley paid Gordon after delivery, and he required Gordon to receive certification of delivery from the commanding officers of the men receiving the provisions. The location of the men determined the amount Gordon received, but it was usually between eight and twelve cents per ration. Officers received two or three rations each per day, and non-commissioned officers and privates received one ration each per day.<sup>42</sup>

Each ration consisted of one pound of bread or flour, one pound of beef or three-fourths of a pound of pork, and half a gill (two ounces) of liquor. One quart of salt, two

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<sup>41</sup>"Payment Authorization Receipt," 27 July 1795, William Blount Papers, box 1, folder 4 (this collection contains several such receipts); "Correspondence of James Robertson" (April 1899), 171-72.

<sup>42</sup>"Contract between David Henley and John Gordon," 4 November 1794, Tennessee Historical Society Miscellaneous Files, box G, no. 61, TSLA; "Provision Return for a Company of Infantry under Captain William Anderson," 31 May 1795, *ibid.*, box A, no. 25; "Return of Provision for Lieutenant James Hollis' Detachment of Infantry," 30 April 1795, *ibid.*, box H, no. 107.

quarts of vinegar, two pounds of soap, and one pound of candles were included in every one hundred rations. The task of provisioning was not only arduous but also expensive. For example, in the Mero District between January and June 1795, nineteen detachments served tours of duty, each for approximately one month. For them Gordon acquired 21,820 rations at a cost of \$1,767.20. Tennessee militiamen were usually well supplied, but the system was not perfect. In August 1796, Martin Ashburn, commanding at South West Point, complained that the fort had not been supplied and his men had exhausted their provisions, including the beef he had purchased privately. In that same year David Campbell wrote a similar complaint to Henley from Fort Grainger.<sup>43</sup>

The process of paying the militiamen was poorly defined and often resulted in conflict between the territory and the War Department. At issue was the federal responsibility to Tennessee militiamen not mustered into service under the expressed authority of the War Department. Ideally, the governor would muster the men with the War Department's permission. After the term of service, the commanding officers would issue a return to the governor with the names of the men and their time served. The governor would then direct David Henley to arrange payment. When the process worked smoothly the men were usually paid within six months of their discharge. Quite often, however, Tennessee militiamen mustered without pre-approval by the War Department. In such cases, the federal government was reluctant to pay them, and frequently did not.

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<sup>43</sup>“Contract between David Henley and John Gordon”; Martin Ashburn to David Henley, 20 August 1796, and David Campbell to David Henley, 8 May 1796, David Henley Papers, box 1; “Receipt for Furnishing the Troops in Mero District from the First of January to 30th June 1795,” Tennessee Historical Society Miscellaneous Files, box G, no. 64.

Daniel Smith's muster in August 1793 is one example. Because of the impending Indian attack, Smith mustered without approval. Three years later, 150 men from Sullivan County who had served in the campaign still had not been paid despite frequent requests. The same was true for the men who served under John Sevier in the same campaign.<sup>44</sup>

The most contested of these controversies grew out of the Nickajack expedition of 1794. Because the expedition was in direct violation of federal orders, the War Department refused to pay the men. John Sevier became Tennessee's first state governor in 1796 and took a personal interest in resolving the matter. He appealed to Tennessee's congressmen, and they procured support for payment by federal leaders. However, the War Department claimed not to have received the necessary paperwork, which David Henley was responsible for sending. Henley endorsed the Tennesseans' claim and declared that he had filed the paperwork, but said it had since been lost. By June 1798 the men still had not been paid, and Sevier once again turned to the state's congressmen, who for the next two years attempted to procure payment. No records indicate that the men were ever paid.<sup>45</sup>

When Tennessee became a state in 1796, William Blount was elected to the U.S.

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<sup>44</sup>"Payment Authorization Receipt," 24 July 1795, and "Paymaster Receipt," 24 July 1795, William Blount Papers, box 1, folder 4; William Claiborne, John Rhea, and George Rutledge to David Henley, 31 January 1796, David Henley Papers, box 1; "The Correspondence of James Robertson," *American Historical Magazine*, 4 (October 1899): 337-38.

<sup>45</sup>"Correspondence of James Robertson" (October 1899), 338; John Sevier to David Henley, 2 April 1797, John Sevier Papers, first series of administrations, box 3, TSLA; David Henley to John Sevier, 22 April 1797, *ibid.*, first series of administrations, box 2, folder 2; John Sevier to William Claiborne, 20 June 1798, *ibid.*, first series of administrations, box 3.

Senate. (He was impeached and removed from office the following year for attempting to incite the Creek and Cherokee Indians against the Spanish.) As the first state governor, John Sevier placed a high priority on maintaining a vigilant military presence on the frontiers. Recognizing that fear and mistrust prevailed on both sides, he did not place much faith in the peace then prevailing between the Indians and the whites. Sevier was faced, however, with a federal government increasingly reluctant to maintain frontier protection.<sup>46</sup>

In June 1796, soon after Sevier assumed office, the War Department informed him that the U.S. government would withdraw support for militia frontier duty in Tennessee. The tours for the militiamen called by Blount as well as those of the small number of U.S. regulars in Tennessee would expire by the end of the summer. At issue was not the principle of maintaining frontier guards, but rather the funding of such posts. Because Tennessee was no longer a federal territory, the U.S. government no longer accepted responsibility for its militia expenses. Sevier sent letters to James McHenry, Secretary of War, asking him to continue the support, claiming that a lack of frontier guards would embolden the Indians to commit crimes in the white settlements. McHenry was not moved by Sevier's pleas.<sup>47</sup>

Sevier maintained militiamen at the frontier posts despite having no funds to pay them. In October 1796 he turned to William Blount, who by then had assumed his office

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<sup>46</sup>Masterson, *William Blount*, 312-23.

<sup>47</sup>John Sevier to James McHenry, 20 July, and 15 August 1796, John Sevier Papers, first series of administrations, box 3.



in the Senate, suggesting that Blount confer with the President on the matter. Blount's political connections proved fruitful. In January 1797, two companies of U.S. regulars arrived in Tennessee by order of the War Department. President Washington also gave Sevier assurance of federal support for the retention of Tennessee militiamen currently serving guard duty, and Sevier promptly issued the necessary orders.<sup>48</sup>

After the two federal companies arrived, Sevier wrote Tennessee's congressmen and the War Department asking for four more. This request was not honored. In fact, the President did not hold true to his promise to support the Tennessee militiamen, and funding for them was ended. Sevier grudgingly disbanded the Tennessee troops in June of that year. However, federal regulars remained on duty in Tennessee for several more years, and Sevier continued to press for more support throughout his first two terms in office.<sup>49</sup>

The relationship between whites and Indians in Tennessee during the second half of the 1790s was tense, but violence was only sporadic. Tennessee's leaders focused on establishing necessary institutions, developing internal improvements, and increasing white immigration. Unlike his predecessor, Sevier hoped to avoid conflicts with the Indians. He used the militia to gather intelligence and to undertake minor military

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<sup>48</sup>John Sevier to William Blount, 7 October 1796, *ibid.*, first series of administrations, box 3; Military Order Book, *ibid.*, first series of administrations, box 2, folder 9, pp.2-3.

<sup>49</sup>John Sevier to William Blount, William Cocke, and Andrew Jackson, 17 January 1797, and to James McHenry, 17 January 1797, *ibid.*, first series of administrations, box 3; John Sevier to James Winchester, 8 June 1797, *ibid.*, first series of administrations, box 1, folder 3; John Sevier to William Cocke, Joseph Anderson, and William Claiborne, 25 February 1800, *ibid.*, first series of administrations, box 3.

excursions. Lacking a significant frontier force, Sevier frequently relied on diplomacy to maintain peace. He wrote letters to Indian chiefs calling for peace between the two peoples. He was quick to compliment the tribes, yet he also reminded them of the destruction they had suffered in years past. These indirect threats of military action helped prevent minor events from becoming major confrontations. Violence declined also because by the late 1790s the tribes had been severely weakened, and many Indians were dependent on white trade and support.<sup>50</sup>

Personally, Sevier despised the Indians and thought them entirely unfit for civilized culture. On July 20, 1796, he wrote to the Cherokees saying “I hope we shall have no disputes, and the chain of friendship and peace will always be bright and clear between us.” That same day he noted to James McHenry “It is a well known fact and shamefully obvious, that all the erratic tribes are accustomed and habituated to licentiousness and educated to a vagrant, lawless, debauched and immoral life; and nothing but a sufficient conviction of being chastised shall ever deter those itinerant nations from their common desperate and rapacious practices.”<sup>51</sup>

Sevier’s first Indian conflict during his initial term of office occurred in April 1796 in East Tennessee north of the fork in the Little Pigeon River. Three whites were searching for horses that had been stolen from them, presumably by Indians, when they

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<sup>50</sup>John Sevier to Benjamin Hawkins and Andrew Pickings, 10 April 1797, and to James McHenry, 4 October 1797, *ibid.*, first series of administrations, box 1, folder 3; John Sevier to the Cherokees, 2 April 1796, *ibid.*, first series of administrations, box 3; Finger, *Tennessee Frontiers*, 203-204.

<sup>51</sup>John Sevier to the Cherokees, 20 July 1796, and to James McHenry, 20 July 1796, *ibid.*, first series of administrations, box 3.

engaged four Cherokees in a brief skirmish. The whites wounded one Indian in the encounter, and took two guns. Rather than muster the militia, Sevier informed the commander at the nearby Tellico blockhouse to avoid conflict. Sevier feared that an outbreak of violence would discourage white migration. He apologized to the Cherokees and promised to return the two guns.<sup>52</sup>

The most significant test of the delicate peace between the two peoples began in 1797 as a result of international events. Jay's Treaty, signed between the United States and England in 1795, led to a deterioration of relations between America and France. An undeclared naval war between the two nations erupted in 1797. Tennesseans worried that the French would incite the Indians against them.<sup>53</sup>

Sevier began to express concern in early 1797. He was convinced that the Indian tribes would turn against the United States if supported by France. In January and February several whites and Indians were killed in skirmishes, and both sides began to assume a more militant posture. It was during this time of heightened tensions that Tennessee lost federal funding for militia guard duty and received, in Sevier's opinion, far too few federal troops for the task. In March, Sevier ordered the brigadier generals to hold the state's militia regiments in readiness. Sevier's correspondence with the Indians urged them to ignore calls for war against the United States, asserting that the European

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<sup>52</sup>John Sevier to John McKee, 20 April 1796, *ibid.*, first series of administrations, box 2, folder 9; John Sevier to the Cherokees, 27 April 1796, and 4 May 1796, *ibid.*, first series of administrations, box 3.

<sup>53</sup>John Sevier to James McHenry, 6 June 1797, *ibid.*, first series of administrations, box 3.

powers cared little for either red or white Americans. By June 1798 Sevier had come to believe that a full-scale war between the U.S. and France was inevitable, but he was incorrect. Neither the U.S. nor France desired a wider conflict, and by 1800 the naval war had ended and tensions between the whites and Indians eased.<sup>54</sup>

The possibility of a major war with France played an important role in the development of the Tennessee militia, for it made the leadership aware of the shortcomings of the system. Although effective in frontier campaigns, the Tennessee militiamen lacked both the training and equipment to face professional armies like those of the European powers. Moreover, by the late 1790s the number of militia-age men in the state exceeded that necessary to fight a frontier war. Recognizing these facts, the state's leadership began to restructure the system.

When naval hostilities began between the United States and France, the patriotic surge usually associated with the beginning of war did not happen in Tennessee. Rather, many Tennesseans were frustrated by the federal government's inability to negotiate with the European powers. In February 1797, Sevier told William Blount that "The reports of a probability of a war with the French . . . excites [*sic*] apparently much indignation among many here against the measures of the American government." The U.S. Congress passed an act directing the states to hold 80,000 militiamen in readiness,

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<sup>54</sup>John Sevier to William Blount, William Cocke, and Andrew Jackson, 29 January 1797, *ibid.*, first series of administrations, box 3; Military Order Book, *ibid.*, first series of administrations, box 2, folder 9, p. 4; John Sevier to the Cherokees, 10 February 1797, *ibid.*, first series of administrations, box 3; John Sevier to the Cherokees, 8 June 1797, and to Joseph Anderson, 11 June 1798, *ibid.*, first series of administrations, box 1, folder 3.

Tennessee's quota being 806. Sevier had already issued orders to the state's brigadier generals to ready the militia, and he now began to write specific regiments calling for the men to arm and equip themselves.<sup>55</sup>

Through this process Sevier learned of the inadequacies of the militia system. Rogersville, for example, contained a strongly patriotic regiment but its leader told the governor that the men were "not equipt as might be expected from an independent people." In 1798, Governor Sevier began to support the recruitment of a regular army should war with France commence. Like all his fellow Tennesseans, Sevier believed in the militia ideal, but he understood that in its present condition the militia was incapable of defending against a French invasion<sup>56</sup>

The possibility of war with France made Sevier a champion of militia reform. The centerpiece of his effort was his 1797 call for the state to adopt its first comprehensive militia law. This law was passed in 1798, but Sevier did not consider it adequate. In December 1798 and again in September 1801, he called for refinements to the law. His primary concern was the lack of training and equipment. In 1801, the General Assembly responded by passing a law requiring more frequent musters, but little

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<sup>55</sup>John Sevier to William Blount, 14 February 1797, *ibid.*, first series of administrations, box 3; *Public Statutes at large of the United States of America*, Fifth Congress, First Session, Chapter 4 (1797); John Sevier to the militia officers in Hawkins County, 3 March 1797, John Sevier Papers, first series of administrations, box 3.

<sup>56</sup>Alexander Nelson and John Mitchell to John Sevier, 15 February 1797, *ibid.*, first series of administrations, box 2, folder 2; John Sevier to William Claiborne, 11 June 1798, *ibid.*, first series of administrations, box 1, folder 5.

was done to furnish the militia with equipment<sup>57</sup>

By the beginning of the nineteenth century, the role of the Tennessee militia had changed. During the eighteenth century the militia helped secure white settlement, and was an integral part of Tennessee's economic and political development. By 1800, the militia had been transformed from an informal group of frontier fighters into a well-defined military agency, albeit one in need of improvement when compared to professional armies.

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<sup>57</sup>White, *Messages of the Governors of Tennessee*, 1: 25-26; *Acts of the State of Tennessee*, Second General Assembly, Second Session, Chapter 1 (1798); John Sevier to the Tennessee General Assembly, 3 December 1798, John Sevier Papers, first series of administrations, box 1, folder 11; John Sevier to the Tennessee General Assembly, 22 September 1801, *ibid.*, first series of administrations, box 1, folder 13; *Acts of the State of Tennessee*, Fourth General Assembly, First Session, Chapter 1 (1801).

## *Chapter V*

### **Volunteers at Work and Play: The Many Roles of the Antebellum Militiamen**

Tennessee militiamen participated in all major antebellum conflicts, notably the War of 1812, the Seminole wars, and the Mexican War; and the militia system was still the framework for Tennessee volunteers at the beginning of the Civil War. However, militiamen were active in other military and non-military pursuits during these antebellum years. The militia was in fact a key infrastructure-building institution in the antebellum era.

Immigration increased and the population grew rapidly after Tennessee achieved statehood. In 1790 the state's population was 35,691. By 1800 it was 105,602, and in 1810 it was 261,727. This rapid increase did not abate during the antebellum years. In 1830 the population was 681,904 and in 1850 it was 1,002,717. The militia system was forced to adapt to the changing social, political, and economic landscape of the state. Most notably, the number of militia-age white males became too great for the state's needs for all but the most serious conflicts. Also, the state did not have the ability to keep this entire militia-eligible population trained and equipped. Thus the regular militia, although not abolished, became a paper organization with no expectations of military preparedness placed on it.<sup>1</sup>

The number of volunteer militiamen grew rapidly until the mid-1840s. In 1812

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<sup>1</sup>U.S. Census Bureau, *Statistical History of the United States*, 13.

the state reported 29,183 active militiamen to the U.S. government. This was the first year Tennessee made such a report. By 1819 the number had grown to 36,146. By 1840, the last year Tennessee reported, the number had almost doubled to 71,252.<sup>2</sup>

Keeping this many men armed and equipped was a difficult task, and the state's record in doing so is mixed. As the primary training tool, musters were an important militia activity. As the counties grew, citizens sought opportunities to gather and develop a sense of community. The spring battalion musters and fall regimental musters were well suited for this. Thus, muster days became social as well as military affairs. On muster day large crowds arrived early in the morning at the muster ground, usually near the county courthouse. People of all ages attended, both whites and blacks. The militiamen would gather in their respective companies at eleven o' clock to practice maneuvers. Because of the festive atmosphere, the men received little genuine military training. Typically, they simply paraded for the crowd, usually to the music of patriotic songs. After the training, community members spent the day enjoying themselves with activities that included dancing and frontier sports such as shooting and axe throwing. Men often paid taxes on muster day and also voted if necessary; and communities and towns sometimes held plebiscite meetings to determine the public's view of a particular political issue.<sup>3</sup>

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<sup>2</sup>*American State Papers: Military Affairs* 1: 330-34, 2: 534-37.

<sup>3</sup>Samuel Cole Williams, *Beginnings of West Tennessee in the Land of the Chickasaws* (Johnson City, Tennessee: The Watauga Press, 1930), 227-29; Emma I. Williams, *Historic Madison: The Story of Jackson and Madison County Tennessee* (Jackson, Tennessee: Madison County Historical Society, 1946), 100-101; *Jackson Southern Statesman* (Jackson, Tennessee), 9 July 1831.



Fighting was also a common component of muster day. Sometimes the men fought each other in organized matches with participants representing various neighborhoods or companies. These fights were refereed, but had few rules other than the prohibition of weapons. Men also fought each other to settle personal disputes. In Fayetteville militiamen designated a specific area for fighting, and named it the “war office.”<sup>4</sup>

Sometimes the muster-day celebrations collapsed into drunken brawls. In 1825, in the town of Covington, fighting broke out on a muster day when men from Virginia began to belittle men from North Carolina. Scattered fights began among a few men, but soon the fighting was widespread. The men destroyed a small “whiskey house,” and began to throw bricks at each other. The sheriff tried unsuccessfully to stop the melee. Finally, onlookers persuaded the two sides to cease and desist.<sup>5</sup>

A battalion muster during the mid 1820s at Hurricane Hill, in Tipton County, ended similarly. The men gathered at eleven o’ clock and paraded until noon. They then stopped to eat lunch and enjoy the remainder of the day. During the afternoon a group of men approached a pie stand, roughed up the vendor, and stole some of his pies. Onlookers intervened and fighting broke out among about a dozen men. After a while the two largest men in the crowd began to fight, drawing the attention of all present. The two

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<sup>4</sup>Williams, *Beginnings of West Tennessee*, 229; *History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of Giles, Lincoln, Franklin, and Moore Counties* (Nashville: Goodspeed Publishing Co., 1886; reprint, Easley, South Carolina: Southern Historical Press, 1979), 769.

