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## Militiamen and Volunteers: The New Brunswick Militia 1787-1871

AT THE END OF THE LAST century the militia history of New Brunswick was the subject of several highly subjective monographs and memoirs, which gave a colourful and very romanticized picture of the colonial militia.<sup>1</sup> Twentieth century Canadian military historians have dealt with the subject more critically but also very superficially, for they have started from the assumption that the New Brunswick militia was little more than a paper force which was entirely ineffective.<sup>2</sup> Although this assessment is largely correct, it minimizes the important role that the militia could and did play in times of crisis and ignores the serious efforts that were made during much of the colonial period to turn the militia into a more effective local defence force. This assessment also glosses over the differences between the development of the militia in New Brunswick and in the Canadas. The New Brunswick militia was not, as the literature frequently suggests, simply a pale reflection of the Canadian militia. New Brunswick's militia laws proceeded along completely independent lines until the mid-1850s when the volunteer movement created a more common ground for militia legislation in British

- 1 A number of retired militia officers wrote highly personalized accounts of their careers in the provincial force that gloss over much of the uncomplimentary detail about the pre-Confederation period. See W.T. Baird, *Seventy Years of New Brunswick Life* (Saint John, 1890); Lieutenant-Colonel George J. Maunsell, "The New Brunswick Militia", *The New Brunswick Magazine*, II, 3 (March 1899), pp. 121-32; II, 4 (April 1899), pp. 186-95; II, 5 (May 1899), pp. 239-49; II, 6 (June 1899), pp. 296-305; J.B.M. Baxter, *New Brunswick Regiment of Artillery* (Saint John, 1896); Major E.T. Sturdee, *Historical Records of the Saint John Fusiliers* (Saint John, 1884).
- 2 J. Mackay Hitsman's unpublished report on the pre-Confederation militia of the Maritime provinces is the most detailed account available of the New Brunswick militia during this period. But it contains little analysis and only limited explanation of major developments. In 1946 George Stanley wrote a short article on the Canadian militia during the colonial period which focussed more on Upper and Lower Canada and tended to see New Brunswick developments fitting into a broader British North American pattern. The most recent military history of Canada, written by Desmond Morton, reduces the New Brunswick militia to little more than a paper force, unarmed and untrained, serving mainly as a mechanism by which the population could be mobilized in an emergency. See J. Mackay Hitsman, "Militia of Nova Scotia, New Brunswick and Prince Edward Island", Report No. 7, 4 July 1966, Directorate of History, Canadian Forces Headquarters; George F.G. Stanley, "The Canadian Militia During the Colonial Period", *Society for Army Historical Research Journal*, XXIV, 97 (1946), p. 33; Desmond Morton, *A Military History of Canada* (Edmonton, 1985), pp. 85-6.

North America. But even then New Brunswick enjoyed far greater success than did the other colonies in introducing a volunteer militia system. By the time of Confederation New Brunswick possessed, as Canada's first Minister of Militia, Sir George Etienne Cartier, acknowledged, "the best militia law" of all the provinces in the Dominion.<sup>3</sup>

Although a militia existed in pre-partition Nova Scotia,<sup>4</sup> the real origins of New Brunswick's militia go back to an earlier American colonial model, itself patterned after an English example. The American colonial militia was a product of the particular defence needs of small isolated communities and in the beginning was little more than an armed posse. Although much criticized during the colonial period in America and usually not well supported, the militia redeemed itself during the Revolution because from its ranks came the military forces of the rebellion as well as the Loyalist cause.<sup>5</sup> It was a point not lost on the administrators of British North America nor, indeed, on the Loyalist settlers of New Brunswick. At the same time the role of the British forces in the war and their visible presence as a garrison in the restructured North American empire helped to create a dependency on Britain that stifled any initiatives in local defence matters.

