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STATE-FEDERAL RELATIONS DURING
THE WAR OF 1812

DISSERTATION
Presented in Partial Fulfillment of the Requirements for
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By
Edward James Wagner II, B.A., M.A.

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Approved by

Harry St. Louis Coles
Advisor
Department of History
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CHAPTER I
STATE—FEDERAL RELATIONS AND
THE MILITARY SYSTEM

"The question of the relations between the states and the federal government," Woodrow Wilson wrote in 1908, "is the cardinal question of our constitutional system." Beginning with the Constitutional Convention and continuing up to the present the "proper distribution of power" has been one of the most intensively discussed, analyzed, and adjudicated of all the constitutional, political, and administrative questions. Knotty problems of policy and finance have plagued presidents, Congress, the Supreme Court, and state governments since 1789. And perhaps in no other area of government has there been such disagreement and confusion.

The Constitution did not spring forth complete, perfect, and self-explanatory. In the very first national administration and in the early congresses questions of state-federal relations arose for which the Constitution provided no answers. In fact, many of the framers who participated in the early federal and state governments could not agree on the meaning of the Constitution or what they themselves had intended. As each issue emerged the Congress and the President had to work out their own solutions, not all of which pointed in one direction or were fully consistent one with another.¹
The Congress which convened in April, 1789 faced the sensitive and Herculean task of enacting organic laws and of providing for their execution and enforcement. Friends of the states, the Anti-federalists, promptly moved to ensure their priority by trying to deny the federal government its own agencies for the administration of its policies. They proposed that the states, which had a long and uninterrupted administrative experience, should collect the federal customs, that state courts hear federal cases — except those reserved by the Constitution to the Supreme Court — and that county revenue agents should be employed in the collection of federal excise taxes. Extensive use of state officials might well have been decided upon to placate the deeply-rooted jealousy of the states and the hostility of many persons to a strong central government.

But those who favored the new order, the Federalists, intended from the outset to safeguard the power of the federal government by erecting separate administrative agencies staffed by federal officers. By May, 1789 they had found a majority in the House and Senate and were able to overcome their opponents' objections. A dual system of government soon emerged, each level independent in its own sphere and operating without hindrance from the other. It was not long until federal courts, customs collectors, tax collectors, marshals, and attorney-generals appeared. The pattern of administrative organization which Congress established, therefore, presupposed few official relations between the state and federal governments.

This design of separateness was continued in connection with
a regular military force. Against a determined but small minority, delegates to the Convention, though "there was not a member . . . who did not feel indignant at such an institution," agreed that the new government should possess a "general power" if it was to provide for "general protection." Thus Congress was empowered to raise and to maintain an Army and to lay and to collect taxes for the common defense. But a large permanent military establishment was guarded against by the explicit provision that no appropriations might be made for the force for a longer period than two years. This meant that every Congress following the biennial election for the House of Representatives, in which revenue measures had to originate, would be required to reconsider the government's military policy.6

At one point, however, the two levels of government could not avoid each other. In part to maintain the system of checks and balances and in part to guard against an Army which might grow too powerful, the Constitution deliberately divided responsibility and control over the militia. The general government was given power for "organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States," but the states were to have jurisdiction over the appointment of officers and training of the militia according to regulations prescribed by Congress.7 The dual administration thus created was objected to by James Madison in the Convention, claiming that control of militia belonged to "the authority charged with the public defence," and that "It did not seem in its nature to be divisible between two distinct authorities."8
George Washington likewise recognized the problems inherent in the two-headed system. After deferring to ingrained tradition of hostility to a large Army, he and Secretary of War Henry Knox tried to establish as strong and dependable a militia as possible as an alternative. Both Washington and Knox believed that if a more effective military system was to exist under the new government than had obtained under the Articles of Confederation, and in view of the small regular force which Congress allowed in 1790, the federal authority should exercise fully the power it had over the militia. But Congress was reluctant to use its militia power in any forceful way and refused to grant the President the authority which he requested. The emasculated version of Washington's proposal, which Congress adopted in May, 1792, delegated to the states the task of actually organizing, arming, and disciplining the militia. It set scant standards for the states to follow, no system of reports was instituted, and no sanctions for non-compliance were established.

The precedent created by this Act was of the utmost importance. Congress in effect surrendered its power to control the militia in any really significant manner by not requiring through the aegis of inspection a uniform application of discipline and organization. It also shifted part of the cost of providing for defense onto the states by having them arm and equip the militia. Although the Act was a victory for the economy-minded members of Congress, it raised the question of whether or not the general government would assume any part of or all of the financial obligations for whatever the
states might do to defend themselves. Subsequent legislation left that question unanswered and continued along the same path of dividing the responsibility for defense between the two levels of government.

Reform of the militia was frequently urged upon Congress, but due largely to a feeling that the militia belonged to the individual states and that the Constitution prohibited extensive federal interference, little was done and the means of enforcing that little were conspicuously omitted. Washington had wanted authority to appoint officers who sat on militia courts, a means by which discipline could have been improved. The law which Congress adopted, however, specified that "courts martial for the trial of militia shall be composed of militia officers only." Jefferson spoke of a stronger militia organization in his inaugural address, stating that "a well-disciplined militia [13] our best reliance in peace and for the first moments of war." In March, 1803 he requested and obtained from Congress a law which required the states to report annually the number of men enrolled in the militia ranks and the arms which they possessed. No penalty was prescribed for non-observance. In the nine years following the passage of this bill reports were sometimes not made at all, were imperfect and unreliable, or were long delayed. The House Committee on Military Affairs, after Congress reached an impasse over its constitutional authority to control the militia, advised the President "to write to the Executives of each State, urging the importance and indispensable necessity of vigorous execution, on the part of the State Governments, to carry into effect
the militia system adopted by the national Legislature. . . ."15

Jefferson's recommendation for classification of the militia into age groups in order to have the younger men perform the most active service met with a negative reaction in Congress. Any new militia organization, the House Military Affairs committee reported, "must result in a total derangement" of the existing order. "To derange this system, then," the report concluded, "and introduce one totally new and untried, one in which it is not certain that the State Legislatures will concur in . . . would be putting too much at risk."16 Asked by President Madison in 1810 to reconsider classification, a Senate committee stated that "The law of 1792 already provides for organizing and disciplining the militia, and a subsequent act makes provision for arming them. All, therefore, within the power of Congress, seems to have been already done. . . ." The same committee went on to report: "If the States are anxious for an effective militia, to them belong the power, and to them too belong the means, of rendering the militia truly our bulwark in war, and our safeguard in peace. . . ."17 Thus the wide variations in militia organization which had evolved in the states, examples of which Madison had laid before Congress, were left unchanged and, so far as Secretary of War Eustis was concerned, unmanageable, if militia were ever called into federal service.18

The act providing for arming the militia referred to in the Senate report in 1810 was as confusing to the states as was the militia organization of the states a bewildering problem for Eustis. In April, 1808, Congress restated its earlier position of requiring the
states to arm the militia, a duty which constitutionally belonged to the general government. On April 2 President Jefferson signed a bill which allowed the states to purchase arms through the War Department, whose job it was to administer the entire military system. But on April 23 Congress enacted a measure which set aside $200,000 annually for the purpose of arming and equipping "the whole body of the militia of the United States." The law stipulated that "all arms procured in virtue of this act shall be transmitted to the several states and territories . . . in proportion to the number of effective militia in each . . . at such time as the Executive may deem proper." Were the states to wait for the federal government to furnish arms? If so, when would they be sent? Or were the states to determine for themselves, as was implied in the Act of April 2, their need for arms and appropriate funds accordingly? By 1812 the answer was clear. Only two states, Maryland and Georgia, had applied to the War Department under the first of these laws while the other states, at the risk of being unprepared for any sudden development, chose to depend upon the general government for arms and equipment under the Act of April 23. Military preparedness could hardly have been said to exist under such incongruous laws.

The exigencies of preparing for war in the early months of 1812 forced upon the states and federal government a close re-examination of their respective roles in the military system. The problem was in large measure, as it had been before, a constitutional one, but there were also complex questions of administration, policy, and politics.
Not long after Madison delivered his annual address on November 5, 1811, nearly everyone began to perceive that the country was not ready for war, that the Army, Navy, and militia, and everything pertaining to them, needed considerable revamping. John C. Calhoun commented in April, 1812 that the awkwardness of government in trying to plan for war was due to a "great want of military knowledge; and the whole of our system has to be commenced and organized." The means by which this system was to be created and perfected constituted the crux of the problem of state-federal relations during the War of 1812.

In his message of November 5, Madison acknowledged the responsibility of the federal government of providing for the common defense as did Congress in the war measures which it enacted. Fourteen state legislatures and one territorial assembly indicated their approval of the President's policies and of Congress's preparatory legislation in resolutions which they sent to Madison and to Congress. Typical was one from New Jersey, which vaguely stated that "this Legislature pledges to the nation to render to the general government all the aid, assistance, and support in their power. . . ." But other expressions from the states in the months preceding the declaration reveal the extent to which they were unable to be more explicit because of a general condition of confusion about what would be expected of them in a war.

A month after Madison urged Congress to put "the United States into an armor and an attitude demanded by the crisis. . . ." which then
existed with Great Britain, Governor Benjamin Smith of South Carolina delivered his annual message to the legislature. He repeated the time-worn dictum that "To be prepared for war frequently ensures peace," and predicted that the state would be called upon if war was declared to provide militia. "To the federal government belongs the responsibility of fortifying our harbors, equipping a navy, and raising a regular military force; but it is in our power to do much by improving the militia. . . ." 25 Henry Middleton, who succeeded Smith in January, 1812, contradicted his predecessor in recommending that the state appropriate funds for adding to coastal fortifications, both state and federal, for purchasing arms, powder, and ammunition, and for stockpiling supplies for the militia. Although he did not make explicit the reasons for this position, implicit in his address was an assumption that because of necessity the state should supplement efforts being made by the War Department and by Congress to prepare for war. This attitude may have grown out of a meeting the governor had with Major Joseph Swift, the Army's chief engineer who had been in Charleston on two occasions late in 1811 to inspect the fortifications. Swift firmly believed that the country was totally unprepared for war, and perhaps made known his feelings to Middleton. 26 In any event, the legislature adjourned without acting on any of Middleton's proposals. In April the governor wrote to Secretary of War Eustis that because of a "too dangerous expectation of avoiding war, or . . . an impression that the means of defence should be furnished by the federal government. . . ." the legislature had left the safety of the state entirely
in the hands of the federal authority. Almost apologetically Middleton asked Eustis to send arms for the militia and to adopt Swift's recommendations for strengthening coastal defenses.\textsuperscript{27}

Governor David B. Mitchell of Georgia believed that Madison's message of November 5 was "clear and forcible" and that its intention "cannot be misunderstood..." In his message he admonished the legislature early in December, 1811, to begin considering the situation in which the state would find itself in wartime as part of the larger military condition of the country. If war was declared, he remarked, the federal government would doubtless provide some of the means of defense. Yet, he advised that not too much reliance should be put on the government in Washington. "It may be said that if war ensues, it must be a war with the United States and not with a state; but admitting that to be true, the state, in case of any sudden invasion or hostile attack, is bound to repel such invasion, and that too before the arm of the Union can be extended to her aid and support."\textsuperscript{28}

The legislature apparently did not agree with Mitchell, either that the state might soon be invaded or that the means did not already exist to repel an attack. War declared by Congress was another matter; Congress, the legislature made clear in a resolution, was responsible for defense "with the aid and assistance of this State."\textsuperscript{29} In addition, Mitchell's unstated but widely known interest in launching an invasion of East Florida with a combined force of militia and regular troops found only scattered support among members of the legislature at this time and probably deterred some of them from
voting for measures to strengthen the militia. Most members then believed that the militia could be employed only defensively, but the governor took the opposite position, claiming that the President had the power "to march it wherever the public service may require. . . ." Mitchell was deeply disappointed that the legislature had ignored his military recommendations. "Georgia," he wrote to a friend, "has never made any provisions for the service of her militia, unless indeed a few thousand stands of arms, over half of which are hardly fit for service, can be considered such. . . ." To Eustis he commented that without considerable federal assistance the Indian frontier would be unprotected, "retaliations" could be expected from the Spaniards, and the seacoast "still invites invasion." "Will something be done" in each of the areas by the federal government? The legislature did not appreciate the gravity of the situation, particularly with regard to East Florida where "the manner in which the business [of invasion] has been conducted [by the United States] has placed Georgia in a very dangerous and critical situation, . . . ." 

Republican Jonas Galusha of Vermont, in September, 1811, speculated on the probable course of national events in his annual message, asserting that the differences between the United States and Great Britain were, on balance, just causes for war. Calling attention to the extensive frontier with Canada and the vulnerability of the communities in that region, Galusha recommended that the legislature take under review the condition of the militia in case war did come about. That force was well disciplined, he reported, but many of the
men were without arms of any kind. Galusha was not certain about whose responsibility it was to arm and equip the militia; the state had the option of buying arms out of the funds in the state treasury or it could apply to the federal government under the Act of April 23, 1808. The only way out of the impasse which Galusha could recommend was to determine "whether the present state of our finances will admit of an appropriation for that purpose or not, and that I shall leave to your sound judgment."  

The Vermont legislature adjourned before Congress convened in November without taking any action with regard to the militia except to appoint a committee to study the need for revising militia laws. Early in May, 1812, Galusha received Secretary Eustis' request to have armed and prepared to march a part of the state's militia force. Shortly after issuing the requisite orders, the governor began receiving reports that a serious shortage of arms existed. Galusha wrote to Eustis relaying this information and requesting that arms be sent as soon as possible. In explaining why this condition had been allowed to develop, he suggested that the legislature had refused to furnish money for arms because "it did not apprehend the immediate approach of war. . . ." For reasons which he did not give, Galusha had decided at this time against calling the legislature into special session, but would wait until it met in October to make another appeal for funds.
The Connecticut legislature, meeting in October, 1811, heard Governor Roger Griswold declare that:

The situation of our country and the crisis which is probably approaching, certainly demands your particular attention to this subject of defense; and it rests with the legislature to consider, whether or not it is prudent . . . to provide for an increase in field artillery, and such military stores as may be least liable to decay. It is unwise to shut our eyes to the events which threaten our tranquility and imprudent to wait until the storm overtakes us, before we are fully prepared to resist it.36

Obliquely the question of responsibility for providing for defense was raised in Griswold's message, but neither he nor the legislature defined the issue sharply. The governor had been in national and state politics since 1795, during which time the federal government had appropriated several millions of dollars for constructing new and repairing old seacoast forts, for garrisoning them with regular troops, and for equipping them with artillery.37 Why, then, Griswold made the recommendation for the state to purchase more artillery is not altogether clear. Perhaps he, like Middleton of South Carolina, felt that the federal government would not undertake extensive enough measures to ensure adequate protection. Major Swift had been in New London only a week before Griswold delivered his address and perhaps on the basis of information received from him did the governor arrive at that conclusion.38

Griswold framed a clearer notion of responsibility for defense between October, 1811 and May, 1812 when the legislature met again, and after Congress had enacted the basic preparatory legislation. The
interest of the United States, Griswold believed, should not be with foreign conquest, which some Republicans had been urging, but "in organizing the national force, and particularly, by directing our great national effort to the increase of that which is alone adapted to the defense of our maritime rights." He did not hide his resentment for those Republican members of Congress who had voted against enlarging the Navy and for their paring by half the Administration's request for $1,000,000 for coastal defenses. The artillery for which the legislature had made an appropriation at its last session had been purchased, but Griswold refrained from proposing further expenditures for defense, hinting that the federal government, exercising its proper powers, was responsible for the common defense. Besides, the reasons for war as stated by the War Hawks, which the governor reviewed at some length, were not just causes for a declaration, and the state should not contribute to a war that was unjust, unnecessary, and impolitic. Madison's message of November 5 coupled with the report of the House Committee on Foreign Affairs of November 29, 1811, was ample evidence for Governor Daniel D. Tompkins of New York that war was not far off. The Committee's report, which had been presented to Congress by Peter B. Porter of New York and a close friend of Tompkins, criticised Great Britain in sharper language than that used by the President. Moreover, it went beyond Madison's list of wrongs committed against this country by adding "the unhappy case of our impressed seamen. . . ." Porter had remarked to the House that the Committee,
of which he was chairman, had decided "to recommend open and decided war -- a war as vigorous and effective as the resources of the country and the relative situation of ourselves and our enemy enable us to prosecute," but that many preparations were needed before a declaration should be voted; any other course would be "unwise." More important from Tompkins' standpoint was Porter's revelation of the Administration's proposed military plans: New York would be the staging area for an invasion of Canada. 41

The influence of Porter's Report, as it was called, which Tompkins read in the National Intelligencer while he was drafting his speech for the opening of the legislative session in January, is readily apparent. Only a few paragraphs were devoted to an assessment of the "insults and depredations" committed against this country by Great Britain; almost the entire message dealt with recommendations for the state to provide for the protection of New York city, the northern frontier, and for revising the militia laws. Though Congress had enacted only one important piece of preparatory legislation by the end of January, the governor had the impression that the state would be left to defend itself while the federal government would concentrate on raising a force for an offensive campaign. Thus, "It ... behooves the state of New York to put herself in armor, and to stand prepared for the approaching contest." 42

The New York legislature, which was more concerned with creating new banks than with the possibility of war, turned down Tompkins' request for $250,000 for additional defenses in New York harbor, stating
that the federal government was responsible in that area. Why it refused money now when in 1808 it had made available $100,000 for the same purpose was not explained. The governor informed Eustis of the legislature's attitude and that he had instructed New York city's Commissioners of Fortifications that unless funds were forthcoming from the federal government the city would have to provide for itself. He explained to Eustis the seriousness of the situation in the city, suggested the likelihood of an attack there, and requested the War Department "to carry out the duty it owes to the People...."

Nor did the legislature take up the recommendation to reform the militia laws. After briefly considering a report submitted by the Adjutant General early in February on that subject, it decided that nothing should be attempted until after Congress had drawn up a new organizational plan.

Governor Tompkins went ahead as far as the law would allow, and sometimes beyond, in preparing the militia for an eventual call-up. By the end of March all of the major militia commands were filled -- with Republicans with but one exception -- and sixteen hundred troops had been stationed along the "most vulnerable" parts of the northern frontier. By mid-April, after dismissing the legislature for its disregard of his warning against issuing new bank charters, Tompkins had placed six hundred militia in garrison in New York city.

Commenting on the activities of the governor, Major General Henry Dearborn, who met with Tompkins late in April, reported to Eustis that "he is doing every thing in his power to defend the state/ and
will not fail in performing his duty with the greatest promptitude. I wish all our Gov’s would do as well.  

Other governors were trying to "do as well," but they were without any information of a military nature to guide them. Governor Simon Snyder of Pennsylvania, whose legislature agreed that at best only a "gloomy prospect" existed for continued peace and that "the State ought to prepare for war," was "fully prepared to assist the general gov," but did not know how best to carry out that promise. The governor and legislature, working in close co-operation, framed legislation to allow state-chartered banks to grant loans to the federal treasury, to authorize the governor to make payment of any direct tax apportioned to the state while the legislature was not in session, and to give the governor full discretion in distributing state arms to the militia. Beyond that no one knew where next to turn. Until April 15, when Bustis informed Snyder of the number of militia he might be asked to put in federal service, there was no indication from Washington about the role of the states in the approaching war. Did state responsibility end with the militia? Governor James Barbour of Virginia was similarly confused and anxious to discover what plans, if any, the Executive had formulated for the states. The legislature, in January, 1812, had indicated that war was the business of the federal government, though some members believed otherwise and were successful only in obtaining passage of a resolution to permit the two state banks to loan funds to the Treasury. But Barbour was not willing to take refuge in the majority's
position. To Madison he wrote that "If hostilities were likely to ensue I should not lose a moment in arming the militia en masse in all the counties of this State exposed to danger..." Reviewing the inadequate defenses along the coast, the amount of state funds presently being expended by him at Norfolk, and noting the shortage of arms for the militia, he asked the President "What share of the national defence in the event of war will be assigned to Virginia?" Four weeks before war was declared Barbour had not yet received an answer to that inquiry and he again asked for some direction about what to do, but still he did not get a reply. The governor was not nearly as concerned with the problem of maintaining the existing balance of power between the states and the federal government as the legislature, which in effect had warned Congress not to transgress its constitutional authority. For Barbour the question of adequate defense took precedence, and he was willing at this point to draw heavily upon state funds without asking if the federal government would eventually make restitution.

Ohio's Governor Return J. Meigs, Jr., convinced that the British were responsible for the Indian uprisings in the West, looked to the federal government for military assistance, as he had depended upon it since coming to office. The legislature as well held the same view. In a resolution it proclaimed "that we will at the call of our country rally round the standard of freedom; We will suffer every hardship -- submit to every privation in support of our country's rights and honor," and suggested that the defense of those rights could only be provided by Congress. At the suggestion of the governor a
measure was adopted to add to the strength of the militia by increasing its overall number and another to provide for more arms and supplies. But, as Meigs pointed out, these were intended to be only temporary and stopgap devices, to furnish immediate means for guarding against Indian attacks until the federal government was prepared to step in and assume a larger role in frontier defense. Both the governor and legislature of Ohio were relying on Senator Thomas Worthington and on Congress to create ranger units, whose function it would be to deal with the hostile Indians. Worthington's proposal became law on January 2, 1812, but because of delay in the War Department no action was taken to execute the measure until late in March. Meigs became impatient with Eustis' procrastination, writing to Worthington that had he known the state would be left to protect itself for so long the legislature, which adjourned in February, "may have taken other steps" to ensure fuller protection. "... the Government cannot take their measures with regard to the Indians too soon," he concluded.

While the state legislatures waited for Congress to furnish the means of waging war, the federal government depended heavily upon the states in the months preceding the declaration to help administer federal military legislation. Principally, the states were called upon to act as local quartermaster agents, at least until the federal system could be put into operation. Many governors, after receiving Secretary Eustis' letter of April 15, which requested the state executives to detach and hold in readiness for federal service a part of their respective militias, or, as in the case of others, to raise
volunteer units, reported to the War Department on the need for arms and supplies. Governor Willie Blount of Tennessee, for example, informed Eustis of the shortage of arms in that state because "... the greater part of our population is of recent growth and many -- very many of those who have within a few years past come from other States and settled in this came without arms . . . ," and asked that they be supplied. Governor Meigs replied that Blount should write to the military storekeeper at Newport, Kentucky and when the arms were received to distribute them as best he thought served the needs of the frontier areas. Governor Meigs travelled throughout the southern part of Ohio in April trying to arouse men to volunteer while at the same time trying to locate camp equipment, arms, ammunition, and uniforms for them. Governor Tompkins, who was beginning to doubt the propriety of declaring war because of "the present unprepared state of the country. . . ," complained that liaison with General Dearborn was unsatisfactory, that the 1600 militia stationed along the northern frontier sorely needed arms and camp equipment, and that the command divisions were vague and confused. Moreover, he told Eustis that the militia were not being paid on time for want of a federal officer to inspect them and to make the necessary reports. The state was not in a position to continue indefinitely to provide for supplies, transportation, and militia pay, Tompkins warned.

In a number of instances state officials actually participated in recruiting for the regular Army or supported the recruiting service by issuing proclamations urging men to enlist. In Georgia,
Captain Hugh McCall, presumably acting with the tacit consent of Governor Mitchell, travelled extensively throughout the state in the spring of 1812 on a recruiting mission. To Eustis he reported that the military resources of Georgia were inadequate and that he had been able to persuade to volunteer for regular service only "feeble vagabonds . . . who will be . . . useless with the Bayonet . . . ." Governor Middleton of South Carolina, probably at the request of Major General Thomas Pinckney, commander of the Southern Department with headquarters in Charleston, employed the prestige of his office in appealing to patriotic men to serve in the Army.

It could not have escaped those men whose duties were primarily to their state that assisting in the War Department's efforts to recruit a larger army conflicted with maintaining the present levels or adding to the size of the militia force. The state and federal governments were in fact competing with each other for additional manpower — yet another case of incongruity in the military system. If the states, however, supported federal recruitment they did so in order to relieve the militia of frequent and extended tours of duty and also to shift to the federal government the clear responsibility of furnishing the means for conducting the war.

Three weeks after informing Madison that recruiting activities in the Northern Department were meeting his expectations, Major General Henry Dearborn, on July 1, wrote to the Secretary of War:

There has been nothing done in New England that indicates an actual state of war, but every means that can be devised by the Tories is in operation
to depress the spirits of the country. Hence the necessity of every exertion on the part of the Government for carrying into effect the necessary measures for defence or offence. 72

What exactly Dearborn expected of the states by way of military preparations he did not explain. But what was of even greater importance for the General was the increasingly hostile political climate in Massachusetts. In April the stalwart Republican Elbridge Gerry lost to a confirmed Federalist and opponent of war, Caleb Strong, in the gubernatorial election, and a majority of Federalists had won election to the lower house of the legislature. 73

Dearborn, among others, was afraid that the same spirit of opposition which had succeeded in withholding credit from the Treasury -- New England, which possessed the greatest amount of the country's liquid assets, bought less than one million of the six million subscribed to the first war loan on May 1 and 2 74 -- would find expression in other areas. (William Plumer, the Republican candidate for governor in New Hampshire, believed that "Every means has been taken by the federalists to defeat the loan; not content by withholding their own money, they have done everything in their power to prevent others." 75) Apart from narrow partisan politics, Dearborn had good reason to anticipate trouble. On June 2 the lower house of the Massachusetts legislature began debate on a resolution to instruct the governor to refuse any request for militia made by the President. 76 The first step toward interposition had been taken.
When Madison signed the declaration of war in June, 1812, he was fully aware as much as anyone in or out of government of the military unpreparedness of the country. Yet, as he later explained, "effective preparations would not take place while the question of war was undecided." For him as for a majority of Congress the declaration marked the point from which there could be no turning back. They were willing to risk the nation's future on the belief that opposition would disappear and that the defects in the military system would be overcome by a unified effort of both the state and federal governments working toward the defense of national rights and honor.
Notes, Chapter I


6. Art. 1, Sec. 8.

7. Ibid.


9. American State Papers: Documents, Legislative and Executive, of the Congress of the United States (Washington: Gales and Seaton, 1832-1851, 38 vols.), Military Affairs, I, 6-13 (hereafter cited as ASP, MA); Annals, 1 Cong., 3 sess., 1819.


12. 1 Stat. 261 (May 2, 1792).

13. 2 Stat. 207-08 (March 2, 1803); see also ASP, MA, I, 158-60.


15. Ibid., 163.

16. Ibid., 189.

17. Ibid., 256.

18. Reports to Congress from the Secretary of War, March 10, 1810, National Archives; H.A. DeWeerd, "The Federalization of Our Army," Military Affairs, VI, 3 (Fall, 1942), 145-47.


20. ASP, MA, I, 329, 337; ASP, War Department, Secretary's Office, Letters Received, Registered Series, from Archibald McBryde, January 14, 1812, National Archives (hereafter cited as WD/LR).


23. The resolutions are printed in Annals, 12 Cong., 1 sess.; Madison MSS, Library of Congress, January-May, 1812.


26

27. WD/LR, from Middleton, April 20, 1812; ibid., from Middleton, May 23, 1812, "I must once more beg leave to suggest the necessity there will be for Arming and Equipping [the militia] out of the United States Stores, as the only means of rendering the force at all efficient."

28. December 3, 1811, Executive Minutes, Executive Department MSS, Georgia State Archives; Mitchell sent a second message to the legislature on December 21, 1811, dealing exclusively with war preparations, ibid.


32. WD/LR, from Mitchell, April 20, 1812.

33. Niles' Weekly Register, November 2, 1811.


35. WD/LR, from Galusha, May 12, June 25, 1812.


38. WD/LR, from Swift, October 21, 1811.

39. Annals, 12 Cong., 1 sess., 2251-52; Reports to Congress from the Secretary of War, January 8, 1811.

40. National Intelligencer, June 2, 1812.

41. Annals, 12 Cong., 1 sess., 373-77.

42. Hugh Hastings (comp.), The Public Papers of Daniel D. Tompkins, Governor of New York, 1807-1817 (Albany: Wynkoop, Hallenbeck &

43. Ibid., I, 74, II, 448-53, 154.

44. Ibid., 75, II, 574-78.


47. Tompkins Papers, II, 508-09; WD/LR, from William Paulding, June 26, 1812.

48. War Department, Secretary's Office, Letters Sent, Military Affairs, to Tompkins, March 24, 1812 (hereafter cited as WD/LS, MA).

49. WD/LS, MA, to Tompkins, April 20, 1812.

50. WD/LR, from Dearborn, April 27, 1812.


53. WD/LS, MA, to Snyder, April 15, 1812.


55. Barbour to Madison, March 30, 1812, Madison MSS, LC.

56. WD/LR, from Barbour, April 19, May 17, June 12, 1812.

57. Niles' Weekly Register, December 28, 1811.

58. Ibid., January 16, 1812.

60. Meigs to Thomas Worthington, March 1, April 5, 1812, Worthington MSS, L.C. 2 Stat. 670 (January 2, 1812); WD/LR, from Meigs, January 28, February 17, March 4, 1812.

61. Meigs to Worthington, March 1, 1812, Worthington MSS, L.C.


63. WD/LR, from Blount, May 1, 1812.

64. WD/LS, MA, to Blount, June 6, 1812.

65. WD/LR, from Meigs, April 5, 1812; Meigs to James Murray, March 24, 1812, Meigs MSS, Ohio State Museum; Alec Gilpin, The War of 1812 in the Northwest (East Lansing: Michigan State University Press, 1958), 31-32, 35.

66. WD/LR, from Tompkins, March 31, April 30, 1812; Tompkins Papers, I, 658, II, 521.

67. WD/LR, from Tompkins, April 30, 1812.


69. WD/LR, from McCall, April 11, May 18, 1812.

70. WD/LR, from Pinckney, June 6, 1812.


72. WD/LR, from Dearborn, July 1, 1812.

73. (Boston) Independent Chronicle, June 1, 1812; Harvey Prentiss, "Timothy Pickering in the War of 1812," Essex Institute Historical Collections, LIX, 2 (April, 1934), 63; Charles J. Ingersoll, Historical Sketch of the Second War Between the United States of America and Great Britain (Philadelphia: Blanchard and Lea, 1845, 3 vols.), I, 59-60.

74. ASP, Finance, II, 56b-68; Raymond Walters, Albert Gallatin, Jeffersonian Financier and Diplomat (N.Y.: Macmillan, 1957), 249.

76. (Boston) Independent Chronicle, June 8, 1812.

77. Madison to John Nicholas, April 2, 1813, Madison MSS, LC.
Beyond that submission which laws enacted agreeably to the Constitution make necessary, and that self-defence which the obligations to repel hostile invasions justifies, a people can give no encouragement to war of such a character without becoming partakers in its guilt, and rendering themselves obnoxious to those just retributions of Divine vengeance by which, sooner or later, the authors and abettors of such a war will be assuredly overtaken.

Resolve of the Senate of Massachusetts, January 12, 1814

News of the declaration of war reached the major New England cities on June 19 and 20, as quickly as had the text of the President's message of November 5. Major General Henry Dearborn, military commander of the Northern Department, was still in Boston directing defense preparations and trying to infuse spirit into the recruiting service when his headquarters received official notification of the declaration on June 22. Acting on authority from the President, he immediately dispatched letters by special messenger to governors Caleb Strong (Massachusetts), William Jones (Rhode Island), William Plumer (New Hampshire), and Roger Griswold (Connecticut), requesting them to detach and place under his command a part of their respective quotas of militia for the protection of the sea coast. Although the Federalists had threatened during the preceding months...
that if war came they would do everything the law allowed to frustrate it -- "We tell them plainly," the New York Evening Post had editorialized, "we will not go to war; . . . now let them try their power over us. . . ." -- their reaction to this first military move stunned even the more perspicacious Republicans. They chose initially to base their opposition on what for them had become a penchant for literal interpretation of law and strict construction of the Constitution.

Two weeks after Dearborn's requisition had been made, Lieutenant Governor John Cotton Smith informed Secretary of War William Eustis that Connecticut had to refuse to call out its militia. In Griswold's absence -- he was at Saratoga Springs in New York ostensibly to find relief from a heart ailment which was to take his life in October, but actually to attend a political meeting to decide on a presidential candidate whom the Federalists could support in the fall -- Smith offered the reasons for the state's non-compliance. First, the promise which Griswold had given on June 17 to co-operate with Dearborn was necessarily given in full confidence that no demand would be made through General Dearborn, but in strict conformity to the constitution and laws of the United States, e.g., orders issued directly by the President to the Governor. Second, "the Governor is not informed of any declaration made by the President . . ., of notice given by him, that militia are required 'to execute the laws of the Union, repress insurrection, or repel invasions.'" Therefore, since none of the "contingencies" mentioned in the Constitution was present, "his Excellency considers that under existing circumstances, no portion of
the militia of this State can be withdrawn from his authority."