<sup>5</sup>Memoirs of James Norman Smith, 4 vols., Barker Center for American History, Division of Texas History, University of Texas, Austin, 2: 156-58.

men stopped fighting only when one proclaimed himself too drunk to continue.<sup>6</sup>

Not surprisingly, the social activities of Tennessee muster days mirrored those of other western states. In Kentucky citizens often used militia musters to celebrate community milestones, such as the repeal of a tax or the opening of a canal. In some cases Kentucky muster days included theatrical performances by the militia men.<sup>7</sup>

Revelry may have overshadowed the military aspect of muster days, but Tennessee militiamen were still expected to keep themselves prepared. The diligence of the men in doing so varied among the companies and regiments throughout the state. In 1810 an observer severely criticized the Smith County regiment in the local newspaper, the *Carthage Gazette*. In a satirical call for militia improvement, the author described a muster and noted severe shortages of equipment and a general lack of enthusiasm. He depicted the captain of one of the companies as “hump shouldered, big bellied, round headed, and his face quite spiritous.” The captain’s uniform and equipment, the writer continued, were entirely inadequate, with “pantaloon [that] reach from the ankles to the breast suspended by a leather string, [and] his legs thrust into a pair of boots resembling fire buckets.” Of his sword the author noted that “from the brown appearance [it] must have been made in the year A.D. one.” The lieutenant was similarly dressed and had no sword, but rather carried a stick with a knife tied to the end.<sup>8</sup>

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<sup>6</sup>Joseph S. Williams, *Old Times in West Tennessee* (Memphis: W. G. Cheeney, 1876), 131-33.

<sup>7</sup>Harry S. Laver, “Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky,” *Journal of Southern History* 68 (2002): 786-87.

<sup>8</sup>*Carthage Gazette* (Carthage, Tennessee), 16 March 1810.

The author was equally critical of the privates, noting that few had arrived at eleven o' clock, and that by one o' clock twenty-five were present and twenty absent. Of those present, fifteen were armed with "whips, sticks, umbrellas, corn stalks, and brush wood." At parade time it was difficult for the unit to assemble because "not a few of the men were busy at a stump whereon was placed a keg of phlogisticated water." Others were playing cards. The author also lampooned the company's pitiful attempts at marching, performing maneuvers, and firing the few weapons present.<sup>9</sup>

The antebellum militia as a whole lacked the equipment, training, and enthusiasm expected of a well-prepared military organization. However, a few companies and regiments were earnest in keeping prepared. The tenth regiment, located in Knox County, is one example. The regiment maintained accurate courts martial records for the years 1820 to 1835. During these years absenteeism was low. For example, at the regimental muster held in September 1826, none of the ten companies present had more than six absentees. At the drill muster held prior to the regimental muster only three officers were absent. The extent to which the men of the regiment armed themselves varied from company to company. At the 1829 regimental muster, the number of men without arms ranged from fifteen in Captain Price's company to only two in Captain Belieu's. At some musters more than twenty men were without arms.<sup>10</sup>

The tenth regiment was diligent in fining its members for absenteeism and for

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<sup>9</sup>Ibid, 16, 23 March 1810.

<sup>10</sup>Courts Martial Book of the Tenth Regiment, Tennessee Militia, Grace Coile Armstrong Collection of the Robert Armstrong Papers, Tennessee Historical Society Collections, TSLA.

mustering without arms. The fine for privates was usually one dollar for the former offense and fifty cents for the latter. Officers were fined slightly more, but never more than three dollars for a single infraction. Men could be excused from fines, and often were.<sup>11</sup>

Although the professionalism of the militia units varied, the state attempted to maintain brigade inspections as required by law. In 1809 brigade inspector William Shelton inspected five companies. He spent three days with each company, traveled over 330 miles, and was paid \$70.50 for his efforts. The next year he inspected six regiments, spending three days with each, and was paid \$92.50. In the same years Basil Shaw conducted a similar round of inspections of the fourth brigade. Brigade inspections were irregular, but they continued until at least 1828. In that year six brigades were inspected.<sup>12</sup>

Few records exist that document the frequency or professionalism of the company musters. Being smaller in scope, these gatherings were not typically social occasions for the community at large. However, some companies were noted for their exceptional skills and thus almost certainly held regular musters. For example, the Hickory Guards and the Jackson Guards, both located in Jackson, were noted for their military prowess. A company in Covington was recognized by an observer as “a fine drilled company.” Other well-trained companies can be identified in the arms distribution receipts and other

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<sup>11</sup>Ibid.

<sup>12</sup>Brigade Inspector receipts, box 9, folder 25 (1809), box 10, folder 3 (1810), box 10, box 80, folder 2, (1828), all in RG 60 (unprocessed), TSLA.

surviving state records.<sup>13</sup>

The extent to which the militia was armed is one important measure of the professionalism of the organization. The earliest surviving militia return documenting arms, which dates from 1799, lists the men and arms for Jefferson and Blount counties. Jefferson County had 307 guns for 490 men, for an armed rate of 62.6 percent, and Blount County had 377 guns for 524 men, for an armed rate of 71.9 percent. An 1801 brigade return from the Mero District shows similar rates. James Winchester commanded this brigade which comprised nine infantry regiments and one cavalry regiment totaling 4,438 privates and 452 officers. The arms included 2,667 rifles, 619 muskets, and 177 pistols. Thus 70.8 percent of the regiment's soldiers possessed a firearm. If all officers were armed, which is likely, 67.8 percent of the privates had weapons.<sup>14</sup>

By 1812 the proportion of armed men had declined. Of 29,183 men listed in the 1812 state militia return, 48.1 percent (14,045) possessed a firearm. During the War of 1812 the shortage of firearms forced the state to impress arms from private citizens. Of the 36,146 men reported in 1819, 16,633, or 46.0 percent, possessed a firearm.<sup>15</sup>

Returns from the 1820s show rates similar to those of 1812 and 1819. In 1822 the

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<sup>13</sup>Williams, *Beginnings of West Tennessee*, 228-29; *Jackson Southern Statesman*, 31 August 1833; *Memoirs of James Norman Smith*, 2: 156.

<sup>14</sup>1799 Militia Return, John Sevier Papers, first series of administrations, box 2, folder 4; 1801 Brigade Return, *ibid.*, box 2, folder 6.

<sup>15</sup>1812 Militia Return of the State of Tennessee, Governor Willie Blount Papers, box 1, folder 9, TSLA; 1819 Militia Return of the State of Tennessee, Tennessee Adjutant General's Papers, box 7, folder 4, RG 21, TSLA; Tennessee General Assembly, "A Bill to Provide for the Payment of Arms Pressed During the Late War," box 22, folder 10 (1821), RG 60 (unprocessed), TSLA.

ninth brigade had 5,376 men and 2,554 firearms for an armed rate of 47.5 percent. The 1822 and 1823 regimental returns from within this brigade did not vary significantly from this rate. An 1827 return from a regiment attached to the ninth brigade shows 325 firearms for 664 men, for an armed rate of 48.9 percent. The only surviving return from this era that does not show the proportion of armed men at or near 50 percent is an 1830 return from a regiment also attached to the ninth brigade; this regiment had 327 firearms for 274 men. The last known return is for the third division in 1837, and suggests a dramatic drop in the number of armed militiamen. It shows 5,374 firearms for 19,830 men, for an armed rate of only 27.1 percent.<sup>16</sup>

The state strove to keep the militiamen armed by supplying them with state-owned firearms. Most came from the federal government. An 1808 federal law appropriated two hundred thousand dollars per year to purchase arms for the states. Tennessee's arms distribution was poorly managed until 1826. Before that year the state did not maintain records of the federal arms shipments, which were themselves sporadic, or of the distribution of the arms among the militiamen. In 1826 the General Assembly granted the governor sole authority to determine the companies receiving state arms, and the distribution process became more efficient. Governor William Carroll then distributed the state weapons without delay. In 1827 he ordered the delivery of 1,921

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<sup>16</sup>Return of the Ninth Brigade for the Year 1822, Tennessee Adjutant General's Papers, box 25, folder 17; Return of a Regiment Attached to the Ninth Brigade for the Year 1822, *ibid.*; Return of a Regiment Attached to the Ninth Brigade for the Year 1823, *ibid.*; Return of a Regiment Attached to the Ninth Brigade for the Year 1827, *ibid.*; Return of a Regiment Attached to the Ninth Brigade for the Year 1830, *ibid.*; Return of the Third Division Tennessee Militia for the Year 1837, *ibid.*

state-owned arms to thirty-six companies in twenty-one counties. Through the 1830s the state distributed arms to a select few companies each year.<sup>17</sup>

The companies chosen to receive state arms were expected to be the most professional and best-trained within the militia system. However, many companies received arms because of personal or political connections. Friends of the governor frequently sent requests, asking for arms as a personal favor. Arms requests often included reminders of the political benefits the governor would reap should he comply. In the election year of 1829, J. H. Bills, a friend of Governor Sam Houston, wrote on behalf of a company in Hardeman County. After asking for the guns, he reminded the governor, “the time is at hand when you will be expected in the field.” In June 1839 a friend of Governor Newton Cannon wrote the governor asking for arms for the Washington Guards in Winchester. The captain, John Slatters, could not immediately post bond for the weapons, but the governor was assured that Slatters was solvent, and would do so as soon as possible. With the gubernatorial election only a few months away, the governor was also told, “your prospects are as good if not a little better in this county than they were.”<sup>18</sup>

When the arms were not distributed they were kept in storage in three cities: Knoxville, Nashville, and Jackson. The arms at Knoxville and Nashville were for the

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<sup>17</sup>*Public Statutes at Large of the United States of America*, Tenth Congress, First Session, Chapter 55 (1808); *Acts of the State of Tennessee*, Sixteenth General Assembly, First Session, Chapter 69 (1826); Arms Delivered to Volunteer Companies, 1827, Tennessee Adjutant General’s Papers, box 25, folder 17.

<sup>18</sup>J. H. Bills to Sam Houston, 10 April 1829, Tennessee Adjutant General’s Papers, box 8, folder 8; unknown correspondent to Newton Cannon, 17 June 1839, *ibid.*

first and second divisions, respectively, and those at Jackson were for the third and, after 1836, the fourth. The arms were typically stored improperly, and many remained in boxes for years without maintenance. In Nashville they were stored at the penitentiary, in Jackson and Knoxville in warehouses. In the 1840s the General Assembly became more concerned with the condition of the arms. In 1843 it passed a resolution calling for the proper upkeep of the weapons stored in Nashville. In 1846 it passed an act requiring proper upkeep of those at Knoxville. In 1854 and 1858 it passed similar acts respecting weapons stored throughout the state.<sup>19</sup>

During the 1830s the federal government sent Tennessee several thousand arms because of Tennessee's participation in the Second Seminole War and the Indian removals. Those not distributed were stored at the three state arsenals. In 1840 an assessment ordered by Governor James K. Polk revealed over 8,700 arms in storage, more than 6,000 of which were in Nashville. Most were rifles and muskets. The assessment also revealed vast quantities of accouterments such as swords, holsters, and flints. From a similar assessment Polk discovered that the state possessed more than 9,000 arms given to it by the federal government. These were either among those in storage or held by volunteer companies. For the remainder of his term Polk freely passed

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<sup>19</sup>Tennessee General Assembly, "A Resolution to Have Repaired the Arms Stored at the Penitentiary," box 103 (1831), RG 60 (unprocessed), TSLA; *Acts of the State of Tennessee*, Twenty-Fifth General Assembly, First Session, Resolution 28 (1843); *Acts of the State of Tennessee*, Twenty-Sixth General Assembly, First Session, Chapter 198 (1846); *Acts of the State of Tennessee*, Thirtieth General Assembly, First Session, Chapter 266 (1854); *Acts of the State of Tennessee*, Thirty-Second General Assembly, First Session, Chapter 81 (1858).



these weapons to the volunteers.<sup>20</sup>

Gun ownership has traditionally been viewed as a critical element of frontier life in America. Although some recent studies have questioned the extent to which pre-industrial Americans were armed (notably *Arming America* by Michael Bellesiles), statistics on the number of guns possessed by the antebellum Tennessee militiamen support the traditional belief. While the proportion of militiamen with arms declined over the course of the antebellum years, at any given time many thousands of firearms were in the hands of the state's citizen-soldiers. Thus guns, although expensive and not universally owned, were a common feature of militia membership and participation.<sup>21</sup>

As the professionalism of the individual militia companies varied, so did the social and economic status of the volunteer militiamen. The militiamen described in the *Carthage Gazette* and the pie thieves at the Hurricane Hill muster were clearly not community leaders. However, some companies contained men of means and status. In these companies the officers especially tended to be educated and prosperous, although in most cases not wealthy. The Tennessee Guards, located in Carroll County, during the 1840s had among its officers First Lieutenant Isaac Hawkins, a lawyer with a small amount of real estate. His brother John, also a lawyer, served as a sergeant and was a member of the thirty-fourth General Assembly. Also among the Tennessee Guards was

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<sup>20</sup>John McGavock to James K. Polk, 14 June 1840, Tennessee Adjutant General's Papers, box 35, James K. Polk Letter Book, p. 22, TSLA; Jacksfield Mackling to James K. Polk, 9 November 1840, *ibid.*, p. 23; W. Caswell to James K. Polk, 8 January 1841, *ibid.*, p. 25; For examples of Polk's distribution orders see Letter Book, 1839-1841, James K. Polk Papers, box 5, TSLA.

<sup>21</sup>Bellesiles, *Arming America*, 5-16.

Second Lieutenant Joshua Richardson, a Gibson County lawyer who served in the thirtieth General Assembly. Officers of cavalry companies were, in some cases, wealthier and more prominent. John Sneed, captain of the Eagle Guards during the 1840s, was a Memphis lawyer who later served in the General Assembly, as state attorney general, and as a Tennessee Supreme Court justice. James N. Smith was a lieutenant in a Maury County cavalry company during and after the War of 1812, during which time he acquired sizeable land holdings. He was a friend of James K. Polk, who at one time tried to persuade Smith to run for the General Assembly. In the 1820s Smith became wealthy as a cotton merchant in Covington.<sup>22</sup>

By examining participants in the Mexican War, information on the age and economic status of the volunteer militiamen can be determined. Among the records from the antebellum wars those from this conflict are the most complete. For this study, 24 volunteer companies mustered in 1846 were examined. The names of officers and many of the rank and file were located in surviving muster rolls and newspapers. The 1850 census was then used to determine their age, occupation, and economic status. Only men who can be identified with near-certainty in the census data were included.

Fifty-two officers from the 24 volunteer companies were examined, as well as 59

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<sup>22</sup>Robert M. McBride and Dan M. Robison, eds., *Biographical Directory of the Tennessee General Assembly* (46 vols., Nashville: Tennessee State Library and Archives, 1975-99), 8: 21, 45-A: 8; Joshua W. Caldwell, *Sketches of the Bench and Bar of Tennessee* (Knoxville: Ogden Brothers, 1898), 389; United States Bureau of the Census, seventh census, 1850, Manuscript Returns of Free Inhabitants, Tennessee, Carrol County, 174, Gibson County, 2044; *Nashville Whig* (Nashville, Tennessee), 9 June 1846; *Republican Banner* (Nashville, Tennessee), 10 June 1846; Memoirs of James Norman Smith, 2: 15, 126-27, 3: 18.

rank-and-file from 4 companies--the Harrison Guards, the Polk Guards, the Nashville Blues, and the Avengers. The officers were on average older and more prosperous than the rank-and-file. The average officer age was 32.1, with the median being 31. The average age and median age of the captains alone was 35. Among the rank-and-file the average age was 22.8 and the median age 26. With regard to occupations, in 1850, 23 officers (44 percent) and 23 rank-and-file (39 percent) were farmers, making it the most common line of work. The other men engaged in a variety of occupations, although the officers were more likely to hold white-collar positions and the rank-and-file were more likely to be artisans. Twenty-one officers held white-collar occupations, mostly in law, banking, or medicine. Only 5 of the rank-and-file were white collar men: four were merchants and one was a clerk. Twelve of the rank-and-file and 2 of the officers were artisans. Officers were more likely to own land, and their holdings were of greater value. In 1850, 29 of the officers (56 percent) owned land. Twelve of these landowners were farmers. The average land value of the farming officers was \$2,300. The average land value of the 17 non-farming officers was \$4,542. Among the rank-and-file, 16 (27 percent) owned land. Ten of the landowners were farmers, and their average land value was \$1,055. The 6 non-farming rank-and-file landowners had an average land value of \$6,150. Sixteen officers and 6 rank-and-file owned real property valued at or above \$2,000.<sup>23</sup>

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<sup>23</sup>Mexican War Muster Rolls, RG 159, TSLA; *Republican Banner*, 5, 20, 29 May, 3, 10, 22 June 1846; *Nashville Whig*, 20, 28, 30 May, 4, 9, 20 June 1846; *Tri-Weekly Nashville Union* (Nashville, Tennessee), 28 May, 11 June, 1846; United States Bureau of the Census, seventh census, 1850, Manuscript Returns of Free Inhabitants, Tennessee, Carroll, Claiborne, Cocke, Davidson, Fayette, Gibson, Giles, Grainger, Greene, Grundy,

These statistics reveal volunteer militiamen, especially the officers, to be for the most part substantial members of their communities. All had respectable occupations, and a few were wealthy. As might be expected, the officers tended to hold higher-status positions, and those in white-collar occupations were more prosperous. Among the farmers, the distinction in land value between the officers and the rank-and-file is not surprising given the age difference between the two groups.