From the beginning British authorities hoped to force upon the North American provinces greater responsibility for local defence and to avoid a repeat of the problems encountered in the Thirteen Colonies. For this reason Lord Dorchester, the governor-general, pressed his younger brother, Thomas Carleton, recently appointed lieutenant-governor and commander-in-chief of New Brunswick, to move quickly towards the organization of a provincial militia. The province must not, he warned, come to depend on British troops for defence.<sup>6</sup> Given the state of settlement at the time, Dorchester's expectations were hardly realistic. Most communities, apart from Saint John, were small and scattered and preoccupied with creating a new life in a strange and often hostile environment. Few of the residents even possessed firearms. Nevertheless, the process of forming a provincial militia was begun in 1787 by an act of the provincial legislature. The legislature based its first militia act on that of colonial New York. It was a

3 Canada, *House of Commons Debates: First Session, First Parliament, 31 Victoria*, 31 March 1868, p. 428.

4 John Plimsoll Edwards, "The Militia of Nova Scotia, 1749-1867", *Collections of the Nova Scotia Historical Society*, XVII (1913), pp. 63-73 *passim*.

5 John C. Dann, ed., *The Revolution Remembered: Eyewitness Accounts of the War of Independence* (Chicago, 1980), p. xx.

6 Dorchester to Carleton, No. 1, 3 January 1787; No. 2, 3 January 1787 (Secret); No. 101, 9 January 1788; No 102, 1788, vol. 6, Winslow Papers, University of New Brunswick Archives [hereafter UNBA].

familiar model and not entirely appropriate given the state of settlement at the time. Although the act included detail on the organization of the militia and the duties and responsibilities of militiamen and officers, it actually did little more than provide the legal mechanism for enrolling adult males between 16 and 50 into local militia companies and authorize the calling out of the militia in an emergency. It was expected that the process of enrollment would take three months to complete. It took closer to five years just to find suitable officers to command the companies. Although the militia was to be mustered and exercised twice a year, once by company and once by battalion or regiment, there are no records of such activity taking place in these early years. The militia formed as a result of this act was only loosely organized, based largely on the settlement and intended to meet a local defence need.<sup>7</sup>

In keeping with normal practice both in Britain and in the other colonies, Carleton selected his colonels from among those of prominence or influence in the community. Most had been officers in the Loyalist corps, but several were members of the council. Because the soldiers of disbanded regiments tended to settle together, regimental associations provided a ready-made structure for organizing the militia companies and also made it easier for the colonels to find suitable individuals to recommend as officers. For those receiving a militia commission, the rewards were minimal apart from the status it conferred in a society that was still very rank conscious.<sup>8</sup> In the early years the administration of the militia was simply one of the many tasks performed by the provincial secretary.

The outbreak of war with France in 1793 propelled the province's half-formed and poorly-armed militia into unexpected activity. Concerns were immediately raised in official circles that the coastal regions might be subject to attack by the French supported by a hostile United States. In Nova Scotia, where the garrison had been reduced, portions of the provincial militia were embodied to improve

7 New Brunswick, *Journal of the House of Assembly* [hereafter *JHA*], 15 February 1787; Militia Act of 1787, RG4, Provincial Archives of New Brunswick [hereafter PANB].

8 Although one can only generalize on the basis of an examination of David R. Facey-Crowther, *Commissioned Officers Lists* (Fredericton, 1984), it would appear that social standing was a factor especially at the more senior ranks and that family connection, based on a recurrence of family names, was also an important consideration. It is also interesting to note the frequent inclusion of the term "gentleman" and "esquire" in references to initial commissioning to the militia, a further indication of the sense of status attached to appointments. This practice dies out by the mid 1830s. See also Anonymous, "Scenery of the St. John" (Pt IV), *New Brunswick Courier* (Saint John), 13 October 1832 and Thomas Costin to Edward Winslow, 2 July 1792, vol. 8, No. 22, Winslow Papers, both of which illustrate the value attached to public office in this early period.