Third, compliance with Dearborn's request would disorganize the militia as it was presently constituted: "... privates may be separated from their company officers, and transferred into the army of the United States; thus leaving the officers of the militia without any command, except in name. ..." -- if not "annihilating" it altogether.5

Obviously dismayed by these arguments, Eustis answered that "the reasons assigned for refusing to execute engagements ... of Governor Griswold appear no less extraordinary than the act itself." He made only a nominal effort to answer the first two objections, pointing out politely to Smith his complete misunderstanding of the intent of the law on the third. 6

After his return from New York and a second meeting with the state Council, Griswold wrote to Eustis that Smith's communication had his prior approval and that the Secretary's reply had not, in fact could not, overcome his objections. He then raised another issue, that of the meaning of the phrase "imminent danger of invasion" as contained in the Militia Act of February 28, 1795, under which law the President had called out the militia.7 "The war ... and the cruising of a hostile fleet on our coast, is not invasion; and ... that there is imminent danger of invasion ... is not, in my opinion, warranted by facts." The power of the President to call out militia whenever such a condition existed he was willing to accept, but there "is no difficulty in the present case, as none of the facts disclosed furnish
anything more than a slight danger of invasion. . . ." Therefore, 
"a sense of duty leaves me no other course to pursue. . . ." than to 
refuse Dearborn's requisition. 8 

Silence and inaction were all that Dearborn received from 
Governor Strong, even after repeated attempts well into July to have 
him act on his application of June 22. Yet he saw enough political 
demonstrations throughout Massachusetts to convince him that "every 
means that can be devised by the Tories is in operation to depress 
the spirits of the country." On June 26, the Massachusetts House 
sounded the keynote. Following the example of the Federalists in 
Congress,9 it issued a formal protest against the war and, significantly, 
against "giving aid or assistance" to the general government. The 
avowed causes of the war were pretenses used by the Republicans to help 
Napoleon Bonaparte and "to aggrandize the Southern and Western States at 
the expence of the Eastern section of the Union." The protest encouraged 
the formation of a "peace party" to "meet and consult together for the 
common good of your towns and counties. . . . Let it be distinctly 
understood that in support of it your conformity to the requisitions 
of law will be the result of principle and not of choice; . . . let 
there be no volunteers except for defensive war."10 Within a few days 
after the publication of this document, anti-war resolutions, 
memorials and declarations began pouring out of town meetings across 
the state. A set of resolutions from Boston suggested that a state 
convention be called to perfect measures against the war. 11 Newburyport's 
recommended, among other things, that only the governor should be
recognized as the commander of the militia and that he should refuse to allow it to serve under federal officers.\textsuperscript{12} This proposal received even wider endorsement when on July 14 the governor and fifty-three representatives of town meetings convened at Northampton and adopted it along with nineteen other resolutions of protest.\textsuperscript{13}

Long before this particular resolution was proclaimed, Strong had decided against compliance with Dearborn's request. A covert indication of his attitude was given on July 3 when he issued his first general orders to the state's militia. He directed that all units should be prepared "to repel any invasion," particularly those units which had been designated on April 25 as comprising the ten thousand which the War Department had requested. No mention was made, however, of any immediate danger of invasion or that any part of the ten thousand would actually be called into federal service. And the governor, much to Dearborn's consternation, omitted any reference to his requests for artillery and infantry companies. When he left Boston on July 22, the General was convinced more than ever that Strong's refusal to answer his letters was meant to be not only a personal insult but also a sign of non-recognition of his authority over the militia within the Department.

Strong's first communication regarding militia was with the War Department on August 5.\textsuperscript{15} To begin with, he insisted that reports from coastal towns indicated there was no apprehension of invasion.\textsuperscript{16} In the event that an attack was launched along the sea coast, the local militia and "independent corps of infantry and artillery" would be able
to assemble in a short time and repel it. Strong understood that Dearborn considered detaching the militia "at only a few ports and places on the coast; from the rest a part of their militia were to be called away. This circumstance would increase their danger; it would invite the aggression of the enemy, and diminish their power of resistance." And why, he asked, if a danger of invasion existed, were Army "troops . . . called from hence to carry on offensive operations in a distant Province?" From strictly a military point of view, then, the local force in and near each exposed town and under state control was better suited for defense than any which might come under federal authority.

Strong also reported to Eustis that after receiving Dearborn's letter of June 22 he had met with the Council to discuss the general question of militia requests from the President. That body, after deciding to distribute arms to the militia, had declared itself opposed to any such requisition on constitutional grounds. In support of its position was an advisory opinion from the Supreme Court. Three of the Court's members, all Essex Federalists, had convened and unanimously agreed that the "right" to determine whether or not militia might be employed by the President "for the three specific purposes of executing the laws of the Union, of suppressing insurrections, and of repelling invasions . . . is vested in the Commander-in-Chief of the militia of the several States." This was so because:

no power is given to the President, or to the Congress, to determine that either of the said exigencies do in fact exist. As this power is not delegated to the United States, by the
Feder/»1 constitution, nor prohibited to the States, respectively; and from the nature of the power, it must be exercised by those with whom the States have, respectively, entrusted the chief command of the militia. 19

On these considerations, then, did the governor build his case.

Strong would have been more persuasive, though not entirely convincing, had he limited himself to the military requirements of the maritime frontier. But having committed himself to opposition for as long as the war continued, and knowing, as surely he did, that any improvement in Great Britain’s strategic military and naval power would invalidate his argument, he was forced to resort to something permanent.

The Constitution provided the only possibility of legitimizing his stand. Yet, reliance upon the Constitution, as interpreted by the Court, undermined rather than strengthened his position. Its manifest political inspiration made the opinion hard to accept even among some who opposed the war. Resting on the narrowest of reasoning, its conclusions, both stated and implied, could not be accepted without threatening to destroy the entire federal edifice. Governor William Pennington of New Jersey pointed out that danger.

It is contended by high authority, that the state governments, or what is worse, that the executives of the state governments, are the sole and exclusive judges to determine whether the case exists — from which determination there is no appeal, for if the power of adjudging the question is reserved to the state governments, it is a sovereign, independent power, and cannot be controlled. If this interpretation of the constitution be the true one, the militia ... is wrested from the
general government and placed under the direction or caprice of the state executives, who can at any time paralyze and defeat the operations of the general government. It appears to me that this doctrine is fraught with incalculable mischief, and that it carries in its bosom the seeds of national dissolution.

Justice Joseph Story expressed a similar view in a Supreme Court decision regarding presidential authority over militia:

The command and application of the public force, to execute the laws, to maintain the peace, and to resist foreign invasions, are powers so obviously of an executive nature, and require the exercise of qualities so peculiarly adapted to that department, that a well-organized government can scarcely exist, when they are taken from it. Of all cares and concerns of government, the direction of war... demands those qualities...

Republican Governor William Plumer of New Hampshire, to whom Dearborn made a request for militia on June 22, replied promptly that two companies would be sent to Portsmouth harbor. Plumer had been expecting this communication. Though he had no specific or official information on which to base a judgment, he confidently predicted that war with England would come sooner or later. He had supported Madison in all his efforts, first to negotiate a settlement and then to prepare for hostilities. In his first address to the legislature after being elected, he explained why the United States would have to declare war: "If we cherish a spirit of submission to a foreign power, and tamely acquiesce in the loss of one right after another, we shall thereby prepare the public mind for a state of degradation and servitude...; a nation cannot long survive the loss of its spirit." (Having had close association with Governors Strong and Griswold while a member of
the Federalist party, he doubtless knew what posture they would adopt.)
As if in anticipation of their opposition, Plumer accentuated his
split with the Federalist party by calling for unity and "our prompt
and effective aid, in carrying into operation all constitutional
measures..."  

Plumer did not always wait for Dearborn to point out those
places most likely to be attacked. Several weeks before war was
declared, he received petitions from towns near the Canadian border
asking for protection against the Indians and their "Tory" neighbors.
The legislature had ignored requests for such military assistance, just
as it had earlier refused to enact any legislation that would have
improved the organization of the militia or to appropriate any money
for militia arms and supplies. Dearborn accepted Plumer's urgent
request and allowed a militia company to be sent to the northern
frontier. In this way the burden of paying and supplying the militia
was shifted from the state to the federal treasury, although not
without considerable administrative confusion and delay. Moreover,
because the militia had been federalized, Plumer was in a position
to ask, as in fact he did, for ammunition and arms, the two items most
urgently needed. The War Department, already heavily pressed by many
states for the same items, understood the critical situation in which
the governor found himself. The Secretary thus ordered to New Hampshire
a quantity of bullets and one thousand stand of arms. Without this
assistance the area could hardly have been defended.

Whatever political difficulties Plumer first encountered in
detaching militia for Portsmouth and the northern frontier, they were overshadowed in the last months of 1812. Where some militia officers in June had balked at orders, in September and October they flatly refused to take their men as replacements for those earlier called out. The governor later learned from Brigadier General John Montgomery that "so much division and party spirit prevails in our country as to render it almost impossible for any officer in my position to do his duty to acceptance." The explanation could not have surprised him. In July he had offered much the same reason to Dearborn for the delay in getting the militia organized and positioned in Portsmouth. Familiarity with Federalist tactics — he had been with the party until the winter of 1807-1808 — coupled with the radical position adopted by Strong and Griswold, led him to suspect that some of his old acquaintances were courting secession, as evidenced by the influence which he correctly assumed their action had on militia officers and privates.

He was determined, however, to do all he could to have the state actively support the war effort. In November he managed to persuade a reluctant legislature to appropriate money for ammunition. It refused, on the other hand, to reorganize or to increase significantly the pay of the militia. Regarding the latter matter, the legislature instructed the state's congressmen to see that the federal government assume the additional expenses. The war, its resolution argued implicitly, was declared by the federal government and consequently it should bear the burden of all costs.
The reluctance or refusal to prepare for war which legislatures had shown in the months before and after the declaration was also at first manifested in Vermont. Jonas Galusha, elected annually as the state's chief executive since 1809, supported Madison faithfully despite the fact that he, like everyone removed from the inner councils in Washington, was ignorant of details. His faith as a Jeffersonian did not permit of any other course. Finding the state almost totally destitute of arms, he now decided to summon the legislature into an extra session in July. After hearing the governor report on the military situation, it decided against taking any action on its own, but instead to ask the general government for assistance. Included in the resolution was reference to the fact that Vermont had received only one thousand stand of arms (in June, 1812) since the passage of the Act of April 23, 1808, a measure which set aside $200,000 a year for arming and equipping "the whole body of militia of the United States." On August 4, Secretary Eustis replied to Vermont's appeal by ordering an additional fifteen hundred stand of arms delivered immediately.

Two months later, at the regular session of the Vermont legislature, Galusha praised the prompt response of the militia ordered to the Canadian border, asked for revision of the militia laws and urged the legislature to put the state in the "best possible posture of defence." In a resolution on October 13 the legislature stated that although it did not approve of the war, "it is our duty as citizens to support the measure, otherwise we should identify ourselves with the enemy with no other distinction than that of locality." Abandoning,
in part, the notion that the federal government should provide all
the means to fight the war, it adopted a proposal to have the state
militia officers raise a volunteer force of sixty-eight companies for
six months duty under federal authority. 34

Though Strong and Griswold had been centrally involved in 1804
in a scheme to take the New England states out of the Union and into a
separate confederation, 35 neither seriously contemplated secession in
the summer or fall of 1812, or at any subsequent time. During the
first months of the war they carefully pointed out, as did also
Governor William Jones of Rhode Island, 36 that they would comply with
presidential requests for militia when in their opinion appropriate
conditions existed. They repeatedly insisted that all "constitutional"
laws would be obeyed. To pronouncements such as these Republicans
attached no importance. 37 Yet, the Federalist governors made no
at tempt to interfere with exclusively federal administration within
their states. Only where both the state and federal government had
mutual jurisdiction, and where in effect the federal government was
dependent upon the state, as in the case of militia, did they interpose
themselves. The principle of state rights, on occasion framed in terms
of secession, was simply a ready-made device for a minority to
intimidate a majority. It had been used by the people beyond the
Alleghenies in the 1790's whenever they believed their interests were
being neglected by the federal government; it had been argued by
Jefferson in the Kentucky Resolutions of 1798 and 1799; congressmen
often had adopted it as a clinching point in debate; Federalists had
employed it in 1804 and 1809. Climaxing a decade of frustration at having failed to place one of their own in the presidency and armed with what they believed to be incontrovertible proof that the agrarian and expansionist-minded "Virginia dynasty" had no interest in protecting the vital concerns of the commercial states, the Federalists resorted to the argument of state rights again, this time in an effort to disrupt military operations.

Madison did not take seriously Federalists' secession rhetoric. "I have never allowed myself to believe that the Union was in danger, or that a dissolution of it could be desired, unless by a few individuals, if such there be, in desperate situations or of unbridled passions." The eastern part "would be the greatest loser by such an event, and not likely, therefore, deliberately to rush into it. . . ." 38

The Federalists were not successful in their primary objective of intimidating Madison into ending the war. They did achieve a large measure of success, however, in their ancillary aim of obstruction. In mid-August, 1812 Madison wrote to Jefferson that "The seditious opposition in Massachusetts and Connecticut . . . have so clogged the wheels of war that I fear the campaign [against Montreal] will not accomplish the object of it." He recognized the tactical advantage the Federalists enjoyed because the few recruits for the Army "leave us dependent for every primary purpose on militia, either as volunteers or as draughts for six months." 39 And there was nothing he could do. He received an informal judgment of the Supreme Court that if a governor refused to furnish militia for federal service he could be
fined or imprisoned under the militia laws of 1795 or 1812. But this was not a viable solution, for one thing because it involved, as Madison realized, a risk of civil war. Destitute of any means of securing obedience to the law and to his orders, he could do nothing except hope that the Federalists would change their mind or that a remedy could be found in legislation at the next session of Congress.

In Connecticut, meanwhile, state-federal relations deteriorated further. At an extra session of the legislature late in August, 1812, convened despite some apprehension within the Council that "the legislature would have a tendency to agitate still more the public mind and might produce consequences not really intended..." Governor Griswold made an extended defense of his refusal of militia. He warned the legislators, in summation, to consider the very real probability of the state having to defend itself against invasion. No "military stores are to be expected from the general government... regular troops will be called from the sea coast, and of course the state will be left to defend itself..." The federal government, he insisted, was sacrificing the safety of the coastal states to protect the sparse population in the West and "to add more territory." (Apparently he did not expect that any of the $500,000 appropriation made by Congress on July 5 for coastal defense would be assigned to the state.)

The legislature, in a series of resolutions, endorsed (196-37) the governor's rejection of the President's request for militia and reiterated the state's views of the Constitution on the question. After declaring "that the state of Connecticut is a FREE SOVEREIGN..."
and INDEPENDENT state; that the United States are a confederacy of states; that we are a confederated and not a consolidated republic," it resolved (151-29) to consider at its next regular session the creation of an independent "state military force." Although some Republicans interpreted this peculiar juxtaposition as another prefigurement to secession and perhaps civil war, the legislature did not have in mind such a drastic move in August, or in October when a state volunteer corps was in fact created. No attempt was made to fill the state force from the ranks of the militia. Only those men exempted from militia duty were eligible to volunteer. The legislation which gave it life carefully avoided any conflict with federal militia laws.

What actually prompted Connecticut to establish a state volunteer corps was a growing fear that at some time in the near future it would be left wholly defenceless. Most of the United States troops had already been withdrawn from the coast and it was widely believed that the militia as well might be called out of the state to defend against an actual invasion. This was suggested by Griswold on August 5 in his proclamation calling the legislature into extra session, in his address to that body on August 25, and by Adjutant-General Ebenezer Huntington on October 17 when he appealed for volunteers. Dependence on the federal government, whose responsibility it was primarily to protect the state, the governor believed, was therefore "unwise."

Governor Strong met with the Massachusetts legislature in October, 1812 and opened the session with the same elaborate
military-constitutional defense of his position regarding militia that he had given to the President in August. He reported that he had, on August 5, complied with a request from General Dearborn to send three militia companies to Passamaquoddy in Maine because that place was in "a peculiar danger of invasion; and that disorderly persons may attempt to disturb and annoy the peaceable inhabitants of that neighborhood, and endanger their lives and property. . . ."\(^51\) As nearly treasonable as was Strong's obstructionist tactics, this move showed him to be less radical in his views than other members of his party. One of them, closely allied to Timothy Pickering and the Essex group, was Chief Justice Theophilus Parsons. He met with Strong several times in August and tried to persuade him to recall the militia from Passamaquoddy. He took the position that in agreeing to Dearborn's request the governor had yielded in fact and in principle the main point at issue between the state and federal government. But Strong refused to accede to Parson's demands. In a letter to his son, Strong explained that in his opinion the situation in Maine satisfied the provisions of the Constitution, federal and state laws, and therefore the requisition had to be met.\(^52\)

Nearly all Federalists were agreed that DeWitt Clinton, then the mayor of New York, embodied the best chance of defeating Madison in the coming fall election. Federalist support for Clinton had been all but definitely decided in late July at Saratoga Springs in New York when a plan was accepted to focus all anti-war, anti-tax, anti-France, anti-Madison and anti-trade restriction feelings. Elbridge Gerry knew
of this and informed Monroe on August 15 and 21 that Clinton would be Madison's opponent. Whatever doubt remained of Clinton's association with the Federalists was dispelled shortly after a meeting of the party's leaders in New York city on September 15-18. In New England Clinton was applauded as the harbinger of peace, prosperity, and all else that the Federalists wanted. His victory would mean the end of "Mr. Madison's War," James Lowell declared in a widely circulated pamphlet.

Clinton's defeat could hardly have come as a shock to the Federalists. Their choice of a candidate and weak or non-existent organizations outside New England and New York left no doubt beforehand of that result. Gouverneur Morris had advised his closer friends not even to put up a candidate primarily because "there is as yet no likelihood that he could be carried. . . ." But if they had any doubts as to the popularity of their avowed opposition to the war and obstruction in the means to wage it, local elections surely must have dispelled them. Federalist strength in the House of Representatives increased twofold. And by April, 1813, all of the New England states, except Vermont where the legislature would have to decide between Galusha and Chittenden, had Federalist governors.

The elections completed, Federalists in Massachusetts became more than ever concerned about the condition of coastal defenses. Fear of invasion had been intensifying even before Great Britain announced her blockade of the coast from New York to East Florida. Governor Strong sensed this in January, 1813. He asked for an
appropriation of $100,000 to purchase arms, powder, lead and supplies and for authority to appoint three commissioners whose duty it would be to plan and execute defence measures. The legislature approved the idea of a commission, but the Republican Senate, taking advantage of the party's last stronghold in the state -- even that was to be lost in the spring\(^60\) -- balked when the money bill came to a vote. It introduced an amendment to borrow rather than appropriate the amount requested. The lower house concurred in the change as it did also to a Senate-sponsored resolution which instructed the governor to apply to the federal government for arms.\(^61\) The Republicans may have hoped by their own obstructionist action to force the Federalists into acknowledging, however tacitly at first, the state's dependence upon federal authority. If this was the case, their plan ultimately failed.

Had the Federalists searched for an issue to create a critical situation, they could have themselves found none better than what the Republicans naively furnished. They had been looking for some point which would arouse anti-war sentiment, as an end in itself and for electioneering purposes. A legislative committee, headed by John Pickering Jr., published a report late in February, 1813 which purported to show that impressment was alone not a valid reason for waging war. But it failed to strike a responsive chord.\(^62\) Reaction to news that the federal government had turned down the request for arms, on the other hand, was clear and decisive.

Strong's address to the spring session of the legislature, though described by the National Intelligencer as "calm," sounded the
alarm. Incorporating almost verbatim the text of Josiah Quincy's recent anti-expansionist speech delivered to the Boston chapter of the Washington Benevolent Society—an extension of the debate begun in Congress concerning causes of the war—he conveyed the impression that virtually all military resources were being used in the West and South while Massachusetts stood weak and exposed to the enemy. When Secretary Armstrong's terse answer to the request for arms was published, it contributed still more to that conclusion. Armstrong had written that since there were not enough arms to meet the demands, the President had decided to allocate them to areas where the greatest danger existed and then only to militia which were in federal service. "When the state of the public arsenals will justify the measure, Massachusetts will receive her proportion of arms..." It required no great power of discernment to realize that not only was Armstrong's letter insulting but also that it meant Massachusetts, unless it was attacked and placed its militia under federal authority, would very likely never receive arms. It meant, too, from the Federalist perspective, that Madison had taken it upon himself to interpret the Militia Act of April, 1808 along political lines, thus in a capricious manner. Here was proof, charged the Columbian Centinal, that the President, as had been said of him repeatedly, had no respect for the law, the Constitution, or for the safety of New England.

Without discussion the legislature, now controlled altogether by the Federalists, endorsed the governor's speech, declaring unconstitutional the admission of states from outside the area of the
original thirteen and in particular the enabling act of April 8, 1812 which gave statehood to Louisiana (whose people had "strange habits, language and religions"). One of the other remonstrances asserted that the decision of the President regarding distribution of arms was also unconstitutional. The legislature then instructed the State Treasurer, even before Congress acted finally on the tax measures, to withhold from the federal treasury a part of the state tax equal in amount to the value of the arms which it had not received.

The Federalists had at last discovered a way to extend their control over tax revenue as well as private credit. If both could be withheld, the resulting financial difficulties would become so crippling that Madison would have to come to terms with England. Their continuing success in deterring loans to the government was fresh in mind. As in May, 1812, so again in April, 1813, the amount loaned by individuals or banks in New England was disproportionately small for the capital available. Had John J. Astor not personally subscribed two million in April, 1813, thereby giving Gallatin a lever with which to pry credit from David Parish and Stephen Girard, even that loan would have failed.

The Federalist "money trust," which had grown considerably since the spring of 1812, now moved to block future co-operation by these men with the United States Treasury. The pressure applied was powerful enough to force an apology from Parish. Social influence in Boston was brought to bear against anyone who was tempted to purchase federal bonds. The brokerage firm of Gilbert and Dean advertised that they would keep secret the names of subscribers.

But if Massachusetts was going to keep back any part of its
share of the direct tax the Federalists would have to find a cause celebre other than the alleged unequal distribution of arms. On July 8 Secretary Armstrong informed Strong that 1500 stand of arms had been assigned to the state. Why the Secretary reversed his position is best explained by the changed military situation along the New England coast and not by reference to the threat of withholding tax money or to an investigation by Congress of the Department's execution of the Act of April, 1808.

During these same weeks the Federalists applied a harassing technique to volunteers who were in the federal service in order to dissuade others from following suit. A joint committee of the legislature, headed by Samuel Putnam, was authorized "to send for persons and papers" to investigate officers of the volunteer corps. The first person summoned before the committee was William King, brother of Rufus and half-brother of Cyrus. Refusing to leave his headquarters at Bath, Maine, he replied to Putnam's letter by citing the need for volunteers if the state was to be defended at all, particularly "when the services of the detached militia were withheld from the general government. . . ." He vigorously defended having organized a volunteer corps and claimed that three times the number accepted were available if needed. He ended on a strong note of patriotism and of duty to serve "in this just and necessary war." An implied warning not to interfere, coupled with his respectful yet stiff defense of volunteers, doubtless stunned the committee. If other officers were similarly interrogated, the results must have
been equally discouraging to the Federalists: the committee apparently soon disbanded. The number of recruits for the Army and of volunteers from Massachusetts were, except for New York, greater than any other state or territory.  

Against a background of mounting fear of invasion, the question of arms distribution also arose in Connecticut. Any hope for peace seemed to be wholly unrealistic "if," as Federalist Benjamin Tallmadge believed, "men or money can be obtained to carry the war on." Madison, the Federalists agreed, stubbornly refused to accept for consideration British proposals for ending the war. John Smith, who took over the duties of governor after Griswold's death late in October, 1812, shared this feeling, but did not allow it to interfere with the concern for the safety of the state. Throughout the early months of 1813 he worked continuously to put teeth into the state force, all the while making certain that the militia remained intact and available to federal authority. By the end of February nearly 500 men had volunteered in the state army. But men without arms, whether state volunteers or militia, were useless.

On May 13, 1813, the legislature, where the "peace men" now had a majority of 133 in the lower house, accepted the governor's suggestion in petitioning the President for "such Arms as this State is entitled to. . . ." under the Act of April 23, 1808. The request shortly proved to be especially timely, although its originators did not have in mind any immediate application of its object. Toward the end of that month a British fleet appeared off the southern coast in pursuit
of four United States warships, under the command of Captain Stephen Decatur, which had taken refuge in the harbor at New London. The British, in blockading New York city, had forced Decatur to take his vessels there. These events had the unforeseen but immediate consequence of bringing Connecticut directly into the war.

Governor Smith had held back the legislature's petition for two weeks, but as soon as it appeared that the state was in "imminent" danger of invasion he hurried it off to the War Department. As was the case with all letters received by that office from state executives, his came directly to the attention of the Secretary. Noting the reasons for the "urgency" of the request, Armstrong immediately ordered 2,000 stand of arms sent from the arsenal at Springfield, Massachusetts. While waiting for this reply, Smith ordered out 1,500 local militia to protect New London, drew powder, lead, and 200 stand of arms from the state's arsenal and then hurried off to take command personally. The governor conferred with Captain Decatur on June 6 "to get the best defence," adding, "I am desirous of receiving the instruction of the President as to the course proper to be pursued."

The "great anxiety and commotion" evoked by the burning of five fishing vessels anchored in the mouth of the Connecticut River on June 9 spread to Lyre within a few hours. Additional militia were ordered out for both communities, and ammunition and heavy cannon, in addition to the two thousand arms, were dispatched from the depot in New York city. Yet before the danger subsided Smith was inquiring about the militia's compensation. "That this array of militia would have been
unnecessary, but for the protection of the national squadron is obvious
\[\text{and}\] that the expense therefore should be defrayed from the national
treasury is equally evident. . . . " he asserted.\(^2\)

To give the appearance that the militia was under federal
authority, thus making all of its needs the responsibility of the War
Department, he instructed militia officers "to consult" with Captain
Decatur or other "superior" federal officers in carrying out defensive
operations.\(^3\) When Major General Henry Burbeck arrived at New London,
the issue of state versus federal control of militia suddenly became
a serious problem for Smith.\(^4\) At first he believed Burbeck had been
sent only to supervise the repair of Fort Griswold at New London, doubt-
ing if he wanted "to issue orders to our militia. . . . "\(^5\) Only a few
days passed before it was evident that further postponement of the
issue was impossible. The militia officer commanding at New London
asked Smith how far Burbeck's "recommendations" for changes in the
placement and size of the militia force should be allowed. "I am
happy to perceive," Smith answered vaguely, "that you have the prospect
of maintaining a good understanding with the U.S. officers. This
should be carefully cultivated without surrendering however, in any
degree, the rights of the State Government. . . . "\(^6\)

Indeterminate as was this reply, Burbeck, who no doubt was
shown it, apparently understood what the governor meant, which was that
militia officers were not to accept any order issued directly by him.
As a result, Burbeck had to go through the War Department and from there
to the governor.\(^7\) Refusing to acknowledge Dearborn's authority in
June, 1812, Smith persisted in the same course in July, 1813, in regard to Burbeck. Accepting orders for militia only from the Secretary of War, he satisfied himself that the "right" of the state executive as well as the letter of the federal militia laws and the Constitution were being properly safeguarded.

Adjutant General Huntington, whom Smith had sent to Washington to press the state's claim for paying and supplying militia out of the federal treasury, met with Secretary Armstrong along with Senators Chauncey Goodrich and Samuel Dana. After he received assurances from Armstrong that militia expenses would be honored, on the advice of the Senators, Huntington dropped the demand that all communications regarding the militia go first to the governor. Burbeck immediately was informed of this arrangement; he now could "call for such number or description of the militia as in your judgment the exigency may warrant."

Governor Smith and the Council accepted the settlement without serious objection. Throughout August and September requests made by Major General Burbeck for militia to defend against sporadic incursions were speedily complied with. Armstrong arranged for prompt payment of militia and for a federal contractor to furnish supplies. The newly forged co-operative relationship seemed to be a welcomed relief for the governor. Preferring to reduce as much as possible remaining tension, he persuaded Decatur to drop court martial proceedings against a militia officer. When a question of supply was raised by one state official he replied that "I cannot bring myself to doubt the Gen'l government will ultimately pay for an article so essential." The legislature reflected the new spirit when
in October it commended the governor for his action in defending the state and the United States naval squadron at New London.  

Elsewhere in New England in 1813 Federalist governors, whether elected for the first time or re-elected, addressed the summer or autumn sessions of their respective legislatures in exceptionally moderate terms, emphasizing the need for inquiry into the causes of the war and expressing the hope and the necessity for its speedy conclusion. Following the example of Strong, they criticised, though not quite as sharply, the supposed territorial ambitions of the War Hawks. The only reference to attempts to federalize militia came from Vermont's Martin Chittenden. Echoing the "party" line, he asserted that that force was created and maintained exclusively for the purposes stated in the Constitution and could not "by any kind of magic . . . be transformed into a regular army" for offensive operations.

Chittenden was referring to a brigade of militia which had recently gone to Plattsburgh, New York, on orders from his Republican predecessor, to help support a planned invasion of Canada. Shortly after the legislature, by a margin of three votes, decided the inconclusive gubernatorial election in favor of the Federalist candidate, Chittenden issued orders for the return of the brigade to the state. New York, he insisted, was "fully competent to defend her own borders," whereas Vermont was inadequately protected against an anticipated invasion. More significant, however, from his point of view, was that the militia in question were beyond his immediate control. Having adopted the same narrow reading of the Constitution
which Strong had announced earlier, as evidenced by his speech of October 23 to the legislature and by his choice of cabinet members, one of whom was the Strong-minded Josiah Dunham who published the radical *The Washingtonian*, a more menacing violation of state authority could hardly have occurred. 111

Chittenden's order to the militia to return to Vermont was delivered by Jacob Davis, who had been given command of the brigade. But no sooner had Davis arrived at Plattsburgh and made known his purpose than he was arrested, released to the custody of a federal marshal and by him bound over to the federal district court in New York city. 112 The situation was further aggravated by twenty-two of the militia officers. They denied the governor's authority applied to militia in federal service, accused him of "the worst of motives, to effect the basest of purposes," one of which was to incite desertion, and announced they would serve out their tour. 113 Destitute of any other means to enforce his orders, Chittenden had no choice, therefore, but to acquiesce.

Not satisfied to let the matter rest there, Representative Solomon Sharp of Kentucky offered a motion on January 6, 1813, which proposed that the Attorney General "institute a prosecution against the said Martin Chittenden." But the House quickly negatived the proposal on the grounds that it was not its responsibility to take such action. 114 Nor did Madison think it wise to initiate proceedings against him, probably for the same reasons which he cited in August, 1812. Moreover, the possibility of a serious rupture appeared to be all the greater in the early months of 1814. Already Massachusetts was in an ugly mood
because of the embargo, which the governor, the legislature, and forty town meetings agreed was a punitive measure, and which eleven of the latter thought could be dealt with most effectively in a convention of commercial states.\textsuperscript{115} In view of this, the President had to weigh the odds of that state fulfilling its pledge of January 14: "to aid the Governor of Vermont and the people of that State or any other State with their whole power, in enabling them to support their constitutional rights. . . ."\textsuperscript{116} Furthermore, he had to be careful not to alienate altogether the moderate Federalists in Massachusetts who at this juncture seemed to be growing less inclined to keep a tight reign on their radical colleagues.\textsuperscript{117} (Governor Strong no doubt eased the situation by refusing to join in support of the resolution to aid Chittenden).\textsuperscript{118} Since the beginning of the new year, the moderates had not only agreed to the radicals' proposal regarding Vermont, but had supported them in passing a law which denied the United States the use of county gaols for keeping prisoners of war and a Senate Committee report which opposed payment of federal taxes.\textsuperscript{119} Madison probably believed that if he moved against Chittenden, all of New England might erupt.

The moderate Federalists did not wholly surrender themselves to exponents of radical state rights, however.\textsuperscript{120} In late January and February, 1814, they judiciously avoided committing themselves or the state to proposals such as the one made by Samuel Fessenden, for a convention of New England states.\textsuperscript{121} Declaring that such a convention was within the limits of the Constitution, their report,
drafted by James Lloyd, went on to say that final judgment on the matter should be postponed.

The representatives who are soon to be returned for the next General Court, will come from the People, still more fully possessed of their views and wishes as to the all-important subject of obtaining, by further compact engrafted into the present constitution, a permanent security against future abuse of power. . . .

". . . no mischief has been done," observed the National Intelligencer, "whatever may have been in meditation during the 'season of bravado.'"

The elections proved disappointing to the exponents of either radical state rights or outright secession. The issue of whether Massachusetts should persist in or expand her opposition or should adopt a more conciliatory disposition was answered in favor of the latter. Once again the moderates, in this instance the anti-conventionists, had a decided majority. Governor Strong, elected in April to his ninth term, told the legislature on May 30 that the repeal of the embargo was a triumph for the forces of constitutional law and expressed satisfaction that no drastic measure had been taken against the federal government. The legislature agreed with these sentiments, reiterating that "we are happy to observe, that some of the measures of the general government have not been opposed by violence." Yet, before the spring session ended, reports of an extended and tighter British blockade and of invasions to the south led to urgent demands that the coastal defenses be augmented. Hurriedly the legislature passed an appropriation bill, leaving to the discretion of the governor how best to expend the $1,000,000
for the state's protection. This, in conjunction with the Council's decision of February 1 to distribute state-owned arms to the militia along the coastline, would, it was hoped, adequately compensate for the absence of any significant federal military force.