A leadership role in the state militia was useful for social and political advancement. The most striking example of this is the rise of Andrew Jackson, who as a young, ambitious lawyer recognized the political advantage of militia command. He joined the militia in the early 1790s and served in the 1794 Nickajack campaign. In 1802 he narrowly defeated John Sevier for the post of major general. Jackson's military background was insignificant when compared to Sevier's, but Jackson understood the political nature of the position and for many years had cultivated friendships with militia leaders. Jackson's winning of the generalship was perhaps his most brilliant political move. He had already served in the U.S. House of Representatives and in the Senate, but neither office gave him as much respect and admiration as that of the state's militia leader. The post commanded the loyalty of Tennessee's most affluent and politically active men. It also gave Jackson the opportunity to play a leading role in the War of

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Haywood, Henry, Hickman, Jefferson, Knox, Lawrence, Lewis, Lincoln, Macon, Madison, Marshall, Maury, Perry, Rhea, Roane, Robertson, Rutherford, Shelby, Smith, Stewart, Sumner, Tipton, Washington, and Wilson counties.

1812.<sup>24</sup>

Jackson's rise to fame through the militia was imitated by many of the state's antebellum leaders. Combat experience was especially useful for any man seeking social or political advancement. Service in the War of 1812 helped elevate an entire generation of enterprising Tennessee leaders, while the single brigade that participated in the Second Seminole War produced three governors, four congressmen, and eight members of the General Assembly. Prominent men coveted the rank of colonel, and those leading the better-trained regiments commanded extraordinary public respect and expected appropriate recognition. In some instances militia leaders retained their posts while serving in other high offices. Future Governor Newton Cannon, for example, served as a militia colonel during his two terms in the U.S. House of Representatives between 1819 and 1823.<sup>25</sup>

The new roles assumed by the volunteer militia in the years following statehood reflect the necessities of the growing state. One of these new roles was as a peacekeeping and quasi-police force. This role emerged during the first administration of John Sevier. One task he gave militiamen was guarding jails. In October 1796, Sevier ordered eight militiamen from two companies to guard the Knoxville jail. He repeated this act in April 1797, with ten militiamen commanded by a subaltern. Militiamen did not guard jails as a regular duty, but rather did so on occasions when an extra law enforcement presence was

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<sup>24</sup>Ramsey, *Annals of Tennessee*, 616-17; Robert V. Remini, *Andrew Jackson and the Course of American Empire, 1767-1821* (New York: Harper & Row, 1977), 119-20.

<sup>25</sup>Moore and Foster, *Tennessee the Volunteer State*, 1: 416; Memoirs of James Norman Smith, 2: 151-52.

needed. In one instance Sevier ordered militiamen near Jonesborough to guard several criminals who had been apprehended after participating in an attempted jail-break. Sevier also used militiamen to apprehend criminals. In 1799 he ordered ten militiamen to search for a murder suspect presumed to be hiding along the Tennessee River.<sup>26</sup>

In some counties militiamen were used for law enforcement before the civil authorities and courts were established. In the early years of Lincoln County militiamen formed vigilance committees that arrested and tried offenders. Militiamen also administered punishment, which was usually public whipping. These committees lasted until the War of 1812.<sup>27</sup>

Although the militia laws clearly defined how militiamen were to be mustered, when needed for a local matter the militiamen sometimes organized without approval from the governor or senior militia officers. In such cases they carried out the local military or law enforcement task informally. They were usually not expected to replace the sheriffs and deputies, but rather work with them as needed.

An incident of this sort occurred in 1835. A boat carrying flour down the Mississippi River ran aground on an island within the boundary of Tipton County. The boat owner, who was also the captain, hired men from Arkansas to help him free the

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<sup>26</sup>John Sevier to John Stone, 10 October 1796, John Sevier Papers, first series of administrations, box 2, folder 9, Military Order Book, p. 1, TSLA; John Sevier to John Crozier, 18 October 1796, *ibid.*, p. 2; John Sevier to John Crozier, 13 April 1797, *ibid.*, p. 5; John Sevier to George Gillespie, 30 October 1797, *ibid.*, pp. 7-8; John Sevier to David Campbell, 19 September 1799, *ibid.*, pp. 10-11.

<sup>27</sup>*History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of Giles, Lincoln, Franklin, and Moore Counties*, 806-807.

vessel, but the hired hands conspired with the boat hands and stole the flour. The owner informed the county sheriff, who was also a militia colonel, and the sheriff called out the militia to apprehend the thieves. The county militiamen organized a company, but the command was not based on the pre-arranged order of battle. The men elected Colonel G. W. Hockley as captain, the sheriff as the first lieutenant, and another colonel, Graville Searcy, as second lieutenant. The company eventually totaled 103 men. Despite being informally organized, the men agreed to serve under Colonel Hockley's command and follow state militia laws.<sup>28</sup>

The men commandeered a cattle barge, cleaned it, and proceeded down river. They were armed with an assortment of weapons. They also brought sufficient provisions, including a large quantity of brandy. They planned to search houses down river from the crime scene, and at the first house, which was on the Arkansas side, they discovered two barrels of the stolen flour. At the house lived a man, his three sons, and one daughter. The militiamen took the man and his sons captive, and burned the house. The daughter escaped and ran to the nearby Arkansas river town of Shawnee Village to seek help. The citizens, enraged by the actions of the Tennesseans, organized their own militia and vowed to defend their community against the Tennesseans.<sup>29</sup>

That night the armed Arkansas militiamen refused to allow the Tennesseans to land on the Arkansas side. Violence threatened until the Tennesseans decided to camp on their side of the river. The next morning they landed in Arkansas down river and met no

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<sup>28</sup>Memoirs of James Norman Smith, 3: 50-52.

<sup>29</sup>Ibid., 52-54.

opposition. They split into two groups, one commanded by Colonel Hockley and the other by the sheriff. Six men remained on the boat to guard the prisoners. The militiamen found three of the thieves and took them prisoner. They then met with the Arkansas county sheriff, who arranged a meeting with the leader of the Arkansas militia, who promised to cooperate. The boat owner was permitted to look for the thieves in Shawnee Village, and he found three of them, but when discovered they escaped into nearby woods.<sup>30</sup>

After searching the town, the militiamen traveled down river to Memphis. Their voyage was unpleasant, for they had by this time exhausted their brandy, and the boat smelled of river water and cattle. The people of Memphis received the men with great excitement. Word of the expedition had reached the town, and the citizens were anxious to hear of the men's adventures. In addition to spending time in the saloons, the men paraded and drilled for the townspeople, and then were given free passage home on a steamboat. Along the way, they made stops in Arkansas to search for the remaining thieves, several of whom they captured. A few other men were arrested on suspicion of other crimes, notably counterfeiting. After the expeditionary force got home, five of the prisoners were charged with the flour theft, and several others were remanded to authorities in other states. The five flour thieves escaped from jail, however, before their trial.<sup>31</sup>

Performing slave patrols was another quasi-law enforcement duty placed on the

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<sup>30</sup>Ibid., 55-57.

<sup>31</sup>Ibid., 57-65.



militia. As in most other slave states, patrols in Tennessee were not routine, and many whites opposed them. They were expensive, and patrollers had a reputation for abuse. In some cases even slave holders opposed patrols, and prevented patrollers from entering their property, often with threats of violence. Not surprisingly, the men expected to perform the patrols viewed the duty as burdensome and avoided it when possible. Many whites supported patrols, however, and insisted that the security they provided was worth the burden and expense. The General Assembly modified the patrol laws several times over the course of the antebellum era in a futile attempt to create an acceptable and workable system.<sup>32</sup>

The General Assembly passed the first patrol law in 1806. It authorized company captains to appoint militiamen to perform patrol duty as often as they deemed necessary. This duty was assigned to men in both the regular and volunteer militia. As was the case with taxes, for purposes of slave patrols the captain's companies were recognized as districts within each county. Patrollers were authorized to search slave cabins and administer fifteen lashes to slaves found away from their homes without passes from their owners. This law also included a variety of restrictions common throughout the southern states, such as prohibiting slaves from traveling without authorization and forbidding blacks from insulting or threatening whites.<sup>33</sup>

The first patrol law was ineffective, and in 1813 the General Assembly considered

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<sup>32</sup>Citizens of Montgomery County, Tennessee, to the General Assembly, 201-1852-1 (January 1852), RG 60 Petitions, TSLA.

<sup>33</sup>*Acts of the State of Tennessee*, Sixth General Assembly, Second Session, Chapter 32 (1806).

revisions. To encourage participation, a new bill was proposed that would exempt from road duty patrollers who did not own slaves. It also would prohibit any man from being required to serve as a patroller for more than one year at a stretch. To ensure that company captains appointed patrols, the bill called for a twenty-dollar fine for not doing so. The bill failed, however, and problems with the patrol system continued. Captains frequently avoided their patrol duties. As a result, the General Assembly passed a law in 1817 giving the justice of the peace within the boundary of each captain's company the authority to determine when a patrol was necessary; however, the captain was still empowered to appoint the men for the task.<sup>34</sup>

The 1817 patrol law did not generate enthusiasm for patrols, nor did it give the white population a sense of security. During the next decade the General Assembly considered a number of changes to the law, but passed none. In 1819 it let die a bill that would exempt non-slaveholders from patrol duty. It likewise refused to pass an 1821 bill that would take all patrol appointment authority from the militia captains and require the county courts to appoint the patrollers; while serving, the men would be exempt from poll taxes, militia mustering, jury duty, and road duty. In 1823 a bill failed that would have required each company captain to appoint six patrollers every year to serve in shifts for twelve months and be exempt from militia and road duty. The final bill considered and rejected during the 1820s was brought before the Assembly in 1825 and was similar to the 1821 bill; it would revoke patrol authority from the captains and grant it to the county

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<sup>34</sup>Tennessee General Assembly, "A Bill to Amend the Law Now in Force Concerning Patrols," box 16, folder 16 (1813), RG 60 (unprocessed), TSLA; *Acts of the State of Tennessee*, Twelfth General Assembly, First Session, Chapter 183 (1817).

courts.<sup>35</sup>

Complaints of the inadequacy of the patrols continued throughout the 1820s. One group of petitioners called on the General Assembly to pass laws that would “compel [patrollers] to do their duty in that manner which may seem . . . the most conducive in promoting the interest and safety of the citizens of the state generally.” Another group cited the growing black population as a reason for stricter black codes and more adequate patrols.<sup>36</sup>

The Nat Turner rebellion in Virginia in August 1831, in which more than fifty whites died, quickly precipitated a consensus concerning the patrol system. Throughout the southern states, fear of similar slave revolts prompted stricter control over the black population. In Tennessee citizens immediately called on the General Assembly to enact reform. One group of petitioners, noting the “late disturbances in Virginia,” called for the Assembly to “immediately pass laws to prevent slaves from being brought into [Tennessee] from any place where an insurrectionist spirit has prevailed.” The Assembly wasted little time before addressing the issue: in December 1831 it revised the patrol ordinances and enacted new rules for slave conduct. This new law set forth a strict standard for black gatherings, and permitted the death penalty for slaves convicted of

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<sup>35</sup>Tennessee General Assembly, “A Bill to Amend Patrol Laws,” box 21, folder 1 (1819), “A Bill to Authorize County Courts to Appoint Patrols,” box 22, folder 10 (1821), “A Bill to Amend the Patrol Laws,” Box 55 Folder 4 (1823), “A Bill to Amend the Patrol Law,” box 69, folder 2 (1825), all in RG 60 (unprocessed), TSLA.

<sup>36</sup>Citizens of Robertson County, Tennessee, to the General Assembly, 146-1826-1 (October 1826), RG 60 Petitions, TSLA; Citizens of Maury County, Tennessee, to the General Assembly, 64-1827-1 (1827), *ibid.*

conspiring to revolt. It also required captains to appoint patrollers for three-month terms, and exempted patrollers from muster duty, road duty, and jury duty for twelve months. Moreover, it provided for the payment of patrollers, the amount to be determined by the county court. The money was to come from taxes already levied on slaves.<sup>37</sup>

Company captains lost control over the appointment of patrollers in 1838, when the Assembly granted justices of the peace that authority. However, by 1837 captain's companies were no longer used as administrative and tax districts within each county. No further legislation involved the militia in patrol duty, and from this point forward the General Assembly paid little attention to the patrol issue. In 1847 and again in 1849 the Assembly considered bills that would place limits on the amount patrollers were paid, as well as on the exemptions enjoyed by patrollers. Both bills failed. The final patrol law was passed in 1856, when rumors of slave unrest again swept the state. It placed the responsibility of appointing patrols on the county courts, eliminated the road-work exemption, and limited the payment to patrollers to one dollar per day.<sup>38</sup>

During the antebellum years, volunteer companies became involved in politics. The companies provided a natural outlet for political activity. Volunteers voted together,

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<sup>37</sup>Citizens of Maury County, Tennessee, to the General Assembly, 7-1831-1 (1831), RG 60 Petitions, TSLA; *Acts of the State of Tennessee*, Nineteenth General Assembly, First Session, Chapter 103 (1831).

<sup>38</sup>*Acts of the State of Tennessee*, Twenty Second General Assembly, First Session, Chapter 140 (1838); Tennessee General Assembly, "House Bill 62: A Bill to Raise Revenues to Pay Patrols for Their Services," Failed House Bills of the Twenty-Seventh General Assembly (1847), "Senate Bill 25: A Bill to Authorize the County Courts to Levy a Tax to Pay Patrols for Their Services," Failed Senate Bills of the Twenty-Eighth General Assembly (1849), both in RG 60 (unprocessed), TSLA; *Acts of the State of Tennessee*, Thirty-First General Assembly, First Session, Chapter 80 (1856).

and men in the same company often shared values and backgrounds. Some companies, such as the Madison Grays in Madison County, were formed purely for political purposes.<sup>39</sup>

Militia companies could use their numbers to influence local politics, and they became accepted elements of the political system. In 1808 a militia member in Carthage complained in the local newspaper that representatives of the companies were not given adequate respect when their views were expressed at the courthouse. In February 1809 militiamen in Dickson County held a meeting to protest the U.S. embargo of England and France and to petition the state legislature for economic assistance. As the volunteer companies became affiliated with political parties, they became a support network for political movements. Companies were especially active during national elections. During election years political rallies were common, and volunteer companies usually attended; in many cases militia officers and veterans were speakers.<sup>40</sup>

The militia companies developed their strongest ties to political parties after the emergence of the second party system in the United States. During the first three decades of the nineteenth century Tennessee's political divisions had centered largely around personal loyalties and regional identity. During the 1790s William Blount had developed a strong following, notably in present-day Middle Tennessee. Following his death, his

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<sup>39</sup>*The Goodspeed Histories of Madison County, Tennessee* (Nashville: Goodspeed Publishing Co., 1887; reprint, Columbia, Tennessee: Woodward and Stinson, 1972), 824.

<sup>40</sup>*Carthage Gazette*, 3 February 1808; Citizens of Dickson County, Tennessee, to the General Assembly, 28 February 1809, John Sevier Papers, second series of administrations, box 1, folder 12, TSLA.

political organization remained strong. Two members of this group, Willie Blount and Joseph McMinn, controlled the governorship between 1809 and 1821. Andrew Jackson was also a member of this political faction, although on the national level Jackson became associated with the Democratic party after his 1824 presidential campaign. A contingent of East Tennesseans loyal to John Sevier opposed the Blount faction for a time, as did a faction led by Andrew Erwin that produced, among other state leaders, William Carroll and Newton Cannon.<sup>41</sup>

During the 1830s two parties, the Democrats and the Whigs, established themselves as the state's major political forces. Although Tennesseans were fiercely loyal to Jackson during his two terms as president, in the 1836 presidential campaign the state's voters were not enthusiastic about Jackson's vice-president and fellow Democrat, Martin Van Buren. Tennessee senator Hugh Lawson White won 58 percent of the state's popular vote, although he fared poorly nationwide. Soon after, the anti-Van Buren organization that supported White openly associated itself with the Whig party. For the next several years the two parties in Tennessee made full use of the militias as tools to promote themselves.<sup>42</sup>

In March 1840, at a Whig rally for William Henry Harrison in Greeneville, two cavalry companies led a procession of twelve hundred citizens to the town square. Militia officers made speeches, and the leaders created sixteen committees, each representing a

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<sup>41</sup>Paul H. Bergeron, *Antebellum Politics in Tennessee* (Lexington: University Press of Kentucky, 1982), 1-5.

<sup>42</sup>Jonathan Atkins, *Parties, Politics, and the Sectional Conflict in Tennessee, 1832-61* (Knoxville: University of Tennessee Press, 1997), 52-57.

county voting district. These committees were to organize the voters and maintain communication with other Whig organizations throughout the state. Militia officers were prominent in committee membership. In late May and early June, 1840, at least four companies attended a Whig rally in Clarksville, one of which was aptly named the “Harrison Guards.”<sup>43</sup>

In August 1844 the political parties held week-long rallies in Nashville, each involving between thirty and fifty thousand participants. Scores of militiamen from Tennessee and other states attended. The Democrats held the first rally, beginning August 15. The *Nashville Union*, a Democratic newspaper, referred to Nashville as a “military camp,” claiming that “on every road to the city was to be seen approaching companies, battalions and regiments, mounted and on foot. With their bands of music, their banners, and their mottoes.” The rally included banquets and parades as well as speeches by militia leaders, politicians, and other prominent citizens. Many of the militia companies camped outside of the city near the Hermitage, and appropriately named their location “Camp Hickory.”<sup>44</sup>

The Whig rally, which began the following week, was equally grand. Nashville again was filled with multitudes of Tennesseans as well as Whig representatives from throughout the U.S. A parade on August 21 included thousands of participants and a great number of militia companies. The political orientation of the companies in attendance is evident in their names. Many showed their support of Henry Clay, the

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<sup>43</sup>*Republican Banner*, 17 March, 1 June 1840.

<sup>44</sup>*Nashville Union* (Nashville Tennessee), 17 August 1844.