Halifax's defences and to guard the harbour.<sup>9</sup> Carleton's situation was more difficult. The removal of the regular garrison early on in the war forced him to fall back entirely on the militia, giving him grave concerns about the fate of the isolated coastal centres.<sup>10</sup> The situation appeared brighter when Carleton was given authority to raise a provincial corps, the King's New Brunswick Regiment, for local service, which he was to command, and to provide the militia with much needed arms and equipment. But recruitment for the regiment was extremely slow and never reached the 600 authorized, leaving Carleton to rely more heavily on the militia than originally intended. As it turned out, the recent wartime experience of many of the militiamen proved to be a positive asset and the local companies quickly and effectively responded to unexpected emergencies. When rumours abounded in May 1793 about a French privateer cruising the Bay of Fundy, the Saint John County Militia organized a night patrol. Militia companies from that port community were also kept busy, under Carleton's direction, preparing the town's defences. Militia volunteers, drawn mainly from the units in Saint John and Fredericton, served without pay at various localities in the province for much of this first year of the war.<sup>11</sup>

As the rumours of invasion began to subside at the end of 1793, the province turned its attention to a major revision of the militia law. The wartime act of 1794, implemented a full year before similar legislation in Nova Scotia, assigned a new and central role to the militia in the defence of the province. Discipline was tightened and training periods, now under the direction of paid regimental adjutants, were extended from two to four days a year and subject to inspection by senior regimental officers. Muster rolls were to be carefully maintained and forwarded to provincial headquarters for review. Arrangements were also made for embodying by ballot portions of the militia for active service should the need arise.<sup>12</sup> The 1794 act did much to stimulate the organization of the provincial militia, as did the continuing rumours and, later, actual reports of enemy activity against coastal communities. In 1795, a raid on the isolated settlements around

9 Hitsman, "Militia", p. 6.

10 Carleton to Admiral Sir Richard Hughes, 30 September 1790; Carleton to Duke of Richmond, 2 October 1790; Carleton to Brigadier-General Ogilvie, 27 April 1793, Carleton Letter Book, MG23, D3, National Archives of Canada [hereafter NAC].

11 Carleton to Brigadier-General Ogilvie, 27 April and 5 May 1793, Carleton Letter Book, MG23, D3, NAC; Carleton to Dundas, 20 November 1792, 26 April 1793; Carleton to Portland, 10 September 1795, RS330, RG1, vols. III and IV, PANB; Dundas to Carleton, 7 January 1793, RG7, G8B, vol. II, NAC.

12 "A Bill for the better regulating of the Militia in this Province", 5 February 1794, RG4, S8, PANB.

Passamaquoddy Bay by pro-French Americans was thwarted by the local authorities and a well-prepared detachment of the Charlotte County Militia. A second raid, later that year, resulted in the capture of the would-be invaders by alert local militiamen.<sup>13</sup>

Although defence concerns lost some of their immediacy after these predatory raids ended in 1795, the organization of the militia continued uninterrupted. By 1799 all the county regiments had been formed and officers and non-commissioned officers appointed. Musters were held regularly and attempts were made to provide the militiamen with training. There were still chronic shortages of government arms but the militiamen made do with what personal weapons could be gathered together in the community. Carleton ambitiously hoped to form the county regiments into two brigades, one based at Fredericton, the other at Saint John, and appointed an assistant adjutant-general to serve as an intermediary between the units and headquarters. Lieutenant-Colonel Harris W. Hailes, a local worthy who had served as Fort Major at Fort Howe at the end of the Revolutionary War, took on responsibility for promulgating militia general orders, issuing commissions and handling other staff duties. He quickly established for that office, later upgraded to adjutant-general, an authority that would last well beyond his retirement in 1812.<sup>14</sup> The brigade structure, on the other hand, proved unworkable and was abandoned, placing administrative control once again in the hands of the regimental colonels. One interesting development that came out of this period was the emergence of the volunteer companies, formed early in 1798 and based on a contemporary British model. These uniformed companies, drawn from those of independent means in the community and organized and governed by their own rules and conditions of service, served without pay as a kind of home guard in Fredericton and Saint John. Although their existence was short-lived, volunteer organizations of this kind did establish an important precedent for later developments.<sup>15</sup>

With the Peace of Amiens in 1802, the British military establishment in North America was reduced. Fewer than 1200 British troops guarded the Atlantic provinces and most of these were stationed in Halifax. That number would be further reduced when war resumed the following year. As part of these cutbacks, provincial regiments such as the King's New Brunswick Regiment were disbanded.

13 Jonas Howe, "The King's New Brunswick Regiment: 1793-1803", *Collections of the New Brunswick Historical Society*, I (1894), p. 37; Pagan's Account of Monies Paid to the Militia of Charlotte County, 1801, RG4, S14, PANB.