When for the first time resolutions calling for a New England convention appeared in Massachusetts in January and February, 1814, Connecticut Federalists managed to induce only a few of their sympathizers to petition the governor to call a special session of the legislature for the purpose of deciding on the question. Smith, however, discouraged the idea. "No other section of the State has as yet presented a similar application," and until they did nothing could be done. Not even David Humphrey, a leading Connecticut Federalist, who argued the western states had set a precedent by forming an offensive alliance during 1813, could prevail upon him. What could a convention do to help solve the immediate and overriding problem of defense? Deficient in arms and unwilling to have the state assume the cost of defense, Smith pressed Secretary Armstrong for assistance. Under the circumstances, there was no other practical choice.

Following the relatively quiet winter months, the British resumed their attacks on Connecticut coastal towns. Saybrook and Pettipaque were the first major targets in 1814. The Selectmen of Saybrook sent a desperate appeal for protection to Smith "which," they said, "they had a right to expect from the Government of the United States; but for which they have anxiously looked in vain." The Governor sent a copy of their petition to the War Department,
pointing out that many more such incidents could be expected and asking for assignment of federal troops to the various forts.\(^{133}\)

Shortly afterwards he asked the Secretary of the Navy, William Jones, to station a naval force along the Connecticut coast west of New London, a request which went unanswered.\(^{134}\) Applications for militia, meanwhile, poured into the governor from along the coast with increasing frequency.\(^{135}\) Wherever he thought it possible and practicable, he sent arms, cannon and militia to the more immediately vulnerable communities.\(^{136}\)

Burbeck, whose effectiveness was extremely limited now because of a dispute with militia officers over interpretation and enforcement of federal militia regulations, and who was relieved of his command in early June, had assigned to his staff early in May Colonel Jacob Kingsbury, "a Connecticut Man in every respect and of course desirous that we should avoid as far as possible the burdens of this war, more especially that we should not advance our money for the national credit."\(^{137}\) This, Smith hoped, betokened a new attitude on the part of the War Department. A man of assumed Federalist sympathies, after all, should be willing to work more closely with state and militia officers, would understand the sensitivity of state authority regarding militia, and would show himself to be more helpful than Burbeck in obtaining federal assistance.\(^{138}\)

Smith's expectations were, in fact, partly fulfilled. First, Kingsbury informed him that because of his intercession the War Department had cancelled its orders for the regular troops stationed at New London to march to northern New York.\(^{139}\) Second, Kingsbury
suggested to the governor "the propriety of authorizing the Adj.
Genl. to detach troops \(\sqrt{\text{militia}}\) at my requisition. The necessity of
this arrangement would be great in case the enemy should appear . . .
in force sufficient to induce the belief of an immediate attack."
Otherwise "the length of time in making application to your Excellency
would entirely defeat the end proposed by the requisition." Smith
agreed that speedy action was necessary, but objected to that part of
the proposal which, if accepted, would have allowed the Adjutant General
to put militia directly under a federal officer. Instead, general
militia officers, upon application of a federal officer, "according to
existing state law, can call out militia under their command. . . ."
Thus, as in the summer of 1813, state control was insured so long as
militia officers commanded immediately and at the same time the militia
would be eligible for federal maintenance.

The delicate balance soon was upset by Brigadier General Thomas
Cushing, who had replaced Burbeck as the district commander. Not
only did he use the word "requisition" in place of "invitation" when
asking for militia, which angered Smith, but he insisted on actually
commanding the three thousand militia sent to New London. The
governor was equally adamant in his determination to uphold "the
high duties which I am solemnly bound to discharge." "From the harmony
with which the service was conducted the last season under an arrange-
ment not essentially dissimilar, I flatter myself that a temper equally
conciliatory would distinguish the present campaign." The issue
of state versus federal authority, however, had quickly reached an
impasse. Smith, for one thing, was afraid that Cushing might try to order the militia outside the state. To prevent this he wrote to the militia officer commanding at New London:

You are not to move out of the jurisdiction of the state, unless the operation of war should render it advisable to do so for the moment. But it is not expected that you will suffer any part of the force under your command to be stationed without the territory of this state, nor without the bounds of its authority.  

Neither Smith nor Cushing could have compromised for there was nothing to negotiate. The deadlock was cemented in September when Cushing countered a militia officer's proclamation forbidding any militia to obey orders issued by federal officers by cutting off supplies. Smith appealed to the War Department against Cushing's reprisal on September 3. Monroe, who for the second time took charge of the War Department late in August after Armstrong's resignation, brusquely replied on October 17 that Cushing's demands and federal militia regulations would first have to be met before the federal contractor would resume sending supplies.

Monroe knew that withholding militia pay supplies struck where the state was most vulnerable. Connecticut was not prepared to assume for very long the task of furnishing food, clothing, powder, shot, tents or many more arms. These items, particularly powder, were simply not available to the state in anything approaching a sufficient quantity. Most pressing was money with which to compensate the militia. And Smith all but openly admitted this to the Secretary on September 3.
Soon afterwards, agents were sent by Smith to secure all or part of a $50,000 loan from banks in Connecticut, Massachusetts and New York. Nowhere did they have any success.\textsuperscript{154} So desperate was the need for funds to pay militia that the Commissioner of Education was asked to transfer more than $40,000 from the school fund to the general fund.\textsuperscript{155} In its fall session, the legislature authorized a $400,000 loan in addition to the $50,000 approved in May. Smith at once sent another emissary to Boston with instructions to negotiate a loan regardless of interest, but he too failed.

I returned home yesterday \textit{from Massachusetts}, without effecting, in any respect, the object of my Journey. The causes, which have conspired to derange all money transactions, at the South and West are operating in the north and east; and the pressure is of course severe, than nothing can be effected by issues made from their Monied Institutions.\textsuperscript{156}

Monroe's letter of October 17 no doubt influenced the legislature in authorizing the loan, as it also did in focusing a mood which led to the passage of thirteen acts, out of a total of nineteen adopted during the session, all mildly harassing in one way or another federal officials.\textsuperscript{157} One measure was designed, under the guise of maintaining order and protecting "citizens" of the state, to arm the town officials of Hartford with authority to prevent Army recruiting, but it was never executed.\textsuperscript{158} At this point Connecticut Federalists took under serious consideration proposals for the long contemplated
convention. As recently as January, 1811, the legislature had asked Smith to send two commissioners to Washington:

to make an earnest application to the Government of the United States, requesting their consent to some arrangement whereby the State of Connecticut may separately or in concert with neighboring States be empowered to assume upon themselves the defence of their Territory . . . and a reasonable portion of the Taxes collected within said States may be paid into the respective Treasuries thereof and appropriated to the payment of the balance due said States and to the future defence of the same. 159

In October, after receiving a resolution adopted by the General Court of Massachusetts, it accepted (153-36) a committee report recommending the appointment of seven delegates to meet with those from other states at Hartford on December 15. 160

In Massachusetts, the Federalist leaders' approach to the war, which was carried to their own doorstep in 1811, was unlike that of Connecticut. Samuel Putnam, a Senator in the Massachusetts legislature, summed up that state's attitude in a letter to Timothy Pickering: "It is the settled determination not to petition Congress again" on any matter, including defense. 161 And it was likewise their determination not to abandon their policy of withholding credit. In April Federalist and Federalist-controlled financiers met in Boston to discuss the loan of twenty-five million Congress authorized on March 29. 162 Harrison Gray Otis, David Parish and Charles Willing, among others, who urged subscribing to the loan, were overruled. 163 When the Treasury tabulations were made, it was found that less than one million had been subscribed in Boston, 164 and at a time when
specie was flowing into Canada in "an uninterrupted trade in Bills of the British Govt."165

During the late spring and early summer, a general alarm was raised also along the entire coastline of Massachusetts and Maine as British warships appeared more often and in greater number than any time before. Reports of the extensive destruction of other places, particularly Federalist Alexandria, Virginia, stirred the inhabitants to press Governor Strong for arms and militia.166 Severely limited though were the resources required for defense -- by his own admission -- Strong nevertheless refused to prevail upon either the War Department or the federal officer (Dearborn as of June 22)167 commanding the first military district for assistance.168 He was determined to act independent of any other authority, in the spirit which Putnam had made explicit.

When Commodore William Bainbridge, whose ships, Independence and Constitution, were in Boston harbor, appealed to Strong for militia to act jointly with the sailors in erecting defensive works, he refused outright. His answer, transmitted through a citizens committee, recommended that the ships be removed from the harbor since they were the targets of the British fleet and not the city. Harrison Gray Otis, to whom Bainbridge appealed for militia the next day, September 3, addressed a town meeting, but urged resolutions approving the Governor's position.169 But the Board of Commissioners for Seacoast Defence, which had been erected in March, 1813, lent some assistance by distributing arms and directing those who volunteered their labor for the construction of defense works, apparently without prior consent
of the Governor and perhaps contrary to his initial instructions. General Dearborn, meanwhile, had requested militia for Maine, when the British had invaded in July. Strong, faced at this point with an actual invasion, allowed Adjutant General John Brooks to send one thousand militia to the vicinity of Eastport, but refused once more to allow them to be commanded by a federal officer, fearing that they might then be ordered to New York. Dearborn continued to request militia for Boston and Maine throughout September, writing to Monroe late in the month that:

the Governor and his advisors begin to talk of letting me have as many men as I requested and will, I am persuaded, ultimately conclude to do what might have been done and with a much better grace. There is at present a general and almost universal determination among all classes of society to defend the Country at all events, Party spirit is rapidly subsiding.

Whatever chance that this might have been carried off was quickly dashed by Monroe. He wrote to Strong on September 17, the letter arriving on the same day Dearborn made his report, in answer to the Governor's of the seventh, a lengthy explanation regarding the War Department's militia policy. After spelling out why the country had been divided into military districts with federal general officers put over them, he told Strong that:

the measures which may be adopted by a State Government for the defence of a State must be considered as its own measure. . . . Your Excellency will perceive that a different construction could lead into the most important and as is believed the most pernicious consequences. If a State could call out the
Militia and subject the United States to the expenses of supporting them, at its pleasure the National authority would cease as to that important object. . . . By taking the defence of the State into its own hands, . . . a policy is introduced on the tendency of which I forbear to comment. I shall remark only that if a close Union of the States, and a harmonious co-operation between them and the General Government are at any time necessary for the preservation of their independence and of those inestimable liberties which were achieved by the valor and blood of our ancestors that period may be considered as having arrived.

When Strong presented this letter to a special session of the legislature, the moderate Federalists quickly came to accept the proposals of the radicals. A joint committee reported the government's position was cause for alarm. Citing article 1, section 8, article 2, section 2 and article 4, section 4 of the Constitution, it charged that the Administration had failed in fulfilling its obligation "to . . . provide for the common defence" and to "protect each of them against invasion." Evidence of this lay principally in the fact that there were no federal troops in the state. Massachusetts, it concluded, had been abandoned by the general government. Why then should it pay taxes?

The state of the national treasury . . . requires an augmentation of existing taxes, and in addition to these, the people of Massachusetts, deprived of their commerce, and harassed by a formidable enemy, are compelled to provide for the indispensable duty of self-defence, it must soon become impossible for them to sustain this burden. There remains to them therefore no alternative but submission to the enemy, or the control of their own resources, to repel
his aggressions. . . . But being ready and determined to defend themselves, . . . they have the greatest need of those resources desirable, from themselves, which the national government has hitherto thought proper to employ elsewhere.\textsuperscript{175}

The committee's recommendation, adopted by both houses, was to postpone any action until the next session when it then would be known what expenses had been incurred for defense and what amount to withhold.\textsuperscript{176}

The question of money was a particularly sensitive one, as in Connecticut. Strong, in his address on October 5, had revealed that the state treasury was virtually empty and for this he blamed the federal government.\textsuperscript{177}

To compensate for the lack of funds and "to defend against invasion," the legislature enacted laws on October 11 authorizing the Governor to borrow "from time to time" \$1,000,000 and to raise a state volunteer force of 10,000 for the duration of the war.\textsuperscript{178} Strong had more success than Governor Smith in obtaining credit (\$631,000),\textsuperscript{179} but events soon made the volunteer army unnecessary and that law therefore was never executed.\textsuperscript{180}

Defense, however, as Otis defined it, apparently did not extend to Maine. The upper house on October 18 effectively forestalled any attempt to expel "the enemy" by turning down a recommendation that a committee determine appropriate measures to that end.\textsuperscript{181} Nor did Strong manifest any interest in relieving the district. Dearborn addressed several requests to the Governor in October and November for militia to retake the British held territory. He also asked him to loan the federal government enough money to underwrite the expedition.
Before hearing from Strong on instruction from Monroe, Dearborn went
directly to local banks, but they all refused to extend any credit,
even in exchange for Treasury notes.\textsuperscript{182} He also directly approached
militia officers, again on advice from the Secretary of War, in an
effort to assemble a force to go against the British. If this
approach was successful, he was to notify "the same to the governor in
due time" what had taken place.\textsuperscript{183} This too failed. Adjutant General
Brooks, he reported, even refused information on the relative strength
of the militia divisions.\textsuperscript{184} Strong's reply came finally on December 10.
First, he disclaimed any authority to order the militia to go against
the British troops if a federal officer commanded. Second, he denied
having the power to grant a loan to the general government, adding
that irrespective of that, money was unavailable from Massachusetts
banks.\textsuperscript{185} On February 4, 1815, a joint committee of the General Court
congratulated the Governor for his stand in declining to co-operate
with the federal government in its (futile) attempt to retake Maine.\textsuperscript{186}

For the radical Federalists, the one supremely important measure
carried during the October session was that of the 17th. "Resolved,
that twelve persons be appointed, as Delegates from this Commonwealth,
to meet and confer with Delegates from the other State of New England,
or any of them, upon the subjects of their public grievances and
concerns, and upon the best means of preserving our resources and of
defence against the enemy. . . ." Strong was instructed to forward
copies of the resolve together with an invitation to the other
governors of the New England states.\textsuperscript{187}
Connecticut, as we have seen, acceded to the proposal a few days after it was proffered and was the first to do so. Rhode Island, on November 5, likewise accepted. The language of that legislature's report, though it duplicated in large part Connecticut's and Massachusetts', had a moderating tone which reflected, or at least corresponded to, the governor's attitude. He, like Smith, was prepared to co-operate with the federal government in the summer months in defending the coast, but unlike him, remained steadfast. In mid-December Brigadier General Thomas Cushing reported to the War Department that Jones "has intimated to me that an effort would be made by the State to raise money for the payment of the State Troops [volunteers] now in the service of the United States, . . . ." presumably from a $20,000 defense appropriation made in the spring.

Governor Gilman of New Hampshire, whose Federalism was closer to that of Jones than to Strong's or Smith's, and despite his earlier opposition to calling out militia to protect Captain Issac Hull's warship Washington, or to allowing militia to surrender federal officers, in September adopted an altogether different attitude. Believing the British planned to extend their foothold in Maine southward, he now readily agreed to Dearborn's requisition and gave him reason to expect that New Hampshire would also participate in an attack upon the British at Castine. He did not stand alone in deviating from Strong's defiant examples. When the invitation for the convention arrived, rather than call the legislature into special session, Gilman conferred with the "best men" in Portsmouth and Exeter. The result of
the survey was that, as he wrote to Otis on October 31, "many fear the
consequences of a call for the Especial purpose even if a Majority of
the Republican Council would consent to it." New Hampshire,
consequently, was not officially represented at Hartford.

Governor Chittenden of Vermont had also swung around to a
co-operative position in September, explaining on October 19 in a
proclamation that the war had become defensive since Prevost's invasion
at Plattsburg.

After witnessing the severe and degrading
terms imposed on many of our fellow citizens
on the seaboard, no man, who is mindful of
what he owes to his country and to his own
character, can advocate submission when
resistance is practicable. . . the conflict has
become a common and not a party concern, the
time has now arrived when all degrading party
distinctions and animosities . . . ought to
be laid aside.

The response to his call for volunteers, irrespective of their civilian
or military status, he reported to Secretary Monroe, "exceeded
expectations." Massachusetts' bid for the convention arrived at a
time when an aroused anti-British spirit pervaded Vermont. A caucus of
the Federalist members of the legislature agreed not to accept on the
grounds that it was "impolitic." Windham County, like Cheshire and
Grafton counties in New Hampshire, then determined to send delegates
chosen in county conventions or at mass meetings.

What the twenty-six delegates to Hartford expected to accomplish
was not at all clear even to the delegates themselves. The
legislatures' resolutions certainly had not provided an agenda.

Jeremiah Mason, a Federalist from New Hampshire, whose information
usually was quite good, was perplexed, as were many other observers. Whatever the objectives may have been, Monroe believed the meeting might be the first concrete step toward secession, seeing in it perhaps the realization of John Henry's plot. Ample evidence in support of this viewpoint could be found in the Federalist press in November and December.

Madison as well held this view. He wrote to Wilson Nicholas in late November:

You are not mistaken in viewing the conduct of the Eastern States as the source of our greatest difficulties in carrying on the war; as it certainly is the greatest, if not the sole inducement with the enemy to persevere in it. The greatest part of the people in that quarter have been brought by their leaders, aided by their priests, under a delusion scarcely exceeded by that recorded in the period of witchcraft; and the leaders themselves are becoming daily more desperate in the use they make of it, their object is power. If they could obtain it by menaces, their efforts would stop there. These failing, they are ready to go every length for which they can train their followers. Without foreign co-operation, revolt and separation will hardly be risked; and what the effect of so profligate an experiment would be, first, on misguided partizans, and next on those remaining faithful to the nation, who are respectable for their consistency, and even for their numbers, is for conjecture only. The best may be hoped, but the worst ought to be kept in view. In the meantime, the course to be taken by the Government is full of delicacy and perplexity, and the more so under the pinch which exists in our fiscal affairs, and the lamentable tardiness of the Legislature in applying some relief.

Monroe decided, after consulting with Madison, to send Colonel Thomas Jesup to Hartford on a recruiting mission for both men and information.
Jesup was chosen presumably because he had commanded an Army regiment at New Haven and knew many of Connecticut's leading Federalists. His instructions were to discover what the delegates were considering and, if it was a separate peace with Great Britain, to suggest a plan to conquer Canada by first striking at Nova Scotia. In this way opponents to war in New England would hopefully be mollified by holding out to them the prospect of the most extensive maritime community in the world. If an uprising threatened, he was to arrange with Governor Tompkins and Dearborn for reinforcements. Jesup's only report was made on December 31:

From the information in my possession I am induced to believe that a spirit of the most determined opposition to the General Government pervades all ranks and classes of the Majority of Massachusetts, and that they only wait the signal of the Convention to manifest that sentiment in open acts of hostility. Connecticut is more moderate; she would lose more by a revolution than all New England besides: Many of her men of wealth and influence have large landed estates in Ohio, and her school fund is derived principally from lands in New York and Pennsylvania — she is aware that in the event of a separation, this property will be liable to confiscation, and it is uncertain whether she can be remunerated by her Northern neighbors. I think it, therefore, very doubtful whether she will consent to a severance of the Union.

The Democrats in all the Northern States are numerous and firmly attached to the Govt., but they are entirely without organization. There is hardly a man among them who is known out of his own town — consequently their measures of opposition are feeble and without concert.
Madison acted on the report by directing Monroe to arrange for appropriate measures in the event Jesup's information proved accurate. It was needless fear, however, since the convention had ended on January 5. The Report of the Hartford Convention was first published on the following day by the Connecticut Courant at Hartford. The National Intelligencer commented on January 15, with an almost audible sigh of relief:

Certain it is, that the proceedings are tempered with more moderation than was to have been expected from the contemporaneous expositions, in the Eastern papers, of the views and objects of the Convention. A separation from the Union, so far from being openly recommended, is the subject only of remote allusion.
Notes, Chapter II

1. War Department, Secretary's Office, Letters Sent, Military Affairs, to Dearborn, Strong, Jones, Griswold, June 12, 1812, National Archives (hereafter cited as WD/LS, MA); War Department, Secretary's Office, Letters Received, Registered Series, from Dearborn, June 22, 1812, National Archives (hereafter cited as WD/LR).


4. WD/LR, from Griswold, June 17, 1812.

5. WD/LR, from Smith, July 2, 1812.

6. WD/LS, MA, to Smith, July 14, 1812; cf., Eustis to Monroe, September 2, 1812, Madison MSS, L.C.


8. WD/LR, from Griswold, August 13, 1812.


10. Niles' Weekly Register, June 28, August 29, 1812; National Intelligencer, July 11, 1812.

12. *Niles' Weekly Register*, July 7, 1812; WD/LR, from Dearborn, July 17, 21, 1812.


14. (Boston) *Columbian Centinal*, July 8, 1812; WD/LR, from Dearborn, June 24, 25, 27, July 1, 13, 22, 1812.

15. *American State Papers*, *Documents, Legislative and Executive*, of the Congress of the United States (Washington: Gales and Seaton, 1832-1861, 38 vols.), *Military Affairs*, I, 323 (hereafter cited as *ASP*). This letter is not in the War Department files.

16. William H. Sumner, *A History of East Boston* (Boston: J.E. Tilton & Co., 1858), 734, explained that this conclusion rested on reports from Adjutant General Brooks who was in Maine in June and July. But the people of Belfast, then in Massachusetts, were alarmed enough to send a petition to the War Department, WD/LR, *Petition from Belfast, July 8, 1812*, asking for protection.


19. *ASP*, MA, I, 324. Timothy Pickering had asked, "How are the powers reserved to the States... to be maintained, but by the respective States judging for themselves and putting their negative on the usurpation of the general government, Pickering to Christopher Gore, January 8, 1809, Henry Adams (ed.), *Documents Relating to New England Federalism* (Boston: Little, Brown & Co., 1877), 378. Alden Bradford, a member of the lower house of the Massachusetts legislature in 1812, asked: "Was it not a great assumption of power... to call for militia before war was declared? Referring to WD/LS, MA, to Strong, June 12, 1812; or immediately after, when there was no invasion, and none soon expected?" in Bradford, op. cit., 129-33.

   (Boston: Hilliard, Gray & Co., 1833), 546; cf., 12 Wheaton 19,
   Reports of Decisions in the Supreme Court of the United States
   (Boston: Little, Brown & Co., 1855), VIII, 583-87.

22. Lynn W. Turner, William Plumer of New Hampshire, 1795-1850
   (Chapel Hill: University of North Carolina Press, 1961), 209,
   passim; Miles' Weekly Register, June 20, 1812.

23. Dearborn to Plumer, June 30, 1812; Dearborn Letter Book, New York
   Historical Society; Turner, op. cit., 212.

24. Ibid., 213-14; see also WD/IR from Plumer, November 11, 1812.

25. WD/IR, from Plumer, September 23, 1812; WD/LS, MA, to Captain
   Wallbach, October 6, 1812, to Plumer, October 6, 1812.


27. Ibid., 215-16.

   complained of anti-war propaganda which Federalists were distributing
   among militia, WD/IR from Varnum, August 12, 1812.

29. National Intelligencer, November 13, 1812; Turner, op. cit.,
   214-15.

30. E.P. Walton (ed.), Records of the Governor and Council of the
   State of Vermont (Montpelier: J.&J.M. Poland, 1873-1880, 8
   vols.), V, 401; cf., Chilton Williamson, Vermont in Quandry,
   1763-1825 (Montpelier: Vermont Historical Society, 1919), 263.

31. 2 Stat. 490-91.

32. WD/IR, from Galusha, July 13, 1812; WD/LS, MA, to Galusha,
   August 4, 1812.

33. Miles' Weekly Register, October 24, 1812; Walton, op. cit., V,
   384.

34. Ibid., 384, 469.

35. C.R. Brown, op. cit., chs. I and II; Adams, op. cit., 144-46,
   354-58; Franklin B. Dexter, Biographical Sketches of the
   Graduates of Yale College (N.Y.: Henry Holt, 1885-1912, 6 vols.),
   IV, 145-46; Turner, op. cit., ch. VIII.
36. WD/LR, from Jones, August 22, 1812.

37. WD/LR, from Dearborn, September 13, 1812; Andrew Hull to Madison, August 7, 1812, Madison MSS, L.C.

38. Madison to David Humphreys, March 23, 1813, Madison MSS, L.C.

39. Madison to Jefferson, August 17, 1812, Madison MSS, L.C.


41. Madison to S. Spring, September 6, 1812, Madison MSS, L.C.

42. Madison to Dearborn, October 7, 1812, Madison MSS, L.C.

43. WD/LR, from E. Tracy, August 12, 1812.

44. (Hartford) Connecticut Courant, August 28, 1812.

45. WD/LR, from E. Boardman, July 17, 1812, who reported only sixteen regulars in New Haven; Niles' Weekly Register, September 5, 1812.


49. Niles' Weekly Register, October 17, 1812.


51. WD/LR, from Strong, August 21, 1812; (Philadelphia) Aurora, August 12, 1812; (Boston) Independent Chronicle, October 15, 1812.


53. Gerry to Monroe, August 15, 24, 1812, Madison MSS, L.C.


60. Harvey Prentiss, "Timothy Pickering and the War of 1812," Essex Institute Historical Collections, LXXI, 2 (April, 1934), 96.


62. Niles' Weekly Register, March 20, 1813.

63. National Intelligencer, June 5, 1813.


65. Annals, 12 Cong., 2 sess., passim.

66. National Intelligencer, June 5, 1813; cf., WD/LR, from Thomas Cushing, August 16, 1813, for a report on the condition of coastal defenses.

67. WD/LS, MA, to Strong, March 15, 1813, which answered WD/LR, from Strong, March 1, 1813.
68. (Boston) **Columbian Centinal**, May-July, 1813.

69. **Miles' Weekly Register**, July 3, 1813.

70. *Ibid.*, June 19, August 7, 1813; **Annals**, 13 Cong., 1 sess., 333-41; see also Reports to Congress from the Secretary of War, December 18, 1812, National Archives, which reported on the execution of the Act of April 23, 1808.

71. Gallatin to Secretary of Navy (William Jones), April 17, 1813, Madison MSS, L.C.


76. WD/LS, MA, to Strong, July 8, 1813.

77. The pertinent documents relating to the congressional investigation are in: **Annals**, 12 Cong., 2 sess., 286, 923-26; Reports to Congress by the Secretary of War, December 18, 1812, National Archives; **Annals**, 13 Cong., 1 sess., 159-61; **Miles' Weekly Register**, June 19, 1813, August 7, 1815.

78. Ingersoll, *op. cit.*, II, 22. See also WD/IR, from William King, April 19, 1813; WD/LS, MA, to Plumer, May 13, 1813.

79. ASP, MA, I, 511; WD/IR, from Cushing, December 30, 1813. See also WD/LS, MA, to Levi Lincoln, March 22, to Varnum, April 7, to King, April 9, 1813.


84. Ibid., I, 111-42.
85. Smith to Huntington, March 13, 1813, Ibid., I, 119.
86. Ibid., I, 150-53.
87. WD/LR, from Smith, June 2, 1813.
88. WD/LS, MA, to Smith, June 13, 1813, and notation on WD/LR, from Smith, June 1, 1813, by Armstrong.
89. WD/LR, from Smith, June 2, 7, 12, 16, 1813.
90. WD/LR, from Smith, June 7, 1813.
91. Mathew Griswold to Smith, June 10, 1813, Elisha Sill to Smith, June 10, 1813, George Jewett to Smith, June 11, 1813, Smith Papers, I, 181, 182, 185.
92. WD/LS, MA, to Smith, June 12, 1813; cf., WD/LR, from E. Tracy, June 24, 1813.
93. WD/LR, from Smith, June 12, 1813.
94. Smith to Jirah Isham, June 20, 1813, July 2, 1813, Smith Papers, I, 203, 208.
95. Smith to Burbeck, July 2, 1813, Ibid., I, 208.
96. Smith to Isham, July 2, 1813, Ibid., I, 209.
97. Isham to Smith, July 3, 1813, Smith to Isham, July 6, 1813, Ibid., I, 210, 216; cf., WD/LS, MA, to E. Tracy, July 1, 1813.
98. Smith to Isham, July 6, 1813, Smith Papers, I, 216.
99. WD/LR, from Burbeck, June 26, 1813, from Smith, July 6, 1813 and enclosures; WD/LS, MA, to Burbeck, July, 1813, to Smith, July 13, 1813; Smith to Burbeck, July 11, 1813, Smith Papers, I, 222.
101. Circular to Brigadiers 1, 2, 4, 6, 7, and 8, July 24, 1813, W. Williams to Smith, August 9, 1813, Huntington to W. Williams, September 23, 1813, Ibid., II, 6-7, 23-24, 62.
102. WD/IS, MA, to Smith, August 9, 1813; George Perkins to Smith, October 18, 1813; W. Williams to Smith, October 20, 1813, ibid., II, 94-95, 96-97.

103. Smith to Decatur, August 18, 1813, ibid., II, 35-36.

104. Smith to W. Williams, October 8, 1813, ibid., II, 87.

105. October 12, 1813, House Journal, Connecticut General Assembly, 1813, MSS, L.C.


107. Caleb Strong (Massachusetts) and William Jones (Rhode Island).


110. Galusha shared this apprehension, WD/LR, from Galusha, August 19, 1813; see also National Intelligencer, March 11, 1814, for Chittenden's proclamation of January 17, 1814, ordering militia to prepare to defend against an invasion.

111. Williamson, op. cit., 275.

112. Niles' Weekly Register, December 4, 11, 1813.


118. Ingersoll, op. cit., II, 29.
119. Niles' Weekly Register, March 5, 1814; (Boston) Independent Chronicle, February 11, 17, 1814; National Intelligencer, February 17, 1814.

120. Morison, op. cit., II, 89-90; Lodge, op. cit., 533.

121. Morison, op. cit., II, 89.


125. Niles' Weekly Register, June 11, 1814.

126. Ibid., June 25, 1814.

127. Ibid., May 14, 1814.


129. (Boston) Independent Chronicle, February 14, 1814. Members of the Council were Oliver Fiske, George Bliss, John Lord, and Nathaniel Mitchell, Bradford, op. cit., 190.


131. David Humphreys to Smith, April 10, 1814, Ibid., II, 229-32.


133. WD/LR, from Smith, April 14, 1814 and enclosure.


137. Jirah Isham to Smith, May 6, 1814, Smith Papers, III, 62; also see WD/LS, MA, to Smith, May 9, 1814, to Kingsbury, May 2, 1814.


139. Kingsbury to Smith, June 15, 22, 1814, ibid., III, 124, 135-36.

140. Kingsbury to Smith, June 5, 1814, Kingsbury MSS, L.C.

141. Smith to Kingsbury, June 18, 1814, Kingsbury MSS, L.C.; cf., Smith to Thomas Cushing, August 4, 1814, Smith Papers, III, 182.

142. Smith to Brainerd, June 21, 1814, Smith to A. Bray, July 17, 1814, ibid., III, 132-33, 156.

143. WD/LS, MA, to Cushing, June 2, 1814.

144. Cushing to Smith, August 28, 1814, Smith Papers, IV, 16.

145. WD/IR, from Cushing, August 12, 1814; WD/LS, MA, to Cushing, August 17, 1814, a copy of which was sent to Smith, Smith Papers, IV, 206-07.

146. Smith to Cushing, August 30, 1814, ibid., IV, 18-19.

147. Smith to Levi Lusk, August 18, 1814, ibid., III, 210-11.

148. September 11, 1814, ibid., IV, 14.

149. September 12, 1814, ibid., IV, 14; see also A. Taylor to James Ward, September 12, 1811, ibid., IV, 15, and exchange of letters between Lusk and Cushing, ibid., IV, 45-48; Miles' Weekly Register, VII, 106-07; Annals, 13 Cong., 3 sess., 75-76.

150. WD/IR, from Smith, September 3, 1814.

151. WD/LS, MA, to Smith, October 17, 1814.

152. WD/IR, from Cushing, September 10, 19, 1814.

153. WD/IR, from Cushing, November 7, 1814; Smith to Scarborough, November 26, 1814, Smith Papers, IV, 198-99. The only arms manufacturer in Connecticut was Eli Whitney, who held a contract with the Purveyor General.

154. Huntington to Smith, September 14, 1814, Andrew Kingsbury to Smith, September 20, November 30, 1814, ibid., IV, 60, 85, 204.
155. Ibid., 89.

156. Smith to Elizur Goodrich, November 9, 1814; Goodrich to Smith, November 25, 1814; Ibid., IV, 116, 166; WD/LR, from Dearborn, October 9, 1814. $20,000 was finally obtained from the Eagle Bank of New Haven in bills issued by New York banks, Smith to Scarborough, November 26, 1814; Smith Papers, IV, 198-99.


158. WD/LR, from Joseph Smith, December 26, 1814, and enclosure, from Jessup, January 1, 1815.

159. Smith Papers, IV, 211.


167. WD/IS, MA, to Dearborn, June 2, 1814.

168. WD/LR, from Dearborn, June 15, 1814; WD/IS, MA, to Dearborn, June 23, 1814; Bradford, op. cit., 196-97.


During the months of July through early September, 1814, Strong wavered in his policy regarding militia (WD/LR, from Dearborn, July 11, September 26, 1814; Niles' Weekly Register, August 30, 1814), but by September 7, the date of his general orders, he had reverted to his earlier stand (WD/LR, from Strong, September 7, 1814; Bradford, op. cit., 196-97; Sumner, op. cit., 739). The performance of the Board of Commissioners for Sea-Coast Defence may be interpreted as a part of a lingering movement, begun in August, toward a more moderate position. In this vein, the Columbian Centinal, August 31, 1814, when Armstrong's resignation became known, proposed a realignment of Madison's Cabinet to include Federalists. On September 7, the same day of Strong's general orders and his letter to the War Department, the Centinal began to call for more far reaching changes, going so far as to urge upon Madison to yield his office to Rufus King. Dearborn, it seems, did not perceive any change until after the legislature met (WD/LR, from Dearborn, October 15, 1814). What might explain Strong's actions early in September was news of New York's Governor Daniel D. Tompkins' appointment as district military commander, which put federalized militia directly under the command of the governor, a point which Strong had been arguing since the war began.