Whig presidential candidate, by adopting names such as the “Clay Invincibles” and the “Ashlanders” (in reference to Clay’s Kentucky estate).<sup>45</sup>

Safety and security was a concern for both parties, and leaders of the two parties met beforehand and agreed to rules of conduct. Among these rules was the requirement that neither party hold a parade or demonstration in Nashville during its opponent’s rally, and that disruptions be settled by a committee comprised of militia leaders from both parties. Nevertheless, disruptions did occur. On August 24 one Whig company, the Cumberland Straight-Outs, headed for Columbia to harass James K. Polk, the Democratic presidential candidate, at a meeting near his home. Polk was forewarned, but refused to alter his plans and nothing came of the matter. On the same day a group of men from White’s Creek severely beat the brother of one of Nashville’s Democratic party leaders, tearing out one of his eyes and knocking out several teeth. Afterward the men continued to harass local Democrats, and later in the evening one of the men, Sims Casey, engaged in a shootout with Democratic militia major Robert Turner. Turner had confronted the men, and in response Casey shot him twice in the chest. One of Casey’s friends shot Turner a third time in the shoulder. Turner then shot Casey in the abdomen. Casey later died but, remarkably, Turner survived. Another incident, on August 23, also ended in fatality. The night before, a group of Democratic militiamen, led by S.C. Manning, damaged a store owned by William Merchant, a Whig. Manning was seeking revenge for the earlier beating of a Democrat, which he blamed on Merchant. The next evening the men returned and Merchant shot and killed Manning. A jury later acquitted Merchant,

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<sup>45</sup>*Republican Banner*, 21, 27 August 1844.



ruling that he had acted in self-defense.<sup>46</sup>

In some instances the political parties used muster days to campaign. On such occasions representatives of both parties gave speeches. In April 1840, at a battalion muster in Davidson County, the men listened to Democratic and Whig leaders promote their respective presidential candidates. Approximately five hundred militiamen were present. An 1839 battalion muster in Nashville included speeches by candidates for the state legislature. During the Knox County militia election in September 1840, a number of prominent Tennesseans representing both parties gave speeches. Among them were Governor James K. Polk and former governor William Carroll.<sup>47</sup>

The militia companies were important tools of the political parties, but the parties did not need them to survive. The decline in militia participation after the Mexican War had little effect on the state's party system. By the late 1840s the Whigs and Democrats had strong networks throughout the state and continued to aggressively promote their agendas. Large meetings and conventions remained established elements of the political framework, and voter turnout remained consistently high throughout the 1850s.<sup>48</sup>

Militia companies usually played a role in public events. The Fourth of the July was commonly an occasion for local militiamen to lead their communities in patriotic

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<sup>46</sup>Herbert Weaver and Wayne Cutler, eds., *The Correspondence of James K. Polk* (9 vols. to date, Nashville: Vanderbilt University Press, 1969-1996), 7: 469-70; *Nashville Whig*, 10, 24 August 1844; *Nashville Union*, 27 August 1844, 16 January 1845.

<sup>47</sup>*Republican Banner*, 9 April 1840; *Nashville Union*, 15 April 1839; *Knoxville Argus* (Knoxville, Tennessee), 23 September 1840.

<sup>48</sup>Bergeron, *Antebellum Politics*, 117-18; Atkins, *Parties, Politics and Sectional Conflict in Tennessee*, 213.

celebrations. In Jackson, the Independence Day activities usually began with the militia leading a parade of citizens to the local courthouse followed by a series of armed salutes, patriotic speeches, and general revelry.<sup>49</sup>

In 1825, the Marquis de Lafayette paid a visit to Nashville during his much-celebrated tour of the United States. To prepare for the visit, four thousand militiamen arrived three weeks in advance and drilled six days a week. When Lafayette arrived, Andrew Jackson escorted him in an enormous procession. Jackson made a point to first introduce Lafayette to the militiamen. Lafayette also visited Kentucky and received an equally grand reception from that state's militia. In 1840, Henry Clay visited Nashville on a Sunday to express support for William Henry Harrison's campaign. Much to the chagrin of the Democrats, thousands of people arrived to greet the popular statesman. Whig companies throughout the state attended and celebrated into the evening. The *Knoxville Argus*, a Democratic newspaper, called the event "an extraordinary profanation of the sabbath."<sup>50</sup>

Because of the high status enjoyed by militia officers, militia elections were often highly contested events. Of particular importance were the elections for regimental colonel, which until 1835 was the highest ranking position filled by vote of the militia privates. The most heated elections, however, were those for general. The 1802 contest between Jackson and Sevier was the central issue behind their notorious feud. Candidates

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<sup>49</sup>*Jackson Southern Statesman*, 7 July 1832, 20 July 1833.

<sup>50</sup>Memoirs of James Norman Smith, 2: 165-66; Laver, "Rethinking the Social Role of the Militia," 782; *Knoxville Argus*, 26 August 1840.

for generalships often ran well-organized campaigns. As they did with elections for any high-ranking political office, citizens followed these militia elections closely.<sup>51</sup>

The militia remained an active military force during the antebellum years. In addition to participating in the major antebellum wars, militiamen carried out several small-scale military campaigns. After the Louisiana Purchase, President Thomas Jefferson feared the Spanish government would resist American acquisition of the territory. The Spanish had only recently transferred Louisiana to France, and still had a sizeable presence in the territory. In 1803 Jefferson ordered militiamen to Louisiana to ensure a smooth transition of ownership. He ordered five hundred Tennessee cavalrymen to proceed to Natchez, and ordered fifteen hundred Tennessee infantrymen to muster and prepare to travel on short notice.<sup>52</sup>

Governor John Sevier supported this expedition, but meeting the president's quota through volunteer enlistment proved difficult. Tennesseans mostly welcomed U.S. expansion, but were divided over whether Tennessee militiamen should participate in securing the territory. Many asserted that the president had no authority to call out state militiamen in a time of peace. Others objected because once active, the men were to be placed into federal service and would thus serve under federal officers. Most significantly, many militiamen did not believe the expedition to be worthwhile. Unlike the earlier Indian campaigns, this expedition would offer no direct benefits to the state or

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<sup>51</sup>*Jackson Southern Statesman*, 6 July, 24, 31 August 1833.

<sup>52</sup>John Sevier to George Rutledge, James White, and James Winchester, 23 November 1803, John Sevier Papers, first series of administrations, box 2, folder 9, Military Order Book, pp. 25-27.

the men. Because it was a peacetime mission, volunteers were not inspired by a sense of patriotism or hope for glory. Sevier wrote militia leaders, urging them to promote volunteering and threatening conscription if the quotas were not reached. Sevier later wrote to the War Department asserting that “every obstacle [was] thrown in the way that malice and disaffection could devise,” and that opponents “resorted to every pitiful objection.”<sup>53</sup>

Ultimately Sevier did not use conscription, and most of the cavalry embarked for Natchez in November 1803, with the remainder leaving in December. The five hundred men were organized in eight companies under the command of General George Doherty. Doherty and the main body of men arrived on December 29, the others on January 19. Poor weather and primitive roads made the trip very difficult, but the men arrived in generally good health. Upon their arrival they learned that their presence was not necessary, as the Spanish had no intention of resisting American occupation. The Tennesseans returned home in late January. In early February, Sevier discharged the fifteen hundred reserve infantrymen.<sup>54</sup>

Tennessee militiamen played a significant role in the removal of the Cherokees in 1838. The removal treaty, signed in December 1835, called for the relocation of the tribe to lands west of the Mississippi River within two years of its ratification. Although

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<sup>53</sup>Ibid., pp. 22-24, 30; John Sevier to U.S. War Department, 8 February 1804, John Sevier Papers, second series of administrations, box 1, folder 1.

<sup>54</sup>George Doherty to John Sevier, 19 January 1804, John Sevier Papers, second series of administrations, box 1, folder 7; John Sevier to the brigadier generals of the Tennessee militia, 2 February 1804, *ibid.*, box 1, folder 1.

rejected by the main body of Cherokees, the treaty was confirmed by the U.S. Senate in May 1836.<sup>55</sup>

Governor Newton Cannon had earlier offered the services of the Tennessee militia in the removal process. When the treaty was ratified the United States was involved in the Second Seminole War, and Tennessee had furnished a brigade of militia, roughly two thousand men, for the war. In June the War Department ordered that those from East Tennessee, between one thousand and twelve hundred men, be reassigned to duty in the Cherokee Territory. These militiamen were to rendezvous at Athens on July 7, and were to be placed under the command of U.S. General John Wool and stationed throughout the Cherokee territory. They were to be given arms from the state arsenals, and were to serve for twelve months unless discharged earlier. While in the territory they were to disarm the tribe and squelch any resistance. Hostile Cherokees were to be confined until the removal.<sup>56</sup>

Over the course of the summer the militiamen, together with twelve hundred federal regulars, marched through the Cherokee territory taking the arms and in many cases other property of the tribe members. Militiamen from Georgia, Alabama, and North Carolina undertook similar operations in their states. Militia general R.C. Dunlap oversaw the Tennessee troops. Dunlap disapproved of the operation, not only on moral grounds but also because he considered it inconvenient and burdensome to the

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<sup>55</sup>Moore and Foster, *Tennessee the Volunteer State*, 1: 258-59.

<sup>56</sup>U.S. War Department to John Wool, 20 June 1836, Tennessee Adjutant General's Papers, box 8, folder 8.

militiamen. In September he refused continued participation, discharged the men, and ordered them home.<sup>57</sup>

Although the Cherokees were stripped of their weapons and other belongings, their chief, John Ross, passionately argued their case in Washington and was able to postpone removal. However, by the spring of 1838, Ross could no longer delay the relocation. U.S. General Winfield Scott arrived in May and soon after issued an order to begin the operation. He commanded six thousand Tennessee militiamen organized into fifty-two companies. He also commanded a small number of federal regulars. Scott established his headquarters near present-day Calhoun. Over the course of the next three months the militiamen entered the Cherokee Territory and moved nearly the entire population of seventeen thousand to points along the Tennessee River or its tributaries. From there the Cherokees began the long and deadly journey to lands west of the Mississippi.<sup>58</sup>

Participation in the Cherokee removals is a dark chapter in Tennessee militia history. Despite the scope of the call-up, militia participation received scant attention at

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<sup>57</sup>John Dunlap to Newton Cannon, 14 June 1836, Tennessee Adjutant General's Papers, box 8, folder 9; Rachel C. Eaton, *John Ross and the Cherokee Indians* (Menasha, Wisconsin: George Banta Publishing, 1914), 104.

<sup>58</sup>John P. Brown, *Old Frontiers: The Story of the Cherokee Indians from Earliest Times to the Date of Their Removal to the West, 1838* (Kingsport, Tennessee: Southern Publishers, 1938), 506-507; Ronald N. Satz, *Tennessee's Indian Peoples from White Contact to Removal, 1540-1840* (Knoxville: University of Tennessee Press, 1979), 88-93; Index to Compiled Service Records of Volunteer Soldiers Who Served During the Cherokee Disturbances and Removal in Organizations from the State of Tennessee and the Field and Staff of the Army of the Cherokee Nation, M908, Record Group 94, National Archives, Washington, D.C.

the time, and few records exist documenting the operation. Although the Cherokees put up little resistance, the campaign later acquired the title of “the Cherokee War.”<sup>59</sup>

In 1835 Tennesseans supported Texas in its war for independence from Mexico. In the spring of that year, a number of volunteer companies prepared to fight for the young republic. In Madison County two companies organized, one of which was led by Major General A. B. Bradford. Another company was formed in Warren County under the command of General John B. Rogers. However, the war ended before these militiamen had the opportunity to participate.<sup>60</sup>

Seven years later Tennesseans were given a second opportunity. In March 1842 rumors reached Memphis that fourteen thousand Mexicans had invaded Texas. This news prompted the spontaneous mustering of West Tennessee militiamen willing to defend the republic. Eventually eighty men organized a company and, calling themselves the “Wolf Hunters,” chose Augustus Williams as their captain. A city-wide campaign outfitted them with supplies and on March 29 they departed for Galveston.<sup>61</sup>

The men arrived in Galveston on April 6 and learned that the reports of the invasion were greatly exaggerated. In early March a few hundred Mexican soldiers had

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<sup>59</sup>Index to Compiled Service Records of Volunteer Soldiers Who Served During the Cherokee Disturbances and Removal in Organizations from the State of Tennessee.

<sup>60</sup>Williams, *Historic Madison*, 107-10; *History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of Cannon, Coffee, Dekalb, Warren, and White Counties* (Nashville: Goodspeed Publishing Co., 1887; reprint, Easley, South Carolina: Southern Historical Press, 1979), 820-21.

<sup>61</sup>Gerald S. Pierce, “The Great Wolf Hunt: Tennessee Volunteers in Texas, 1842,” *West Tennessee Historical Society Papers* 19 (1965): 5-7.

entered San Antonio and Goliad, but stayed only a few days before returning home.

Texas militiamen had mustered to defend the frontier, but had since been discharged.<sup>62</sup>

The Tennesseans were one of several companies from the southern U.S. that arrived to defend Texas. President Sam Houston organized these companies into a battalion with the task of defending against further Mexican encroachment. The men were asked to serve for six months but were offered no supplies and were not guaranteed pay. Fifty-four Tennesseans enlisted.<sup>63</sup>

The battalion was divided and stationed at Corpus Christi and Galveston to await possible invasion. Over the next two months the men suffered from lack of supplies. Discipline and morale declined, desertion rose, and the men became angry at the Texas government for failing to provide for them. In early July they received a report of an advancing Mexican force, and on July 7 the remains of the battalion joined with Texas militiamen to repulse the attackers. The battle was brief and resulted in no American casualties. By this time only twenty-three Tennesseans remained. After the battle Houston discharged the foreign volunteers with harsh words regarding their performance and conduct.<sup>64</sup>

By the 1840s militia systems throughout the United States were in decline, and in some cases were extinct. The general allegiance to the militia ideal could not offset the burden of participation. The most significant causes of militia decline were the

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<sup>62</sup>Ibid., 8.

<sup>63</sup>Ibid., 9.

<sup>64</sup>Ibid., 14-19.



decimation of the eastern Indians and persistent peace with the European powers. Lack of an enemy, either real or imagined, prompted Americans to focus their energies on more productive pursuits.

As a military institution, the Tennessee militia system of the 1830s was little different from that of the early years of statehood. Composed almost entirely of volunteers, it had a small number of well-trained and well-equipped companies, and a large number of men who put forth a feeble effort or did not participate at all. In an 1835 letter to Governor Newton Cannon, newly appointed quartermaster general S. D. Jacobs described the system as “being in a deplorable condition.” Echoing the sentiments expressed in the *Carthage Gazette* decades earlier, Jacobs claimed that the system suffered from poor leadership and lack of enthusiasm among the rank- and-file.<sup>65</sup>

After the Indian removals, the militia system entered a period of decline. The system did not abruptly disappear, but the lack of a large Native American population eliminated its most significant reason to exist. When James K. Polk became governor in 1839, he tried to preserve the system by requiring increased accountability and better officers, but the public was not interested in keeping the system in the absence of a potential enemy.

Militia record-keeping declined dramatically during the 1840s. Polk was the last governor to maintain records of militia appointments and arms distribution. Company and regimental returns, never consistently maintained, ceased being kept altogether. The

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<sup>65</sup>S.D. Jacobs to Netwon Cannon, 14 November 1835, Tennessee Adjutant General’s Papers, box 8, folder 10.

General Assembly took little interest in the militia during the 1840s. It did not create new regiments to match the rapidly growing population. It passed few militia bills of any sort, and most of those concerned scaling back militia activities.<sup>66</sup>

The first significant step toward abolishing the militia came in 1841, when the General Assembly passed a law eliminating the spring battalion musters and reducing company musters to one per year. Subsequently, the Assembly rejected a number of bills that would further reduce militia requirements. In 1845 the House considered a bill eliminating the requirement for the men to appear armed at musters and exempting from the muster requirement men who lived more than six miles from the muster ground and owned no horse. In 1846 the House considered a bill to reform the use of militia fines. Before the third, and final vote, an amendment was added that eliminated all militia-related fines during times of peace. Such a law would have further decreased militia participation, but the bill failed after the amendment was added.<sup>67</sup>

During the Mexican War (1846-48) the state militia experienced renewed popularity as thousands of young Tennesseans participated in the war effort. However, militia enthusiasm waned again after the war, and efforts to eliminate the system continued in the General Assembly. In 1850 the Assembly ended the requirement for

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<sup>66</sup> Letter Book, 1839-41, James K. Polk Papers, passim; James K. Polk Letter Book, Tennessee Adjutant General's Papers, box 35, passim.

<sup>67</sup> *Acts of the State of Tennessee*, Twenty-fourth General Assembly, First Session, Chapter 51 (1841); Tennessee House of Representatives, "House Bill 168: A Bill to Amend the Militia Laws of This State," "House Bill 274: A Bill to Encourage a More Perfect Organization of the Malitia [*sic*]," House Bills of the Twenty-sixth General Assembly (1845-46), RG 60 (unprocessed), TSLA.

privates to be armed at musters. In 1852 a bill failed in the Assembly which would eliminate battalion musters year-round as well as the preceding company musters.<sup>68</sup>

In 1854 the House considered a bill to repeal all laws pertaining to the militia. This bill was later amended to instead remove all militia fines. In this altered form it passed the House but failed in the Senate. The bill that eliminated the militia system was introduced in the House in 1857 as a bill removing all muster and drill requirements. As with the 1854 bill, this one was amended to remove only the fines. The Senate, however, returned the bill to its original form with the added requirement that surplus militia money be transferred to the common school fund. The Senate passed it on February 12, 1857; the House of Representatives concurred three days later.<sup>69</sup>

By 1858 most organized militia activity had ended. Thus the ending of muster requirements received little public attention. However, individual Tennessee militiamen retained their identities as members of specific companies and regiments, and the militia ideal remained strong. The outbreak of the Civil War in 1861 gave thousands of young Tennesseans the opportunity to muster and fight as militiamen, although most had no

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<sup>68</sup>*Acts of the State of Tennessee*, Twenty-eighth General Assembly, First Session, Chapter 123 (1850); Tennessee House of Representatives, "House Bill 288: A Bill to Repeal All the Laws that Requires [*sic*] the Malitia [*sic*] of this State to Attend and Muster at Battalion and Company Musters," House Bills of the Twenty-ninth General Assembly (1851-52), RG 60 (unprocessed), TSLA.

<sup>69</sup>Tennessee House of Representatives, "House Bill 46: A Bill to Amend the Militia Laws," House Bills of the Thirtieth General Assembly (1853-54), RG 60 (unprocessed), TSLA; Tennessee House of Representatives, "House Bill 66: A Bill to Abolish Militia Duty," House Bills of the Thirty-Second General Assembly (1857-58), *ibid.*, TSLA; *Acts of the State of Tennessee*, Thirty-second General Assembly, First Session, Chapter 32 (1857).

military training and had never participated in an active militia company.

In the antebellum years the Tennessee militia system evolved to meet the needs of the growing state. The major wars of the era provided the opportunity for the men to fight as soldiers and they invoked the militia ideal. Aside from these conflicts militiamen were active in a variety of pursuits that made the system an important agent of the state's social, economic, and political development.