14 D. Facey-Crowther, "Commissioned Officers' Lists" (Revised), Headquarters Staff, p. 3, UNBA; Isabel Louise Hill, *The Old Burying Ground Fredericton N.B.* (Fredericton, 1981), II, pp. 177-83.

15 See A4 Military Order Book for company orders for 1798-99, the years when the Fredericton Volunteers were in existence, New Brunswick Museum [hereafter NBM].

For New Brunswick it meant that the province was once again without a regular garrison. More serious was Carleton's decision to depart the province on a leave of absence. He would never return and the succession of government, including the responsibility for the militia and military affairs in the province, passed to a civilian, the President of the Council, Gabriel Ludlow. The resumption of war did not immediately revive concerns for the province's safety, as Britain's naval supremacy insulated the North American colonies from the immediate perils of war. This permitted Ludlow, who was not interested in military matters, to leave the daily administration of the militia to the headquarters staff which, now lacking positive leadership and direction from the executive, allowed the units to slip into a state of uncontrolled inertia.

The "Chesapeake Affair" of 22 June 1807 and the resulting war scare between Britain and the United States brought North American defence to the forefront again. An American invasion of New Brunswick and Nova Scotia was considered by British authorities to be highly probable and in September the two colonies were warned by the Colonial Secretary, Lord Castlereagh, to tend to the training of their militia forces and to put their defences in order. Should New Brunswick be invaded and prove to be indefensible, Ludlow was instructed to abandon the province and fall back on Nova Scotia and the port of Halifax.<sup>16</sup> In Halifax, the acting Commander of the Forces in Nova Scotia, a command which included New Brunswick, responded to the crisis by embodying nearly 2000 militia for the defence of the province. Ludlow was instructed by Hunter to make similar arrangements for New Brunswick. By the end of March 1808 Hunter was able to report that the Nova Scotia militia were well trained considering that "they never had weapons in their hands before".<sup>17</sup> In New Brunswick the results of the call up were chaotic. Ludlow rashly informed the public of Castlereagh's plan for abandoning the province, which created a panic, and then, with insufficient preparation, embodied a portion of the provincial militia, creating an administrative nightmare that took months to untangle.<sup>18</sup> Wintertime and regional unemployment, mingled with patriotic enthusiasm, resulted in an exuberant response to the call out. Nearly 700 militiamen were embodied with detachments stationed in Fredericton, Saint John and St. Andrews.<sup>19</sup> Although Halifax eventually authorized provisions no arrangements had been made for accommodation or, more seriously, for pay. Ludlow died on the day he was to have signed the necessary bills for paying the force, bequeathing to his hapless

16 Castlereagh to Ludlow, 4 September 1807, vol. III, RG7, G8B, NAC.

17 Hitsman, "Militia", p. 8.

18 Lieutenant-Colonel Joseph Gubbins, *New Brunswick Journals of 1811 and 1813*, ed. by Howard Temperley (Fredericton, 1980), p. 38; Chipman to Winslow, 30 March 1808, vol. 14, Winslow Papers, UNBA.

19 Orders, 30 January, 9 February, 15 April 1808, A4, NBM; Proposed establishment for a Battalion

successor, Judge Edward Winslow, the onerous and unwelcome task of dealing with 700 unpaid, poorly quartered and increasingly disgruntled militiamen.<sup>20</sup>

Fortunately Winslow was a man of considerable talent with years of administrative and military experience behind him.<sup>21</sup> By the time he succeeded to the presidency of the council the American crisis had passed and he could concentrate his efforts on dealing with the administrative tangle he had inherited. His approach was cautious but deliberate. He sought first a method of paying the troops and, second, the necessary authorization for their dismissal. The first was easier to resolve than the second.<sup>22</sup> Hunter hesitated because he had no troops to spare from his Halifax command, should they be required in New Brunswick. But Winslow felt that he could wait no longer: the militia was at the point of dissolving itself, threatening to bring disgrace and dishonour to the province. On 24 April 1808, on his own authority, he ordered the militia to disband.<sup>23</sup> It was a risky initiative but warranted by the circumstances. Prolonged inactivity and uncertainties about the length of the call up had brought discipline to dangerous lows and led to displays of unruly behaviour and insubordination to officers. Winslow emerged from the whole affair with his reputation further enhanced and his popularity at an all time high. But the reputation of the militia, which had earned public respect and official approbation during the crisis years of the mid-1790s, had been noticeably tarnished.