171. WD/LR, from Dearborn, July 11, 1814 and enclosures; WD/LR, from Strong, September 7, 1814.
172. WD/LR, from Strong, September 7, 1814, from Dearborn, September 6, 1814 and enclosures.
173. WD/LR, from Dearborn, September 27, 1814; cf., WD/LR, from Dearborn September 26, 1814. During the months of July through early September, 1814, Strong wavered in his policy regarding militia (WD/LR, from Dearborn, July 11, September 26, 1814; Niles' Weekly Register, August 30, 1814), but by September 7, the date of his general orders, he had reverted to his earlier stand (WD/LR, from Strong, September 7, 1814; Bradford, op. cit., 196-97; Sumner, op. cit., 739). The performance of the Board of Commissioners for Sea-Coast Defence may be interpreted as a part of a lingering movement, begun in August, toward a more moderate position. In this vein, the Columbian Centinal, August 31, 1814, when Armstrong's resignation became known, proposed a realignment of Madison's Cabinet to include Federalists. On September 7, the same day of Strong's general orders and his letter to the War Department, the Centinal began to call for more far reaching changes, going so far as to urge upon Madison to yield his office to Rufus King. Dearborn, it seems, did not perceive any change until after the legislature met (WD/LR, from Dearborn, October 15, 1814). What might explain Strong's actions early in September was news of New York's Governor Daniel D. Tompkins' appointment as district military commander, which put federalized militia directly under the command of the governor, a point which Strong had been arguing since the war began.

174. WD/LS, MA, to Strong, September 17, 1814.
175. Niles' Weekly Register, November 12, 1814.
176. Ibid.; also see Barry, op. cit., III, 408.
177. National Intelligencer, October 19, 1814. Strong's address was actually a reply to Monroe's letter of September 17, see above, note 174.
178. National Intelligencer, October 21, 1814; see also Niles' Weekly Register, November 12, 1814 for the Republicans' opposition on the grounds that the volunteer force might be used "to settle domestic quarrels or to enforce local interests."
179. Ibid., VII, 97.
180. (Boston) Columbian Centinal, February 4, 1815; Niles' Weekly Register, VII, 97-98.
181. Ibid., November 19, 1814.
182. WD/LR, from Dearborn, October 9, November 10, 21, 1814.
183. WD/LS, MA, to Dearborn, November 14, 1814.
184. WD/LR, from Dearborn, December 19, 20, 1814.
186. (Boston) *Columbian Centinal*, February 4, 1815.
189. WD/LR, from Jones, June 29, July 23, August 15, September 8, 1814; from Nathaniel Learie, July 6, 1814; WD/LS, MA, to Jones, July 9, 11, October 4, 11, 1814; WD/LR, from Cushing, July 6, 21, October 20, 1814; WD/LS, MA, to Cushing, September 29, 1814.
190. WD/LR, from Cushing, December 16, 1814.
192. WD/LR, from Dearborn, September 5, 6, 26, October 9, December 12, 1814.
195. WD/LR, from Chittenden, September 28, November 9, 1814.

199. WD/LS, MA, to Tompkins, November 26, 1814; Monroe to Jefferson, December 11, 1814, Stanislaus M. Hamilton (ed.), The Writings of James Monroe (N.Y.: Putnam's Sons, 1898-1903, 7 vols.), V, 305; Monroe to Andrew Jackson, Jackson MSS, L.C.; Miles Weekly Register, November 26, 1814.


203. WD/LR, from Jesup, December 31, 1814.

204. Brant, op. cit., 360.

CHAPTER III
THE MIDDLE ATLANTIC STATES

While Dearborn remained in Boston until mid-July, 1812, Governor Daniel Tompkins of New York assumed single-handedly responsibilities which properly belonged to the military commander of the Northern Department and his staff. Tompkins knew from a meeting with Dearborn in May exactly what strategy had been decided upon in Washington in February and appreciated the urgency of assembling a force capable of striking a swift and decisive blow against Canada. "Delays are always dangerous -- and the truth of that proverb was never manifested with greater force that it will be if we suffer the present golden opportunity to pass unimproved," he wrote early in August.¹ To accomplish this, unfinished preparations had to be hurriedly completed. No time could be wasted waiting for Dearborn to arrive and take charge. Though lacking in specific authority either from the legislature or from the War Department, additional militia units were called out by the governor, supplies and equipment from federal and state depots were requisitioned, engineers had to be consulted and plans formulated for construction of camps, command positions were filled and command areas were defined, and tactical were orders issued.² To Major General Stephen Van Rensselaer he sent instructions that the militia along the frontier from St. Regis to the Pennsylvania border should be employed defensively or offensively "as your judgment may dictate."³
When Dearborn finally arrived in New York, the governor renewed his complaint about the inadequacy of federal military support. He had written to the War Department and to members of Congress in an effort to eliminate serious shortcomings in men, money and equipment along the northern frontier and at New York city, but to no avail. Though somewhat piqued by the inattention his detailed requests had received, he nevertheless offered to continue to draw upon state resources to pay militia in the service of the United States until "advances should come from that quarter. . . ." A month later and still having received no reply, he wrote to Morgan Lewis, an ex-governor of New York and now the state's federal Quartermaster General, that the state could no longer carry the financial burden -- the treasury was virtually empty. Lewis, to whom the War Department had made $100,000 available early in July, apparently took it upon himself to constrain Tompkins and Dearborn from undertaking any offensive action not only by withholding funds but also by delaying shipment of equipment and supplies to the frontier. This led Dearborn to comment: "I find a general deficiency in whatever relates to the Quartermaster General's Department; . . . I begin to grow impatient." Lewis opposed any invasion of Canada at this time because "We have as yet but the shadow of a regular force -- inferior in numbers, to half of what the Enemy has already in the field -- ill supplied with Clothing, Camp Equipment, Ammunition and Ordnance." Moreover, "intrigues of designing and pretended republicans, and the severe duties . . . imposed on the militia, a body at all times inadequate to offensive operations. . . ." militate against an attack.
He strongly recommended that the armistice proposal from General George Prevost should be accepted to allow time to assemble a large force of regulars. 9

Madison's answer to Dearborn's inquiry regarding the armistice was unequivocal: "I am commanded by the President," wrote Eustis, "to inform you that there does not appear to him any justifiable cause to vary or desist from the arrangements that are in operation; and I am further commanded to instruct you that . . . you will proceed with the utmost vigor in your operation." 10 It was only after the arrival of this letter that Lewis acceded to Tompkins' request. In doing so, however, he aggravated the animosity which had developed between them by assigning to Tompkins a larger sum of money than was called for, thus imposing upon the governor additional bookkeeping duties. "It was not my intention," Tompkins complained to the War Department, "to draw for more, because I do not think it reasonable that the responsibility and toil incident to the Quartermaster's . . . duties, and the trouble of keeping vouchers, and of accounting, should fall on me. . . ." To free himself from this "drudgery," he concluded, it might become necessary to rely entirely upon his own staff, including his private secretary, by calling them into federal service. 11 In a confidential letter to Van Rensselaer, Tompkins strongly hinted that Lewis' actions were designed to prevent him from encouraging in any way an attack upon Canada. 12 Finally, Peter Porter, who had left Congress and had been appointed Quartermaster General of New York, was sent to Washington to represent personally the governor's complaints against Lewis. 13
The relationship between Tompkins and Dearborn, the more important of the two federal officials with whom the governor came into direct contact while helping to convert militia, volunteers, and regulars into an integrated and effective offensive force, was for the most part harmonious, though not always did they see eye to eye on such matters as military strategy. The governor was ever willing to call out militia upon Dearborn's request and when asked offered opinion regarding the advisability of calling upon Governor Snyder of Pennsylvania or Governor Aaron Ogden of New Jersey for militia. Tompkins also worked closely with the general in making certain that federalized militia officers "conducted themselves in strict compliance with the orders of the Commander in Chief and military usage. . . ." Referring to an earlier agreement between them, he reaffirmed that:

When the Militia and Regular troops come together in the service of the United States, each organized Corps of Militia is to be commanded by officers of the Militia exclusively, but the officer of superior rank whether of the Militia or Regulars will command the whole. But there is one point which I must not be understood to relinquish, namely, that should so large a body of Militia of this State be ordered into service as to render it suitable for me to take the command of them in person, and should they comprise the main force, or should the President assent to my taking such command as in that case he ought, and I trust, will, it must not be expected that I can recognize any Military superior but the President.

Dearborn accepted Tompkins' stipulations, suggesting to the War Department that he might ask the governor to take the field personally.

One reason why Dearborn, who otherwise insisted upon the superiority of federal over state military authority, agreed to this arrangement was a deep-seated doubt that the militia, which comprised
the majority of the force, would ever cross into Canada. "Will the Militia consent to go into Canada?", he asked Eustis, "I have no other means of ascertaining their feelings than the information derived from Gov' Tompkins, who is of opinion, that they would cheerfully consent to cross the Boundary line." If the governor himself commanded, it seemed reasonable to expect that they would follow, assuming that since he had no constitutional objection against militia crossing the border they could have none. Also, though never made explicit, consideration of New York's supremely important role in the plan of attack particularly with regard to militia, made it imperative that good relations with the governor be maintained.

Tompkins' assurances to Dearborn of the militia's willingness to act offensively, based upon reports from militia officers, was shattered and the reliability of his judgment was made suspect when a sizeable part of the militia under Van Rensselaer refused to reinforce those troops engaged in an assault upon Queenston. Dearborn felt his long-standing suspicion of militia vindicated. He immediately accepted Van Rensselaer's resignation, attributing to him jealousy of the regular service, and replaced him with Brigadier General Alexander Smyth, a regular officer who had refused to recognize Van Rensselaer as a superior. Dearborn placed full blame on the militia general, whose Federalist politics no doubt made the judgment easier, for "a most mortifying and unexpected event." With Van Rensselaer's exit, only regular officers were left in command. Tompkins acquiesced in Dearborn's appointment of Smyth. He made no attempt to have Van Rensselaer
replaced by another militia officer. The only comment the governor made on the whole affair was in reply to criticism from Federalist members of the legislature:

I am free to say, that my opinion of the constitutional extent to which the services of the militia may be required, is embraced in the terms of the act of Congress, pressed in February, 1795 . . . I do not recollect to have received or seen nor am I conscious of having myself issued any orders . . . incompatible with [The Constitution].

Pennsylvania contributed four thousand militia to this campaign. Governor Simon Snyder, as Dearborn had requested, called upon them to obey all orders, particularly any which might require "crossing into Upper Canada." The refusal of about two-thirds of these militia to cross the border accounts for the fact that throughout the remainder of the war no further requisitions were made on that state to contribute militia to an offensive force. Thereafter, Pennsylvania's citizen soldiers served only defensively.

If Van Rensselaer's abortive assault reflected on the military capacity of either militia officers or men, or both, General Smyth's indecisive and belligerent behavior in November, 1812 did not augur well for their federal counterparts. By early December, Peter Porter reported Smyth's army had dissolved. "A scene of confusion ensued which it is difficult to describe . . . about four thousand men without order or restraint discharging their muskets in every direction." Dearborn, who approached to within only twenty miles of Canada, mainly because of the Pennsylvania militia's obduracy at the prospect of crossing the border, became so dejected by mid-December that he offered to resign.
The official correspondence of Governor Tompkins throughout the last weeks of 1812 and early months of 1813 leaves no doubt as to his attitude generally on the militia's performance, though he scrupulously avoided making any commentary upon the competency of any federal official. He obviously did not trust Dearborn's judgment or the Army's resourcefulness. In letters to inactive militia officers he sent instructions to have their troops ready to march quickly to repel invasion and to take precautionary steps by distributing arms and ammunition to strategic locations along the western and northern frontiers. This was a stop gap measure at best, but under existing conditions it was the only alternative.

Compounding the disarray of the Army, Tompkins' authorized expenditures continued to go unpaid, resulting, he told Monroe, in deterring potential Army recruits. There can be no mistaking the fact that he also was upset over the continued administrative confusion. He tried to relieve Dearborn's shortage of staff officers in January, 1813, by assigning eight militia officers to him, but the problem was not entirely solved. He similarly aided in meeting the want of money by obtaining two short term loans from New York banks, but again it was a matter of expediency.

Under these circumstances, Armstrong decided to go to upper New York to supervise personally the preparations for the next offensive. He had drafted the plan of operation, had explained it to the Cabinet, and had outlined its main points to Dearborn within a week after assuming direction of the War Department.
endorsed Armstrong's proposed visit to the scene of action, writing to Madison that "the success of the campaign may be secured by General Armstrong's presence for a few days at the army." Apart from military considerations, perhaps Gallatin believed that his colleague would help straighten out the tangled financial problems about which Tompkins complained incessantly, particularly the question of receipts. Difficulties of this kind had gone unsettled since the New York militia had been called out to help enforce the embargo in 1808. Further delay in settling accounts, he reported, "will disgust, and prevent exertions by the governor which may very soon be called for by government."  

Preparations for the campaign began to take shape in March, 1813 despite Dearborn's disapproval of the plans based on the belief that the British force at Kingston was at least equal to his own. Armstrong accepted the proposed change in objective from Kingston to Niagara, acquiescing to Dearborn on this point, but he insisted on a vigorous effort no matter where Canada was invaded. Tompkins, as usual, accepted the general's militia requisitions. The Secretary of War, acknowledging the need for a strong direction in the area of supplies, sent Brigadier General Robert Swartwout to take over temporarily the district quartermaster's responsibilities. When Swartwout arrived at Albany on April 18, he found "general confusion" at the district headquarters and no one who could supply him with background information. He worked steadily to infuse organization and discipline within his sphere of responsibility by requiring strict observance of the new supply regulations drawn up by the War Department.
in March. By June he was able to report to Armstrong that supplies were flowing to their destinations, that adequate transportation was being provided, and that the militia, volunteers, and regulars were at last being paid. But no amount of improvement in this area could overcome or compensate for the military failures. Tompkins, at last relieved of the "burdens" assumed by Swartwout, took no active part in the spring campaign except to appeal for volunteers and to instruct militia Brigadier General Jacob Brown that he should allow any militia request made by Dearborn. The greatest part of his time during March and April was spent with the legislature. Inasmuch as the federal government had taken over direction and administration of the military operations along the northern frontier, and after the adjournment of the legislature, the governor turned his attention to the defense of New York city, which he visited in May prior to going on to Washington.

News of the British repulse of American troops began reaching the Secretary of War shortly after Tompkins arrived in the capital. Cutting short his visit, he hurried to Albany where he arrived on June 25. Almost at once he had confirmed reports that the western frontier was virtually unprotected and that an attack was momentarily expected. The governor waited, however, until he had received authority from the War Department to call out any militia, perhaps because to have gone ahead without that approval might have required the state to bear the financial responsibilities and perhaps also because he had been informed while in Washington that a fall campaign
was being planned and he had been instructed to conserve all military resources until then. At any rate, Secretary Armstrong, on July 13, wrote Tompkins to call up five thousand militia to be assembled at Plattsburg on or before August 5. The general orders issued by the governor on July 31 contained no mention of preparations for another offensive effort, but rather that the militia was to act defensively, to protect the frontier against invasion. Moreover, the militia was not ordered to rendezvous at Plattsburg, indicating that Tompkins did not intend it to be used as Armstrong planned. An adjustment of differences was apparently worked out in August after the Secretary arrived in New York. On August 25 and September 4, a total of 2,700 militia volunteers were activated, these to augment the regulars at Vinсent and Niagara, in addition to other volunteers who responded to Brigadier General George McLure's appeal on October 2.

Once the military operations got underway in October, there was nothing left for Tompkins to do but to await the outcome. Two months later, after a series of defeats, Sir George Prevost's troops again drove the Americans back but this time pressing beyond the border, invading New York and capturing Buffalo, Niagara, and Black Rock. Perceiving the adversity of the campaign late in November, while at New York city, Tompkins ordered militia Major General Amos Hall to call upon all available militia to defend against any attempted assault. The "panic" along the entire western frontier had reached such proportions that Hall failed to raise enough men to enable him to take up a position. A month later the governor renewed his orders, at the same time appealing to Armstrong to mobilize the regulars to retake
Niagara, which, for the militia to try alone, would be "folly." He explained that the militia had been unable to act in part because of a want of equipment and supplies. The old problem of an inefficient — now suspected of being corrupt — quartermaster, he suggested, lay at the bottom of the difficulties. Yet, early in January, he informed Armstrong that, if approved, five thousand volunteers could be assembled and ready to march within ten days of receipt of the order. The destruction of Buffalo had so enraged the inhabitants of the area that they, along with the 2,500 regulars who were nearby, were willing and anxious to retaliate by striking at Kingston or Prescott. The governor hinted that, if his offer of July 13 last was still open, he would personally lead the expedition. "I . . . can supply some of the . . . means from the State resources in the Western District," he added in his letter of the sixteenth.

Armstrong sent these letters to the President along with one from Governor Snyder, who had recommended, in the wake of the occupation and destruction of Buffalo, that Erie be reinforced against a similar fate. Snyder was immediately authorized to take command of the regulars at Pittsburgh and to call up one thousand militia and proceed to that place. Tompkins' recommendations were in part rejected, however. Madison, for one thing, believed that the enemy soon could be expected to withdraw from the area. Equally emphasized was "the reduction of our regular force from sickness and other causes everywhere, and the difficulties of supplying occasional force. . . ." If the state could manage to support an attack upon Kingston, he added,
that would meet with his approval. Armstrong, a week later, instructed the governor to call up 2,400 militia, to be equipped and maintained out of state funds and supplies, preparatory to a spring expedition. Tompkins quickly complied with the requisition, overcoming strong Federalist objections in the Assembly against paying for supplies which the federal government had the responsibility to furnish.

No sooner had Wilkinson's second effort failed to dislodge the British troops along the border in March than Tompkins was writing to the War Department urging yet another effort, and this despite a year's delay by federal officials in settling accounts. Major General George Izard, who had earlier commanded at New York city and who replaced Wilkinson late in March as the district commander, worked closely with the governor throughout April, May, and June in assembling and preparing the force. Volunteers were raised (assigned to Major General Peter Porter) and supplies assembled, a large part of the cost being paid for out of state funds or from money borrowed from state banks. During the three-month-long campaign, Tompkins put the entire militia force on notice to be prepared to march "at a moments notice." Acting on his own authority, he instructed local militia officers whose commands were adjacent to the frontier to call out the militia "en masse" if conditions warranted such action.

The all out military undertaking in the summer of 1814, while it ultimately failed to bring about an appreciable diminution of British strength, did resolve for Tompkins all questions regarding the efficacy of militia. The situation along the northern frontier, notwithstanding
the victories scored against sometimes superior numbers of the enemy during the summer, the repulse of the enemy forces in the region of Lake Champlain, but more especially the anxiety for the safety of New York city occasioned by the disaster at Washington, led Tompkins to call the legislature into special session late in September. After reviewing the military events since April last, the governor recommended to the legislature that "an advance corps of at least twenty thousand men" should be created "to meet emergencies." The militia, he made clear, would be activated when required, but the "expense, public inconvenience, waste and destruction of military stores, and interruption of agricultural pursuits... are totally disproportionate to their efficiency in service..." If such a corps was established, the militia "might be excused from service except in a dernier resort..." The legislature, which for the first time in two years had a majority of Republicans in both houses, "began turning out war measures like cloth from a loom." By the end of October it had increased the pay of the militia, authorized the enlistment of twelve thousand volunteers and the creation of a corps of two thousand slaves for federal service, provided incentives to increase privateering, and appropriated $250,000 for the construction of fortifications in New York city and to support a corps of twenty companies for coastal defense. Meanwhile, Tompkins wrote to the war Department, now headed again by Monroe, about the confusion of command on the northern and western frontiers and the poor deployment of troops, both militia and
regulars, there and along the seacoast. The absence of clearly defined authority and territorial assignments among the federal officers in New York -- an endemic problem which Tompkins frequently complained of and which Madison tried to have corrected in July but without success -- the breakdown of communication between the generals (Brown, Izard, McComb and Gaines) and himself, and the exposure of vital frontier areas as a result of sudden and unannounced transfers of Army units were cited as reasons why it was imperative that he should step in and act at least as co-ordinator. "... I have the want of greater authority to more control over the heads of departments, ..." he informed Monroe on October 1. This open bid for military power over and above that which he possessed as governor was favorably received by Madison. Within a week after Tompkins turned down an offer to head the Department of State, the President decided to confer on him the command of the New York and New Jersey military district.

Monroe's letter of October 14, announcing the appointment, contained no mention of rank and not until two weeks later did he make clear that Tompkins' authority extended to the regulars in the third military district as well as to the militia. Governor William Pennington of New Jersey, as soon as he heard of Tompkins' assignment, asked the President for an explanation of putting the militia of one state under the governor of another. Monroe answered that there was nothing improper in what had been done. A governor, who was automatically a militia officer one rank higher than a major general, when called into federal service, surrendered every civil power. Pennington did not object further, but according to Monroe's answer...
he had grounds to do so. For one thing, Tompkins was not obliged to resign as governor, a requirement which Armstrong insisted Governor Aaron Ogden of New Jersey meet when he had been offered that command in March, 1813. Also, Tompkins continued to call up militia for the northern frontier after October, an authority which he did not possess as commander of another military district, but only as governor. Moreover, he continued to exercise civil powers by signing into law bills which the legislature approved in its fall session.

When Tompkins arrived in New York city on October 20, he brought a full knowledge of what had been done in that area since the summer of 1812 to render it defensible. Though he had given top priority to the war on the northern frontier, his concern for the city's safety had been no less than that shown by the executives of New Jersey, Delaware, Pennsylvania, Maryland, and Virginia for coastal defense. The situation he stepped into in October, 1814, was almost identical to that in Philadelphia, Baltimore or Norfolk: the need, as Governor Barbour of Virginia had observed as early as September, 1812, for "some regular system of defense."

The federal government had not disregarded coastal defense during the months in which preparations were being made for war. The extensive inspection trips undertaken by Major Joseph Swift, the Army's chief engineer, from February through June, 1812, and his reports to Secretary Rustis point this up. Yet, when war was declared, and especially after almost all of the regular troops stationed along the coast were ordered to northern New York in July and August, no
one in state or city governments knew precisely what was expected of them. Governors Robert Bowie of Maryland, Barbour of Virginia, Aaron Ogden of New Jersey, and a delegation from the Common Council of New York city inquired of the War Department the policy of the federal government for defending the sea coast. All would have agreed that, as the latter stated in a letter to the President, "... the general government owe to the wealth, the population & importance of the port cities, to the prosperity of this State & of the Union that immediate measures should be taken for their effectual defence..."  

In July, 1812, John Armstrong received a regular commission and the rank of brigadier general. He took over the command from Major General Joseph Bloomfield who, while still the governor of New Jersey, had received leave to attend the legislative session in August. Tompkins had endorsed Armstrong's bid for a commission ostensibly because he had previous military experience and, as a native New Yorker, would be more attractive to potential volunteers. What the governor did not reveal to Secretary Eustis was that a military assignment would remove Armstrong from the political scene in the state. Tompkins feared, as he was told by Ambrose Spencer, an influential member of the state judiciary, and Lieutenant Governor John Taylor, that Armstrong might join in support of DeWitt Clinton in the latter's proposed candidacy for President. From July 20 until mid-December, Armstrong worked closely with Mayor Clinton and the Common Council's Committee of Defense in repairing or constructing defensive works along
the Narrows. The federal government supplied the engineers while the city, from a $600,000 loan it had obtained from local banks, and, to a lesser extent, the state, contributed the funds. In August, the governor suggested to Armstrong that everything possible should be done to make the city defensible regardless of cost since he was prepared on his own authority to draw from the state treasury whatever sums were needed.

Though considerable work had been done under Armstrong's supervision, the Common Council felt more defenses were needed. It applied to the legislature in February, 1813, for an appropriation of $250,000, $150,000 more than it had received from the state in June, 1812. But the Federalists in the lower house wielded their majority power and blocked this money bill. The following month the Council applied for and received another loan by the city's banks, this one for $100,000. In reporting the loan the Council observed that "no farther reliance can be safely placed on an adequate appropriation by the General or State Government. . . ." Nevertheless, on May 31, while Tompkins was in Washington conferring with the President and the Secretary of War, the Council sent a memorial to Congress "in a last resort to the constitutional guardians of the common defense. . . ." It requested the national legislature to provide money, men, and material urgently required for the city's defense. On July 14, after the governor's return and probably at his direction, the Council's Committee of Defense drafted a long and detailed report of defense measures it thought should be adopted. This report was taken
by a two man delegation to Washington where it was examined by Madison and Armstrong on July 26. An agreement was quickly arrived at: the federal government would authorize three thousand militia to be called up and would furnish them with arms, cannon, and supplies. The Council, in return, pledged to pay the militia and to organize a supporting force of militia exempts. By the second week in September, when the Council received a $1,000,000 loan from city banks, chargeable to the United States, all of the provisions of the agreement had been fulfilled.80

No sooner had the proposals which Governor Tompkins and the Council offered to the federal government for state-city-federal co-operation in defending been accepted and carried out than a new set of requests from the city appeared. While Armstrong was in New York city on his way to the northern frontier and again on his return to Washington, he was confronted by officials with more elaborate defense plans. The foremost consideration at this time was the replacement of almost all the regulars who had been ordered to Niagara.81 The governor of New Jersey also was worried that the small garrison force of regulars and unreliable militia actually invited attack, and that if the British did land and capture the city his state would fall.82 Armstrong could not reasonably deny the legitimacy of these requests, especially after having denied Tompkins authorization to call out more militia.83 He therefore ordered a full regiment of regulars to return to the city from the northern frontier. To Dearborn, whose command had been transferred to the city, Armstrong
observed in April, 1814: "If the 1800 to 2000 Regular troops . . .
are not a match for 4 or 5000 British assailants, we may as well give
up the game at once." Unburdening himself still more on a related
topic, he added:

If the present rage for fortifications was
yielded to, there would be no end to them.
The truth is, that one generally begets a
supposed necessity for another. When I
went to New York all that was wanted or asked,
was a work on the Reef. That has been given,
& another at Sandy Hook to half a dozen
block-houses were thrown into the bargain --
and after all, new ones are projected.
Engineers are by profession fortifiers -- &
like other tradesmen are not likely to under­
value their own calling. 84

With but minor changes matters were left standing until August
when Tompkins received orders directly from the President to assemble
three thousand militia to replace those earlier called to service for
the defense of the city of New York. 85 Armstrong, who had been
instructed to draw up a "systematic provision Agst invading
armaments . . . in reference to the . . . more important and exposed
places along the Atlantic Frontier. . . ." had failed to do so, perhaps
because he believed the British fleet did not possess a large enough
land force to warrant extensive preparations. 86 If anything was to
be done, therefore, it was left up to the President.

Tompkins went to New York city on August 18 to supervise
personally the organization, deployment, and supplying of the militia.
"I am well aware that unless I accompany them . . . some pretext
will be seized for flying off in a tangent." 87 He also hoped to meet
with Governor Pennington of New Jersey while in the city to discuss
defense plans.\textsuperscript{88} No mention was made by Tompkins of bringing into the conference Major General Morgan Lewis, who had replaced Dearborn early in June. But at the last moment, because of Pennington’s insistence, Lewis was invited to attend.\textsuperscript{89} The long-standing enmity between Tompkins and Lewis had not abated. In fact, it was in part because of this that Monroe relieved Lewis of the command in October.

Tompkins left New York city and returned to Albany only long enough to attend the opening of the annual meeting of the legislature.\textsuperscript{90} Shortly after arriving in Albany, news was received of the burning of Washington. Tompkins delayed his departure for the coast long enough to propose legislation for creating a state army.\textsuperscript{91} "In the meantime," he wrote to Mayor Clinton:

\begin{quote}
I shall avail myself of your invitation about an expected attack to open a correspondence with the Governors of Pennsylvania, New Jersey & Connecticut in relation to future cooperation in seaboard defence & to concentrate & send to New York all munitions, either of the United States, or State which may come within my knowledge and control.\textsuperscript{92}
\end{quote}

No help could be expected from Connecticut since Governor Smith had, on September 11, issued a proclamation forbidding militia to serve under federal officers or leaving the state.\textsuperscript{93} Pennington, on the other hand, readily complied with Tompkins’ recommendation, which was made through General Lewis in order to conform to War Department regulations, for calling out militia.\textsuperscript{94}

The Common Council of the city was active at the same time, adding what resources it could command to those being furnished by
the state or federal government. Through its Committee of Defense the Council organized volunteer units, collected arms that citizens offered, and secured a loan of $1,000,000 for local defense purposes. (Monroe accepted this loan on behalf of the federal government as part of the twenty-five millions of March 24, 1812.)

By the time Tompkins arrived in the city late in October the fear of an invasion had all but completely disappeared. Yet, Monroe provided a reason for the governor to stay on there and for him to use his appointment as commander of the district. Money was needed by Dearborn, who was in Boston, to prepare and carry out an expedition against the British in Maine. Nowhere else, Monroe told Tompkins, could funds be secured except in New York, and this despite the banks' suspension of payments. The Secretary asked him to negotiate a loan of $100,000 "for military expences of other areas." Three weeks later Monroe added $500,000 to the original amount because, he explained, he had heard that Treasury notes were in demand in the eastern states and that their market price had increased to par. Tompkins, who knew better, managed to raise only $150,000 by the first of December, but at a rate of interest (20%) too high to be accepted by Secretary of the Treasury Alexander Dallas. Dearborn, to whom the governor wrote on December 22 informing him of this development, had a few days before he received orders to cancel preparations to go into Maine, not only because of the financial difficulties but also due to the apparently willful disregard on the part of Governor Strong for the secrecy of the project: Boston newspapers had obtained the full
story. Tompkins continued to search for available credit, however, until the end of the month. He reported on December 22 that he had found a total of $600,000; $400,000 from the Common Council, $50,000 from the City Bank of New York and $150,000 from the Bank of America. With that he returned to his family at Albany, to attend to the legislature and to await news of the proceedings at Ghent.

While Eustis remained in charge of the War Department no policy statement regarding coastal defense was issued. Militia were called out in the various states to replace the regulars who were ordered to the interior, but never in sufficient numbers to satisfy state and local officials. Governor Bowie, for example, requested that four or five thousand militia be called into service for Annapolis and Baltimore. Eustis, believing that the fear of invasion was greatly overstated, allowed instead only three companies, a total of three hundred men. He also informed the governor that the state would be expected to share in the cost of maintaining that force. Virginia was authorized to active a thousand militia for Richmond and Norfolk, and, like Maryland, was asked to lend financial assistance. Barbour objected, on the one hand, to the removal of nearly all the regulars, and, on the other, to having so few militia serve in their place. He also complained of having to support the militia in federal service out of the state treasury. "The large force . . . which we have now in the field . . . is a force on a scale which it is impossible for us to sustain [for very long]," he told Eustis.
By the spring of 1813 it became very clear that the federal
government would assign only a small fraction of its resources to the
sea coast. Secretary Armstrong spelled this out in a reply to an inquiry
from a committee of the Maryland general assembly in May:

The protection given by [the] Government must
necessarily be subject to two rules, both of
which are in their nature absolute — the
extent of the means placed within its reach,
to the degree and pressure of the danger to
be repelled. It is only of the former, that
I can say any thing in regard to that, after
referring you to the laws and the provisions
made by them, I can but subjoin an assurance,
that every attention to the special defence
of Maryland that may be compatible with the
just claims of other parts of the Union, shall
be promptly and cordially given.

To the second question of the Legislature a
more precise answer may be given. So far as
expenditures have arisen, or shall arise, in
consequence of militia calls, made by the
State, without the participation of the United
States, no provision is found to exist under
the present laws. On the other hand, in all
cases in which Militia Detachments have been
called out, or organized . . . by the authority
of the Union, such provision is found to exist,
and will be applied.105

Raids along the Chesapeake and Delaware bays by British warships
beginning in February, 1813, led city officials at Philadelphia to
request assistance from the state government. Finally, on April 1,
Governor Snyder allowed militia to be called out. The War Department,
however, ordered cancellation of Snyder's instructions. The President,
Secretary Armstrong explained, on the basis of intelligence lately
received from the West Indies, believed only New York and Norfolk stood
in any immediate danger. The militia, consequently, would not be
needed. When news of Armstrong's orders reached Philadelphia a plan was put into operation by the local governing body to organize a volunteer corps from among those men who were exempt from militia duty. Under the auspices of a Committee of Defense, headed by Charles Biddle, the corps was quickly formed, placed under the command of Major General Joseph Bloomfield, and reported operational on April 12. A few weeks later a citizen's meeting launched a drive to collect funds for building several sloops to guard the Delaware Bay below the city. On May 6, the Common Council announced that the subscription campaign had brought in $30,000. When Armstrong heard of what had been done he immediately instructed General Bloomfield to negotiate a loan from the Council to be used by the federal government in constructing a fort on Pea Patch, an island in the Chesapeake Bay. By June 22 all the details and arrangements were worked out for a $20,000 loan without interest to the federal treasury, and construction of the fort got underway shortly thereafter.