## *Chapter VI*

### **Mustering the Volunteer Spirit: Antebellum Militiamen at War**

Even though the roles of the militia evolved during the antebellum years, militiamen did not lose sight of their primary purpose. Tennesseans participated in the major antebellum wars and in the Civil War as both militiamen and as enlisted men in the U.S. army. The performance of the militiamen was mixed, but generally they performed as well as their army counterparts. Participation and victory in the antebellum wars served to reinforce the militia ideal.

After the British attack on the U.S.S. *Chesapeake* in 1807, anti-British sentiment erupted in Tennessee. Recognizing the possibility of war with Britain, state officials began to regulate the militia system more closely and make preparations for future military action. In March 1808, the U.S. Congress passed a law calling on the states to hold one hundred thousand men in readiness for military action. In response, Tennessee increased brigade inspections, and began to enforce muster requirements more stringently. In August 1808, the commander of the Fourth Brigade ordered his men to attend their fall musters and reminded them that “the sacred laws of nations has been trampled upon,” in reference to the impressment of U.S. seamen and the refusal of European countries to recognize American neutrality. Over the next few years militia leaders continued to call for better militia preparedness. In 1811 the state undertook a full assessment of the militia, and thus in 1812 was able to present to the federal government

its first report on the strength and condition of the militia. For several years federal law had required the states to give annual militia reports, but few had complied.<sup>1</sup>

Tennessee made less ambitious preparations regarding the acquisition of war materials. In 1809 it purchased fifteen hundred pounds of gunpowder and three thousand “weights” of lead, but it made no other purchases before the war. In early 1812, as war loomed, the General Assembly tabled a bill authorizing thirty thousand dollars for the purchase of war materials.<sup>2</sup>

As hostile sentiments toward the British increased, so too did such feelings toward the Indians. By this time most of the Indians residing in and around Tennessee lived peacefully and had neither the desire nor the ability to wage a war against the whites. However, the violent conflicts between the two peoples were of recent memory, and whites in Tennessee lived in constant fear of renewed hostilities. Tension with Britain heightened this fear, for Tennesseans believed that if war came the British would ally with the Indians and incite them to attack. Additionally, many whites sought to acquire more land from the Indians, and a renewed conflict would give them the excuse to do so. Rumors of Indian conspiracies began to spread, and by 1811 many Tennesseans were calling for a campaign to crush what remained of the Indian’s military strength. In

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<sup>1</sup>*Public Statutes at Large of the United States of America*, Tenth Congress, First Session, Chapter 39 (1808); *Carthage Gazette*, 13 August 1808; 1812 Militia Return of the State of Tennessee, Governor Willie Blount Papers, box 1, folder 9, TSLA.

<sup>2</sup>Tennessee General Assembly, “Report to Purchase 1,500 lb of Powder and 3,000 Weights of Lead,” box 8, folder 32 (1809), RG 60 (unprocessed), TSLA; Tennessee General Assembly, “A Bill Authorizing a Loan of Money for the Purpose of Purchasing Munitions of War,” box 10, folder 37 (1812), RG 60 (unprocessed), TSLA; *Carthage Gazette*, 8 July 1812.

August 1811 a group of citizens in Knoxville petitioned President James Madison for federal support in such a campaign. They claimed that “if the government will not direct their energies . . . the innocent will feel the effects . . . and general war will be the consequence.” By 1812 Tennesseans were primed to respond forcefully to the slightest Indian transgression. In March of that year a prank by white youths sparked a rumor that Indians had attacked whites in Huntsville, Alabama, and were moving north toward Tennessee. As the rumor spread, hundreds of frontier families fled. The ensuing militia response was enormous: thousands of militiamen, some from as far north as Lexington, Kentucky, mustered and prepared to meet the presumed enemy.<sup>3</sup>

The U.S. declaration of war against Britain in June 1812 was popular in Tennessee. After the declaration the General Assembly passed a resolution endorsing the war effort, and militia leaders issued orders to specific units to hold themselves in readiness. State leaders expected to organize the militia rapidly, but little happened in the months following the formal declaration of war. As was the case in the Revolutionary War, the United States prosecuted the War of 1812 with a mix of federal troops and militia. However, many in the U.S. government appreciated the advantages of a centralized federal army, and in early 1813 the federal government began to place less emphasis on militia use. In Tennessee the U.S. army offered eight dollars per month, one hundred sixty acres of land, and a sixteen dollar bounty to men who signed up for five years or the duration of the war. This policy of emphasizing regulars received a mixed response from military leaders. Army general William Henry Harrison was angered, for

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<sup>3</sup>*Carthage Gazette*, 28 August 1811; *Memoirs of James Norman Smith*, 2: 3-8.

he believed volunteer militiamen to be better soldiers than regular recruits.<sup>4</sup>

Although marginalized, the Tennessee militia did play an active role in the war. In October 1812 the U.S. War Department directed Governor Willie Blount to comply with any requests for militiamen made by General Harrison. Harrison subsequently requested two regiments, but in February 1813 the governor learned that the men would not be needed. In the fall of that year, the War Department ordered Blount to provide fifteen hundred men to support General James Wilkinson, then in New Orleans.<sup>5</sup>

Blount chose Andrew Jackson to lead the men to New Orleans. Jackson had sought the opportunity to lead Tennesseans on a military campaign since the beginning of the war. When the war began, he offered to raise twenty-five hundred militiamen but was rebuffed by the leadership in Washington. When Blount offered Jackson the command, Jackson was disappointed, having hoped to lead his men on a more significant campaign. He also disliked General Wilkinson, but nevertheless accepted the appointment. The governor ordered the men to assemble in Nashville and to be ready to march by December 10. They were to be uniformed and provide their own arms. The remaining equipment necessary for the expedition would be provided by the U.S. government or procured by Jackson, for which he would be reimbursed.<sup>6</sup>

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<sup>4</sup>Tennessee General Assembly, "Declaration of War against Great Britain and Ireland," box 11, folder 24 (1812), RG 60 (unprocessed), TSLA; *Carthage Gazette*, 8 July 1812, 23 April 1813; John K. Mahon, *The War of 1812* (Gainesville: University of Florida Press, 1972), 133-34.

<sup>5</sup>*Carthage Gazette*, 4 September 1813.

<sup>6</sup>Remini. *Andrew Jackson*, 169; John Spencer Bassett, ed., *The Correspondence of Andrew Jackson* (6 vols., Washington: Carnegie Institute of Washington, 1926-35) 1:



Jackson assembled 2,071 men and divided them into three regiments. One was cavalry and mounted infantry and the other two foot infantry. The men assembled in Nashville on time; but much to the chagrin of Jackson a shortage of arms and a delay in initial pay hampered the deployment. The men came primarily from West Tennessee, and among the officers were future governors William Hall and William Carroll. Hall commanded the mounted regiment and Carroll served as brigade inspector. The troops did not depart until January 10, 1813, and even then some men still lacked their initial pay and the necessary arms, although a number of weapons had been provided by the federal government. The force divided, the mounted regiment traveling by land and the foot soldiers, with Jackson, by boat via the Cumberland, Ohio, and Mississippi rivers. The units were to rendezvous at Natchez and from there proceed to New Orleans.<sup>7</sup>

The infantrymen, who traveled in approximately thirty boats, had a difficult and dangerous trip. The cold weather created severe problems of ice. Also, boats leaked, accidents happened, and the men, Jackson included, suffered from winter-related illnesses. In one instance a number of men almost drowned when a swift current flooded their boat. In another mishap the roof of a boat collapsed when too many men gathered on it for a prayer service.<sup>8</sup>

The difficulties of the river journey did little to dampen morale, however, and Jackson maintained high expectations of the men. He was critical of militiamen from

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240-41.

<sup>7</sup>Bassett, *Correspondence*, 1: 247-48, 254-57, 265.

<sup>8</sup>*Ibid.*, 1: 258-60, 264-65, 268.

other states, notably those of Kentucky and Ohio, who he believed had behaved up to that point in the war in an embarrassing, unsoldierly manner. He was determined to see that his men performed like well-trained, professional soldiers. While traveling he drilled them frequently, usually when the weather or river conditions delayed the boats. During the journey one observer noted of the troops, “their rapid progress in the science of tactics. They are emerging from a state of ignorance to the honourable qualifications of soldiers.” Jackson was fortunate in having been given the opportunity to pick his men. He chose officers whom he knew and trusted, and he held to high standards when selecting the rank and file. As a result, Jackson’s authority remained unquestioned, and the men performed their duties with little resistance.<sup>9</sup>

The troops arrived in Natchez on February 16, and promptly received orders to stay there. They remained camped outside of town for several weeks. On March 15, Jackson received a letter from the War Department, dated February 5, dismissing them from service. Jackson was outraged, believing Wilkinson and leaders in Washington had conspired against him. Although Jackson was in fact disliked by many, it is probable that the War Department dismissed the Tennesseans simply because it had abandoned a plan to use them to invade Florida. The men were offered the opportunity to enlist with Wilkinson in the regular army, but none did. Jackson refused to dismiss his men, but instead marched them home, departing on March 25.<sup>10</sup>

The march home was very difficult. The men had been given provisions by the

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<sup>9</sup>Ibid., 1: 244-45, 262.

<sup>10</sup>Ibid., 1: 275-77, 302-303; Remini, *Andrew Jackson*, 176.

army, but Jackson had also acquired some at his own expense. Jackson sent the cavalry and mounted infantry ahead, but remained with the slower foot soldiers. Despite his best efforts, the men lacked food and medicine. At the beginning of the march, more than 150 were ill, and all officers' horses were employed to transport the sick. Eleven wagons were used to move the most seriously afflicted. Through the ordeal the troops remained loyal and well-disciplined. Jackson earned their respect by being strong and resilient, and showing a genuine concern for their well-being. He was impressed with his troops, noting that "Altho' I am perhaps partial to the men whom I have the honour to command . . . I think they have the military worth enough to be distinguished under any other commander." Under Jackson's capable leadership the troops traveled rapidly; they arrived in Nashville on April 22, 1813, having traveled almost eight hundred miles in less than one month.<sup>11</sup>

At the same time Jackson organized the West Tennesseans for the Natchez campaign, Tennessee Adjutant General John Williams organized a campaign to assist Georgia in an invasion of Florida. By 1812 the federal government was seeking an opportunity to take Florida from Spain. The idea of seizing Florida was especially popular in the southern states. In fact, Americans had already begun settling northern Florida. When the war began, a detachment of Georgia militia and a small number of U.S. regulars invaded Florida with the unofficial support of the Madison administration.

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<sup>11</sup>Remini, *Andrew Jackson*, 178-79; Bassett, *Correspondence*, 1: 294-96, 303-304, 306.

By October they had engaged in a number of skirmishes with the Seminoles.<sup>12</sup>

Williams saw the fighting in Florida as an opportunity to engage militiamen from East Tennessee in the war. With permission from Governor Blount he organized one hundred sixty-five cavalymen and departed for Florida in December 1812. The Tennesseans arrived in Florida in early January 1813, and joined the U.S. and Georgia troops. On February 9 the combined force of about three hundred men attacked and destroyed the Seminole village of Payne's Town. Fifteen Seminoles were killed and seven wounded. The troops then proceeded to burn Bow Legs, which had earlier been abandoned. The next day two hundred Seminole warriors launched a surprise attack, but the American troops repulsed them, killing thirty-eight. One Tennessean was killed and seven wounded. After this battle the federal government ordered the men to return home. The U.S. leadership feared that this American aggression would trigger a war with Spain. The Tennesseans returned home and, like Jackson's men, were hailed as heroes despite having engaged in a meaningless expedition.<sup>13</sup>

In the summer of 1813, hostilities among the Creek Indians drew the Tennessee militia into another campaign. The Creeks, then residing primarily in Georgia and present-day Alabama, had become fiercely divided. Some called for peace with the whites and adoption of white culture while others sought to resist the whites and retain the Creek way of life. The latter group hoped to wage a war against the whites and form

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<sup>12</sup>Samuel C. Williams, "A Forgotten Campaign," *Tennessee Historical Magazine* 8 (January 1925): 266-68.

<sup>13</sup>*Ibid.*, 269-75.

an independent Creek federation. Both the British and the Spanish assisted those Creeks hostile to the United States. During the summer of 1813, militiamen in Georgia and the Mississippi territory prepared for hostilities. On July 27 a group of Mississippi militiamen defeated a party of Creek warriors at the battle of Burnt Corn Creek. These warriors had recently been supplied by the Spanish.<sup>14</sup>

Tennesseans were eager to fight the Creeks, and on August 14 Governor Blount instructed Andrew Jackson to prepare his division of militiamen for defense. Blount also recommended to the federal government that Tennessee be authorized to raise five thousand militiamen for use against the Creeks. On August 20 Jackson ordered his division to prepare for action, noting that they “will undoubtedly be called on, to chastise in an exemplary [*sic*] manner, that insolent and savage nation.”<sup>15</sup>

On August 30 a force of about one hundred Creek warriors, known as Red Sticks, led by Chief William Weatherford, also known as Red Eagle, launched a surprise attack on Fort Mims, a hastily built fortification near Mobile in which white families and their slaves had gathered for protection. Inside the fort were more than four hundred people, one hundred twenty of whom were militiamen. The Creeks overran the fort, killing almost every white.<sup>16</sup>

News of the attack on Fort Mims created near hysteria in Tennessee. The General Assembly immediately authorized the governor to raise thirty-five hundred militiamen for

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<sup>14</sup>Mahon, *War of 1812*, 231-32.

<sup>15</sup>Bassett, *Correspondence*, 1: 315-17; *Carthage Gazette*, 3 September 1813.

<sup>16</sup>Mahon, *War of 1812*, 234-35.

a campaign against the Creeks and to raise three hundred thousand dollars to equip and pay them. Only a few weeks earlier Andrew Jackson had been shot in the shoulder during a street fight, and he was not in good condition to lead men on the campaign; yet he insisted on doing so. He wanted the troops to be organized quickly. On September 19 he ordered the militiamen still armed and equipped from the Natchez expedition to rendezvous near Nashville within five days. The preparations for war with the Creeks were made without permission from Washington, and Jackson, still angered over the Natchez expedition, hoped the federal government would stay out of the affair. In a letter to David Holmes, governor of the Mississippi Territory, he vowed that “if the General Government will only [keep] hands off, we will give peace in Israel.”<sup>17</sup>

The final plan was to launch a four-pronged assault into Creek territory. Against Jackson’s wishes the campaign was brought under the umbrella of the federal government, with U.S. general Thomas Pinckney in overall command. Twenty-five hundred Tennessee militiamen under Jackson would invade from West Tennessee and the same number, under the command of General John Cocke, would invade from East Tennessee. A regiment of Georgia militia and another of U.S. regulars were to invade from positions farther south. Militia equipment being in short supply, many of the Tennesseans received weapons and ammunition from the federal government. Jackson hoped to strike quickly. His plan was to march his men into North Alabama, where he would link up with the East Tennesseans. From there he intended to travel deep into

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<sup>17</sup> *Acts of the State of Tennessee*, Tenth General Assembly, First Session, Chapter 1 (1796); Bassett, *Correspondence*, 1: 319-320, 322.

Creek territory, destroy the Creek forces, and then construct a road to Mobile. Keeping fed was the most significant challenge for the Tennesseans. Jackson arranged for supplies to be taken south, but the rugged wilderness in North Alabama was without roads, making hauling provisions nearly impossible. Jackson hoped to have other provisions sent from East Tennessee via the Tennessee River.<sup>18</sup>

On October 7 Jackson's men were without sufficient rations and three hundred were unarmed. Nevertheless they departed that day for the Creek territory. Jackson was confident that the needed arms and provisions would be procured swiftly. John Cocke had assured him that supplies could be sent soon from East Tennessee. Within a few days the troops were very low on food, yet they pushed ahead. On October 18 Jackson learned that food could not be delivered from East or West Tennessee. He wrote alternate suppliers asking them to use every means at their disposal to provision his men. He also wrote John Cocke with similar instructions. On October 24 the Tennesseans reached the southernmost point of the Tennessee River in Alabama and there they constructed a small fort, named Fort Deposit, designed to receive supplies. Although they had almost no food, one hundred men remained at the fort while the remainder pressed on.<sup>19</sup>

On October 27 two hundred cavalry, on orders from Jackson, separated from the main group and destroyed the Creek village of Littlefutchee. About November 1

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<sup>18</sup>Bassett, *Correspondence*, 1: 321-22; Mahon, *War of 1812*, 236; Sam Smith, et al., eds., *The Papers of Andrew Jackson* (6 vols. to date, Knoxville: University of Tennessee Press, 1980-2002), 2: 432; Tom Kannon, "'Glories in the Field': John Cocke vs. Andrew Jackson During the War of 1812," *Journal of East Tennessee History* 71 (1999): 50.

<sup>19</sup>Bassett, *Correspondence*, 1: 327, 328, 332, 335-37.

Jackson's men reached the Coosa River, and established a base at Fort Strother. On November 2 one brigade, approximately one thousand men, left Fort Strother to attack the Creek village of Tallushatchee. They were led by General John Coffee, a talented officer and one of Jackson's most trusted friends. The next day Coffee's men destroyed the village, killing almost two hundred Creek warriors. Five Tennesseans were killed and forty-one were wounded.<sup>20</sup>

A few days later Red Sticks surrounded the village of Talledega, about thirty miles south of Fort Strother. The village was friendly to the whites which provoked the ire of the hostile Creeks. Jackson was expecting a brigade of East Tennesseans under General James White to arrive at Fort Strother. He hoped to have White's men guard the fort, thus freeing his to attack the Red Sticks. White, however, did not arrive. John Cocke had ordered White to abandon his plans to assist Jackson, and instead to rendezvous with him and the other East Tennesseans. When Jackson learned of White's change of orders he proceeded to attack the Red Sticks, leaving only a skeleton force to hold Fort Strother. The Tennesseans masterfully executed the attack on Talledega. Outnumbering the Red Sticks two to one, Jackson's troops lured them into attacking, and then surrounded them. Although hundreds were able to escape the trap, the Tennesseans killed almost three hundred, while sustaining only fifteen killed and eighty-five wounded.<sup>21</sup>

When the men returned to Fort Strother, they found their food supplies all but

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<sup>20</sup>Smith, *Papers of Andrew Jackson*, 2: 442-44.