The tensions with the United States led to Castlereagh's decision to place the civil administration of the provinces under military jurisdiction. At the end of April 1808, Winslow was informed that the succession of government would pass to Major-General Hunter. For New Brunswick, the "military succession", as it was termed, was never popular, especially among the politicians, but it would last, in spite of legislative protest, until 1817. It was accompanied, throughout British North America, by a vigorous reappraisal of defence requirements as a result of which the regular garrison was increased and steps were taken to improve the calibre of provincial militia forces by the appointment of regular officers responsible for inspection and training.

of ten companies of Volunteer Militia Rangers commanded by Hon. Col. Saunders, 24 February 1808, Saunders to Winslow, 26 February 1808, vol. 14, nos. 63 and 64, Winslow Papers, UNBA.

20 W.O. Raymond, ed., *Winslow Papers A.D. 1776-1826* (Saint John, 1901), pp. 602-3, 627.

21 For details on Winslow's life see Ann Gorman Condon, "Edward Winslow", *Dictionary of Canadian Biography*, vol. V (Toronto, 1983), pp. 865-8.

22 Winslow to Major-General Hunter, 7 March 1808, vol. 14, No. 68, Winslow Papers, UNBA; undated warrant, Edward Winslow to William Hazen Junior; Edward Winslow to Hon. Henry Wellesley, 7 March 1808, vol. VI, RG1, RS330, PANB.

23 Martin Hunter to Edward Winslow, 20 March 1808; Edward Winslow to Martin Hunter, 30 March 1808; Martin Hunter to Edward Winslow, 4 April 1808; Edward Winslow to Sir James Craig, 4 April 1808; Order for Disbanding, 24 April 1808; Martin Hunter to Edward Winslow, undated, April 1808, vol. 14, nos. 79, 84, 89, 91, 92, 97, 98, Winslow Papers, UNBA.

Under Hunter's direction the province's militia was completely restructured and major efforts were made to improve leadership and training. The eight county regiments were reorganized into 14 battalions making it easier for militiamen to attend musters in more convenient locations. The older generation of Loyalist officers was retired and their places taken by younger men better able to carry out the responsibilities of command. Hunter's experience with the embodied militia in Nova Scotia during the Chesapeake Affair had shown the benefits of supervised training. Revised legislation in 1808 made provision for paid periods of additional training for the militia under the direction of the newly appointed inspecting field officer, who was also responsible for reporting back to Fredericton on the state of the provincial militia. Although shortages of weapons were a major problem, within two years sufficient progress had been made for Hunter to dispense with the extra days of drill. His final act was a major rewriting of the province's militia legislation in 1810 which tightened discipline and improved training under paid instructors, recruited from among regular force, non-commissioned officers stationed in the province.<sup>24</sup> Much of Hunter's success was due to a renewal of tensions between Britain and the United States, which was accompanied by the provision of some financial support for the militia and by a revival of patriotic sentiment in New Brunswick. In 1812 the assembly not only renewed the expiring militia law and made provision for a salary for the adjutant-general, it also magnanimously placed £10,000 at Hunter's disposal for the defence of the province in the event of war.<sup>25</sup> When Hunter stepped down in June 1812 he handed over to his successor, Major-General Stracey Smyth, a militia force better trained and organized than previously and once again enjoying a wide measure of public support.

Smyth was immediately faced with having to prepare the province against a possible American attack. Like his counterpart in Nova Scotia, Sir John Sherbrooke, Smyth's main concern was to avoid provoking the Americans while ensuring that the province was ready in the event of a surprise attack. On paper he had 5500 militia available for active service. In reality, that number was halved because of a chronic shortage of serviceable weapons and by fears of the effects an extended call up would have on the province's agricultural production. For these reasons only one third of the militia was actually ordered to prepare for call out on short notice. A staff nucleus from the units was embodied immediately and assembled in central locations for briefing by headquarters

24 *JHA*, 18 July 1808; Orders, 15 October 1808, A4, NBM; "A Bill for better regulating the Militia in this Province, 1810", RG4, RS24, S20, PANB.