Within a few months after the fort on Pea Patch was completed the Philadelphia city council began expressing dissatisfaction about the size of the fort and the meagerness of floating defenses. In letters to Governor Snyder the council implored his assistance in obtaining from the state and federal government additional defense commitments. The governor, who had held aloof from affairs in the city, at last joined with the council late in July, 1814, in requesting the federal government to enlarge the fort on Pea Patch and to send regulars and militia into the Delaware Bay area.
a council member, had gone to Washington late in June to talk with Armstrong and the President about these matters. He returned with promises from the Secretary of War to add to the defense of the city by increasing the size of the island fortification and building of smaller ones along the lower Delaware Bay. Armstrong refused to agree to Leiper's suggestion that regulars be sent to Philadelphia in large numbers or that the Pea Patch fort be expanded as much as the delegate wanted -- to have accepted the proposal, Armstrong argued, would have diverted too much money.  

"Philadelphia was in the greatest agitation . . . ." Samuel Breck recorded in his diary on August 26, the day reports of the British penetration into Washington were confirmed. The Committee of Defense, which had been inactive since the summer of 1812, reappeared in August. Working alongside the council, private loans were taken and credit, amounting to a half million dollars, obtained from banks; volunteers gave their labor to erect earthworks; volunteer military units formed once again. Charles Biddle who was chosen once more to lead the Committee of Defense, precipitated a conflict of authority when from the outset of the crisis he all but disregarded orders from General Bloomfield. The dispute arose over Biddle's (false) accusation that the federal government had done so little in defense of the city because the General had not joined in requesting the War Department for assistance. Governor Snyder soon entered the imbroglio in October after moving his headquarters to Philadelphia. For a time he threatened to withdraw the volunteer units and militia from the command
of Major General Edmund Gaines, who had replaced Bloomfield early in that month, because of Gaines' persistent demands that the organization of the volunteer units conform strictly to federal regulations. This bickering, however, did not prevent Snyder from honoring Monroe's requisitions for militia for Baltimore and Washington, five thousand of which were ordered into federal service between August and November.

Nicholas Biddle, Charles Biddle's son, who was elected in October to the state senate on a platform which heaped criticism on Governor Snyder and his party for neglecting coastal defense, introduced a bill into that body in December to have the state raise an army of six regiments. He had visited Monroe in October, after the election, and knew of the Secretary's intention to recommend to Congress legislation that would strengthen the federal military power. He wrote to Monroe early in December requesting that the Secretary of War inform him "on that subject, with any suggestions from yourself as to the nature of the measures which you think it best [for the state] to adopt under existing circumstances." Not waiting for a reply, he put his bill before the senate on December 12, but it was unacceptable to a majority of the Republicans because it was "too expensive." An alternative proposition, to raise a force of eight thousand militia by lot to serve for twelve months, was passed by the senate a few days later. The lower house, which objected to the chance method of selecting men for this service, delayed voting on the bill until it was no longer necessary to act; news of peace eliminated the need for a vote.
The situation at Norfolk was not significantly dissimilar to that of New York in June, 1812, or in the months that followed. Repairs had been ordered and were begun on the fortifications at both places before Congress declared war, but to Governor Barbour, as to the Common Council of New York, the removal of the regular troops reduced materially the value of the forts. Barbour found it difficult to understand and next to impossible to explain why several requests for authority to call up militia for coastal defense went unanswered while at the same time fifteen hundred of the state's militia were sent to Harrison's army in Ohio. The unresponsiveness of the War Department, he informed the legislature on November 30, left no choice but to create a state army to garrison the fortifications at Norfolk and Richmond. The legislature delayed two months before it enacted appropriate legislation. Barbour was not enthusiastic about the idea from the start. Between November 30, 1812 and January 15, 1813, when the bill cleared the upper house, he sent several more appeals to Washington for authorization to activate militia. At one point, just after the bill's adoption, he proposed that if the "delay" in requesting militia was caused by a shortage of funds he would recommend to the legislature that it make an appropriation, in the form of a loan, to meet the expenses. Monroe answered only that Congress was considering legislation to raise an additional twenty regiments, one of which would be assigned to Norfolk and which would answer the needs there.

Apart from granting a loan or meeting its share of taxes Congress might require, Barbour and the legislature opposed any direct
involvement of the state in paying for its own defense. But the governor risked just that when on February 6, 1813, he called up on his own authority two thousand militia for duty in Norfolk. He had no choice, he explained to the Secretary of War, since the appearance of five of the enemy’s ships off the coast was cause enough to expect an invasion. Three weeks later, by way indicating that he considered the militia to be a federal service, Barbour requested of the War Department permission to disband the force. The President, Armstrong replied, had approved his orders to the militia and also agreed that if they were no longer needed they should be released. The Secretary of War, however, refused to pay the militia. He claimed that none of the provisions required by law, e.g., either prior authorization of the federal government or inspection and mustering of the militia by a regular officer, had been met. A special act of Congress would be necessary, therefore, before payment could be made. Barbour soon made his feelings perfectly clear on this matter:

You will readily pardon me for suggesting the possible consequence which may ensue from a course on the part of the General Government which taxes the generosity of its Friends, and protests their just claims for retribution. In future requisitions of Militia, the State governments warned by experience, may content themselves by coldly complying with the letter of their duty, and after simply issuing its orders, in conformity to your requests, will leave you to your own exertions in arming, equipping, and transporting the troops in requisition and hence instead of a generous and unsuspecting confidence which unhesitatingly lends its own means in furthering the wishes of the General Government, you
Surprised at the size and strength of the British land force aboard the ships and believing that city now to be a prime target, the War Department in March assigned Brigadier General Robert Taylor to the command at Norfolk with full authority to requisition militia. After a hasty inspection of the area around the city, Taylor, in all probability at the urging of Barbour, called into service fifteen hundred militia. Several weeks later the regiment of regulars, promised by Monroe in January, though not yet completed, arrived and took up posts alongside the militia. Satisfied that the federal government at last had begun to fulfill its constitutional responsibility "to provide for the common defence," the governor called the legislature into special session on May 16 to repeal the act of January 15. He explained that, in view of the action taken by the general government subsequent to the passage of that bill and because of the expense which would have devolved upon the state treasury, he had not gone beyond appointing a few officers for the state army. Three days later the legislature acted favorably on the recommendation.

The arrival of Brigadier General Taylor at the end of March marked the beginning of a closer and more amiable working relationship between federal and Virginia state officials. The authority vested in Taylor was liberally used throughout the summer and fall of 1813 to improve the defense posture along the entire coastline.
and to resist actual or threatened British landings either in the area around Norfolk or at points along the Chesapeake Bay. Barbour was for the most part satisfied with this arrangement as it related to militia, but he felt that not enough had been done by the federal government to provide what Army engineers believed were minimal defense requirements. He wrote to Madison on October 4: "I feel it incumbent on me to urge the performance of your promise heretofore given, and strongly to solicit the government of the United States to take prompt and effectual measures to place [the coast] in a respectable posture."

Where Barbour found reason to complain, however justifiably, about unkept promises, Governor Levi Winder of Maryland, resentful and frustrated at having been ignored over the past year by Washington, sharply criticized the federal executive for commitments not made. In May, 1813, the Maryland legislature had authorized the governor to borrow up to $1,000,000 to cover past expenditures, to purchase arms and equipment, and to construct fortifications. Before adjourning, it resolved that whatever the state spent for its defense "will be paid for by the general government." It refused, however, to accept responsibility for even a part of a $20,000 debt which Baltimore had incurred "for the purpose of procuring a more effective and general defence of the city. . . ." Nor would it allow the city to levy a tax to support defense. "Thus abandoned by the national authority," he concluded his address on December 5, 1813, "... it is for the wisdom of the legislature to devise the means of defence, which, upon any future invasions, the state authorities may afford." Members
of the legislature, Federalists and Republicans alike, agreed to the first proposition, but they had deep misgivings about the latter one. Maryland, as the governor reported, had already expended $307,000 and Baltimore $20,000 for their defense. Every other state or city which had done as much, or even less, had received considerably more federal assistance than either of them. Until Congress or the President, to whom they appealed in January, 1814, provided for a more equitable distribution of the country's military resources, they would add nothing more.136

The War Department, as before, and in line with the Senate's refusal to print the Maryland legislature's resolution, evinced only slight interest in that state's military condition until July, 1814, when Brigadier General William Winder, the governor's cousin, received an assignment to command at Baltimore.137 The governor was gratified that Armstrong had made this decision. Apart from personal or family considerations, at last a federal officer of high rank could requisition militia, thus making the general government financially accountable. The governor's refusal to call out militia at state expense had been drawing angry protests from the press in recent weeks, but the general's appointment relieved him of that responsibility.138

It soon became apparent, however, that the federal government was incapable of providing General Winder with the money and equipment needed if the state's military situation was to be improved, especially after the capture of Washington on August 24. The federal treasury, for one thing, was exhausted. Final proof of this fact came
from Monroe late in September, so far as Maryland was concerned, when he requested through Senator Samuel Smith, who held a militia brigadier general's commission, that the Committee of Vigilance and Safety at Baltimore loan the United States $50,000 to meet current expenses there. The banks of Baltimore had recently suspended specie payments, but the Committee, induced by Monroe's promise that the federal government would assume all financial obligations incurred by it and the city council since the beginning of the war, acted quickly in granting the credit. It had also become quite clear that the War Department was destitute of military equipment and supplies. To compensate for this was the primary reason for the creation of the Committee on August 24 and for its continued existence until after the danger of invasion passed in January, 1815. 139

The state government reacted to the same set of conditions in January by creating a state army. Governor Winder, on December 10, employed the same anti-war rhetoric and almost identical arguments Governor Strong had used on October 5 for the same purpose, in his appeal to the legislature to establish an army "for the defence of Maryland only." 140 The committee which was appointed to draft the legislation hesitated at first. It wanted to know if the federal government would accept the financial obligations for the force. 141 Monroe, to whom the inquiry was addressed, did not answer. A month after sending a resolution of opposition to Rufus King regarding Monroe's proposal to draft militia into the Army, the legislature, on January 31, passed an act to raise an army of five thousand for five years to serve only in Maryland, southeastern Pennsylvania and northern
Virginia. One other stipulation of significance required the United States to provide for paying the troops prior to ordering them into federal service.\textsuperscript{142}

The Virginia legislature also enacted a bill of like nature, differing in important features only in that it authorized a force of ten thousand men, restricted it to the state itself and required that officers appointed by the governor should command.\textsuperscript{143} Governor Barbour had called the legislature to meet in October, a month earlier than was usual, for the express purpose of creating a "permanent force" for defense. He told the legislature: "... this is not the time to be guided by a circulating policy, which is contented with drawing an abstract line, marking with scrupulous nicety the limits where the duty of the one government terminates, and the other begins." Rather, "the extraordinary times" require that we "look in part to our own resources."\textsuperscript{144} The legislature did not agree that the state should even temporarily disregard the rights and duties of the state and federal government, respectively. Before it would act on the recommendation, the legislature first wanted to know how far the general government was willing or able to go in providing more adequately for defense. For Virginia the problem was one of having to rely too much on militia. Those who lived near the coast had been called into service several times, action which, it was argued, placed on them an unfair burden.\textsuperscript{145} These same militia had not been paid,\textsuperscript{146} and as William Wirt pointed out in September, "Quarrels, arrests, court-martials are beginning to abound" because "My men are
all anxious to return home: -- constant applications for furloughs

.. So much grumbling about rations, -- about want of clothes, --
about their wives, business, debts, sick children, &., &., "147 Though
neither Monroe nor Madison replied to the legislature's query, approval
by the Senate of Rufus King's motion on December 28 for indefinite
postponement of the bill to draft militia was answer enough. On
January 9, 1815, Governor Barbour signed into law the act to create
the state army which had been under consideration for three months,
but on which the legislature deferred action until the federal govern-
ment decided its course. 148
Notes, Chapter III


2. Tompkins to Dearborn, June 28, 1812, id. to David Ogden, July 6, 1812, id. to William Wadsworth, July 6, 1812, ibid., I, 352-53, II, 658, III, 634, and also III, passim.

3. Tompkins to Stephen Van Renssalaer, July 13, 1813, ibid., III, 33.

4. Tompkins to Robert Troup, July 21, 1812, id. to Dearborn, August 3, 1812, id. to DeWitt Clinton, August 6, 1812, ibid., II, 52-53, 54-56, 66-67; War Department, Secretary's Office, Letters Received, Registered Series, from Tompkins, August 7, 1812, National Archives (hereafter cited as WD/LR).

5. Tompkins to Dearborn, August 3, 1812, Tompkins Papers, III, 53.

6. Tompkins to Morgan Lewis, September 8, 1812, ibid.; III, 98; cf., id. to id., August 19, 1812, ibid., III, 87-88.

7. War Department, Secretary's Office, Letters Sent, Military Affairs, to Lewis, July 3, 17, 1812, National Archives (hereafter cited as WD/LS, MA).

8. WD/LS, MA, to Lewis, August 3, 11, 1812; Tompkins to Dearborn, August 26, 1812, Tompkins Papers, III, 90-91; WD/LR, from Dearborn, August 29, 1812.

9. Lewis to Madison, August 29, 1812, Madison MSS, L.C.

10. WD/LS, MA, to Dearborn, August 15, 1812; see also Dearborn to Prevost, August 25, 1812, Dearborn Letter Book, New York Historical Society.

11. WD/LR, from Tompkins, September 9, 1812.


15. Dearborn to Tompkins, June 6, July 6, August 13, 1812, ibid.; Tompkins to Dearborn, June 28, August 3, 1812, Tompkins Papers, I, 658, III, 52-53; WD/LR, from Dearborn, August 15, September 2, 1812.

16. Dearborn to Tompkins, August 14, 1812, Dearborn Letter Book MSS, New York Historical Society; Tompkins to Dearborn, August 14, 1812, id.; to Jacob Brown, October 9, 1812, Tompkins Papers, III, 81-82, 160-63.

17. WD/LR, from Dearborn, September 2, 1812; cf., Tompkins to William Paulding, August 3, 1812, id. to Van Rensselaer, August 14, 1812, Tompkins Papers, I, 666, III, 78-80.

18. WD/LR, from Dearborn, August 7, December 11, 1812. Dearborn, in a letter to William Linnard, Adjutant General of Pennsylvania (WD/LR, Dearborn to Linnard, August 13, 1812, copy from Dearborn), requesting two thousand militia, added in a postscript: "I hope there will be a large proportion of Volunteers among the 2,000 men from your State & that every man will be willing whether Volunteer or not to cross the line."

19. Ibid., from Smyth, July 18, 1812 (addressed to Madison); see also Charles R. King, The Life and Correspondence of Rufus King (N.Y.: G.P. Putnam, 1898, 6 vols.), V, 287.

20. WD/LR, from Dearborn, October 21, 1812 and enclosures.


22. Dearborn to Snyder, August 13, September 12, 1812, Dearborn Letter Book MSS, New York Historical Society; WD/LR, from Snyder, August 26, September 5, 21, 1812; ibid., from William Reed, August 28, 1812 and enclosure.


24. WD/LS, MA, to Snyder, March 23, 1813; WD/LR, from Snyder, April 1, 1813.

25. Miles' Weekly Register, December 12, 1812.

26. WD/LR, from Dearborn, December 18, 1812.
27. Tompkins Papers, III, 251-55.

28. WD/LR, from Tompkins, January 5, 1813.


30. Dearborn to Madison, March 13, April 17, 1813, Madison MSS, L.C.

31. WD/LR, from Tompkins, February 6, 1813; Dearborn to Tompkins, February 1, 1813, Dearborn Letter Book, New York Historical Society.

32. WD/LS, MA, to Dearborn, February 10, 1813; "Note presented to the Cabinet on the 8th Feb., 1813, by the Secty of War," WD/LS, MA.

33. Gallatin to Madison, April 22, 1813, Madison MSS, L.C.


35. WD/LR, from Dearborn, March 14, 1813.

36. WD/LS, MA, to Dearborn, March 29, 1813.


38. WD/LR, from Swartwout, April 19, 27, 1813.

39. WD/LS, MA, to Swartwout, March 21, 1813.

40. WD/LR, from Swartwout, May 7, June 1, July 11, 1813.


42. WD/LR, from Tompkins, May 20, 1813.

43. WD/LR, from Dearborn, May 27, 28, June 1, 2, 4, 1813.

44. See particularly Tompkins to T.S. Hopkins, July 16, 27, 1813, id. to Robert Brent, July 9, 1813, Tompkins Papers, III, 150, 339, 357.

45. WD/LS, MA to Tompkins, July 13, 1813.

47. Armstrong to Madison, August 28, 1813, Madison MSS, L.C.


49. Tompkins to Amos Hall, November 26, 1813, Tompkins Papers, III, 401.

50. Tompkins to Hall and to George McLure, December 24, 1813, ibid., III, 402-04; Hall to Tompkins, December 30, 1813, Brannan, op. cit., 289.

51. WD/LR, from Tompkins, December 24, 1813; Tompkins to Hall, January 3, 1814, Governor's report to the legislature, January 31, 1814, Tompkins Papers, III, 410-11; 418-52.

52. WD/LR, from Tompkins, January 2, 1814 and enclosures, and also from Tompkins, January 9, 16, 1813; Tompkins to Madison, January 3, 1814, Tompkins Papers, III, 411-13.


54. Madison to Tompkins, January 25, 1814, Madison MSS, L.C.

55. WD/LS, MA, to Tompkins, February 3, 1814.

56. Tompkins Papers, III, 433-35.

57. WD/LR, from Tompkins, March 30, 1814.


59. Ibid., III, 540-41, 544-47.


62. Madison to Armstrong, July 27, 1814, Madison MSS, L.C.

63. WD/LR, from Tompkins, October 1, 1814; Tompkins to Thomas Davis, September 10, 1814, Tompkins Papers, III, 521; Pratt, op. cit. 226.

64. WD/LS, MA, to Tompkins, October 12, 1814; WD/LR, from Tompkins, October 24, 1814; Madison to Tompkins, September 26, 1814, Tompkins to Madison, October 8, 1814, Madison MSS, L.C.

65. WD/LS, MA, to Scott, November 8, 1814; cf., Tompkins Papers, I, 101, n.

66. WD/LR, from Pennington, October 29, 1814; WD/LS, MA, to Pennington, November 22, 1814.

67. WD/LS, MA, to Ogden, March 3, 18, 1813; WD/LR, from Ogden, March 8, 23, 1813.

68. WD/LR, from Tompkins, November 5, 1814; Tompkins to Samuel Strong, December 24, 1814, Tompkins Papers, III, 623-24; Alexander, op. cit., 267, Fitzpatrick, op. cit., 57.

69. WD/LR, from Barbour, September 30, 1812.


71. WD/LS, MA, to Bloomfield, July 12, 1812; Niles' Weekly Register, August 22, 1812; (Boston) Independent Chronicle, August 31, 1812.

72. Tompkins to Peter Porter, June 20, 1812, id. to Bloomfield, June 26, 1812, Tompkins Papers, I, 633-34, 651-52; WD/LR, from Tompkins, June 20, 1812.

73. King, op. cit., V, 269.
74. Minutes, VII, 206-09, passim.

75. Tompkins to Armstrong, August 7, 1812, Tompkins Papers, III, 66-67; WD/LR, from Clinton, June 26, 1812 and enclosures, from Armstrong, August 6, 24, September 2, 29, November 5, 1812.

76. Minutes, VII, 368-70; Tompkins to Cortland, September 21, 1813, Tompkins Papers, III, 391.


78. Minutes, VII, 486-87, and 427, 269, and also Tompkins to Clinton, June 1, 1813, id. to William Jones, June 18, 1813, Tompkins Papers, III, 330-32. Tompkins doubtless submitted the same plan for coastal defense to Armstrong which he had recommended to the legislature in March, ibid., 282-90.

79. Minutes, VIII, 6-11; cf. WD/LR, from Burbeck, June 7, 1813.


81. Tompkins to S. Hawkins, September 25, 1813, id. to T. Hall, November 26, 1813, Tompkins Papers, III, 372-73, 402-03; WD/LR, from Tompkins, October 8, November 25, 1813.

82. WD/LR, from Pennington, February 16, 1814; cf. WD/LS, MA, to Pennington, February 25, 1814.

83. WD/LR, from Tompkins, October 8, 1813; Tompkins to Potterall, January 9, 1814, Tompkins Papers, III, 417-19.

84. WD/LS, MA, to Dearborn, April 15, 1814.

85. Tompkins Papers, I, 494-95.

86. Madison to Armstrong, July 2, 1814, Madison MSS, L.C.; WD/LS, MA, to Dearborn, April 15, 1814; ASP, MA, I, 524-99; Guernsey, op. cit., 241-68.

87. Tompkins to Brown, August 13, 1814, Tompkins Papers, III, 497-98.

88. Tompkins to Pennington, August 16, 1814, ibid., 502; WD/LR, from Tompkins, November 5, 1814.

89. WD/LS, MA, to Lewis, June 2, 1814.

90. Tompkins Papers, III, 538-41.

91. Ibid., 540-41.
92. Tompkins to Clinton, October 13, 1814, ibid., 568-69.


94. Tompkins to Lewis, September 27, 1814, id., to Pennington, November 5, 1814, id., to J. Frelinghuysen, December 24, 1814, Tompkins Papers, III, 510, 583-84, 622.

95. Minutes, VIII, 75-76; WD/IR, from D. Shelden, September 12, 1814; Hammond, op. cit., II, 378; WD/LS, MA, to Corporation of New York City, October 18, 1814, to Tompkins, November 15, 21, December 1, 1814, to Pennington, November 20, 1814; Samuel Perkins, History of Political and Military Events of the Late War Between the United States and Great Britain (New Haven: S. Converse, 1825), 305-06.

96. WD/IR, from Tompkins, November 5, 1814.

97. WD/LS, MA, to Tompkins, November 21, December 1, 1814.

98. WD/LS, MA, to Tompkins, November 25, 1814.

99. Tompkins to Dearborn, December 22, 1814, Tompkins Papers, III, 621.

100. WD/LS, MA, to Dearborn, December 19, 1814.


102. WD/IR, from Tompkins, December 26, 1814; Tompkins to Madonough, December 22, 1814, Tompkins Papers, III, 622.

103. WD/IR, from Bowie, July 13, August 17, 1812; WD/LS, MA, to Bowie, July 18, 31, September 29, 1812.

104. WD/IR, from Barbour, September 30, 1812.

105. WD/IR, from Winder, May 20, 1813; WD/LS, MA, to Committee of Maryland Legislature, May 23, 1813.

106. WD/LS, MA, to Snyder, March 20, 23, April 1, 7, 1813; WD/IR, from Snyder, April 1, 15, 1813; see also WD/LS, MA, to George Izard, March 12, 1813.

107. (Philadelphia) Aurora, March 24, April 7, 8, 12, 1813.

108. WD/IR, from Snyder, May 10, 1813, from Bloomfield, May 9, 1813; (Philadelphia) Aurora, May 7, 8, 10, 1813.
109. WD/LS, MA, to Snyder, May 10, 17, 24, 1813; WD/LR, from Bloomfield, May 9, 20, 22, 25, 29, June 4, 24, 1813.

110. WD/LR, from Snyder, July 28, 1814 and enclosures.

111. WD/LS, MA, to Leiper, July 1, 1814, to Bloomfield, July 4, 1814, to Snyder, August 6, 1814; Pennsylvania Archives, 9th Series (Harrisburg: State Printers, 1931-1935, 10 vols.), V, 3921-22, 3924-27.


115. WD/LR, from Gaines, October 10, 14, 15, 23, 1814; WD/LS, MA, to W. Scott, September 29, 1814; Pennsylvania Archives, 2d Series, XII, 741-42, 750; Pennsylvania Archives, 9th Series, VI, 4171.

116. WD/LS, MA, to Snyder, September 4, 9, 26, October 2, 4, 17, 20, 31, 1814; WD/LR, from Snyder; October 18, 1814; Pennsylvania Archives, 2d Series, XII, 669; Pennsylvania Archives, 9th Series, V, 2927, 4038, VI, 4024-44.


118. WD/LR, from N. Biddle, December 9, 1814; (Philadelphia) Aurora, August 27, 29, 30, 31, September-October, 1814; Higginbotham, op. cit., 297.

120. Barbour to Madison, July 18, 1812, Madison MSS, L.C.; WD/LR, from Barbour, June 26, July 8, 12, 20, August 7, 9, 17, September 21, 1812; WD/LS, MA, to Barbour, September 1, 1812, National Intelligencer, September 10, 1812.

121. WD/LR, from Barbour, September 30, 1812; National Intelligencer, December 12, 1812.

122. WD/LR, from Barbour, December 8, 1812, January 23, 28, 1813; Miles’ Weekly Register, February 27, 1813.

123. WD/LS, MA, to Barbour, January 25, 1813.

124. WD/LR, from Barbour, February 7, 1813 and enclosure.

125. WD/LR, from Barbour, February 20, 1813; cf., Crawford to Clay, March 7, 1816, ASP, MA, I, 639.


128. WD/LR, from Barbour, May 29, 1813; cf., Tompkins to Abraham Rose, July 12, 1813, Tompkins Papers, III, 336-38. The Maryland legislature, on May 22, adopted a resolution protesting what it believed to have been an altogether different agreement between the War Department and Barbour; see Scharf, op. cit., III, 36-37, l6. When Monroe replaced Armstrong in August, 1814, a more liberal interpretation of the law and departmental regulations was introduced, see WD/LS, MA, to Barbour, October 6, 1814.

129. WD/LR, from Barbour, March 22, 1813, from Taylor, March 16, 1813.

130. WD/LR, from Barbour, April 1, 1813.

131. WD/LS, MA, to Barbour, February 3, 11, 1813, to Freeman, February 20, 1813.


135. Niles' Weekly Register, December 8, 1812.

136. Ibid., January 29, 1814; Annals, 13 Cong., 2 sess, 1204-09, 12228; WD/LR, from L. Winder, January 27, 1814 and enclosure.

137. WD/LS, from Winder, April 26, 1814; WD/LS, MA, to W. Winder, July 2, 1814, to Samuel Smith, April 21, 1814.

138. National Intelligencer, July 1, 1814; WD/LR, from W. Winder, July 16, 18, 1814, and enclosures.


In connection with Smith's military service see: Ralph Robinson, "Controversy over the Command at Baltimore in the War of 1812," Maryland Historical Magazine, XXXIX, 3 (September, 1944), 177-98.

140. Niles' Weekly Register, VII, 113, 115.

141. WD/LR, from R. Crabb, December 10, 1814.

142. WD/LR, from L. Winder, February 6, 1815 and enclosure; King, op. cit., V, 454-56; Ingersoll, op. cit., II, 318, ASP, MA, I, 544.

143. WD/LR, from Nicholas, January 9, 1815 and enclosure.

144. Niles' Weekly Register, Supplement to vol. VII, 118; see also Madison to Barbour, June 16, 1814, Madison MSS, L.C.

145. WD/LR, from Barbour, October 20, 1814 and enclosure.

146. WD/LS, MA, to Barbour, October 6, 1814, "For the expense attending the militia, who had been called into the federal service . . . by this Department, or the commander of the Military District No. 5, the United States are regularly chargeable . . . For any advance made by the State of Virginia for the support of such troops, reimbursement is of course due . . . No call of the militia, except in the modes above stated, is obligatory on the
United States. . . ." Monroe added that this and similar cases will "be decided when time allows. . . ." See also WD/LR, from Barbour, July 20, 29, 1814. As of September, 1814, Virginia had loaned the United States $1,000,000; see WD/LR, from N. Everett, September 29, 1814.


148. WD/LR, from Barbour, January 10, 1815.
CHAPTER IV
THE SOUTHERN STATES

In none of the New England or Middle Atlantic states was there any observable interest in extending the territorial limits of the country. Federalists in Massachusetts, in fact, remained quiescent in the face of British occupation of part of Maine and seemed not unwilling to permit Great Britain to retain possession of it. Such was not the case in the southern states, particularly Georgia, Louisiana, and Tennessee. War rhetoric which emphasized defending rights of commerce and national pride served to camouflage, but only slightly, more significant and deeply rooted reasons for favoring war. For some years an impetus toward expelling the Indians and Spaniards, gaining access to new land, and opening interior transportation routes had been growing in the South.¹ Realization of these objectives, which, it was believed, wartime conditions would facilitate, depended upon policies adopted by the federal government. Thus, a new dimension, in addition to men and money, which constituted the principal points of contact between the federal and Middle Atlantic and most of the New England state governments, was introduced into the amorphous arena of state-federal relations in the South.

For Governor Daniel Mitchell of Georgia three frontiers required attention at the outset of the war: the Atlantic coastline,
which was defended solely by militia,\textsuperscript{2} the Indian territory and, to the south, Spanish East Florida. Of the three he was at first most concerned with the attempt on the part of a handful of American "patriots" to foment a revolution and to seize East Florida. The federal government had been acting haltingly and indecisively with regard to this area since as early as 1803.\textsuperscript{3} Monroe, in June, 1812, depressed all hopes for acquiring the territory through military action when he announced that pacific means of negotiation would be relied upon for that purpose.\textsuperscript{4} Mitchell, who had written to the Secretary of State in April to encourage a "prompt and decisive course" of action and to pledge the full military assistance of the state,\textsuperscript{5} expressed his dissatisfaction with Monroe's reply\textsuperscript{6} and his subsequent policy directives\textsuperscript{7} in an address to the legislature in November. "The confidence with which I anticipated the declaration of war . . . led me with equal confidence to anticipate an enlargement of the powers of the President, by congress, . . . having for its object the entire occupancy of East and West Florida."\textsuperscript{8} The legislature, whose members a year before were for the most part adverse to invasion and seizure of the territory, was quick to answer: "... immediate and decisive measures must be adopted by the general or state government, for the possession and occupation of East Florida." But, "Government having turned a deaf ear to our calls for assistance, we ought to look to ourselves for protection. The energies of this state must be exerted to ward off the blow which impends over us, be the consequences what they may." It asserted finally that the state had constitutional authority to initiate independent action.\textsuperscript{9}
Mitchell pressed his scheme directly on Major General Thomas Pinckney, who commanded the regulars and militia in North and South Carolina, and Georgia, was a native of South Carolina, and who had indicated a sympathetic attitude to the governor on this matter. "Should the United States finally determine to occupy East Florida much of our present apprehension would be removed and a small number of troops would then be competent to meet the expectation of the Legislature and their views in passing the resolutions." This was the least the Administration could do, he added, since it had done "so little" in providing for defense. Again he pledged to call upon all of the militia to occupy the area once an order to that effect was received. 10

Apparently Mitchell was uninformed at first of a plan to occupy that area as well as West Florida. Despite Monroe's opposition to forcible acquisition, Secretary of War Eustis sent orders to Pinckney on November 27 to assemble all available regulars and march them to Point Petre where they would be prepared to launch an invasion into East Florida. 11 At the same time, Andrew Jackson, with a force of about two thousand anxious Tennessee volunteers, was instructed to join with the troops under Wilkinson at New Orleans. 12 Governor Willie Blount, as well as Jackson 13 and the legislature, was pleased that the government was acting on this matter. Blount had told the legislature in September, 1811, and again in 1812, that "there will be an end to further transfer of that delightful country [West Florida] which the order of nature has said should belong to the United States." 14 Blount and the legislature quickly agreed in November to assist the federal
government by providing arms and equipment for the volunteers, as Eustis had requested, out of an appropriation of $50,000 made especially for that purpose.\textsuperscript{15}

Jackson's proclamation of July 21 explains more fully than do Blount's speeches the eagerness of the state to undertake such an operation.

Behold in the province of West Florida, a territory whose rivers and harbors are indispensable to the prosperity of the western, and still more so, to the eastern division of our state. Behold there likewise the asylum from which an insidious hand incites to rapine and bloodshed, the ferocious savages, ... who will renew their outrages the moment an English force shall appear in the Bay of Pensacola. It is here ... while extending ... the boundaries of the Republic to the Gulf of Mexico, you will experience a peculiar satisfaction in having conferred a signal benefit on that section of the Union to which you yourselves immediately belong.\textsuperscript{16}

While preparations were being completed in Tennessee and at Point Petre, the Senate early in December took up consideration of a proposal by Joseph Anderson of Tennessee to authorize the seizure. Congress, in January, 1811, had expressed opposition to occupying the territory unless it should be surrendered amicably by Spain or in the event some other foreign power tried to take it over.\textsuperscript{17} The Senate requested Monroe to state the Administration's feelings on Anderson's proposal. On January 14, 1813, Monroe replied in a vague and indecisive report that Congress would have to decide on the question. A bill was reported out of committee on February 2, but it encountered stiff opposition, led by Senator Samuel Smith of Maryland. In an amendment which cut the heart out of the bill, the Senate deleted that section which would have
authorized the seizure of all of Florida. As it was passed, only the occupation of West Florida, west of the Peridido River, was allowed, which meant, in effect, the addition of Mobile, since the rest of that area was already in the hands of the United States. The President, through the Secretary of War, thus issued orders to Wilkinson to take Mobile, which action was accomplished on April 15.