<sup>21</sup>Ibid., 2: 448-49.



exhausted. After several days of hunger they petitioned Jackson to return to Tennessee. Jackson denied their request but did agree to leave after two days if provisions had not arrived. On November 14, having received word that food would arrive shortly, Jackson called his officers together and instructed them to reassure the men. By this point, however, many of the troops were determined to return home, with or without permission. On November 17 all but 150 of the men, including Jackson, embarked for Fort Deposit in hopes of meeting the expected supplies. After traveling only twelve miles they met the provisions, which included 150 head of cattle and nine wagons loaded with flour. The men stopped and ate on the spot. Afterward, however, a number of them refused to return to Fort Strother. Jackson and some cavalymen under John Coffee blocked their departure for home. Shortly after this incident, a full brigade threatened to desert. Jackson, alone, stood in their way, brandishing a musket and threatening to shoot any man who attempted to leave. After a tense standoff the men returned to the fort.<sup>22</sup>

After returning to Fort Strother the men did not again attempt to leave early, but the one-year term for the militiamen who had participated in the Natchez expedition (who comprised the First Brigade) was to expire on December 10. These troops expected to be dismissed on time. Jackson asserted that the time they did not spend in the field did not count toward their term of service. On December 9 the men of the brigade made ready to leave. They stopped when Jackson lined up the Second Brigade with the artillery and

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<sup>22</sup>Ibid., 2: 457-58; James Parton, *Life of Andrew Jackson* (3 vols., New York: Mason Brothers, 1861), 1: 463-64.

threatened to fire on any man attempting to depart.<sup>23</sup>

On December 12 John Cocke arrived with fifteen hundred troops. Between November 11 and 18 the East Tennesseans had destroyed two towns in the northern part of the Creek territory. These towns had attempted to make peace with the whites, sending a proposal of reconciliation to Jackson, but because of poor communication Cocke was unaware of the peace offer.<sup>24</sup>

After Cocke's men arrived, Jackson grudgingly allowed the First Brigade to return home. Over the next few weeks the Tennesseans took no action against the Creeks, and in January the commissions of Jackson's Second Brigade and Cocke's troops expired. Despite Jackson's pleas for the men to remain, most left. At one point in early January only 130 soldiers manned Fort Strother.<sup>25</sup>

On January 14, eight hundred new recruits arrived at Fort Strother and Jackson immediately began offensive operations. On January 22 they engaged the Creeks at Emuckfaw Creek. The Red Sticks attacked the Tennesseans in what they believed was a surprise. However, the militamen were prepared and the fighting was very intense. During the battle the Creeks attacked three times, and each time were repulsed. After the battle the Tennesseans retreated and two days later the Red Sticks attacked them again as

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<sup>23</sup>Parton, *Life of Jackson*, 1: 465-72; Smith, *Papers of Andrew Jackson*, 2: 455-56.

<sup>24</sup>Smith, *Papers of Andrew Jackson*, 2: 456-57, 462; Frank Lawrence Owsley Jr., *Struggle for the Gulf Borderlands: The Creek War and the Battle of New Orleans, 1812-1815* (Gainesville: University Press of Florida, 1981), 66.

<sup>25</sup>Smith, *Papers of Andrew Jackson*, 2: 482-84; 487-90; Bassett, *Correspondence*, 1: 448.

they were crossing Enotachopco Creek. Here the militiamen once again repulsed the Indians, but the battle was hard fought and not a clear victory for the militiamen. During these engagements twenty militiamen were killed and seventy five were wounded. At least two hundred Red Sticks were killed.<sup>26</sup>

After the battles of Emuckfaw Creek and Enotachopco Creek, Tennessee militiamen enthusiastically volunteered for the war effort. By March, Fort Strother had almost five thousand troops, including the Thirty-Ninth Regiment of U.S. infantry. On March 14, 1814, the men embarked on the final action of the war. The U.S. regulars rode flatboats thirty miles down the Coosa River while four thousand Tennesseans traveled south by foot. Their destination was the Creek fortress at Horseshoe Bend, a peninsula on the Tallapoosa River. On March 27 between two and three thousand troops arrived at the Bend. The remainder stayed behind to guard the rear. The assembled troops, who outnumbered the Red Sticks by almost two to one, attacked at 10:30 in the morning, but found the fortress very strong and well defended. They had two small artillery pieces, which did little damage. But after a small number of men moved to the rear of the Red Sticks to create a diversion, the Tennesseans were able to cross the river and storm the fort. They poured over the walls and the Creeks soon scattered. Fighting continued until sunset and resumed briefly the next morning. Approximately nine hundred Creeks were killed. Forty-seven whites were killed and one hundred fifty-nine wounded. Some friendly Creeks and Cherokees had fought with the Tennesseans. Among them twenty-

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<sup>26</sup>Bassett, *Correspondence*, 1: 447-54.

three were killed and forty-seven were wounded.<sup>27</sup>

Although they comprised the primary striking force, the Tennessee militiamen were not the only Americans to see action during the Creek War. On November 29, nine hundred fifty Georgia militia and friendly Indians destroyed the Creek town of Autosse, near the Tallapoosa and Coosa Rivers. In late December twelve hundred Mississippi militia and U.S. regulars under the command of Mississippi militia general Ferdinand Claiborne destroyed the Creek village of Holy Ground on the lower Alabama River. On January 27 thirteen hundred Red Sticks launched a night attack against the camp of seventeen hundred Georgia militia and friendly Indians near Calabee Creek. The abruptly awakened men were initially confused, but eventually, after several hours of fighting, drove off their attackers. Late in the war militiamen from North Carolina and South Carolina joined the other Americans but saw no action.<sup>28</sup>

After the Battle of Horseshoe Bend, the Tennessee militiamen moved south along the Tallapoosa River and destroyed a number of Creek villages, meeting little resistance. On April 17 the men converged with a force of U.S. regulars and rebuilt an abandoned fort, renaming it Fort Jackson. From this point the Tennesseans scouted the countryside, but found the Creek resistance broken. Many Creeks were on the verge of starvation. Over the next few weeks many came to the fort to surrender, after which were permitted to return to their homes. Eventually, William Weatherford surrendered and was granted amnesty. In late April most of the troops marched back to Tennessee and were dismissed;

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<sup>27</sup>Ibid., 1: 466-70, 481, 489-92.

<sup>28</sup>Owsley, *Struggle for the Gulf Borderlands*, 47-48, 54-60.

a few remained to guard posts in the conquered Creek territory. In June 1814, Governor Blount organized one thousand militiamen to maintain a presence in the Creek Territory<sup>29</sup>

In September John Cocke stood for courts martial for what Jackson considered disobedience of orders and mutinous conduct. Jackson had become infuriated at Cocke before the battle of Talladega, when Cocke ordered James White to change course and not join Jackson at Fort Strother. Jackson maintained that with White's men the Tennesseans could have ended the war earlier; furthermore, Cocke had no authority to override Jackson's orders. Jackson came to believe that Cocke was more concerned with personal glory than with winning the war, and that he was jealous of Jackson's prominence. At the time of the incident Thomas Pinckney had recommended that Cocke be courts martialed but Jackson had taken no action because he needed the cooperation of the East Tennesseans.

In February 1814 a second incident occurred. While leading two thousand new six-month East Tennessee recruits to Fort Strother, Cocke learned that the West Tennesseans had been commissioned for only three months. Angered by what he considered unfair treatment of his men, Cocke railed against Jackson and the governor. Although it is unlikely that he expected any of his men to desert in response to his accusations, one hundred eighty-seven did so. Jackson, calling Cocke's behavior "rascally and mutinous," did not overlook this second act of insubordination. When Cocke arrived at Fort Strother, Jackson had him arrested. The trial began in September

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<sup>29</sup>Bassett, *Correspondence*, 1: 500-508; United States House of Representatives Document 140, Twentieth Congress, First Session (1828), 22.

1814 and lasted several months. Future Governor William Carroll served as the prosecutor. Witnesses were called from throughout the state, but Cocke was acquitted. He was well-known and liked among the militia officers who tried him, and many witnesses failed to appear.<sup>30</sup>

A second courts martial was held in December 1814. The previous June, when Governor Blount had organized the one thousand militiamen to occupy the Creek territory, he had not made clear their term of service. He expected them to serve for six months and had such authorization from the president and the War Department. However, state militia law required only a three- month term. In September more than two hundred of the men attempted to leave their posts and return to Tennessee. They were arrested and charged with mutiny. The courts martial found them guilty. One sergeant and five privates were executed; the remainder were dishonorably discharged.<sup>31</sup>

During the Creek War Andrew Jackson served as a militia general, not as an officer in the U.S. army. After the war he was granted the rank of major general in the U.S. army and given command of the seventh military district, which comprised Louisiana, the Mississippi territory, and Tennessee. In July 1814 he returned to Fort Jackson and forced the Creeks to sign a treaty ceding to the United States more than twenty-two million acres of land.<sup>32</sup>

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<sup>30</sup>Bassett, *Correspondence*, 1: 342, 353, 440, 472, 478-79; Kanon, "Glories in the Field," 58-59.

<sup>31</sup>United States House of Representatives Document 140, 3-8.

<sup>32</sup>Owsley, *Struggle for the Gulf Borderlands*, 87-88.

After the treaty-signing Jackson began making plans to defend the Gulf coast from the British and the Indians. Although the Creeks had been crushed, thousands of Creeks and Seminoles lived in Florida and southern Mississippi and with help from the British could wreak havoc. Also, the federal government had learned that the British planned an assault on the U.S. Gulf coast with a force of at least twelve thousand men. Jackson had at his command only three thousand men, scattered throughout his district. The War Department gave him permission to call twelve thousand five hundred militiamen from Tennessee, Georgia, and Kentucky. Men in these states greeted the opportunity to fight under Jackson with great enthusiasm, and enlistment was brisk. Militiamen from Louisiana and the Mississippi territory also began to organize.<sup>33</sup>

Jackson expected to rely primarily on Tennesseans for what he believed would be a major defensive campaign. Secretary of State James Monroe confirmed this expectation, informing him in late September that “on the militia of Tennessee your principal reliance must be.” In October 1814 Governor Blount informed him that thousands of Tennessee militiamen were being organized. That month a brigade of two thousand West Tennesseans, along with four companies of East Tennesseans, all mounted, departed from Fayetteville and traveled by overland through Alabama. These men were commanded by General John Coffee. In mid-November two thousand East Tennesseans under the command of General Thomas Coulter departed from that region, also traveling by land. On November 20 two thousand West Tennesseans under the command of William Carroll embarked for New Orleans via the Tennessee, Ohio, and

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<sup>33</sup>Ibid., 87; Bassett, *Correspondence*, 2: 71-73.

Mississippi rivers.<sup>34</sup>

The British had three possible points of entry on the Gulf coast: Pensacola, Mobile, and New Orleans. Pensacola was, at the time, a weak Spanish outpost. Both the British and Americans recognized its strategic potential as well as the Spanish inability to defend it. In fact, the British navy had been using it and the Spanish governor had considered an alliance with the British to prevent it from being taken by the Americans. In the fall of 1814 Jackson threatened to attack Pensacola if the Spanish did not expel all British subjects and hostile Indians. The Spanish did not comply to Jackson's satisfaction, and on November 7 he launched an attack. He had put together a force of approximately four thousand militiamen, friendly Indians, and U.S. regulars. From Tennessee he had John Coffee's brigade, which had arrived in late October. The Spanish offered little resistance and Pensacola fell quickly, with few losses on either side.<sup>35</sup>

Jackson then learned that the British planned to attack New Orleans. He dispatched Coffee and half of his brigade to Baton Rouge and ordered the other half to scour the territory above Mobile along the Escambia River and destroy hostile Creek and Seminole villages. He then proceeded with the remainder of the men to Mobile. He made arrangements to defend that city with a force of eight thousand militiamen, U.S. regulars, and friendly Indians, among them two thousand Tennessee militiamen under

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<sup>34</sup>Bassett, *Correspondence*, 2: 71-75; Smith, *Papers of Andrew Jackson*, 3: 188-89. In a letter of October 14 Jackson stated that Coffee's brigade had one thousand men. He gave the figure as two thousand in a letter to James Monroe dated November 20. See Bassett, *Correspondence*, 2: 101-102.

<sup>35</sup>Bassett, *Correspondence*, 2: 96-99.



Coulter. At this point troops were arriving in Jackson's district from every direction, but many of those designated to defend Mobile had yet to arrive. Those missing included Coulter's men. Jackson put James Winchester in charge of the defense of Mobile, then proceeded to New Orleans, arriving December 1.<sup>36</sup>

Procuring adequate arms and equipment was the greatest challenge faced by the American forces defending the Gulf coast. Many of the men, including three regiments from Kentucky, arrived entirely unarmed. Even the Tennesseans were poorly armed. Responding to what they perceived as an immediate emergency, governors had sent troops with virtually no supplies, expecting the federal government to supply them when they arrived. Jackson was forced to scour the region for weapons and equipment. He even accepted the assistance of pirate and smuggler Jean Laffite, who provided arms, equipment, and one thousand men.<sup>37</sup>

The British invasion fleet of approximately forty-five ships sailed into Lake Borgne, east of New Orleans, in early December, and on the fourteenth easily captured the five U.S. ships anchored near the mouth of the Pearl River and took the crews as prisoners. The captive Americans exaggerated the strength of the American forces, which convinced the British commander, Alexander Cochrane, to delay the main invasion by a few days. This gave Jackson time to prepare his forces. He ordered Coffee's brigade, which was north of the city, to come as quickly as possible. He also was expecting the

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<sup>36</sup>Ibid., 2: 100-102, 104-107.

<sup>37</sup>Bassett, *Correspondence*, 2: 73n, 78; Owsley, *Struggle for the Gulf Borderlands*, 132.

two thousand men under William Carroll. The two brigades arrived on the twentieth and twenty-first, respectively. Carroll's men had left Tennessee unarmed, but had acquired arms along the way.<sup>38</sup>

The Tennessee militiamen played a primary role in the ensuing campaign, which culminated with the battle of New Orleans on January 8, 1815. Of the six thousand or so Americans who participated, thirty-five hundred were Tennessee militiamen. On December 23, 1814, a force of eighteen hundred Redcoats moved inland toward the city. That night Jackson attacked with two thousand men, half of whom were the Tennesseans under John Coffee, but after several hours of intense fighting Jackson withdrew the troops. Of the Tennesseans he later wrote, "the best compliment I can pay to genl. Coffee and his brigade is to say they behaved as they have always under my command." Over the next two weeks the British and American forces engaged each other on and off. The crippling British defeat came in the battle of January 8, when several thousand redcoats charged heavily fortified American positions and were repulsed. Jackson had placed Carroll's Tennesseans and a small number of Kentuckians at the point in the line where the British attack was heaviest.<sup>39</sup>

The people of the United States were overjoyed by the victory, and Andrew Jackson emerged a national hero. He was pleased by the performance of the Tennesseans, who during the course of the war had proven their worth as soldiers. In

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<sup>38</sup>Mahon, *War of 1812*, 355-57; Bassett, *Correspondence*, 2: 117, 122.

<sup>39</sup>Bassett, *Correspondence*, 2: 169; Owsley, *Struggle for the Gulf Borderlands*, 159.

February he learned of the peace treaty ending the war, and in March he began to discharge his troops.<sup>40</sup>

In 1817 Jackson once again called on the Tennessee militia, this time to fight in the First Seminole War. This military expedition, officially conducted to subdue hostile Seminole Indians, was in fact a campaign by the United States to seize Florida from the deteriorating Spanish empire. In December 1817 the War Department authorized Jackson to invade the Spanish province.<sup>41</sup>

For the campaign Jackson raised one thousand militiamen, primarily from West Tennessee. He organized them into companies commanded by officers of his choice. The state took no part in raising the troops, and Governor Joseph McMinn did not officially endorse the general's actions. Privately, however, McMinn supported Jackson and encouraged volunteering. Jackson likely did not involve the state in the recruiting because he wanted the troops, particularly the officers, to be men of his own choosing. After the war a U.S. Senate committee reprimanded Jackson for recruiting in violation of the militia laws.<sup>42</sup>

A brigade of militiamen from Georgia joined Jackson and his men, and on January 22, 1818, they departed for Florida. Although hampered by heavy rain and difficult terrain, the troops traveled 450 miles in forty-six days, arriving at Fort Scott in

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<sup>40</sup>Smith, *Papers of Andrew Jackson*, 2: 310-11.

<sup>41</sup>Remini, *Andrew Jackson*, 346-47; John C. Calhoun to Andrew Jackson, 26 December 1817, *American State Papers*, 16: 690.

<sup>42</sup>Remini, *Andrew Jackson*, 350; "Lacock Report," *American State Papers*, 16: 739-43.

southern Georgia on March 9. Despite their weariness, Jackson soon ordered the men to move into Florida. By then he commanded a combination of volunteers, U.S. regulars, and friendly Creek Indians totaling five thousand men. They moved south and in five days reached Negro Fort (later re-named Fort Gadsden) near the mouth of the Apalachicola River. There they were re-supplied by U.S. barges from the Gulf of Mexico and then began to move east.<sup>43</sup>

They traveled more than two hundred miles, and on the way were joined by a company of Tennessee volunteers under Colonel George Elliot. Mid-way they occupied St. Mark's, a Spanish fort, and on April 16 they reached the village of Bow Legs. Along the way they left a trail of destruction, burning one Indian village after another. They met little resistance, for the Seminoles typically fled in advance of their arrival. After destroying Bow Legs the men returned to St. Marks.<sup>44</sup>

At St. Mark's Jackson left a small garrison, and then led the rest of the troops back to Negro Fort. During the return trip he dispatched one company to capture a Georgia militia captain responsible for destroying a friendly Indian village in that state. When Jackson and his men reached Negro Fort, they did not remain. He and eleven hundred of them, almost exclusively Tennesseans, embarked for Pensacola, arriving on May 24. The Spanish commander at nearby Fort Carlos de Barrancas put up a token

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<sup>43</sup>Remini, *Andrew Jackson*, 352-53; Andrew Jackson to John C. Calhoun, 26 February, 25 March 1818, *American State Papers*, 16: 698-99.