Jackson, who wrote to Monroe on January 7 that he and his men "will rejoice at the opportunity of placing the American eagle on the ramparts of Mobile, Pensacola, and Fort St. Augustine . . .," arrived at Natchez on February 15 and almost at once received orders to return home. Extremely disappointed that he had been denied an opportunity to engage in combat, Jackson vented his anger in letters to Armstrong, Blount, and to the President. It required little imagination on his part to recognize that an all out attack upon East Florida, which he was prepared to assist, had been abandoned. Governor William Claiborne of Louisiana was also distressed. He had been anxious to expel the Spanish, having suggested to Governor David Holmes of the Mississippi Territory that they should join their militia to go against them regardless of what the federal government might decide upon. Perhaps, he suggested to Jackson, the federal government would try again soon to take possession of East Florida: it should, he confided.

When Governor Mitchell discovered finally that an attack upon East Florida was contemplated by the United States, though not from any official source, he wrote to Senator William Crawford asking him to try to persuade Madison "that Georgia should be called upon in this
business . . . for a variety of reasons." (What his reasons were he did not state). Crawford did not have to reply; news of the cancellation of the plan and orders to withdraw all American forces to the north of the boundary was answer enough. Like Claiborne, Mitchell persisted for a time in believing the Administration would succeed in persuading Congress of the pressing need to eliminate the Spaniards from the peninsula while at the same time considering independent state action in that area. But the renewed threat of a general uprising among the Creeks, beginning in February and March, and regard for defense of the seaboard led him to drop that idea.

Mitchell's apprehension regarding the Creeks was shared by Blount, who had been warning the Secretary of War throughout the summer of 1812 to expect an uprising at any moment. Reports from Benjamin Hawkins, Indian Agent for the Creeks, and settlers along the frontier all told the same story: "The Creeks are ready to act as the impulse of the moment may dictate. . . ." Hawkins worked with the several Creek leaders in the winter and spring of 1812-1813 to avert a war. Mitchell too tried to dissuade the tribal chiefs whose villages were closest to Georgia from coming under the influence of Spanish or British agents. But Mitchell was less inclined to believe a more or less peaceful relationship could be maintained. Limited as he was in initiating military action, unless the state assumed all of the costs, the governor requested Hawkins to call out several companies of militia along the frontier. The Indian Agent refused to do so, not because he lacked proper authority, but rather because he felt
it might precipitate a war. On this point the separation of state and federal authority was unequivocal. Yet on another there was some confusion. Mitchell wrote to Hawkins:

> It is true . . . that I have had correspondence with the friendly Indians but I am far from being of your opinion 'That the General Government have exclusively the right to manage all affairs with the Indians. . . .' It is my opinion that a State Government, particularly Georgia, has a right to hold intercourse and communicate with the Indians independent of the General Government or their agency, and I think the present situation of Georgia and the Creek Indians presents such an occasion.

He went on to explain that he had not usurped any authority or infringed upon any right "exclusively vested in the Gen' Government by the constitution."

In mid-July Secretary of War Armstrong interjected his authority into this discordant atmosphere. On the basis of reports from the southeastern frontier about Indian restiveness, he sent orders to Blount and Mitchell to call up fifteen hundred militia each, to unite their forces, and to decide upon a strategy to suppress the hostiles. Both governors were satisfied with the decision to take steps against the Creeks -- it was a perfect opportunity to punish the Creeks and, if their views could be made to prevail, to extinguish the Indians' land claims. Blount, in a letter to Brigadier General Thomas Flourney, said as much:

> The American People are composed of too pure materials; they feel too much self respect; they are influenced in their conduct towards other Powers by too strong a sense of justice;
they have too noble pursuits in view,
... to be insulted with impunity, ...
or to have their peace and their holy
altars disturbed long, by savages or by
their allies.

Once the Indians are removed:

each southern and western inhabitant will
cultivate his own garden of Eden, and will,
through the natural channels placed by a
wise and just Creator, convenient for his
use, export his own produce, and import such
comforts ... by the shortest routes of
communication with the ocean.

Until this was accomplished all of the people in the West will be
"cramped in their trade and intercourse with the Atlantic world. . . ."

The Mississippi legislature concurred in this judgment, asking the
federal government to remove all Indians east of the Mississippi
River. 34 Ultimately Mitchell wanted the same, but would be satisfied
for the time being with the opening of unimpeaded communication and
transportation facilities with the interior. 35

It was ostensibly because there were no connecting roads into
and through the Greek country that both Mitchell, who had been placed
in command of the expedition, and Blount, independent of each other,
argued initially against co-operation. The real reason seems to have
been a feeling of jealousy on the part of each man that the glory of victory
might have to be shared. If separate operations were undertaken the
laurels of conquest could be enjoyed exclusively. Blount at first claimed
he had received no instructions from Armstrong to unite with Georgia's
militia, which meant, in effect, he refused to recognize Mitchell, who
had been assigned to command the expedition, as a military superior.
Mitchell then insisted in late August that he could wait no longer for
Tennessee to prepare her volunteers. Finally, they disagreed on the place best suited for a rendezvous. Mitchell, in mid-August, exasperated with Blount's "procrastination", took it upon himself to order out an additional thousand militia, making 2,500 in all, to go it alone. (Armstrong approved the increase on September 13). Mitchell discovered, however, that there were not supplies or arms enough to support the troops. The state treasury, he reported, had already been raided to buy as many stands of arms as were available, yet there was still a serious shortage. Moreover, the federal contractor refused to furnish rations, claiming he had no authority beyond the state line, except in East Florida. Mitchell, consequently, found himself, like Blount, whom he criticised for delaying, also bogged down.

By the end of September the major obstacles which blocked the Tennessee force from moving sooner were overcome. The legislature met on the 7th, received a message from Blount that the federal government was unable to furnish arms and equipment, and within two weeks authorized the governor to search out $300,000 in credit from "each or either" of the banks in Nashville in order to purchase those items. The bill provided that if the United States refused to assume responsibility for the loan a state tax on property would be levied at the next session. The legislature also approved a bill sent down by Blount — Jackson had first suggested it — to add two thousand men to the fifteen hundred requested by Secretary Armstrong. Neither of these steps had been approved beforehand by the War Department. Blount believed the Creek hostiles would attack before requests could
be sent to Washington and a reply received regarding these matters. Tennessee, he later explained, had "anticipated the wishes of the General Government. . . ." 41

Georgia's legislature also moved in its session to supply the state's militia with those items the federal contractor had refused to furnish and those which the federal government could not otherwise give. Convening on November 3, it heard Governor Mitchell report that for the past seven months he had been asking the War Department directly and through General Pinckney to send arms, money and supplies, but to no avail. The legislature responded to an appeal by him that the state should meet the needs of the force which was destined to go against the Creeks by appropriating $20,000 "to be paid in time by the general government. . . ." It adopted a second measure to authorize the governor to send from five hundred to one thousand militia against "the hostiles in the upper and most adjacent towns." This action was to be supported exclusively by the state.42

The difference between Tennessee and Georgia in the last months of 1813 regarding the use of state financial resources for military purposes is instructive. Mitchell in his letters to the Secretary of War reproached the federal government for not furnishing money or supplies to support Georgia's troops. (Armstrong did send $20,000 in Treasury notes but none of the banks would accept them at face value as was required.)43 He did draw from the state treasury and tried to obtain loans from Savannah banks, but did so begrudgingly. The legislature, after appropriating the $20,000, at once began an inquiry
into money owed to the state by the federal government for lands sold in the Mississippi Territory. Although no final action was taken, a joint committee suggested that the more than $51,000 held by the Treasury should be credited to the state's share of wartime taxes. In effect it warned the federal government that, in view of the money spent by the state for its own defense, the state might be unable to meet its tax payment.

In this the legislature stood closer to Mitchell, who declined to run again out of "disgust" with the federal government's handling of defences, than to Peter Early, who succeeded Mitchell on November 5. Early at this time believed "that in great and critical times, niceties ought to be disregarded and great objects pursued, tho' at the risk of violating forms." He remarked to the legislature in his inaugural address: "That species of measures now the most interesting to the public mind must, in most cases, be undertaken and prosecuted under the dictation and control of the General Government. It is only in cases of actual invasion, or such imminent danger thereof as will not permit delay, that the state authority is at liberty to act for itself." Nor did Early feel that money owed the state by the federal treasury should be paid at this time. "Indeed, I do not feel satisfied that the State of Georgia ought at this period to press for the actual payment of this claim. The great contest in which this section is engaged creates a call on all the resources which the Government can in any wise command." Blount and the legislature of Tennessee were of one mind with Early. Blount believed that the
federal government "should be supported with the means in our power . . . -- such a government [should] be most ardently and zealously supported by all who duly appreciate the blessings of liberty secured by it."^8

The governor of Georgia, however, did not hold to his original opinion for long. Although Early did not believe Georgia should "press for the actual payment of [the land money] claim [because] the great contest in which this nation is engaged creates a call on all the resources which the Government can in any wise command," he soon came around to Mitchell's point of view. The $20,000 appropriation had been more than the state treasury could furnish. In late December Early went to the Augusta Bank, where his brother had recently become president, to obtain that amount. The bank granted the loan at seven per cent interest on the governor's signature, but only for 120 days. How the note was to be paid at the end of that period apparently was not then determined. On January 12 we find Early writing to George Troup, a member of the House of Representatives from Georgia and chairman of the military committee, asking him to intercede on the state's behalf to have the Treasury reimburse the bank. "The State has not the means of paying it. And as the act was so meritorious and has so essentially served the interests of the United States as to keep the army supplied . . . it is hoped there will not be a moment's hesitation . . . to replace the amount together with the discount before the expiration of the Loan."^9 The Treasury did send a draft on a Baltimore bank for $20,000, but it refused to assume payment for the
almost $500 in interest. Early complained bitterly about this, saying that all expenses of the state should be accepted by the federal government. In May the Treasury sent $27,000 in notes to the Augusta Bank to cover a second loan which Early had obtained (without authority from the legislature) by pledging state funds. But as in the preceding August the bank would not agree to accept them "without a large discount," The State of Georgia should not be required to pay the difference . . .," he wrote to John Simmons, Accountant for the War Department. No longer was Early as willing to disregard "niceties" and "forms" as he had been seven months before: He had been gravely "disappointed" in the management of money matters by the federal government.

By May, 1814 the Tennessee and Georgia militia succeeded in quelling the Creek hostiles. The interior phase of the war for all intents and purposes came to a close. But no sooner had the Indian menace subsided than the likelihood of a British invasion somewhere along the southern coast loomed on the horizon. When news of a buildup of enemy forces at Pensacola reached the seaboard cities from New Orleans to Wilmington, North Carolina, the War Department began receiving urgent appeals for assistance more frequently than at any time since war was declared.

From the outset North and South Carolina, Georgia, and Louisiana shared in an apprehension of being invaded from the water. Governors Mitchell and Claiborne concentrated more on interior safety at first, allowing General Pinckney or General Wilkinson to do what they could along the coast. Governors William Hawkins and Henry Middleton of
North and South Carolina, respectively, neither of whom had to contend with a threatening situation in the interior, devoted their full attention to protection of seacoast communities. So far as the federal government was concerned, "... The President intends to make such Repairs, and to erect such temporary Works as may be required, having regard to the most important and vulnerable points, in the first instance." Swift, the top-ranking Army engineer, was sent to inspect the coast in September and October, recommending to local, state, and War Department officials what needed to be done. Yet, as of the end of the year no appreciable headway had been made under the auspices of the federal government in improving the defenses at Savannah or Charleston, the two most important ports on the Atlantic seaboard within Pinckney's command. Nor was much done in New Orleans.

Governor Hawkins, with what amounted to carte blanche authority from Pinckney, proceeded to strengthen fortifications at Wilmington, sometimes receiving financial assistance from the War Department, but mostly relying on voluntary contributions of labor, money, and material from the city and funds drawn from the state treasury. Middleton was mildly exasperated with the federal government for not arming the militia, upon whom the defense rested, since the Army recruiters were having very limited success. (The War Department planned originally to replace militia with regulars, but the weak response to recruiting officers' appeals prevented this action.) He called a special session of the legislature for August 25 and recommended that the state should provide the necessary weapons. On September 6 the legislature
agreed to make "liberal appropriations" to obtain two thousand stand of arms "and every other munition of war... with zeal and alacrity..." The governor applied immediately to Secretary Eustis under the Act of April 2, 1808 which allowed states to purchase arms from the federal government. Eustis replied that the federal arsenals were almost completely empty and he therefore could not sell what few arms remained -- they were more valuable if assigned elsewhere.

In December, 1812, five hundred Georgia militia stood watch over St. Mary's and an equal number at Savannah. By June, 1813 the mayor and council of Savannah; inspired by news of British attacks in the Chesapeake and Delaware bays, led the way in forming a committee whose purpose was to solicit funds to be applied to the city's defense. Mayor George Jones had been corresponding with Governor Mitchell for several months on the subject of securing more adequate protection. The governor, who was growing more alarmed at reports of Spanish and British influence among the Creeks, told Jones in June that the state government could do nothing to help, at least financially. The only aid he might provide was militia called into the service of the United States. Pinckney had arranged with Secretary Armstrong in April to allow Mitchell discretionary authority regarding militia for coastal defense, as he had done earlier for Governor Hawkins. Mitchell informed the mayor that this power "is still continued" and thus "a great embarrassment on the part of the State with respect to funds is removed." Why so many of the regular troops (one thousand) were
concentrated at Point Petre at this time, while only two companies were at Savannah, he could not understand. Certainly they were not intended to be used against the Spanish. Mitchell wrote to George Troup and asked for a congressional inquiry into the whole matter of seacoast defense, particularly in connection with the assignment of regulars and the allocation of money for repair and construction of forts. To militia Major General John McIntosh the governor expressed himself more freely:

It is therefore my decided opinion that it is not the want of a force which is to be complained of but the disposition of what is already in the field... I would not wish to be understood as finding fault with General Pinckney; he is the best judge of his own conduct and alone is responsible; at the same time I shall not hesitate to express my opinion where I differ with him upon any particular point.

Pinckney was not ultimately responsible for this state of affairs. He had written to Armstrong in May about adding more Army troops to the Savannah garrison, as well as at Charleston, but he had received no reply.

Governor Joseph Alston, who succeeded Middleton in November, 1812, was perturbed that Charleston, Georgetown, and Beaufort had been so long ignored by federal authorities. He wrote to the Secretary of War at the end of May stating that he had called out militia, to be supported, he hoped, by the federal government. By September Mayor Jones of Savannah was able to prevail upon Mitchell for limited financial assistance. The governor promised to be "as extensive and liberal as our present necessities ... with the Creeks... will admit."
In mid-October he sent Jones a draft for $1,000 on the Planters Bank in Savannah, an amount large enough to meet only current expenses. Armstrong continued to receive complaints from Mitchell and Alston throughout the fall and winter months, but filed them away without making a single reply.

An outcry from North Carolina in November brought the President directly into the growing dispute. Governor William Hawkins had asked Armstrong in August and again in October whether or not the state would be compensated for paying the expenses of supporting militia doing garrison duty. When he received no definite answer he went to the legislature with the problem. It adopted a strongly worded resolution protesting the War Department's disregard of the state's defense.

Madison answered:

> The Legislature of North Carolina is too enlightened and too just not to be sensible that the protection to be extended by the General Government over the Union must be proportioned to the aggregate means applicable thereto; and that in distributing these regard must be had to the comparative practicability and probability of attempts on particular States and places. Against occasional attempts, where there are so many points accessible by water, from an enemy having in that element a force so extensive and so readily concentrated, an absolute protection of every one is not possible.

He went on to recommend that if the legislature felt whatever the federal government would do to improve defenses was insufficient, it should proceed independently "as has been done by some other States. . . ."

Correctly interpreting the President's letter as a signification
that nothing much in the way of better protection could be expected from the federal government, city officials in Wilmington went ahead with plans to create a "Committee of Public Safety" whose purpose was identical with Philadelphia's committee. The legislature read the letter in the same light. Before it adjourned it vested in the governor unlimited authority to continue to support militia with state funds.\(^78\)

Hawkins, however, became anxious for some kind of federal assistance by March, 1814. He wrote to Secretary Armstrong about the need for additional arms, coastal defense fortifications, and payment to the state for expenses it had incurred. A similar letter he sent to the state's Senators, James Turner and David Stone, requesting them to prevail upon the Secretary of War on behalf of North Carolina.\(^79\) Armstrong was in no mood "to bend to public opinion. . . ." on any of these matters. Nearly three thousand arms had been sent to the governor since June, 1812 and two new fortifications were planned for Beaufort and vicinity. (Major General Swift, who had recently visited the area and recommended the construction of the forts, was rebuffed in his efforts to obtain labor and material to begin immediate construction. The governor had met with Swift and suggested calling out a regiment of militia to perform the work, but the engineer officer could not authorize that plan.)\(^80\) In view of the overall military situation of the country, Armstrong concluded, nothing more could be done at present.\(^81\) At the same time, in conformity with a report from the Senate Committee on Military Affairs,\(^82\) the Secretary gave notice to
Hawkins that the earlier arrangement which allowed him to call out militia in the service of the United States without having them inspected and mustered by a federal officer was being terminated. Hereafter the War Department's regulations relating to militia would be applied uniformly throughout the country.®

Continued applications to the War Department during the summer of 1814 by governors Hawkins, Alston, and Early for strengthening coastal defenses finally brought a reply from Armstrong in August, writing to General Pinckney, who had been urging the improvement of fortifications at Wilmington, Charleston, and Savannah, and had been asking for enough money to carry out his plans, the Secretary took the position that "If the citizens urge such extensive works they must do as New York, Philadelphia and other Cities have done. . ., furnish the money and trust to having the amount returned after the War."® Pinckney quickly informed the governors of North Carolina, South Carolina, and Georgia of this directive.® If there was any hope yet remaining that the federal government would momentarily take steps to remedy the weak defensive situation along the southern seacoast, this policy statement certainly dispelled it. In regard to coastal defense the states were left to care for themselves as best they could.®

Armstrong's announcement reached the governors at the same time news arrived of the capture of Washington. The governors relayed Pinckney's letter to the committees of public safety at Wilmington, Savannah, and Charleston, the latter two having been recently created. Hurriedly, as if directed by a single head, they appealed for voluntary
contributions of money, labor, and arms. Pinckney, who received "extended authority" from the War Department on September 5 to deal with these bodies and with the state governments, was authorized to commit the federal government for ten to twelve thousand dollars for Charleston's defense if the city or state would agree to extend a loan. Monroe also wrote to Governor Alston, informing him of the general's orders and asked the state to co-operate with him "to put that Section of the Country in a state of defense suited to the exigencies of the times."

Alston took what action he could, mainly in furnishing militia and by using his prestige and good offices in helping to secure loans from five Charleston banks, until the legislature convened in December. His successor, David Williams, who had left Congress in November, called upon the legislature to act quickly and decisively on the matter of coastal defense. He spoke in nearly the same language Governor Hawkins had employed a month before. Hawkins had said that although it was the duty of the federal government to provide for defense, "Yet every state in the union . . . particularly those most exposed to danger, should place themselves in an attitude to furnish, whenever necessity may require it, prompt and efficient aid." The South Carolina legislature quickly approved an appropriation of $260,000 to pay militia and another, on December 20, of $500,000 to support a brigade of state troops whose services were available to the federal government. Governor Williams informed Secretary Monroe of these measures, adding that the legislature fully expected the federal
government to reimburse the state. In a letter accepting the state
brigade, Monroe reported to Williams that the President considered the
money "patriotically offered" by South Carolina as a loan which would
be repaid as soon as possible.

Georgia's Governor Early decided in mid-September, after
receiving a report that the Army was growing weaker due to sickness and
desertion, that recruitment was "so exceedingly difficult and tardy," and upon receipt of the President's proclamation of September 1, which
called for vigorous action by state and federal officials for defense of the seacoast, to convene the legislature a month early on October
17. His reason for doing this was, he explained to Mayor Mathew
McAlister of Savannah, the obvious need to bring the full weight of the
state to bear on the defense of that city. The federal government,
he added, had so neglected the defenses of the coastline and, referring
to Pinckney's letter of August 30, was unable to do anything now that
the city was vulnerable to invasion.

In his address of October 18 Early referred to "the new and
unprecedented features given by our enemy to the war. . . ." To prevent
an invasion similar to the catastrophe in Washington he called for a
"radical revision of the militia laws" in order to create "an
effective force." Secondly, attention should be directed as quickly
as possible to the situation at Savannah. That city, Early observed,
was trying to cope with the defense problem through a Committee of
Public Safety "on the example of other cities" by soliciting
contributions of money and voluntary labor, but that its efforts
required the support of the state. Early revealed that he had helped by pledging state funds as collateral to the Bank of Augusta in order to secure a loan of $10,000 for the city of Savannah, explaining that though he did not have authority to do this, the legislature need not be alarmed because ultimately the United States would be held responsible for payment.  

The legislature took no action with respect to revising the militia laws despite difficulties which had arisen over election of officers, the vagueness of the law in imposing fines on militia who refused to obey orders to enter upon service, and problems of organization and administration of the state quartermaster department, nor did it at first manifest any interest in enacting legislation for increasing coastal defenses. After two weeks of inaction, Early sent a special message to the legislature strongly recommending that a state army of volunteers be created. The best of the militia troops were presently being prepared to march to Mobile, he explained, and the regular troops were too few to repel any invasion. On November 12 a bill to that effect was approved along with an appropriation of $50,000 to purchase arms and equipment.  

While the legislature was considering that measure Governor Early and General Pinckney worked together in persuading the Planters' Bank of Savannah that without its assistance the coastal defenses could not be augmented. Objections which the bank's officials had thought serious enough in April, 1814, to turn down a similar request were overcome and in early November they agreed to lend the federal
government $50,000 on condition that the money be devoted to securing adequate protection for Savannah.\(^98\) The Bank of Augusta, in addition to $10,000 lent earlier to the state, in December agreed to extend $50,000 to the federal treasury "in exchange for any Government paper."\(^99\)

Both Early and the Georgia legislature became more apprehensive of invasion in December, 1814, as British warships sailed along the coast in ever greater numbers. Soon the governor came to suspect that Savannah or some other point in the state was the real object of attack and not New Orleans.\(^100\) Early sent a second special message to the legislature in December asking for an appropriation to assist Savannah and other coastal communities in erecting temporary defenses. Late in that month the legislature agreed to make available $45,000 for that purpose, while at the same time authorizing Early to draw upon the state treasury whatever funds were required to pay or to supply militia whether in state or federal service.\(^101\) The 2,500 militia called out by the War Department in September,\(^102\) but which did not leave their rendezvous until December 16 because of a shortage of supplies,\(^103\) were recalled early in January while on their way to Mobile to take up defensive positions south of Savannah.\(^104\) Writing to Monroe, Early explained that he had countermanded federal authority in this instance because "Our State is actually invaded by the enemy in large force . . . at its most vulnerable point." It would be "criminal inattention," Early concluded, "... to suffer this force to pursue its [original] destination."\(^105\) So far as the utility of the
Georgia militia in adding to the defense of the Louisiana coast was concerned, the two month delay in getting that force underway had rendered it useless. Early's order to General John Floyd was sent after the attack on New Orleans had in fact ended, a consideration which probably led the governor to expect no objection from Monroe or General Jackson. 106

Since mid-summer protection of the Louisiana coast had been a matter of growing concern for Secretary Armstrong and his successor, Monroe, as well as for Governor William Claiborne. Andrew Jackson, in May, 1814, had received command of the military district vacated by Wilkinson, who had been ordered to New York. 107 After completing the final terms of the treaty with the Creek Indians, Jackson proceeded to Mobile in August from where he hoped to assemble a force to destroy military stores at Pensacola and possibly to take possession of East Florida. He first wrote to Monroe about this strategy on August 10 and to Governor Blount of Tennessee on August 27, asking the latter to send twenty-five hundred men to Mobile as quickly as possible. 108 Blount's expansionist attitude led him immediately to comply with the requisition; he knew of Jackson's plan for moving against the British in Pensacola and was hopeful that the Spanish could be removed from the area at the same time. 109 Monroe, who hoped to acquire East Florida by diplomatic means rather than by force, advised Jackson to "take no measures which would involve this government in a contest with Spain." 110 The defense of New Orleans, the Secretary wrote, was more important than any other consideration. 111 Governor Claiborne asked Jackson in late August to send troops to New Orleans. The militia of Louisiana,
he reported, were "reluctant to take to the field when ordered" primarily because of their opposition to serve outside the limits of the state. 112

Jackson refused to lend any assistance to Claiborne at this time, telling the governor to order the full quota of the militia into service and to adopt "the most rigid rules . . . , with all who refuse, or hesitate, to obey the Call. . . ." 113 A few weeks later Claiborne renewed his appeal, this time pointing to the possibility of a slave revolt. "Louisiana," he told Jackson, "has at this time much to apprehend from Domestic Insurrection. . . ." 114 Again the General refused any direct military assistance. Hoping to drain off discontent among the free Negroes, whether real or imagined, Jackson merely issued a proclamation on September 21 calling upon the "Free Coloured Inhabitants of Louisiana" to volunteer for military service. 115 Claiborne became impatient with Jackson's token gestures. He complained to the President that so long as Jackson continued at Mobile -- why, he did not understand -- Louisiana could not adequately defend itself from within or without unless additional and outside support was provided. 116

The governor soon recognized why Jackson had refused to allow military aid: early in November, contrary to Monroe's instructions, the major part of the troops in Mobile marched to Pensacola. 117

Monroe and Madison were angered at Jackson's insubordination, but not enough to remove him from command. Instead, the Secretary ordered Jackson early in December, after reports of the expedition against Pensacola arrived in Washington, to hasten to New Orleans
where "Your presence ... with the main body of troops will be of vital importance."\textsuperscript{118}

Although Claiborne knew of requisitions on Tennessee, Kentucky, and Georgia for close to ten thousand militia,\textsuperscript{119} he nevertheless believed that the state government should take independent action to secure the protection of New Orleans, and especially in view of Jackson's apparent disinterest in rendering any real assistance. On October 5, Claiborne called the legislature to meet early in November in special session. Addressing that body, the governor strongly recommended on November 10 that unless the lawmakers wanted the same fate to befall New Orleans as Alexandria and Washington in August, immediate and appropriate defense measures should be adopted.\textsuperscript{120} Most members of the legislature, however, from a motive of jealousy and narrow political opposition assumed a posture of indifference. Still piqued at the governor for his prosecution of Aaron Burr and James Wilkinson while territorial governor, still contemplating impeachment proceedings against him for what they thought to be an illegal compliance with orders to call out militia in June, 1814, and reflecting a fairly widespread indifference to the war among the various ethnic groups in New Orleans, a majority of the legislators even refused to approve Claiborne's order for the militia to enter active service.\textsuperscript{121} Not until after the British forces launched their attack did the legislature act on any of the recommendations made by Claiborne.

An unofficial Committee of Safety had formed in New Orleans on September 15 for the purpose of strengthening and adding to the few fortifications and for supplying militia and volunteers with arms.\textsuperscript{122}
Several appeals from the Committee for financial assistance were turned down by the legislature on the grounds that the state treasury was empty and that the state could not obtain credit since the banks had suspended specie payments. Louis Louaillier, chairman of the Committee of Ways and Means of the lower house and a supporter of Claiborne, delivered a scathing attack upon those who refused to co-operate with the governor: "Are we without dangers to dread? Is our population such as to ensure our tranquility? Are we always to see the several departments entrusted to our defense languishing in inactivity. . . ."¹²³

The legislature late in November voted against taxes on cotton and sugar. But a week before Jackson arrived in the city on December 2, it approved a bill authorizing a $6,000 state loan for the Committee of Safety to begin construction of the fortifications which the War Department had planned to build as early as November, 1811, but which had not been started, and to pay slaves' owners for their labor on these works.¹²⁴

The Kentucky and Tennessee militia began to arrive in New Orleans shortly after the British struck their first blow on December 15. The Louisiana legislature, which expressed a hostile attitude toward Jackson earlier in the month by requesting Governor Claiborne to command in person whatever militia were called into service -- Claiborne informed Jackson of his unpopularity, but that it "is far from my wish to interfere with the Command of General Jackson"¹²⁵ -- now refused the General's request, which Claiborne supported, to suspend the writ of habeas corpus.¹²⁶ The advisability of taking such action had been under discussion for at least two weeks,
advocates of the measure arguing that nothing short of absolute power would enable Jackson to wield the resources of the city and state.\textsuperscript{127} When the legislature refused to allow suspension of the writ of habeas corpus Jackson promptly declared martial law on December 16, notwithstanding an adverse opinion expressed by Edward Livingston, a leading member of the bar in New Orleans,\textsuperscript{128} who stated that martial law "is a measure unknown to the Constitution and laws of the United States." Governor Claiborne, who supported Jackson's declaration as the only alternative to chaos, then tried to remove one of the most troublesome sources of organized opposition to the General by asking the legislature to adjourn for two or three weeks, stating that while the crisis lasted it could contribute nothing to the military authority. The legislature, however, refused and resolved to remain in session.\textsuperscript{129}

Governors Blount and Shelby (Kentucky) had equipped their militia as best they could, according to instructions from Monroe,\textsuperscript{130} with state-owned or private arms, but more were needed if each man was to be properly outfitted. Monroe therefore on November 2 ordered five thousand stands of arms to be sent from the federal arsenals at Pittsburgh and Newport to Baton Rouge.\textsuperscript{131} Anticipating a need for money, which Blount requested after negotiating a $50,000 loan with the Nashville Bank, the Secretary sent $100,000 in Treasury notes to the Tennessee governor. Why these notes were not assigned to a federal quartermaster officer, as had been the policy of the War Department, is explained by the offer extended by the Nashville Bank to accept the notes on terms agreeable with the Treasury.\textsuperscript{132} The quickest and
easiest manner of transmitting the notes was to utilize the governor's authority to give receipt. Shortly after Blount received and transferred the paper to the Nashville Bank arrangements were made with Jackson for credit at New Orleans. Additional funds were raised in New Orleans in the latter part of December and early January. Private loans were given to the Committee of Safety, $20,000 was lent by the city's banks, and the legislature, in addition to the appropriation of $6,000, authorized the governor to borrow $11,000 for construction of defensive works.

The tension which existed between Claiborne and Jackson, on the one hand, and the legislature, on the other, virtually disappeared throughout the British attack. Soon after the enemy was finally beaten back, however, and because of a misinterpretation by Claiborne of an order from Jackson, the festering strain erupted. On December 28, Jackson received word that the legislature was considering a plan to come to terms with the British in order to avoid destruction of the city either by the invaders or by the retreating troops. The General instructed Claiborne on December 30 to arrest the legislators and hold them in their assembly hall. Claiborne instead surrounded the hall with sentries to prevent their meeting. The interdict was soon lifted but not without arousing the legislature to an intense anger. On January 4, 1815, an investigation by the legislature began to determine the legitimacy of Jackson's orders and of Claiborne's execution of it. The governor acquitted himself by pleading that during the heat of battle misunderstandings were sure to arise and that he meant no insult to the legislature. In its final report, issued on
February 6, 1815, the legislature vehemently denied it had considered any proposal for capitulation and discreetly laid the blame on Jackson for infringement of the body's rights.\textsuperscript{136}

Martial law continued in effect during February after unofficial reports began reaching New Orleans of a peace treaty. This intelligence had so demoralizing an effect on the Louisiana militia and volunteers, both whites and Negroes,\textsuperscript{137} that Jackson found it necessary to issue a proclamation warning against "false security" based on "delusive" reports and against leaving military service.\textsuperscript{138} This exhortation did not deter French-speaking militia from deserting, many of them obtaining certificates from the French consul to the effect that they were French citizens. Jackson refused to accept the certificates and, suspecting their future reliability, ordered all French-speaking and French subjects to leave the city. This order led Louis Louaillier, now the speaker of the House and a spokesman for the French population, on March 3, to publish an article in the *Louisiana Courier* denouncing Jackson's directive against the French, and, recalling the incident which led to the closing of the legislature, calling for an immediate end of martial law, a matter which rankled many of Louaillier's colleagues. Louaillier stated: "Let us conclude by saying that it is high time the laws should resume their empire; that the citizens of this State should return to the full enjoyment of their rights. . . ."\textsuperscript{139}

Two days after Louaillier's article appeared Jackson had the author arrested on the grounds that he was a spy. Dominick Hall, the
federal district judge, agreed to a petition of writ of habeas corpus and ordered the release of Louaillier. Jackson responded by ordering the arrest of Judge Hall. When federal district attorney John Dick obtained a writ from a state judge to secure Hall's freedom, he too was apprehended.

On March 9 a general court martial for want of evidence acquitted Louaillier of the seven charges lodged against him. The outcome of the trial forced Jackson to lift martial law; the strategy by which he intended to continue to control a hostile legislature, and indirectly the entire apparatus of the state government, was thus undermined. In retaliation, the federal district attorney, Dick, who was closely identified with leading members of the legislature, filed contempt charges against Jackson. Although the matter was not stated explicitly in the petition, the principal issue was the General's usurpation of state authority. After two weeks of trial Judge Hall found Jackson guilty and imposed a fine of $1,000.140

Jackson's declaration of martial law was the most extreme measure adopted by any federal officer during the war to reduce state power. Such action was never considered by General Dearborn, Madison, Monroe, or Eustis at the outset of the war as a countermeasure against Governor Strong of Massachusetts, against Governor Chittenden of Vermont when in December, 1813, he tried to obstruct federal control over militia, or in Baltimore, Washington, and Norfolk in periods of extreme crisis.