<sup>44</sup>Remini, *Andrew Jackson*, 353-355; Bassett, *Correspondence*, 2: 358-59; Andrew Jackson to John C. Calhoun, 20 April 1818, *American State Papers*, 16: 700-701.

resistance before surrendering. Soon after, Jackson and his men returned to Tennessee. This victory enabled the United States to acquire Florida from Spain, the Spanish being too weak to defend the territory further. The Florida campaign was Andrew Jackson's final military action.<sup>45</sup>

During the 1820s and early 1830s, the Tennessee militia was not involved in any major military campaigns; but in the mid-1830s war with the Seminoles erupted in Florida. At issue was the removal of the tribe to western lands. In 1832 the Seminoles were misled into signing a treaty which forced their removal. Over the next two years the tribe turned hostile toward the United States; many warriors threatened to fight rather than be expelled from their land. In 1835 skirmishes erupted between these warriors, led by Chief Osceola, and white Floridians. Full-scale fighting broke out on December 18, when four hundred Florida militiamen engaged Osceola and his party at the battle of Black Point. Two weeks later, five hundred Florida militiamen and two hundred fifty U.S. regulars engaged Osceola's force near the banks of the Withlacoochee River. On December 28 Osceola and his men attacked a detachment of U.S. regulars under Major Francis Dade near the Wahoo Swamp, killing all one hundred six Americans. This battle became known as the Dade Massacre.<sup>46</sup>

In 1836 the United States began to prepare for war with the Seminoles. The army

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<sup>45</sup>"Field Report," *American State Papers*, 16: 718; Andrew Jackson to John C. Calhoun, 2 June 1818, *ibid.*, 16: 708-709.

<sup>46</sup>George Walton, *Fearless and Free: The Seminole Indian War, 1835-42* (Indianapolis: Bobbs-Merrill Company, 1977), 80-81, 88-92, 95-100; John K. Mahon, *History of the Second Seminole War 1835-42* (Gainesville: University of Florida Press, 1967), 104-105.

sent General Winfield Scott to command the operation, and militia companies throughout the South mustered and prepared to serve. When Scott arrived in Florida he found five thousand militiamen and regulars. He moved them into the Seminole territory in March 1836, and began offensive operations.<sup>47</sup>

Tennesseans were eager to participate in the war. In February Governor Newton Cannon, with the permission of the General Assembly, offered the use of the militia, but was turned down. At that time the leaders in Washington did not believe that the Tennesseans were needed. Scott's campaign, however, went badly. Although his troops outnumbered the Seminoles, Osceola and his men adopted guerrilla tactics. They refused to engage the Americans in a pitched battle, but instead broke into small bands and harassed the Americans as they moved. Scott was also hampered by the rugged and unforgiving wilderness, and by poor discipline and morale among his men. A second offensive movement by one thousand troops commanded by General Edmund P. Gaines also went badly. By April the War Department concluded that more troops would be necessary, and accepted Tennessee's offer to send militiamen.<sup>48</sup>

After receiving detailed instructions from the War Department, Cannon issued the official order to muster on June 6. (Companies had actually been organizing since at least early May.) The men were to arrive at Fayetteville by late June. So enthusiastic were the

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<sup>47</sup>Walton, *Fearless and Free*, 103-106, 113.

<sup>48</sup>Newton Cannon to Andrew Jackson, 20 February 1836, Tennessee Adjutant General's Papers, box 8, folder 6; U.S. War Department to Newton Cannon, 10 March 1836, Tennessee Adjutant General's Papers, box 8, folder 8; Walton, *Fearless and Free*, 107-22; U.S. War Department to Newton Cannon, 4 May 1836, Tennessee Adjutant General's Papers, box 8, folder 8.

militiamen that four thousand turned up. Only twenty-five hundred were selected. The men not chosen were angry, but little could be done by the state other than to issue an apology, explaining that the companies were picked on a first come, first serve basis. The chosen companies without captains then held elections, and the inspector general supplied arms to companies without them. On July 2 the troops paraded. On July 4, twelve hundred fifty from West Tennessee set off for Florida with General Robert Armstrong in command. The same number of East Tennesseans were sent to Athens to serve under John Dunlap. Their orders were to disarm the Cherokees.<sup>49</sup>

The men selected for the Seminole campaign marched first to Alabama where, if needed, they were to suppress a small number of belligerent Creeks who had refused to move. The Creeks left after they learned of the Tennesseans' expedition. This action delayed the militiamen for several weeks, but by the end of August they were once again moving toward Florida. This delay was welcomed by the men, as they feared the uncomfortable and unhealthy summer climate in Florida. The Tennesseans arrived in Tallahassee on September 12, and on the nineteenth headed southeast for the Seminole territory.<sup>50</sup>

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<sup>49</sup>War Department to Newton Cannon, 25 May 1836, Tennessee Adjutant General's Papers, box 8, folder 6; J. McMahon to Newton Cannon, 9 May 1836, Tennessee Adjutant General's Papers, box 8, folder 10; Moore and Foster, *Tennessee the Volunteer State*, 1: 415; "General Order No. 3," 2 July 1836, Tennessee Adjutant General's Papers, box 7, folder 24; "General Order No. 2," 1 July 1836, Tennessee Adjutant General's Papers, box 7, folder 24; War Department to John Wool, 20 June 1836, Tennessee Adjutant General's Papers, box 8, folder 8.

<sup>50</sup>John C. Guild, *Old Times in Tennessee* (Nashville: Tavel, Eastman & Howell, 1878), 123; Stanley F. Horn, ed. "Tennessee Volunteers in the Seminole Campaign: The Diary of Henry Hollingsworth," *Tennessee Historical Quarterly* 1 (1942): 269-71, 349.

Conditions in Florida were dreadful. One of the men described the environment as “swampy, hammocky, low, excessively hot, sickly and repulsive in all its features.” Rations were short, as was feed for the horses. The worst problem was illness. By September 25, when the troops arrived at Sewanee Old Town, seventy had contracted yellow fever. The sick were sent by steamboat to Pensacola, and four days later the remaining men moved into the interior of the Seminole country. Their first destination was Fort Drane, which was believed to be occupied by the Seminoles. On October 1 the troops lined up and charged the fort, but found it abandoned.<sup>51</sup>

For the next several days the men did little other than send their sick east to St. Augustine. On October 10 they joined with two hundred regulars and set out for the Withlacooche River. Two days later, near the river, their advanced guard skirmished with about fifty Seminoles, killing eight. A second skirmish took place the next day between the Seminoles and a detachment of three hundred Tennesseans. Two whites were killed and eight wounded, including the governor’s son. One of the Indians guides was also killed.<sup>52</sup>

On October 17 the men received orders to march sixty miles northeast of Fort Drane, near Black Creek, where they were to be re-provisioned. They had little food, and their horses had become so exhausted that they had released half of them. The troops arrived at Black Creek after marching four days, and there they found supplies. They

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<sup>51</sup>Horn, “Tennessee Volunteers in the Seminole Campaign” (1942), 353-56.

<sup>52</sup>Ibid., 364-66; Guild, *Old Times in Tennessee*, 131; Stanley F. Horn, ed. “Tennessee Volunteers in the Seminole Campaign: The Diary of Henry Hollingsworth,” *Tennessee Historical Quarterly* 2 (1943): 61-63.



were especially pleased to replenish their supply of whiskey, of which they drank so much that after four days General Armstrong prohibited them from purchasing more without permission from an officer. On October 30 the men returned to their previous encampment on the Withlacooche River. Over the next few days they moved in separate groups as they acquired horses. By November 13 they were camped at the Withlacooche River with eight hundred friendly Indians and about five hundred regulars and Florida militiamen.<sup>53</sup>

At the Withlacooche River the men burned two abandoned villages and took one Indian captive, who informed them of a large party of Seminoles to the south, near Wahoo Swamp. The next day they headed for the Indian encampment. Their plan was to engage the Indians, and then move toward Fort Volusia, which was to the east, on the St. Johns River. There they would receive supplies. They marched on each side of the Withlacooche River, and on the seventeenth encountered between two and three hundred Seminole warriors. The First Tennessee Regiment engaged the Indians for about half an hour and drove them away. The next day, as the men neared the Wahoo Swamp, they discovered a larger force of Seminoles. The Tennessee brigade lined up and prepared to attack, but as it was doing so the Seminoles launched a surprise attack. The Tennesseans were briefly pinned down by enemy fire, but formed a line and charged the Indians, driving them into nearby woods. Fighting continued for two and a half hours before the Seminoles retreated. On the twenty-first the militiamen, regulars, and friendly Indians

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<sup>53</sup>Horn, "Tennessee Volunteers in the Seminole Campaign" (1943), 67-73, 164-68.

formed a line and attacked the Seminole camp near the same ground as the battle of the eighteenth. The Seminoles fell back, stopping every few hundred yards to fight. After pursuing for three miles, the U.S. forces retired.<sup>54</sup>

After the battle of Wahoo Swamp, the Tennesseans marched to Fort Volusia, where they found provisions and their mail. On December 12 they set off for Tampa Bay. Along the way they stopped at the site of the Dade Massacre and helped construct a fort. They left Tampa Bay by boat on December 25, traveling first to New Orleans and then to Tennessee.<sup>55</sup>

The actions of the U.S. forces in 1836 did not defeat the Seminoles, and so in 1837 General Thomas Jessup, now in command, organized a second campaign. In September of that year he issued a call for militiamen. The response was overwhelming: so many showed up that he could not field them all, and was forced to send back twelve hundred Georgians. To avoid command conflicts and an excessive number of officers, Jessup called for individual companies, not regiments or brigades. Tennessee sent six companies totaling five hundred thirty-two men commanded by Major William Lauderdale.<sup>56</sup>

By December Jessup had under his command more than nine thousand troops.

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<sup>54</sup>Guild, *Old Times in Tennessee*, 134-37; Horn, "Tennessee Volunteers in the Seminole Campaign" (1943), 176-78; United States Senate Document 278, Twenty-Sixth Congress, First Session (1839), 92-96.

<sup>55</sup>Horn, "Tennessee Volunteers in the Seminole Campaign" (1943), 243-56.

<sup>56</sup>Mahon, *History of the Second Seminole War*, 221-22; United States Senate Document 133, Twenty-Fifth Congress, Second Session (1838), 3-5.

Lacking the means to support them all in the field, he sent many to occupy forts. He ordered the Tennesseans to occupy Fort Mellon, located on the St. Johns River south of Fort Volusia. In January 1838 the Tennesseans became part of a force of fifteen hundred sent to attack Seminoles in the Alpatiokee Swamp, east of Lake Okeechobee. On January 24 the men encountered a large body of Seminole warriors opposite the Lochahatchee River, and Jessup ordered them to attack. The Tennesseans, however, did not advance quickly, and the frustrated Jessup therefore attempted to lead them forward. In doing so he was shot in the cheek and forced to retire from the field. As the troops crossed the river the Seminoles retreated.<sup>57</sup>

On March 2 two companies of Tennesseans became part of a force dispatched to the southernmost portion of the state. There they built Fort Lauderdale, named after their commander. In early April the Tennesseans' terms of service expired, and they returned home. Hostilities continued in Florida until 1842.<sup>58</sup>

The Tennessee militia played a primary role in the Mexican war (1846-48). Tennesseans had strongly supported Texas independence, and when hostilities began between the U.S. and Mexico the war spirit in the Volunteer State was strong. In May 1846, Governor Aaron Brown issued a call for three regiments of volunteers--two of infantry and one of cavalry, a total of twenty-four hundred men. The response was

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<sup>57</sup>United States Senate Document 199, Twenty-Fifth Congress, Second Session (1838), 4; Mahon, *History of the Second Seminole War*, 222; Jacob R. Motte, *Journey into Wilderness: An Army Surgeon's Account of Life in Camp and Field during the Creek and Seminole Wars, 1836-38*, James F. Sunderman, ed. (Gainesville: University of Florida Press, 1953), 188, 193-95.

<sup>58</sup>Motte, *Journey Into Wilderness*, 211, 220, 224.

overwhelming. Approximately thirty thousand men from all parts of the state formed into companies. Many of these companies were formed on the spot, while others had existed prior to the war. So popular was volunteering that men attempted to purchase places in the ranks of companies. Although the Whig party officially opposed conflict with Mexico, when the war began Tennesseans from both parties volunteered.<sup>59</sup>

The companies selected to serve came from throughout the state, but the number of companies from Middle Tennessee was disproportionately high. The First Regiment consisted of twelve companies, all from Middle Tennessee. The Second Regiment contained eight companies, three from West Tennessee and five from East Tennessee. The cavalry regiment contained ten companies from throughout the state. In choosing the companies, the policy of the state (established by the governor) was to hold a lottery in each of the state's four militia divisions; it is possible, however, that the governor used discretionary power to ensure that only well-trained companies were chosen. Both political parties were represented in the companies chosen. For example, the Whiggish Harrison Guards were selected, as were the Democratic Polk Guards. Once organized, all three regiments elected their officers.<sup>60</sup>

The First Regiment mustered near Nashville and elected William Campbell as its colonel. On June 4 it left for New Orleans by river. The men traveled without incident,

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<sup>59</sup>John Blout Robertson, *Reminiscences of a Campaign in Mexico; by a Member of "The Bloody First"* (Nashville: John York & Company, 1849), 59-61; *Nashville Whig*, 21, 23 May 1846.

<sup>60</sup>Mexican War Muster Rolls, RG 159, TSLA; Robertson, *Reminiscences of a Campaign in Mexico*, 63-64.

and were greeted enthusiastically at towns along the way. Between June 11 and 13 the companies arrived at their destination. The troops spent the next few days in New Orleans, where they were billeted in a warehouse. On June 17 they boarded three sailboats to join Zachary Taylor in northern Mexico. Unlike the trip to New Orleans, this voyage was extremely uncomfortable. The boats were small; on one of them there was not enough room for each man to lie down. Nearly everyone on board, save the crew, suffered from seasickness and the water supply became undrinkable due to improper storage. On June 23 the men arrived at the mouth of the Rio Grande, where they remained until July 7. On that day half the regiment set out up the Rio Grande, arriving after several days at the town of Lomita, near Matamoras. The remainder of the regiment arrived there ten days later.<sup>61</sup>

The men remained at Lomita until early August. Between August 8 and 25 they traveled with other American forces along the Rio Grande to Camargo. There they joined the Second Tennessee Regiment, which had arrived in Mexico a few days earlier. At Camargo disease spread quickly due to the hot weather, swampy environment, and unsanitary conditions. Of the one thousand forty men in the First Tennessee Regiment, half either died or were discharged due to illness. The Second Tennessee Regiment, consisting of almost six hundred men, also lost half its number.<sup>62</sup>

Commanding General Zachary Taylor intended to attack the city of Monterey, and

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<sup>61</sup>Robertson, *Reminiscences of a Campaign in Mexico*, 64, 68-76, 82-86.

<sup>62</sup>*Ibid.*, 98-99, 107-110; Justin H. Smith, *War With Mexico* (2 vols., New York: Macmillan Company, 1919), 1: 211-12; Williams, *Historic Madison*, 114.

in September began making plans that included the Tennessee troops. He chose the First Tennessee to join the attack. The Second Tennessee went south to the town of Montemorelos. The First Tennessee headed for Monterey in early September, arriving on the nineteenth. The Tennesseans numbered fewer than five hundred; the whole American force numbered six thousand. The town, surrounded by mountains, was well fortified. After two days of skirmishing, the main battle began on September 21. The Tennesseans were placed with some Mississippi volunteers under the command of John Quitman, forming a brigade. Quitman's brigade was part of a force sent to attack a fort on the east side of the town. Initially the brigade was held back, but after the initial assault failed it moved forward in a spirited charge. The men overran the fort and placed the first American flag over the city.<sup>63</sup>

The next order was to capture a well-defended fort that the Americans had named "El Diablo." The Tennesseans and other American troops attacked the fort for several hours, but could not capture it. They then attempted unsuccessfully to take a nearby bridge. Despite a few successes, the day went badly for the Americans, and Taylor thus withdrew his forces from all but a few points that had been captured. Between three and four hundred Tennesseans had participated in the battle. Of that number twenty-five were killed seventy-five were wounded.<sup>64</sup>

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<sup>63</sup>Smith, *War With Mexico*, 1: 252-53, 357; K. Jack Bauer, *Mexican War, 1846-48* (Lincoln: University of Nebraska Press, 1974), 96-97; Robertson, *Reminiscences of a Campaign in Mexico*, 127-28, 137-41.

<sup>64</sup>Smith, *War With Mexico*, 1: 253-55; Robertson, *Reminiscences of a Campaign in Mexico*, 127-28, 137-41; George C. Furber, *The Twelve Month's Volunteer; or, Journal of a Private in the Tennessee Regiment of Cavalry, in the Campaign, in Mexico*,

That evening the Mexican forces withdrew from all outlying fortifications and concentrated in the center of the town. The next morning Quitman's brigade entered El Diablo and two Tennessee companies then joined with other American forces and entered the town. After several hours of fighting in the streets the Americans were near the center of the town; however, Taylor ordered them to retire. The next day American forces made significant progress attacking the city, although the Tennesseans were no longer engaged. On the twenty-fourth the Mexican army surrendered the city and after negotiating with the Americans, was permitted to evacuate.<sup>65</sup>

The men of the First Tennessee remained at Monterey for almost three months. On December 14 they began a march toward Victoria, more than two hundred miles to the southeast. Along the way they were joined by the Second Tennessee at Montemorelos. On the march the troops passed through several Mexican towns, including Linares, Villa Grande, and Hidalgo. They did not lack for food and the weather was tolerable, but they were being followed by several hundred Mexican cavalrymen and thus marched quickly, not pausing even on Christmas day. As they approached Victoria, they learned of a large Mexican force in the city, and expected to engage in a major battle. However, the Mexican troops, numbering two thousand, evacuated the city as the Americans approached.<sup>66</sup>

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1846-47 (Cincinnati: J.A. & U.P. James, 1848), 114-15.

<sup>65</sup>Robertson, *Reminiscences of a Campaign in Mexico*, 148-49, 156-57; Bauer, *Mexican War*, 99.

<sup>66</sup>Bauer, *Mexican War*, 186-95.

At Victoria the army paused for a few days. The Tennesseans awaited the arrival of the Tennessee cavalry. Unlike the infantry regiments, it had traveled to Mexico by land. The cavalry had embarked at Memphis on July 27, arriving at Little Rock on August 7. From there the troopers traveled southwest, marching fourteen hundred miles. Their original orders were to march to Carmargo and join the force under Zachary Taylor, but as they neared their destination they received orders to go instead to Matamoras. They arrived at the Rio Grande River on November 6 and crossed to Matamoras three days later. The cavalymen remained in the city for several weeks, spending much of their time drilling. Other American units arrived during this time, and on December 24 the troopers set out with two regiments of Illinois infantry for Victoria, two hundred sixty miles to the southwest. After a hard march they reached Victoria on January 4, 1847. There they joined the other American troops, including what remained of the First and Second Tennessee regiments.<sup>67</sup>

At Victoria the three Tennessee regiments were organized into a brigade under the command of Gideon Pillow. Pillow, a Tennessean, was a general in the U.S. army. At this time Winfield Scott replaced Zachary Taylor as commander of the U.S. forces. Scott planned to land a large force at Vera Cruz, on the east coast of Mexico, lead it northwest, and capture Mexico City. In mid-January 1847, forty-seven hundred, including the Tennessee brigade, set out for Vera Cruz. They first traveled to Tampico, on Mexico's

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<sup>67</sup>Furber, *Twelve Month's Volunteer*, 43-44, 145, 187, 238, 318.



east coast north of Vera Cruz, arriving there about February 1.<sup>68</sup>

The men remained in Tampico through February as Scott procured vessels to transport them to Vera Cruz. They enjoyed their stay, for the weather was good and they had ample supplies. They did, however, have to drill five hours per day. In early March the Tennesseans, along with the other troops, embarked for Vera Cruz. The army could not acquire ships to transport the horses, so the cavalrymen traveled by sea with the rest of the brigade while their horses were led overland. The boats were crowded and uncomfortable. The men used the time to prepare for what they believed would be a hard fight, cleaning their weapons and equipment, dividing rations and ammunition, and studying battle plans and tactics. On March 5 they arrived near Vera Cruz and four days later landed on a beach two and a half miles below the city. The entire American force of ten thousand disembarked in one day with no Mexican interference. That evening there were minor skirmishes with Mexican troops, and the Americans anticipated a major battle. Winfield Scott planned to lay siege to the city, and the next day the men began to move into position. They engaged in more skirmishes with the Mexicans in which both the First and Second Tennessee regiments were involved.<sup>69</sup>

Over the next several days the men surrounded the city and posted artillery, doing much of the work at night. On March 22, after the Mexicans rejected a demand for the

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<sup>68</sup>Smith, *War With Mexico*, 1: 365-67; Robertson, *Reminiscences of a Campaign in Mexico*, 196-200; Furber, *Twelve Month's Volunteer*, 388-98.

<sup>69</sup>Robertson, *Reminiscences of a Campaign in Mexico*, 214-24; Furber, *Twelve Month's Volunteer*, 435-36; Smith, *War With Mexico*, 2: 23-27; Robert W. Johannsen. *To the Halls of the Montezumas: The Mexican War in the American Imagination* (New York and Oxford: Oxford University Press, 1985), 98-100.

city's surrender, the American artillery opened fire on the city and its surrounding forts. Over the next three days the two sides fought what was mainly an artillery battle. Even with three hundred artillery pieces, the Mexicans could not inflict significant damage on the American forces. The Americans bombarded the city, damaging buildings and causing panic among the civilians. On March 26 Scott learned of a Mexican force behind the American positions and sent a number of cavalrymen, Tennesseans included, to investigate. They discovered a company of Mexican cavalry. The Second Tennessee and two companies from the First Tennessee joined the American cavalry and attacked the Mexicans, driving them away after a fierce, but brief, skirmish. Also on that day the governor of the state of Vera Cruz, Juan Soto, began negotiating the surrender of the city. The next day the Mexicans surrendered and the American forces entered the city.<sup>70</sup>

Scott intended to move northeast along the Mexican National Highway toward Mexico City. On April 3 he issued marching orders to the men. On April 8 a division of regulars set out for Mexico City, and two days later a division of volunteers departed that included the two Tennessee infantry regiments and one company of the Tennessee cavalry. Over the next several days the rest of the U.S. army headed out. The last division, including most of the Tennessee cavalry, departed Vera Cruz on the eighteenth. The Mexicans established a defensive position at the hamlet of Cerro Gordo, sixty miles northeast of Vera Cruz. With hills on either side of the highway, Cerro Gordo was an excellent location to stop or stall the American advance. Commanding the Mexican army

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<sup>70</sup>Robertson, *Reminiscences of a Campaign in Mexico*, 227-33; Furber, *Twelve Month's Volunteer*, 542-43; Smith, *War With Mexico*, 2: 28-33; Johannsen, *To the Halls of the Montezumas*, 100-102.

was dictator Antonio Lopez de Santa Anna, who had placed twelve thousand Mexican troops in highly defensible positions.<sup>71</sup>

The battle of Cerro Gordo was one of the most significant of the war, for the American victory there cleared the way for the capture of Mexico City. On April 11 and 12 an American division under General David Twiggs was attacked as it approached the Mexican positions. Over the next several days Winfield Scott made preparations to assault the hills that Santa Anna had heavily fortified. The Americans attacked on the eighteenth. Scott, with eighty-five hundred men, significantly underestimated the number of Mexicans. Nevertheless, after less than four hours of fighting the Americans drove the Mexicans from their positions and took more than four thousand prisoners. The Mexican army retreated in confusion.<sup>72</sup>

Of the several assaults made by the Americans, only the one involving Pillow's brigade failed. Two Tennessee regiments and two regiments of Pennsylvania militia made the assault. The men had orders to attack Mexican positions on three hills. Pillow's brigade consisted of two thousand men; the Mexicans on three hills totaled four thousand. Pillow's plan was to attack one hill with the First Pennsylvania Regiment supported by the First Tennessee, and to attack a second hill with the Second Tennessee supported by the Second Pennsylvania. His orders were poorly communicated, and the men were late getting into position. As the Second Tennessee and Second Pennsylvania regiments prepared, the Mexicans hit them with a massive artillery barrage. The two

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<sup>71</sup>Furber, *Twelve Month's Volunteer*, 577; Smith, *War With Mexico*, 2: 44.

<sup>72</sup>Smith, *War With Mexico*, 2: 48-58.

regiments scattered. Some men charged haphazardly, others hid or fled. Within three minutes every field officer except Colonel Haskell had been killed or wounded. Pillow was wounded and took cover, and transferred command to William Campbell. Under Campbell's command the First Tennessee and First Pennsylvania began their attack, but after consulting with Pillow and George McClellan (a member of Scott's staff), Campbell halted the charge. Lacking sufficient strength to carry the Mexican position on the three hills, the Americans postponed further operations. Soon, however, the battle of Cerro Gordo came to an end and the entire Mexican force fled the field.<sup>73</sup>

Cerro Gordo was the final engagement of the Tennessee militia prior to the capture of Mexico City. Most of the Tennessee cavalry troopers reached Cerro Gordo two days after the battle. During their journey they engaged in minor skirmishes with Mexican forces, which fled in disarray. From Cerro Gordo the American forces continued their movement toward the Mexican capital. They met no resistance on April 23 when they captured the city of Jalapa. The Tennesseans remained in Jalapa for one week. In early May Scott ordered the twelve-month volunteers to return to Vera Cruz to be discharged. The Tennessee cavalry arrived in Vera Cruz on May 8 and the infantry two days later. During the march they engaged in minor skirmishes with Mexican bandits. Once in Vera Cruz the cavalrymen sold their horses. The Tennesseans, with other volunteers, left Mexico on May 11 and traveled directly to New Orleans. Illness, injury, or death had claimed two-thirds of the original twenty-four hundred

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<sup>73</sup>Robertson, *Reminiscences of a Campaign in Mexico*, 245-48; George B. McClellan, *The Mexican War Diary of George B. McClellan*, William S. Meyers, ed. (Princeton: Princeton University Press, 1917), 79-88; Smith, *War With Mexico*, 2: 56-59.

Tennesseans.<sup>74</sup>

In 1847 the federal government once again called on Tennessee to provide militiamen. Two more regiments and one battalion traveled to New Orleans in the fall of 1847, and then on to Mexico. By this time American troops had captured Mexico City and the Tennesseans served as an occupation force. The occupation was difficult. The men had to march frequently and suffered from lack of supplies. They spent much of their time either in Vera Cruz or in Mexico City, and also patrolled the highway that joined the two cities. They saw little military action, although in February 1848 they engaged approximately one hundred Mexican bandits. The Tennesseans returned home, via New Orleans, in July 1848.<sup>75</sup>

When the Civil War erupted in 1861, the state was without an experienced volunteer militia force. The militia did, however, exist as a paper organization. In early 1861, as military conflict became likely, Governor Isham Harris recommended reorganization of the militia. In late January the General Assembly repealed the 1857 law abolishing militia muster requirements. The state was divided over the secession issue, but the governor and some members of the General Assembly favored joining the

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<sup>74</sup>Furber, *Twelve Month's Volunteer*, 594-95, 602-603; Robertson, *Reminiscences of a Campaign in Mexico*, 279.

<sup>75</sup>Richard M. Edwards, "Down The Tennessee," *the Mexican War Reminiscences of an East Tennessee Volunteer, Which Appeared in the Knoxville Tribune (Newspaper) Between January 24 and March , 1895, Part 2 of Each Sunday Issue*, Steward Lillard, ed. (Charlotte, North Carolina: Loftin & Company, 1997), 31-33; Moore and Foster, *Tennessee, the Volunteer State*, 1: 437-38; *Nashville Whig*, 7 September 1847.

Confederacy.<sup>76</sup>

In April, during a special session following the outbreak of war, the General Assembly passed an act authorizing the governor to raise fifty-five thousand volunteers, twenty-five thousand of whom were to be armed and prepared for service without delay. This act addressed other important issues such as the order of battle, compensation, and officer elections. It also permitted the state to issue bonds and levy taxes to pay for the war effort. Throughout the state men rapidly organized into companies and regiments. A number of the top officers had been militia officers during the Mexican War. Notably, Generals Robert C. Foster, John L.T. Sneed, S. R. Anderson, and Benjamin Cheatham had served as captains.<sup>77</sup>

The state held a referendum on June 8, and the voters chose to secede. In July the state transferred the militiamen (who had been organized as the “Provisional Army of Tennessee”) into the service of the Confederate government, and the officers accepted comparable commissions as Confederate officers. The Confederate government

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<sup>76</sup>*History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of the County of Knox and the City of Knoxville, Besides a Valuable Fund of Notes, Original Observations, Reminiscences, Etc., Etc.* (Nashville: Goodspeed Publishing Company, 1887), 515; *Acts of the State of Tennessee*, Thirty-third General Assembly, Special Session, Chapter 12 (1861); Atkins, *Parties, Politics, and the Sectional Conflict in Tennessee*, 235.

<sup>77</sup>*Acts of the State of Tennessee*, Thirty-third General Assembly, April Special Session, Chapter 3 (1861); *History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of the County of Knox and the City of Knoxville*, 536; Atkins, *Parties, Politics, and the Sectional Conflict*, 246-47.

inspected the men, and by early August the transfer was complete.<sup>78</sup>

In East Tennessee, Union sentiment was predominant, and in the early months of the war a constant stream of East Tennesseans traveled to Kentucky to join the Union army. A number of Tennessee companies and regiments served in the Union army during the war. Other Tennesseans joined companies from other states. Of the one hundred thirty thousand Tennesseans who fought in the Civil War approximately one hundred thousand were Confederate and thirty thousand Union.<sup>79</sup>

Although many of the Tennesseans seeing action in the Civil War were technically militiamen, the Civil War ended the militia system as it had existed during the antebellum years. Tennessee Confederates differed from the antebellum militiamen in that they had not participated in a militia organization prior to the war, and they received training under the supervision of the Confederate government. Also, the Tennesseans were not necessarily commanded by their own officers. When Governor Harris turned over the Tennessee militia to the Confederate government, he relinquished the authority to appoint officers. The status of Tennessee soldiers fighting for the South was further complicated in February 1862, when the Union army captured Nashville; and the state government was dissolved soon thereafter. From this point forward the Tennessee

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<sup>78</sup>*History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of the County of Knox and the City of Knoxville*, 540.

<sup>79</sup>*Ibid.*, 477, 483; Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989), 341-45; Richard N. Current, *Lincoln's Loyalists: Union Soldiers from the Confederacy* (Boston: Northeastern University Press, 1992), 29-35.

Confederate soldiers had no link to their own state bureaucracy.<sup>80</sup>

The Civil War ended all vestiges of the Tennessee militia as it had existed during the antebellum years. The idea of citizen soldiery continued with the State Guard, a militia organization which, in the years after the Civil War, enforced the rule of the radical state government. However, as in the rest of the country the militia ideal gave way to the notion of a federal army as the best means to fight national conflicts.<sup>81</sup>

Tennessee militiamen were an important component of the U.S. military during the antebellum years. Their unique connection to Andrew Jackson and their eagerness to fight any enemy earned them prominent roles during every military conflict. The militiamen typically fought well against a variety of enemies, and were recognized as good soldiers. Their admirable performance helped to reinforce the militia ideal, but it did not prevent the decline of the Tennessee militia system.

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<sup>80</sup>Ibid., 543; Moore and Foster, *Tennessee the Volunteer State*, 1: 515.

<sup>81</sup>Ibid., 1; 536; Ben H. Severance, "Tennessee's Radical Army: The State Guard and Its Role in Reconstruction" (Ph.D. diss., University of Tennessee, 2002), 1.



## *Conclusion*

In the summer of 1772 a few hundred weary pioneers living in present-day East Tennessee were struggling to survive in a harsh, unforgiving environment. Surrounded by hostile Indians and isolated from the more established white settlements, these pioneers maintained a vigilant military guard and in doing so ensured the success of their settlement. This informal collection of citizen-soldiers represented the beginning of one of Tennessee's key institutions--the militia.

During Tennessee's earliest years the militia remained little more than an informal body consisting of all able-bodied men whose duty was to protect the settlers from the constant barrage of attacks by Native Americans determined to keep their territory free from white habitation. As the years went by, whites increased their numbers and their power and used their militia strength to wear down the Indian tribes. Through a succession of militia victories white settlers acquired the Indians' territory piece by piece. The militia's role as conqueror of the tribes ended in 1838, when militiamen carried out the removal of the Indians.

The Tennessee militia was, however, far more than a weapon of war wielded against Indians. By the 1790s, as Tennessee was developing its political and economic institutions, the militia became an instrument of governmental processes, notably voting and tax collection. As the only institution to which virtually every man belonged, the militia was well suited for this purpose.

The militia also emerged in the 1790s as an important social institution. Militia musters became popular community events at which military training was often less important than celebration and conviviality. Men seeking to advance politically and professionally were quick to realize the importance of militia membership. From the earliest years of white settlement, Tennessee's most prominent citizens cultivated their militia ties. This practice continued through the antebellum years.

The establishment of volunteer companies, which became common in the years following statehood, marked a turning point for the militia as a military organization. With the state no longer needing every white male for defense, volunteers came to dominate the militia system. Volunteerism strengthened the social role of the militia. Moreover, volunteer militia companies became political entities and used their influence to support political parties.

The presumption that America's militias were unprofessional due to lack of support by the federal and state governments has been insufficiently scrutinized by military historians. Tennessee militiamen cannot be labeled simply as good or bad soldiers, for the Volunteer State's militia was a diverse institution that changed over time. This complicates the task of evaluating the competence and preparedness of the Tennessee militia.

The extent to which the Tennessee militia was armed and equipped varied throughout its history. Evidence suggests that during Tennessee's earliest pioneer years the militiamen were well-armed. In fact, guns were the single greatest advantage the militiamen held over their Indian adversaries. Thereafter Tennessee came to rely heavily

on the federal government for firearms, which generally supplied them only in times of war. The government's record of supplying needed weapons was poor at first but improved over the years. The Tennessee militia received few, if any, federal arms during the American Revolution; and during the War of 1812, Andrew Jackson had a very difficult time procuring arms for his men. During the Second Seminole War and the Mexican War the men were much better armed. The proportion of militiamen possessing a firearm in peacetime declined dramatically during the antebellum era, but at all times several thousand militiamen had weapons, and rarely were the militiamen without firearms during active military service.

The Tennessee militia was, for its entire history, inadequately trained. Musters were common, but the emphasis on socializing hindered military training. Nevertheless, at all times a small proportion of companies were well trained, and took pride in their abilities.

Despite the dearth of training and arms, Tennessee militiamen achieved an impressive record of performance on the battlefield. As Indian fighters they proved far superior to their adversaries; they consistently defeated their Native American foes. The militia's performance was also impressive during the Revolutionary War, the War of 1812, the Seminole wars, and the Mexican War. Volunteer State militia units contributed to a number of major victories in these wars.

In addition to achieving battlefield success, the Tennessee militiamen frequently proved capable of enduring harsh conditions. Most of their campaigns were marked by long and difficult marches, unforgiving environments, and inadequate provisions. Only

during the Creek War did they yield to these difficulties.

The militiamen's military success during the pioneer years was not due to their superior weaponry alone. These early settlers planned for Indian hostilities, made defense a top priority, and chose men with military experience to lead them. They also wisely constructed sturdy forts and blockhouses and engaged in offensive operations only when they held a tactical advantage.

Only a small number of the state's militiamen saw service during the antebellum conflicts. These chosen few were usually among the best trained and best equipped and as a result were generally successful. Only during the New Orleans campaign were thousands of Tennessee militiamen mustered into service without scrutiny, an episode that demonstrated that Tennessee was wholly unprepared for a large-scale militia call-up.

The militia began to decline in the 1830s. The state no longer needed thousands of able-bodied men to maintain domestic peace and security. This decline is evidenced by the lack of attention given the militia by the General Assembly. During the 1830s the enactment of militia legislation decreased dramatically. Although the militia was still an active institution, the state's leaders awarded priority to other institutions such as schools, banks, and railroads. After the Indian removal in 1838, the militia declined rapidly. While the volunteer companies remained active as political organizations, the General Assembly virtually ignored the militia; and in the absence of a known enemy the militiamen no longer felt compelled to maintain military readiness. After a brief revival during the Mexican War, the militia disappear from the Tennessee landscape. The men who mustered for the Civil War in 1861 were militiamen in name only, with no

meaningful connection to the traditional militia. Having served the citizenry for more than eight decades, the Tennessee militia passed into history.



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### *Vita*

Trevor Augustine Smith was born in Lawton, Oklahoma in 1972. He grew up in that city and was graduated from Eisenhower High School in 1990. Smith received his Bachelor of Arts in History from the University of Oklahoma in 1994 and his Master of Arts in History from the University of Southern Mississippi in 1996. In 1996 he entered graduate school at the University of Tennessee, Knoxville, to pursue a Doctorate of Philosophy in History. In 1999 he founded the Internet history journal *The History Daily* and currently serves as its editor-in-chief.