Except for the reluctance shown by the Georgia legislature in
the fall of 1813 in appropriating funds to supply militia in the federal service and the inaction of the Louisiana legislature in the last two months of 1814 towards preparing the coast for an invasion, everywhere in the South state and federal officials co-operated closely in mobilizing the forces of war, in overcoming legal and administrative obstacles, and in complementing each others' functions. At times the law, whether state or federal, was ignored when necessary. And often the narrow lines which separated state and federal authority and responsibility became blurred for the moment or disappeared.
Notes, Chapter IV


5. War Department, Secretary's Office, Letters Received, Registered Series, from Mitchell, April 20, 1812, National Archives (hereafter cited as WD/LR).


7. See Pratt, op. cit., 189-214.

8. Niles' Weekly Register, November 28, 1812.

9. Ibid., emphasis added, and National Intelligencer, October 20, November 21, 1812, which praised Mitchell's address in an editorial: "We believe the opinion is becoming very prevalent that the safety of the Southern frontier, as well as every motive of general policy, require that East Florida should be added to our territorial possessions. See also Ulrich B. Philips, Georgia and State Rights: A Study of the Political History of Georgia from the Revolution to the Civil War, with Particular Regard to Federal Relations (Washington: American Historical Association, 1902), 53, 113.

11. War Department, Secretary's Office, Letters Sent, Military Affairs, to Pinckney, November 27, December 2, 1812, National Archives (hereafter cited as WD/LS, MA).

12. WD/LS, MA, to Blount, September 1, October 21, 23, 1812; Blount to Jackson, November 11, December 31, 1812, Jackson MSS, L.C.

13. Jackson had been highly critical of Eustis for delaying for so long; Jackson to George Campbell, October 15, id. to Blount, November 11, 1812, John S. Basett (ed.), Correspondence of Andrew Jackson (Washington: Carnegie Institution of Washington, 1928-1935, 7 vols.), I, 236-38, 238-39; Jackson to Blount, July 10, 1812, January 4, 1813, Jackson MSS, L.C.


15. White, op. cit., 361-82; Blount to Jackson, November 23, 1812, Jackson MSS, L.C.


17. ASP, Foreign Relations, III, 570-72; cf., Annals, 12 Cong., 1 sess., 323-26, 1813-1815.

18. Ibid., 2 sess., 121, 126-32.

19. WD/LS, MA, to Wilkinson, February 16, 1813; WD/LR, from Wilkinson, April 16, 1813.

20. WD/LR, from Jackson, January 7, 1813.

21. WD/LS, MA, to Jackson, February 5, 1813.

22. WD/LR, from Jackson, March 15, 1813; Jackson to Blount, March 15, 1813, Jackson to Madison, March 15, 1813, Jackson MSS, L.C.

23. WD/LR, from Jackson, March 1, 1813.

24. Claiborne to Holmes, July 27, 1812, id. to Jackson, March 15, 1813,


26. WD/LS, MA, to Pinckney, February 15, 1813; WD/LR, from Pinckney, April 17, 23, 1813.

27. Pratt, op. cit., 224-25. John Williams of Tennessee and three hundred volunteers went to Georgia to join with the regulars in the invasion of East Florida. He offered his force to Governor Mitchell in February, 1813, after orders were received to abandon the plan; (Philadelphia) Aurora, January 11, 1813; Mitchell to Williams, March 3, 1813, Governors Letter Books, Georgia State Archives; WD/LR, from Pinckney, January 12, 19, February 15, 1813 and enclosures.

28. WD/LR, from Blount, June 25, 1812.

29. See WD/LR, from George Simpson, May 14, 1813, reporting on a trip through the Creek country and on a conversation with Governor Mitchell.

30. WD/LR, from Mitchell, July 23, 1813, reviews this matter.


32. WD/LS, MA, to Mitchell, to Blount, July 13, 1813. This was the same plan which Mitchell had in mind earlier, see Mitchell to Blount, July 13, 1813, Governors Letter Books, Georgia State Archives.

33. Blount to Flournoy, October 15, 1813, ASP, Indian Affairs, I, 855-56. Blount also had his eye on East Florida, see Blount to Jackson, November 24, 1813, Jackson MSS, L.C.

34. WD/LR, from P. Magruder, December 11, 1812 and enclosure.

35. See for example Mitchell to Toulman, September 30, 1813, id, to Crawford, December 28, 1812, Governors Letter Books, Georgia State Archives.

36. WD/LR, from Mitchell, July 23, August 9, 24, 1813, from Blount, July 30, August 8, 13, 1813; Mitchell to Blount, July 13, 29, 31, 1813, Governors Letter Books, Georgia State Archives.
37. WD/LR, from Mitchell, August 24, 31, September 14, October 5, 1813; WD/LS, MA, to Mitchell, September 5, 13, 1813.


39. Jackson to Blount, August 8, 1813, Blount to Jackson, August 14, 1813, Jackson MSS, L.C.

40. WD/LR, from Blount, September 28, 1813 and enclosures; White, op. cit., I, 390-91.

41. Blount to Flournoy, October 15, 1813, Blount MSS, Tennessee State Library.

42. WD/LR, from Peter Early, November 18, 1813 and enclosures; see also Hugh M. Thomas, "Governor Peter Early and the Indian Frontier, 1813-1815," Georgia Historical Quarterly, XLV, 3 (September, 1961), 223ff.

43. WD/LS, MA, to Pinckney, August 10, 1813; WD/LR, from Mitchell, September 6, 1813.

44. See WD/LR, from Mitchell, July-November, 1813.

45. Early to Floyd, November 12, 1813, Governors Letter Books, Georgia State Archives.


47. Early to Bibb, February 14, 1814, Governors Letter Books, Georgia State Archives.

48. Blount to Flournoy, October 5, 1813, Blount MSS, Tennessee State Library; see also White, op. cit., I, 394, 396.


50. Early to Troup, January 12, 1814, Governors Letter Books, Georgia State Archives; and also WD/LR, from Early, January 12, 1814.

51. WD/LS, MA, to Early, January 16, 1814.

52. Early to Eleazer, February 3, 1814, Early to Troup, February 2, 1814, Governors Letters Books, Georgia State Archives.

53. WD/LR, from Early, May 3, 1814. Early took this action to make good a federal treasury draft on the Mechanics Bank of Baltimore
for $27,000 sent to Parish Carter, the Army’s contractor in Georgia. The Treasury sent notes to replace the draft which the Augusta Bank would not honor.

54. Early to Simmons, May 17, 1814, Governors Letter Books, Georgia State Archives.

55. WD/LS, MA, to Jackson, June 13, 1814.


57. WD/LS, MA, to Pinckney, July 10, 1812.

58. WD/LS, MA, to Pinckney, August 28, 1812; WD/LR, from Pinckney, December 28, 1812.

59. WD/LR, from Claiborne, December 14, 1812, February 12, 1813; War Department, Reports of Secretary of War to Congress, August 29, 1813, National Archives.

60. WD/LR, from Pinckney, August 12, 1812, from J. Nicks, August 22, 1812; WD/LS, MA, to Hawkins, August 22, 1812; see also WD/LS, MA, to Hawkins, July 9, 1813.

61. WD/LR, from Hawkins, July-November, 1812; WD/LS, MA, to Hawkins and to Pinckney, July-November, 1812.

62. WD/LS, MA, to Pinckney, June 20, August 22, 1812; WD/LR, from Pinckney, August 27, September 7, October 20, November 26, December 12, 1812, January 28, 1813.

63. John Geddes to Madison, September 26, 1812, Madison MSS, L.C.

64. WD/LR, from Middleton, September 7, 1812; WD/LS, MA, to Middleton, September 14, 1812; see also WD/LS, MA, to Pinckney, September 25, 1812.

65. WD/LR, from Pinckney, December 3, 1812.

66. WD/LR, from Pinckney, March 29, 1813; WD/LS, MA, to Pinckney, April 8, 1813. See also Mitchell to Pinckney, December 28, 1812 and Pinckney to Mitchell, January 11, 1813, copies of which are in WD/LR, from Pinckney, January 12, 1813.

68. Mitchell to Troup, June 18, 1813, Governors Letter Books, Georgia State Archives.

69. Mitchell to McIntosh, July 5, 1813, Governors Letter Books, Georgia State Archives.

70. WD/LR, from Pinckney, May 15, 1813.

71. WD/LR, from Alston, May 29, 31, 1813.

72. Mitchell to Jones, September 1, 1813, Governors Letter Books, Georgia State Archives.

73. Mitchell to Jones, October 16, 1813, Governors Letter Books, Georgia State Archives.

74. WD/LR, from Hawkins, August 20, October 19, 1813.

75. WD/LS, MA, to Hawkins, October 30, 1813: "The expenses incurred by the Militia of North Carolina which have been called into the service by the General Government will be defrayed, conformably to the laws & regulations for the government of the public agents. . . ." The question still remained, however, whether or not the militia called up by the governor under authority delegated by General Pinckney (WD/LR, from Pinckney, March 29, 1813) was actually in the federal service.

76. Hawkins to Madison, November 30, 1813, Madison MSS, L.C.

77. Madison to North Carolina Legislature, December 11, 1813, Madison MSS, L.C.

78. Lefler and Newsome, op. cit., 295.

79. WD/LR, from Hawkins, March 12, 1814, from Turner and Stone, March 22, 1814.

80. See WD/LR, from Swift, April 4, 1814.

81. WD/LS, MA, to Senators of North Carolina, April 7, 1814, to W. Gaston, April 15, 1814.

82. ASP, Military Affairs, I, 490.

83. WD/LS, MA to ?, April 3, 1814.

84. WD/LS, MA, to Pinckney, August 11, 1814; WD/LR, from Pinckney,
June 5, 10, 1814. See also WD/LS, MA, to Cushing, in which Monroe
said that "No new [defense] works have been recently ordered except
where the state or town . . . has loaned the necessary funds.

85. WD/LR, from Pinckney, August 30, 1814 and enclosures.

86. WD/LS, MA, to Pinckney, October 2, 1814, in which Monroe informed
the General that the Treasury was empty.

87. WD/LS, MA, to Pinckney, September 5, 1814.

88. WD/LS, MA, to Alston, September 17, 1814.

89. WD/LR, from Pinckney, October 27, 1814.

90. Niles' Weekly Register, suppl. to vol. VII, 121, emphasis added.

91. WD/LR, from Williams, January 17, 1815; David D. Wallace, The
History of South Carolina (N.Y.: American Historical Society,
1934, 4 vols.), II, 392-93.

92. WD/LS, MA, to Williams, January 31, 1815.

93. Early to Pinckney, September 12, 1814, Governors Letter Books,
Georgia State Archives; James D. Richardson (comp.), Messages
and Papers of the Presidents (N.Y.: Bureau of National
Literature, 1897, 20 vols.), II, 530-31.

94. Early to Floyd, September 22, 1814, id. to McAlister, September 22,
1814, Governors Letter Books, Georgia State Archives. See also
WD/LR, from Pinckney, October 7, 1814 with copies of letters from
Early and the mayor of Savannah relative to coastal defense.

95. Niles' Weekly Register, suppl. to vol. VII, 128; Early to
McAlister, October 5, 1814, Governors Letter Books, Georgia
State Archives.


97. Journal, Georgia Senate, 1814 (Milledgeville: S. & F. Grantland,
1815), 24-25, 30.

98. WD/LR, from Pinckney, April 14, October 26, November 17, 1814;
WD/LS, MA, to Pinckney, November 14, December 1, 10, 1814.

99. Early to Pinckney, January 11, 1815, Governors Letter Books,
Georgia State Archives.

100. Charles C. Jones, History of Savannah, Georgia (Syracuse, N.Y.:
D. Mason and Co., 1890), 332-37.
Early to Pinckney, January 11, 1815, id. to Jones, January 27, 1815, Governors Letter Books, Georgia State Archives. Early had complained earlier of the banks' refusals to loan money to the state to pay militia, Early to Pinckney, November 21, 1814, Governors Letter Books, Georgia State Archives.

WD/LS, MA, to Early, September 25, 1814.

WD/IR, from Early, January 6, 1815.

Early to Floyd, January 19, 1815, Governors Letter Books, Georgia State Archives.

WD/IR, from Early, January 20, 1815.

Early to Floyd, January 16, 1815, Governors Letter Books, Georgia State Archives.

WD/LS, MA, to Jackson, May 22, 1814; WD/IR, from Jackson, June 8, 1814.

WD/IR, from Jackson, August 10, 1814; Jackson to Blount, August 27, 1814, Jackson MSS, L.C.

See WD/IR, from Joseph Anderson, June 20, 1814.

WD/LS, MA, to Jackson, October 21, 1814, in answer to WD/IR, from Jackson, September 9, 1814.

WD/LS, MA, to Jackson, September 25, 1814.

Claiborne to Jackson, August 21, 1814, Bassett, op. cit., II, 29-30.

Jackson to Claiborne, August 30, 1814, ibid., II, 40-41.

Claiborne to Jackson, September 20, 1814, ibid., II, 56-57.

Jackson to Claiborne, September 21, 1814, ibid., II, 56-57.

Claiborne to Madison, September 22, 1814, Madison MSS, L.C.

WD/IR, from Jackson, November 14, 1814.

WD/LS, MA, to Jackson, December 10, 1814; see also Claiborne to Jackson, November 4, 1814, Rowland, op. cit., VI, 395-608.

WD/LS, MA, to Claiborne, July 21, 1814 (circular letter to governors Shelby of Kentucky, Blount of Tennessee, Early of Georgia, and Claiborne of Louisiana).


122. Committee of Safety to Jackson, September 18, 1814, Bassett, op. cit., II, 51-54; Zachary F. Smith, The Battle of New Orleans (Louisville, Ky.: J.P. Morton and Co., 1904), 73-74; Rightor, op. cit., 136, which lists the members of the Committee of Safety.


124. Ibid., II, 105, 118, 246; WD/LR, from Jackson, December 2, 1814; and Reports to Congress by the Secretary of War, December 10, 1811, August 29, 1813, National Archives.

125. Claiborne to Jackson, December 9, 1814, Rowland, op. cit., VI, 321-23; WD/LR, from Claiborne, December 9, 1814.


129. Ibid., 402-03, and for Claiborne's speech to the legislature.

130. WD/LS, MA, to Blount and Shelby, August 4, September 25, 1814.

131. WD/LR, from Blount, October 12, 1814; WD/LS, MA, to James Morrison, November 2, 1814; Abstract Report of Supplies and Arms, Stores sent to the 7th Military District from Pittsburgh, December 14, 1814, Madison MSS, L.C.

132. WD/LR, from President of the Nashville Bank, August 16, 1814.

133. WD/LR, from Jackson, October 26, 1814; Jackson to President and Directors of the Nashville Bank, October 11, 1814, Jackson MSS, L.C.
134. WD/LR, from Claiborne, December 22, 1814; Parton, op. cit., II, 169.


CHAPTER V

THE WESTERN STATES AND TERRITORIES

Limited as the western states and territories were in human and physical resources, they found themselves severely pressed in the spring of 1812, as in years past, to carry on anything more than limited and local warfare against the Indians. State and territorial officials, consequently, once war with Great Britain appeared imminent, looked to the federal government to furnish nearly all of the means to wage war. Governor Return J. Meigs, Jr. had recognized the dependency of Ohio upon federal military support as early as January, 1812. 1 Acting-Governor Reuben Attwater of the Michigan Territory, while Governor William Hull was in Washington conferring with the President and Secretary of War Eustis on military plans for the West, sent several appeals to the War Department outlining the increasingly desperate situation in the territory and asking for troops and supplies. 2

The defeat of Tecumseh and his followers at Tippecanoe in November, 1811, instead of bringing peace to the West as Indiana's Governor William Henry Harrison believed, 3 in fact intensified the anti-American attitude among many of the Indian tribes and drove them even more into the open arms of the British. From November on, an increased fear of a general Indian uprising pervaded the West.
So weak were the defense capabilities in Detroit and so great and widespread was the fear of Indian attacks that many people fled the Michigan territory for the security of larger communities in Ohio and Kentucky. From many of those who did not leave the frontier areas in Ohio, Michigan, Indiana, Illinois, and Louisiana came petitions and memorials to the War Department and the President in the winter and spring of 1812 asking for federal military aid. Attwater, at the prompting of a group of citizens in Detroit, for example, asked for eight to ten thousand regulars.\(^5\)

As the likelihood of a full-scale Indian war increased, governors Benjamin Howard of the Louisiana Territory (after April, Missouri Territory) and Ninian Edwards of the Illinois Territory worked together in developing plans for an exchange of information regarding the movement of hostile Indians, to pool their resources in constructing block houses and other defenses, and to co-ordinate the deployment of rangers and militia. Time, they believed, would not allow communicating with Washington to receive authorization for calling up militia.\(^6\) "The situation of the principal settlements in this territory & Louisiana in relation to the Indians," Edwards explained to Eustis, "is such as to require a concert & union of operation, for the danger of the one is completely identical with that of the other. . . ."\(^7\) Without seeking approval from Madison or Eustis, Howard and Edwards sent appeals to Governor Charles Scott of Kentucky for volunteers to augment the meager forces then in the field. Scott delayed answering their requests until May when he issued a proclamation calling for an unlimited number of men to go to the western territories.\(^8\) Eustis,
in approving Scott's assistance, wrote that he should always try to provide whatever "additional support the exigencies may require. . . ."\(^9\)

The independent course of action adopted by Howard and Edwards did not, however, go unchallenged by federal officers. William Russell, who had been appointed in April, 1812 to command all the rangers and regulars in the western territories, complained to Eustis about Edwards' orders to ranger and militia officers.\(^10\) Thomas Martin, the military storekeeper at Newport, Kentucky, sought clarification of Edwards' authority in requesting arms without prior approval from the War Department.\(^11\) Colonel William Bissell, commanding the Army troops in the Missouri Territory, asked Eustis if he approved of his conduct in following orders from Governor Howard.\(^12\) Bissell's letter was prompted, it seems, by a conference at St. Louis in February, 1812 on the division of authority in the territory. James Taylor, the President's cousin, suggested to Madison that the confusion over the limits of the governor's military authority could easily be solved by conferring the rank of brigadier general on Howard. "It appears time," Taylor wrote, "that all the troops in his Territory ought to be under his command. He would accept of it. . . ."\(^13\) All of these questions were left unresolved for the time being. Neither Russell, Martin, nor Bissell received any answers from the War Department.

Governor Isaac Shelby of Kentucky, who succeeded Scott on August 25, 1812, also felt a need to undertake military measures without first securing approval from Washington. Citing a request which
General Hull had made to him for reinforcements, Shelby observed in a letter to Eustis on September 5 that because of the delay in going through the War Department the troops could not reach Detroit in time to do any good. "So remote is the scene of war in western America from the seat of the general government . . . that to be compelled to have recourse to the war department, forward a statement of facts, and receive an answer, will not only greatly retard the movements of the army, but may wholly defeat the desired object."

Shelby went on to recommend "the propriety of appointing a board of respectable characters, resident of the western country, . . . with power to call into service . . . the militia which may be required . . . and . . . to require from the war department all the munitions necessary for the supply of the troops. . . ."

This plan was not Scott's alone. Governor William Henry Harrison, Governor Shelby, and Henry Clay, along with several men from the Kentucky legislature, who had met in Frankfort on August 20, received four days later news of Hull's capitulation at Detroit and, searching for some way to rescue the situation, hit upon this scheme. As a temporary measure, Harrison received a commission as a brevet major general in the Kentucky militia in order to command volunteers being raised in that state, originally destined for Fort Wayne, but now to be marched to Detroit. These volunteers, Governor Scott made known, were not authorized by the President. The men who offered their services "must therefore trust in the justice of the government for compensation." Harrison's commission, although it violated the
state's constitution, which prohibited a federal officer from holding a state office, was yet another indication of the prevailing mood at Frankfort. It revealed that no one seemed willing to put much reliance in the federal government for pressing the war into Canada, much less for providing for defense against the Indians. Governors Howard and Edwards expressed the same doubt. So serious was the situation thought to be after Hull's surrender and the capture of Chicago that no objection was made in the Kentucky legislature to the appointment given Harrison.

Madison could not allow to be established such a board as Shelby recommended without surrendering important authority which belonged to the commander-in-chief and without setting a precedent which the Federalist states might act upon. Such a regional authority had within it the seeds of destroying the Union. Moreover, as a member of Congress stated, "it was deemed essential that the War Department should be always able to issue instantaneous commands, to every post, quarter, and officer, without delaying them to pass through the hands of the commander of that military district." The President did, however, designate Harrison as commander of the Western Army with "carte blanche authority." Harrison's powers were broader than either Dearborn or Pinckney possessed over all the military resources and operations, except for the designation of objectives.

Thus did the federal government try to resolve the confusion which existed in the West in connection with the problem of various commands. Eustis, after informing Harrison of his authority over
all the forces in the western states and territories, wrote to governors Howard and Edwards, instructing them to co-operate with the General and to obtain authorization from him before calling up militia, volunteers, or rangers. Neither Howard nor Edwards, however, was satisfied with this arrangement. Both territorial governors believed they should possess independent military authority and not be subject to any federal military officer. Howard complained to Eustis late in September that "as to co-operation ... with Military Commandants, my experience protests against it -- In military life, there is an incessant, anxiety about rank, and a well defined gradation of power is indispensable." He also felt that a more compliant and competent regular officer should be assigned to the Missouri Territory, especially one who would accept orders from the governor. Edwards petitioned the War Department for an exact delineation of his and Harrison's military jurisdiction: "Gov' Harrison seems to consider you as intending to supercede [sic] my mtty. command ... I consider you as having contemplated no such thing. ..." Raising another consideration, Edwards wrote that if Harrison's authority was greater than his own, "I will never lose sight of self respect so far as to subscribe to my own disgrace by consenting to any thing as humiliating. ..." Restating his objections a few weeks later, Edwards asked Eustis for the appointment of Nathaniel Pope, the territorial secretary, as military paymaster, notwithstanding the fact that the War Department had already designated officers to serve in that capacity. It was clear from these letters that the Illinois
governor wanted to create as separate an administration from Harrison's command as possible. 27

Mostly concerned with retaking Detroit, "and perhaps . . . more," 28 Madison and Rustis paid scant attention to affairs in the Illinois and Missouri territories. A wholly new force had to be raised after the enemy's invasion of the Michigan Territory, and it was on this that the federal government concentrated. But the difficulties which governors Meigs and Shelby had encountered earlier in arming and supplying the force became more serious by September, 1812. The three thousand men from Pennsylvania and Virginia were well outfitted by their respective states before leaving for Ohio. In the case of the former the Pennsylvania legislature appropriated funds for sustaining their militia throughout the winter months. 29 Such was not the case with the Kentucky militia. Shelby made clear to Rustis again, as he had on September 5, that money, arms, and supplies would have to come from the federal government if an army of any size was to take the field. Already, in this early stage of the war, because of a deficiency in all of these items, "the men grow clamorous & desertions more frequent. . . ." 30 Meigs too found it more difficult in September than in April to arouse volunteers. Part of the trouble he felt was with the want of "munitions of war" and camp equipment: "If I had an order from you 10 days ago, & proper supplies, Detroit would soon be in our possession." Meigs also told Rustis that he was becoming "greatly impatient" while waiting for a paymaster and quartermaster. 31 (Meigs did not mention to Secretary Rustis that his
own popularity had declined sharply after Hull's surrender -- his political opponents charged that he and Hull had conspired to accept a bribe from the British if the force was surrendered -- and that this development may have accounted in part for the weak response to his appeal for volunteers.\textsuperscript{32} The deterrent influence which a shortage of arms and supplies had on men who might otherwise have volunteered was known best by officers who came into almost daily contact with the soldiers. One such person was Isaac Van Horne, Ohio's Adjutant General. "Militia," he observed, "cannot [will not] march without a new blanket, a new gun & bayonet, shoes, etc. and every company ... must have a team of 4 horses to haul their baggage and equipment ... -- if they are fifteen days out and no pay, damn the President."\textsuperscript{33}

Addressing the legislature in December, 1812, Meigs "regretted that the congress of the United States has not provided for a more efficacious system of militia organization, discipline, and duty. ..."

Indirectly he admitted that federal and state authority to deal with the militia was vague and confused, but that because of circumstances and Congress's inaction, "the time is ... now arrived when the militia laws ... deserve your improving attention. ..." Equally important was the matter of arms and supplies. Had a more ample store of arms been provided by the legislature in the winter of 1811, Hull's "defeat" would not have occurred. An appropriation, therefore, to furnish militia and volunteers with the necessary equipment was absolutely essential for future military operations. Little help could be expected from the federal government in this area, he clearly
implied. "The declaration of war," he concluded, "is but a practical renewal of the Declaration of Independence; in which celebrated performance is contained a recital of many of those acts of injustice and oppression which caused its adoption. . . ." 34

Governor Isaac Shelby of Kentucky also encouraged his legislature to rewrite some of the militia laws with the aim of allowing a prompter compliance with militia requisitions from General Harrison or from Washington. Too much time was being lost in assembling men and preparing them for service. Moreover, there was an urgent need to stockpile arms, ammunition, and equipment, all of which were in dangerously short supply. 35

The Ohio legislature at first contented itself with adopting resolutions of support for the federal government in declaring and waging war and against Massachusetts and Connecticut for refusing to furnish detachments of militia. 36 Kentucky on January 29, 1813, approved a measure which increased the pay of the militia then in service in order to induce the men to volunteer for a longer tour after their three months duty expired. 37 Neither legislature acted on the recommendations to purchase arms and equipment. Lacking explicit statements on this matter, it may reasonably be inferred that at this juncture they believed the federal government should be the sole agent for supplying these items, that it was not the state's responsibility to arm militia called into federal service. 38

A proclamation to the militia announcing the legislature's action and containing a plea from Shelby to remain in service was issued on January 29, 1813, but it could have no effect. Monroe,
a month before Armstrong took over the duties of Secretary of War, had informed Harrison that because of a growing crisis in the Treasury it was necessary to order the discharge of all militia and volunteers who were not needed for defense. The planned offensive against Malden would have to wait. Harrison informed Shelby of this change in plans, complaining that the War Department had countermanded his requisitions on Ohio and Kentucky for more militia, which he had intended as replacements for the Kentucky, Pennsylvania, and Virginia militias whose tour was about to expire.

Shelby was dismayed at the orders given to Harrison. Deciding to take matters into his own hands, the governor immediately went to the legislature and received approval of a recommendation to raise a force of three thousand men for six months. Explaining his action to Armstrong, Shelby wrote that an early attack on Canada was expected throughout the West, that orders to Harrison to dismiss militia and to cancel orders for their replacement were unexpected, and that if "half measures, such as have been too often experienced in the late campaign are repeated", nothing more need be expected from Kentucky than what will be coerced by the Law of the land. . . ."

The Ohio legislature, informed by Meigs of the War Department's orders to Harrison, hurriedly enacted a bill on February 2 to raise a force of volunteers to serve under the General. The measure also allowed for the state to supplement the federal government's pay of the volunteers.

This increasingly independent attitude made Madison fear that the co-ordination of Harrison's and Dearborn's efforts would be
disrupted. One way to bring the situation under control was to deprive Harrison of some of his authority to call upon the governors for militia. Armstrong, therefore, informed Harrison in March, 1813, of a new set of regulations for calling out militia, rules which were adopted ostensibly for the purpose to eliminating most of the inefficiency and expenses involved in militia service and for placing greater dependence upon regular troops for offensive campaigns. By requiring Harrison to receive advance approval for calling out militia, the War Department gave notice that the federal government would refuse responsibility of all kinds if any other procedure was adopted. Another communication to Harrison in April clarified the meaning of the earlier letter:

... so many militia only are to be called out as shall be necessary for the defence of your posts ... and should the recruiting service go on less fortunately in the patriotic states of Kentucky and Ohio than in other parts of the Union, you are in that case, and in that case only, authorized to call out as many militia ... as will make good the deficiency. ...

Governor Shelby interpreted Harrison's new orders in this light. Without disclosing the source of his information he asked Armstrong if Harrison's earlier request for militia or volunteers had been approved. He had reason to believe, "on information lately received," that the General's authority had been considerably reduced. Rather than risk having the state assume responsibility for maintaining militia if Harrison lacked authority, Shelby cancelled temporarily orders for fifteen hundred volunteers to go to northern Ohio while waiting an answer to his inquiry about Harrison's powers.
Yet another dimension to the effort being made in the early months of 1813 on the part of the federal government to bring under closer control and direction events in the territories, which meant also limited the jurisdiction of General Harrison, was the appointment of Governor Benjamin Howard as a brigadier general in March, 1813, with a jurisdiction that included the Illinois and Missouri territories. A recommendation for this appointment had been made in February, 1812, and more recently while Howard was in Kentucky, where he had gone early in December, 1812, with the intention of proceeding on to Washington to explain in person the seriousness of the Indian situation in the Missouri Territory. Deciding against making the long trip east, Howard wrote to Monroe in January, 1813, "I have before, (you will discover) endeavored to impress on the mind of the then Sect of War the danger of my frontier. I certainly have in a great measure failed in this, so far as I can judge from any powers that have been given to me. . . ." Critical of Harrison for ignoring the territories, Howard himself politely but firmly asked to receive a military commission. After Howard indicated that he would refuse reappointment as governor, Secretary Armstrong, on March 12, wrote to him that his appointment as brigadier general would be recommended to the Senate, "to give combination & direction to the Military resources of the Western part of District No. 8. . . ."

When Howard returned to St. Louis early in April he found Acting-Governor Frederick Bates and Colonel Daniel Bissell more than ever concerned about impending Indian attacks. Bissell, whom Howard
held in low esteem as a military man, explained his inactivity during the preceding months on the ground that Howard had not approved his plans for deploying the "feeble" troops under his command. Bates, however, in February had approved Bissell's plans and since then had worked closely on defense measures with a Committee of Safety which had been formed in St. Louis. Immediately after his return, Howard wrote to the War Department that none of the troops promised by Monroe had arrived. Without waiting for a reply, he went ahead and raised several ranger units and activated militia companies in anticipation of an Indian attack.

Governor Edwards was left to discover these changes as best he could. When the separation in command between Harrison and Howard finally became clear to him, he left the Illinois Territory, angered at events which had passed him by, and went to Kentucky. From there he intended to go to Washington. Edwards felt, as he stated to Armstrong in June, 1813, that he had been too long neglected, and that he had been without instructions for several months regarding defense of either the Territory or the West, which had caused considerable "difficulty and embarrassment."

The first cause for complaint was the intervention of Harrison, in the fall of 1812, with a detachment of Kentucky militia who were originally ordered to the Illinois Territory. Harrison, Edwards understood, had ordered the troops instead to go to Vincennes, "where there was no real danger of Indian attack." What made matters worse for the governor was the fact that Monroe "must have considered Gov"
Harrison's arrangements as amply sufficient . . . and consequently
could not have reviewed in a favorable manner the representation
which I . . . made to you."60 Edwards also doubtless resented the
military reorganization, which led to the commissioning of Howard and
which, by the extension of federal authority, limited his initiative
and made self-defense look like an invasion of federal prerogative.

Secondly, Edwards was upset over the War Department's cancellation
of a requisition for a regiment of Tennessee volunteers to go to
Illinois early in 1813. Edwards had sent a request for help to
Governor Willie Blount in December, 1812, 61 which General Harrison
approved. 62 Blount went ahead with preparations to organize and
assemble the thousand man force, but delayed in sending them until
definite instructions were given by the War Department on how the
troops were to be equipped and supplied. After making repeated
inquiries over a period of three months, Blount was at last told
that other arrangements had been made for the defence of Illinois and
that no force from Tennessee was needed. 63

Thirdly, Edwards vigorously opposed plans to attack Malden.
Such an attack, he believed, would, if successful, drive the hostile
Indians westward and "it would not cut off the intercourse between
the British and the Indians as has been supposed." 64 Besides, men who
might otherwise be employed in Illinois would be diverted as in
fact some were; and used in the campaign against Lower Canada. Richard
M. Johnson, who had taken leave of Congress in December, 1812, to
command a troop of Kentucky riflemen, was promised to Edwards in May,
1813. But he and his force never arrived, again because of Harrison's
intervention, contrary to orders from the War Department. By June, the Secretary of War was as bewildered as Edwards and was unable to supply Congress with any information regarding allocation of men to the Illinois Territory.

Until the summer of 1813, Indiana, like the Illinois and Missouri territories, was left almost entirely to defend itself by whatever means were close at hand. Acting-Governor John Gibson, who replaced Harrison in September, 1812 and served until Thomas Posey received the appointment as the territory's new governor in March, 1813, tried unsuccessfully to obtain information from the War Department about the type of warfare to be conducted against the Indians, about the authority which he possessed over the militia and rangers, and about the payment of these forces. Harrison, he complained, whose command included Indiana, had ignored several appeals for assigning a larger force to the territory and had done nothing to see that the militia and volunteers were better equipped. Critically short of supplies, Gibson at one point, and on his own authority, ordered the distribution of food and clothing intended for friendly Indians to a regiment of volunteers. When Gibson left office the danger of attack had almost disappeared, but his successor, Thomas Posey, inherited the problems of finding the means for compensating volunteers and militia. The territorial assembly had undertaken to raise revenue for carrying out military activities against local hostile Indians, but it was acknowledged that such action at best could only be very limited in nature and, if effectual steps were to be taken, the federal government would have to allocate more resources to the territory.
Madison's, Monroe's, and Armstrong's hopes to put a large force of regulars under Harrison's command during the spring and summer of 1813 failed. Recruiting "progresses but slowly in Ohio," reported the chief recruiting officer in June. Not more than twenty-five hundred of an anticipated seven thousand accepted the recently increased rewards offered by the federal government. Governors Meigs and Shelby, therefore, were requested to organize a total of four thousand militia. Meigs immediately set out to raise the required number and to assist the federal recruiting service in raising more men for the Army. But Shelby, who had not yet received an answer from Washington to his inquiry about Harrison's authority to make a direct call upon governors for militia, held back an appeal for volunteers until after word was received from the Secretary of War indicating that the requisition would be recognized by the federal government.

As soon as Secretary Armstrong's letter of July 19 was received, approving Harrison's requisition and re-establishing the broad powers which had been given the General in August, 1812, Shelby issued a proclamation calling for volunteers to go against Canada. Fully expecting many more than the two thousand which had been requested, the governor asked Harrison what arrangements could be made to pay all of those who volunteered. By mid-August, however, Shelby concluded that the failure of the federal government to arm, supply, and pay the men who had served earlier explained the "indisposition of the people here to turn out..." "It has taken great exertion to reanimate them..."
Overcoming these difficulties, in part by providing to pay the volunteers out of the state treasury, Shelby at last organized nearly three thousand men. At the same time Shelby put himself temporarily at the head of the force, as the Kentucky legislature had indicated he should in January, 1813, and as Harrison had suggested in July. The General had taken precautions to prevent a conflict over authority from arising between himself and the governor. "You would not object," he wrote to Shelby, "to a command that would be nominal only -- I have such confidence in Your wisdom that you in fact should 'be the guiding Head and I the hand.'" Believing that the object and urgency of the campaign took precedence over considerations of the fine points of Ohio and Harrison's relative military powers, Shelby immediately agreed to this ambiguous arrangement before leaving Newport on August 31. When the campaign was over Harrison reported to Secretary Armstrong: "The governor of an independent state, greatly my superior in years, in experience and in military character, placed himself under my command, and was not more remarkable for his zeal and activity, than for his promptitude and cheerfulness with which he obeyed my orders."  

Shelby's "zeal and patriotism" were not reciprocated by the federal government in the way the governor had hoped. Throughout 1814, and particularly when the War Department requested militia, Shelby reminded Secretary Armstrong and Monroe that the troops he had led in the fall of 1813, besides those who had served earlier, had not yet received any pay. While recruiting volunteers in August, 1813, Shelby had promised, on the basis of a commitment made by General Harrison, that payment would be made upon completion of their tour.
This pledge, however, had not been fulfilled. Impatient at the long delay and silence on this matter in Washington, the governor let loose a barrage of detailed criticism of the federal government for failing to meet its obligations to the men who were fighting the war. In his opening address to the legislature on December 6, 1814, the Kentucky chief executive remarked that "We have too deep an interest at stake to rest our sole reliance on the general government." Reviewing the events of the past year and the crisis which prevailed around New Orleans, Shelby called for independent state action aimed at bringing the war to a successful conclusion: "... it would be criminal neglect of duty not to use the means in our power" to protect the country. He then asked for a state army of ten thousand men and appropriations of state funds to pay militia who had already served but who had not received any compensation, and to equip and support the new state force. He was sure that in time the federal government "will repay us for any necessary expense incurred. ..."

Ohio faced an identical problem in 1814. Like Kentucky, Ohio was called upon to furnish militia on several occasions during the last year of the war, but the question of militia pay and reimbursement of the state by the federal government for military expenses were uppermost in the minds of many of the state officials. Governor Meigs, who resigned his post in March, 1814, to accept the quieter job of heading the federal postal service, reflected the growing dissatisfaction in his address to the legislature in December, 1813. Commenting that every request for militia by the commanding officer of the eighth
military district had been "complied with cheerfully," Meigs reported that the men had not yet been paid. To ensure that future requests could be met and to allay the growing reluctance of militia to answer orders to active service, the governor recommended an appropriation of money to compensate the militia and to create the post of a militia pay-master general "to expedite payment of troops."^83

Senator Thomas Worthington, who had been urging Secretary Armstrong to attend to the payment of Ohio militia, decided to stand for election as governor in August, 1814. Despite his opposition to the declaration of war in June, 1812, a position which he had reversed in the meantime, Worthington won the election easily in October.\^84

In his inaugural address, December 3, the new governor indicated that since the war could be expected to drag on for some time, the state should undertake to establish a strong system of defense by constructing fortifications, authorize the raising of five additional militia regiments, and wholly revise militia regulations. "It is true," he concluded, "we are entitled to protection from the general government but past experience has proved, it is equally true, that from the very extensive sea coast and frontier to be defended, ... this protection cannot at all times be completely afforded, and that the states to a certain extent must defend themselves. ..."\^85

Worthington's experience in Washington with the War Department and his close knowledge of military affairs in the West led him to contemplate at one point issuing orders on his own authority to supply troops then in the field in Michigan.\^86 After reconsidering, and after
sending a special message to the legislature late in December, Worthington conceived of an arrangement which, if accepted, would allow the state government to begin a vigorous effort to strengthen defenses. For some time displeased with Secretary Armstrong for not keeping a promise to allocate more regulars to Ohio, he believed the situation to be so serious that he proposed to Secretary of the Treasury Alexander J. Dallas that if Ohio was allowed to retain control over the direct tax ($208,300) of the general government a force superior to that which existed could be organized. The money would be applied "in paying the fair claims of citizens of this state . . . for military services, for supplies . . ., and for articles impressed into the public service. . . ." The legislature, he added, had authorized this communication and "wants an answer as soon as possible to be able to act while the session lasts." 

Though this radical proposal was prompted by considerations of necessity and co-operation, as in the case of the Georgia legislature in 1813, Dallas replied in the only way he could.

In my answer to your letter of the 4th instant, I informed you, that there is no power in this Department, to accede to the propositions of any State, for assuming the payment of its quota of the direct tax, upon the condition of applying the amount of the quota, to the satisfaction of the debts due from the Government to the Citizens of the assuming State, nor, I will now add, upon the condition of applying it, to any local, or special use.

Taxes are imposed by Congress, for National purposes; and you will readily perceive, Sir, that if States, taking the place of individuals,
who are charged with the taxes, should be permitted to make partial applications of the most productive source of the public revenue, in favor of their own Citizens, or their own objects, the power to lay the taxes must become an idle ceremony. . . .

In effect, the Union, under the Constitution, would be dissolved; and a political imbecility, worse, probably, than was suffered under the old Confederation, would again afflict the country. 90

Dallas refused to accept the $30,000 which the legislature had set aside early in January as partial payment of the state's tax. He would, however, receive that amount as a loan at six per cent interest. Worthington and the Ohio legislature acquiesced to Dallas' directive. In reporting that decision, the governor, in a strongly worded letter, insisted that the state ought to be informed immediately what plans the federal government had to defend the West. Why, after three months of deliberation, had Congress failed to provide any money for the military, especially for the frontier areas? "They are far, very far, behind the wishes and expectations of their constituents," Worthington complained. 91

Neither Dallas' letters, the contents of which were revealed to the legislature, nor a third message from Worthington urging, among other things, the creation of a state volunteer army, moved the lawmakers to act, whether because of ignorance, provincialism, or lack of vision, Worthington was not sure. The legislature adjourned on February 16 after enacting a measure to borrow from state banks the amount of the federal tax. 92

The territorial governors, Clark, Edwards, and Thomas Posey (governor of Indiana after March, 1813), reflected even more intensely
the same concern over money, men, and material. During the early months of 1813, they also had to cope with the problem of confusion with regard to military command. In December, 1813, General Howard received orders to proceed to Detroit after Harrison had indicated his intention to resign his military commission. The question of military authority of the territorial governors had never clearly been settled. Governors Gibson and Posey of Indiana, for example, had been asking for clarification of this matter, but had not been sent a definite answer.

In January, 1814, Clark wrote to Armstrong asking whether or not in the absence of General Howard his authority extended to the militia, rangers, and few regulars in the territory. Before an answer arrived, he, like Gibson a year earlier, went ahead and initiated what defense measures he determined to be best suited to deal with a growing threat of an Indian attack. In doing so Clark was, as the Missouri Gazette pointed out, "in a most perplexing predicament." The same applied equally to Edwards, who was also confused about what he might do by way of initiating military action. Secretary Armstrong at last answered Clark in April, that in view of orders to Howard to return to the territory, "... your arrangements will necessarily be submitted to his judgments & decisions."

Once the question of command was clarified — only to be modified later in the case of Lewis Cass, who, as governor of the Michigan Territory, was given authority over the Army, militia, and rangers within his civil jurisdiction, notwithstanding the fact that General Duncan McArthur had been assigned to command the western military district after Harrison's resignation — the long-standing problems
of money, men, and material came once again to the surface. Clark, before Howard returned to St. Louis, had on his own authority raised a force of volunteers to go against the hostile Indians, a measure which the General subsequently approved of, and had promised that payment would be made by the federal government. The governor must have made this commitment knowing full well that it could not be fulfilled any time in the near future. Nowhere was there any significant amount of money to outfit a large enough force for an extended period. Clark, and later Howard, signed promissory notes to obtain whatever supplies were available; arms were supplied by men who owned them; and equipment was almost entirely make-shift. Clark was criticized for this state affairs, but the Gazette properly remarked in October, "... we ask in the name of common sense how he can be liable to censure when he has nothing more to do in the defense of the country than to order out such portions of the militia as may be demanded of him." The United States, the editor charged, should bear the burden and responsibility of supplying and equipping the force. When the major campaigns in Missouri ended in 1811, the rangers, regulars, militia, and volunteers returned to St. Louis and, with the exception of the regulars, were discharged. These men as well as those who served earlier were still without pay.

Volunteers from Illinois had been requested by Howard to join with the combined force in Missouri, a request which Governor Edwards unhesitatingly agreed to, but they too were without most of the prescribed arms and equipment. In October, Edwards wrote to Benjamin
Stephenson, the territory's delegate on Congress, that the western region was destitute of the means necessary to withstand an expected strong offensive of hostile Indians. He explained that the reasons for writing to the representative were that no word on any subject had been received from the War Department during the past several months, that his own letters, consequently, had not received any attention, and that he did not know who presently headed the War Department -- only on the basis of rumor did he suspect some change in that office had taken place. No funds, moreover, had been received for the past two years to pay the several peaceful Indian tribes the annuities to which they were entitled and the military service was also suffering for want of funds. Finally, and probably on the example of Governor Clark, who only a month before had instructed Alexander McNair, the newly elected territorial representative, to urge Congress to provide money for the West's military, Edwards also asked Stephenson to make every effort to obtain financial and military relief for Illinois.

Just as the declaration of war in June, 1812, did not signal the beginning of war-like conditions in the West, neither did the peace agreement arrived at in Ghent in December, 1814, and accepted by the United States in February, 1814, mark the end of conflict. Although the British forces in Canada were no longer a menace, hostile Indian tribes continued to resist the advance of the white man's frontier. The conclusion of peace with England did allow the federal
government to allocate more military assistance to the western
frontiers,\textsuperscript{107} fulfilling in part the requests made by the territorial
delegates in Congress.\textsuperscript{108} While military activities were being
carried out, governors Edwards and Clark were authorized to conduct
negotiations with the hostile tribes.\textsuperscript{109} Acting on behalf of the
federal government,\textsuperscript{110} they finally succeeded between July and October,
1815, in pacifying the frontiers.\textsuperscript{111}
Notes, Chapter V

1. Worthington to Meigs, January 8, 1812, Meigs MSS, Ohio State Museum. Federalist members of Congress recognized the military weakness of the West and the enormous support which would have to come from federal government. This consideration led Josiah Quincy to comment that war would serve to stimulate the western economy as a result of government expenditures, the money ultimately being obtained by taxes on the eastern part of the country, Edmund Quincy, Life of Josiah Quincy of Massachusetts (Boston: Ticknor & Fields, 1869), 255-56.

2. See for example War Department, Secretary's Office, Letters Received, Registered Series, from Attwater, January 21, February 11, 1812 (hereafter cited as WD/LR). Hull's requests and recommendations, in WD/LR, from Hull, March 9, 1812, were considerably more elaborate and extensive than were Attwater's.

3. Harrison to John Scott, (Philadelphia) Aurora, December 30, 1811.


6. WD/LR, from Edwards, February 13 (and enclosures), 18, May 6, 1812, from Howard, March 19, 1812. On the slowness of the mails see WD/LR, from Worthington, June 27, 1812.

7. WD/LR, from Edwards, July 21, 1812.

8. Edwards to Scott, February 13, 1812, printed in Niles' Weekly Register, August 22, 1812, and see also the issue of March 28 and April 4, 1812; WD/LR, from Howard, June 14, 1812. Edwards defended his request to Scott before receiving authorization from the War Department in WD/LR, from Edwards, February 18, 1812; see also WD/LR, from Stanley Griswold, March 5, 1812.
9. War Department, Secretary's Office, Letters Sent, Military Affairs, to Scott, July 9, 1812 (hereafter cited as WD/LS, MA).

10. WD/LR, from Edwards, April 24, 1812; WD/LS, MA, to Russell, April 18, 1812.


12. WD/LR, from Bissell, February 19, 1812.

13. Taylor to Madison, February 20, 1812, Madison MSS, L.C.

14. WD/LR, from Shelby, September 5, 1812.


16. WD/LS, MA, to Harrison, August 18, 1812.


18. Article VI, section 17 of Kentucky Constitution, printed in Niles' Weekly Register, suppl. to vol. III.

19. WD/LR, from Harrison, August 12, 1812 enclosures, consisting of letters from Edwards and Howard to Harrison, July-August, 1812.


21. WD/LS, MA, to Shelby, September 17, 1812: "The embarrassments attending the organization, direction, and supplies of any force, with the difficulty of determining the amount from the seat of government, have been sensibly felt. To find an adequate remedy, has engaged much of the attention of the executive. From a board of intelligence, influential, and patriotic citizens much useful information, and other essential advantages might be derived. Whether they could be clothed with the powers suggested, is a question requiring consideration. To meet existing emergencies after consulting the lawful authority vested in the president it has been determined to vest the command of all the forces on the western and northwestern frontier in an officer, whose military character and knowledge of the country, appear to be combined..."
with a public confidence. General Harrison has accordingly been appointed to the chief command, with authority to employ officers, and to draw from the public stores, and every other practical source, all the means of effecting the object of his command."

See also Charles J. Ingersoll, Historical Sketch of the Second War Between the United States of America and Great Britain (Philadelphia: Lea and Blanchard, 1845, 3 vols.), I, 189.


23. See for example WD/LS, MA, to Harrison, July 9, 1812, to Russell, July 11, 1812; WD/IR, from Harrison, July 28, August 10, 1812.

24. WD/LS, MA, to Howard, August 22, October 7, 1812, to Edwards, August 9, 22, September 17, 1812.

25. WD/IR, from Howard, September 20, 1812.

26. WD/IR, from Edwards, September 6, 1812.

27. WD/IR, from Edwards, August 15, 1812. See also Frank E. Stevens, "Illinois in the War of 1812-1814," Publications of the Illinois State Historical Library, No. 9 (1901), 115; Dwight G. McCarty, The Territorial Governors of the Old Northwest (Iowa City: State Historical Society of Iowa, 1900), 106.


30. WD/IR, from William Chambers, September 20, 1812.

31. WD/IR, from Meigs, September 8, also September 13, 19, 1812.

33. Van Horne to Worthington, December 9, 1812, Worthington MSS, Ohio State Library. See an almost identical letter to Worthington from James Manary, December 11, 1812, Worthington MSS, Ohio State Museum.

34. *Niles' Weekly Register*, January 9, 1813.


36. Senate Journal, Ohio Legislature, 1812-1813 (Zanesville: Sawyer & Chambers, 1813), 114-15; Meigs to Madison, January 10, 1813, Madison MSS, L.C.


38. See for example Senate Journal, Ohio Legislature, 1812-1813, 111, 112; WD/IR, from Meigs, February 12, 1813.

39. WD/LS, MA, to Harrison, January 17, April 27, 1813; Madison to Shelby, August 12, 1813, Madison MSS, L.C.

40. Harrison to Shelby, (February), 1813, *Harrison Papers*, II, 341; see also "Correspondence between Governor Isaac Shelby and General William Henry Harrison, During the War of 1812," *Kentucky Historical Society Register*, vol. 20, no. 59 (May, 1922), 130-31.

41. WD/IR, from Shelby, March 20, 1813; see also Shelby to Harrison, February 9, 1813, *Harrison Papers*, II, 353; (Philadelphia) Aurora, March 2, 1813; Clay to James Taylor, April 10, 1813, Hopkins, op. cit., I, 782-83.


43. WD/LS, MA, to Harrison, March 5, 1813.

44. WD/LS, MA, to Harrison, April 3, 1813, and also April 27, 1813.

45. WD/IR, from Shelby, April 18, 1813.


50. WD/LR, from Howard, January 10, 1813.

51. WD/LR, from Howard, March 30, 1813.

52. WD/LS, MA, to Howard, April 10, 1813; see also WD/LS, MA, to Harrison, March 17, 1813.

53. Bates to Howard, February 27, 1813, copy in WD/LR, from Bates, February 27, 1813.

54. WD/LR, from Bissell, March 30, 1813.


56. WD/LR, from Howard, April 5, 1813.

57. WD/LR, from Bates, May 14, July 31, 1813; Gregg, loc. cit., 191-92.


59. WD/LR, from Edwards, March 27, June 5, 1813; Stevens, loc. cit., 115; Ninian W. Edwards, History of Illinois from 1778 to 1833; and Life and Times of Ninian Edwards (Springfield: Illinois State Journal Co., 1870), 77, and Edwards' address to the territorial assembly on December 2, 1812, 78-84.

60. WD/LR, from Edwards, January 2, 1813, and also September 6, 1812; WD/LS, MA, to Edwards, December 9, 1812.


62. WD/LR, from Blount, February 26, 1813.

64. Edwards to Shelby, March 22, 1813, Edwards MSS, Chicago Historical Society; McCarty, op. cit., 106. General Benjamin Howard held to an identical point of view, WD/LR, from Howard, March 22, 1814. Secretary of War Armstrong, however, agreed with Harrison, WD/LS, MA, to Harrison, July 11, 1813, in which Armstrong noted that Edwards' fears were without any foundation.


66. War Department, Secretary's Office, Reports to Congress by the Secretary of War, June 26, 1813, National Archives.


68. WD/LR, from Gibson, September 2, November 11, 1812; see also Logan Esarey, A History of Indiana: From Its Exploration to 1850 (Indianapolis: W.K. Stewart Co., 1915), 304.

69. WD/LR, from Gibson, October 14, 1812.


72. WD/LR, from McArthur, June 16, 30, 1813.

73. Harrison to Shelby, July 20, 1813, Harrison to Meigs, August 6, 1813, Harrison Papers, II, 492-93, 516-17; Wheaton to Madison, June 20, 1813, Madison MSS, L.C.

74. Harrison to Shelby, April 9, 1813, Shelby to Harrison, April 18, 1813, Harrison Papers, II, 416-17, 420-21; WD/LS, MA, to Shelby, July 19, 1813; WD/LR, from Shelby, August 1, 1813.

75. Also see Madison to Shelby, August 12, 1813, Madison MSS, L.C.

76. Shelby to Harrison, July 8, August 2, 1813, Harrison Papers, II, 508-09, 518-20.

77. Shelby to Harrison, August 11, 1813, ibid., 521-22.
78. Brannan, op. cit., 239; Harrison to Shelby, July 20, 1813, Harrison Papers, II, 492-93.


81. WD/LR, from Shelby, January 10, March 17, June 3, August 13, September 25, 1814; WD/LS, MA, to Shelby, February 7, 1814.

82. National Intelligencer, December 22, 1814; see also WD/LR, from Shelby, January 29, 1815; Gilpin, op. cit., 255.


84. Alfred B. Sears, Thomas Worthington, Father of Ohio Statehood (Columbus: The Ohio State University Press, 1958), 172, 194-95.

85. Senate Journal, Ohio Legislature, 1814-1815 (Chillicothe: James Barnes, 1815), 44-50, emphasis added. Governor John Smith of Connecticut expressed an identical point of view in January, 1815: "The plainest principles of justice and self-preservation demand, that whilst the burden of defence is laid upon the state so much of its resources as may be adequate to that end, should be retained. It is desirable that on this subject an explicit arrangement should be made with the general government. . . " Niles' Weekly Register, supplement to vol. VII, 95-96.

86. Sears, op. cit., 196.

87. WD/LR, from Worthington, August 11, 1814; see also WD/LS, MA, to Worthington, October 28, 1814.

89. Worthington to Dallas, January 4, 1815, Senate Journal, Ohio Legislature, 1814-1815, 312-14; also in WD/LR, from Worthington, January 4, 1815.

90. WD/LS, MA, Dallas to Worthington, January 17, 1815.

91. WD/LR, from Worthington, January 17, 1815.

92. WD/LR, from Worthington, February 17, 1815; Sears, op. cit., 198.

93. WD/LS, MA, to Howard, December 31, 1813; cf., WD/LR, from Harrison, December 21, 1813.

94. WD/LR, from Gibson, January 13, 1813, from Thomas Butler, March 3, 1813.

95. WD/LR, from Clark, January 6, February 2, 1814. See also Clark to Edward Hempstead, February 4, 1814 in WD/LR, from Hempstead, March 22, 1814.

96. WD/LR, from Gibson, February 3, 1813.

97. See Gregg, loc. cit., 328.

98. WD/LR, from Edwards, May 24, 1813, March 20, 1814.

99. WD/LS, MA, to Clark, April 30, 1814.


101. Ibid., 328; WD/LR, from Clark, March 28, 1814, from Howard, May 15, 1814; WD/LS, MA, to Howard, July 18, 1814.

102. Quoted in Gregg, loc. cit., 336.

103. Ibid., 311-42; see also WD/LR, from Howard, October 20, 1814, from William Russell, October 20, 1814.

104. Edwards to Howard, May 3, 1814 in WD/LR, from Howard, May 15, 1814; see also WD/LR, from Howard, August 1, 1814.

105. Gregg, loc. cit., 342.

107. WD/IS, MA, to Clark, March 10, 1815.

108. Gregg, loc. cit., 341.


110. Gregg, loc. cit., 344-45; WD/IR, from Clark, May 22, 1815.

111. Gilpin, op. cit., 261; Carter, Illinois, 121-244.
CHAPTER VI
CONCLUSIONS

During the first two decades of the Union there were few official relations between the state and federal governments, as a majority of members of the early congresses intended. At one point, however, these two levels of governments could not avoid each other. The Constitution deliberately divided between them responsibility for the militia, which was regarded as the backbone of national defense. While enacting legislation from 1789 to 1812, Congress created what may be best described as an incongruous and confused military system, marked chiefly by a not always clear separation and often an overlapping of authority and responsibility for military resources. Presidents Washington, Jefferson, and Madison recognized the weakness inherent in the situation. From time to time they proposed to Congress measures designed to eliminate the more serious defects and to bring about a uniform application of federal law regarding militia organization, training, and equipment. But after twenty years they were unable to move Congress to adopt any far-reaching reforms, particularly those which would have instituted close federal control and supervision.

After failing a second time, in February, 1812, to obtain passage of a militia classification bill, and following the first
months of war, during which time the militia showed themselves to be undependable, disproportionately expensive, and, in the case of Massachusetts and Connecticut, a source of serious constitutional conflict, Madison virtually abandoned any further attempts at reforming the military system. Instead he concentrated on freeing the federal government with dependence upon the states for manpower by increasing the size of the regular Army. He hoped thereby to improve military effectiveness, to control directly a larger part of the country's human and material resources, and to avoid those occasions which would raise constitutional issues.

Although Congress several times revised upwards the statutory limit of the size of the Army, liberalized bounties, and increased the pay for regular soldiers, there was never a large enough federal force in the field at one time to win a major victory or to take up a strong defensive position without assistance from militia. And although Congress tried to provide sufficient revenue by taxation and loans, never was the federal treasury in a position to meet even some of the most pressing current costs of war. In the area of finances as in manpower, the states had to be relied on by the federal government on an increasing scale, even to the point of maintaining militia in federal service and of helping to support the Army. By the summer of 1814, all hopes for relieving the general government from dependence upon the states were dashed. On July 4, 1814, a directive was sent to the state governments requesting them to hold in readiness for possible federal service more militia than had been asked for in
April, 1812. By August, 1814, coastal communities were informed that they would have to finance directly any defense measures which were needed. As House members Joseph Hopkins recalled in January, 1816, "The federal government was . . . at the last gasp of existence. But six months more and it [would have been] no longer. . . ." He also reminded his colleagues of the fact that seven states had begun raising armies of their own and that an eighth state was considering similar action when the war ended. "The general government almost . . . dissolved into its original elements." 7

Weakness, bordering on helplessness, at the center, which was responsible for this crisis, may be explained on several grounds. The commander in chief of the country lacked the requisite "talents" to command men in a manner which would elicit their best qualities. As one close friend and supporter recalled, "he went through the war meekly, as his adversaries alleged shrinkingly. . . ." 8 Henry Clay believed, as did John C. Calhoun, that Madison was "wholly unfit for the storms of war. Nature has cast him in too benevolent a mold." 9

Second, disunity within the Cabinet, within the congressional Republican party, and between the federal government and the states controlled by Federalists contributed greatly to this weakness. 10 The first of these could not have been overcome since its solution depended upon resolving differences within the party itself, a task that was impossible to accomplish. 11 With regard to the opposition of the Federalist states, nothing short of outright capitulation to their demands would have quieted them, and this too was not possible.
Federalist obstruction, therefore, had to be tolerated, though it meant depriving the general government of both militia and a considerable amount of credit, and it led to a serious problem in negotiating a settlement with Great Britain. As Irving Brant has written, "Open sedition and silent resistance forced the United States to fight with one arm -- New England -- tied behind its back. That was more crippling than incompetent generals, raw militia, and an empty treasury." ¹²

Third, the machinery of the general government was, as Henry Adams observed, "unsuited to energetic use." Both the departments of War and Navy were under-staffed and thus were incapable of handling their duties efficiently. ¹³ The entire system of supply, which is always so crucial a matter in war, was a classic example of confusion and ineptitude. ¹⁴ Failure or long delay in furnishing supplies to militia created ill will on the part of some state officials, hampered military operations, and contributed to popular dissatisfaction or even an unwillingness to serve. And in spite of efforts to improve communications and co-ordination within the Army and between it and militia, which were the major reasons for dividing the country into military districts in March, 1813, the federal and state military apparatus still remained to a great degree disjointed. ¹⁵ Although the President tried to develop and to apply systematic and uniform policies with regard to the militia, it was not always possible to carry them out. This was so because either the policies themselves were too narrow or inappropriate, or because the means of implementation were weak or non-existent.
For example, by requiring that a federal officer inspect and muster militia before they could be accepted into federal service or by insisting at some times that district commanders receive approval from Washington before asking the states for militia, valuable time was lost, confusion resulted from the uneven application of these rules, and in some instances more problems were created than avoided. For a time the governor of North Carolina was accorded the unique privilege of federalizing militia without consulting with General Pinckney or the War Department. At one time or another every other governor asked to be allowed to do the same, but they were refused. In the case of Virginia and Maryland in the spring of 1813, both state governors believed the danger of invasion to be so great that they were confident the general government would approve of their calling out militia and that the federal authority would assume all financial responsibilities. Secretary of War Armstrong, however, denied authorization of payment for the troops, regardless of circumstances and despite the fact that no federal officer was close at hand to inspect and muster, because the departmental regulations had not been strictly followed.

Except for governors Strong of Massachusetts, Chittenden of Vermont, Jones of Rhode Island, and for a time Smith of Connecticut, all other state executives showed a willingness to co-operate with the federal government. Not once did they fail to comply with requisitions for militia, though toward the end of the war many of them began complaining that too heavy a burden was being placed on the militia.
and that militia troops were being asked to serve without any prospect of receiving pay. Some of the governors, notably Tompkins of New York, Barbour of Virginia, and Early of Georgia, bent the law on occasion, or disregarded it entirely, to lend badly needed assistance. Without authority from any source, they frequently drew funds from the state treasuries to support federalized militia and regular soldiers, to purchase supplies and equipment, or pledged the security of the state in order to obtain bank loans. Governor Shelby of Kentucky openly defied the state constitution, which prohibited the appointment of a federal officer to a state post, in designating Governor William Henry Harrison of the Indiana Territory a brevet general of the militia.

The governors often assumed responsibilities which clearly belonged to the federal government and its officers. The outstanding example in this regard was Governor Tompkins. Periodically he served as commissary, quartermaster, and paymaster general for the federal militia, and as an agent for the federal treasury during the last months of the war. Blount of Tennessee and Early of Georgia likewise acted on behalf of the Treasury Department in securing acceptance of treasury notes with state chartered banks.

The state legislatures outside New England were sympathetic to the declaration of war, but they were less inclined to assist the federal government in the war effort than the governors. It would seem that members of the legislatures generally believed that the federal authority should be wholly responsible for both offensive and defensive operations. Only when their states were directly and
immediately threatened with invasion, and when it was apparent that the federal government could furnish no protection, did the legislatures take any positive steps, and then not always. Though Boston was vulnerable to attack throughout the war, the Massachusetts legislature postponed initiating defense measures until October, 1814. In the spring of 1813, after Secretary of War Armstrong indicated that Maryland could expect little or no federal military aid in defending the coast, the legislature of that state only then began providing for local defense. Having turned down a request for defense funds from New York city's Common Council on the eve of war, the New York legislature finally answered that community's appeals in the fall of 1814 by appropriating $250,000 for defense. South Carolina's legislature, which had ignored Governor Middleton's strong recommendations for improving the military posture of the state in January and February, 1812, moved in the last months of the war to secure Charleston against invasion, but only after the general government had made clear that it was unable to provide for the common defense.

The legislatures also acted when they saw some advantage to be gained from military action. Once the federal government decided to launch a campaign against the hostile Indians in the southeast, the legislatures of Tennessee and Georgia supported the effort with money and men. On the other hand, the support extended by the legislatures of Pennsylvania, Virginia, and Kentucky, principally in the area of finances, was perhaps most prompted by what Governor Shelby declared
to be a "sense of duty." Failure to assist the federal government "would be criminal neglect of duty. . . ."

Without a strong center, which Madison wanted to bring into being but which Congress and the obstruction of the New England states prevented, the states were forced by the course of events to go their own ways the longer the war lasted in providing for their own defense. The general government was simply unable to command or to mobilize the resources of the country that were needed to conduct the war more vigorously. Had it not been for the voluntary support of the states, however reluctantly tendered in some instances, in areas which the federal government had no right to expect or to demand, the war may very well have destroyed the Union.
Notes, Chapter VI


2. James D. Richardson (comp.), A Compilation of the Messages and Papers of the Presidents (N.Y.: Bureau of National Literature, 1890, 20 vols.), I, 583, 589-590; National Intelligencer, February 1, March 12, 1813.

3. The most important single document on this subject is Monroe's proposal in Reports from the Secretary of War to Congress, December 23, 1812. See also Madison to Dearborn, August 9, 1812, Madison to Gallatin, November, 1813, Madison MSS, L.C.; Charles R. King, Life and Correspondence of Rufus King (N.Y.: Putnam, 1898, 6 vols.), V, 272-73; Reports from the Secretary of War to Congress, October 17, 1814; Howard White, Executive Influence in Determining Military Policy in the United States (Urbana: University of Illinois Press, 1924), 177-79, 181, n.


6. War Department, Secretary's Office, Letters Sent, Military Affairs, April 15, 1812, July 4, 1814, National Archives.

7. Annals, 14 Cong., 1 sess., 795. Jefferson held the same opinion, Jefferson to Gallatin, October 16, 1815, H.A. Washington (ed.), The Writings of Thomas Jefferson (Washington: Washington, Taylor & Maury, 1853-1854, 9 vols.), VI, 498. See also George S. Hillard (ed.), Memoir, Autobiography and Correspondence of Jeremiah Mason (Kansas City: Vernon Law Book Co., 1926), 101. For an entirely different point of view see Monroe's letter to William Giles, February 22, 1815, Reports from the Secretary of War to Congress. Artemas Ward of Massachusetts, December 14, 1814, remarked that: "If every State in the Union ... defends herself, our whole country will be defended. In my mind, the resources of the States will be applied with more economy, and with great effect in defense of the country under the State Governments." Annals, 13 Cong., 3d sess., 907.


15. Ibid., 25-50; Burt, *op. cit.*, 324-35.


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488-508.


I, Edward James Wagner II, was born in Cincinnati, Ohio, October 17, 1934. I received my secondary-school education in the parochial schools of Cincinnati, Ohio, and my undergraduate training at The Ohio State University, which granted me the Bachelor of Arts degree in 1957. From The Ohio State University, I received the Master of Arts degree in 1958. While in residence there, I was a graduate assistant and assistant instructor. In the summer of 1960 I was Instructor in History at The University of Kentucky.

I accepted in September, 1962, a position as Instructor in History at The Ohio State University -- Lakewood.