25 *JHA*, 4 March 1812; W.S. MacNutt, *New Brunswick: A History 1784-1867* (Toronto, 1963), p. 155.



personnel. The general outlines of an operational plan were drawn up, calling for the militia to fall back on the St. John River in the event of an invasion and to co-operate with British forces in the defence of the province. As a precautionary measure Smyth ordered two companies of militia from the Northumberland and York county battalions to supplement the small regular garrison in Fredericton and a further 500 militia to guard the St. Croix settlements. While on active service these companies were instructed and drilled by non-commissioned officers from the locally raised 104th Regiment. Encouraged by Smyth, volunteers from among the inhabitants of Saint John erected fortifications and other defence works around the city, while in St. Andrews and other exposed coastal centres martello towers and blockhouses were constructed under the supervision of Lieutenant-Colonel Joseph Gubbins, the inspecting field officer. Smyth tried to obtain more weapons for the militia but his efforts were frustrated by disasters and enemy activity off the coast, forcing him to fall back on available resources and to order the repair of all serviceable weapons.<sup>26</sup>

In the end, these arrangements proved to be unnecessary. Except for the activities of the province's 104th Regiment in Upper Canada and the extensive privateering operations against American commerce off the coast, the War of 1812 for most New Brunswickers was as remote as the war in Europe against Napoleon. British naval supremacy in the Atlantic secured the coasts from attack and operations against American settlements along the Penobscot in the summer of 1813 eliminated any possible threat from that direction.<sup>27</sup> With the raising of another provincial corps, the Regiment of Fencible Infantry, in February 1813, to replace the departing 104th, the services of the embodied militia were no longer needed and they were disbanded.<sup>28</sup> Smyth hoped to keep the martial spirit alive by increasing the number of training days for the militia but met with resistance from the assembly which feared unnecessary disruptions to the province's fishing and agricultural industries. The assembly also turned back requests for additional expenditure on the repair and maintenance of arms

26 Baxter, *New Brunswick Artillery*, pp. 27-8; Circular, Smyth to Leonard, 3 July 1812; Petition from Richard Lawrence, 22 February 1823, RG1, RS559, A1, PANB; Orders, 9 December 1812, A4, NBM.

27 For a detailed account of the campaign see George F.G. Stanley, *The War of 1812 Land Operations* (Ottawa, 1983) and "British Operations on the Penobscot in 1814", *Journal of the Society for Army Historical Research*, XIX, 65 (Autumn 1940), pp. 168-78.

28 The New Brunswick Regiment of Fencible Infantry was given the normal establishment of 10 companies of 60 rank and file each when it was authorized in February 1813 but as late as December of that year it had recruited only 185 and according to one source never reached more than 400. See Pay Estimates, 25 November to 24 December 1813, RG1, RS559, A1, PANB and W. Austin Squires, *The 104th Regiment of Foot* (Fredericton, 1962), pp. 170-5.

for the militia and instead initiated an enquiry into militia finances.<sup>29</sup> These setbacks mattered little because, by late 1813, the war had passed New Brunswick by and the province entered into a long period of relative peace.

The war did much to reinforce an attitude towards defence that would be significant for the future. Britain's commitment to the defence of the North American colonies had been considerable, a point not lost on the colonial legislatures, which, on the return of peace, continued to look to British regiments to garrison the provinces. This attitude did little to encourage the development of truly effective militia forces or to compel the provinces to accept a larger share of the cost of their own defence. Throughout the post-war period the provincial militia forces went into sharp decline, a decline that was not arrested until the crisis years that marked the period of the Canada Rebellions.

In the immediate post-war period defence concerns in New Brunswick moved decidedly into the background. A new contest between a powerful council and an increasingly defiant assembly dominated the province's political life and deflected interest away from a revision of expiring militia legislation. Within the militia headquarters itself, activity came to a complete standstill. Hailes, the adjutant-general, who had resigned in 1812, was not replaced for nine years and the post of assistant adjutant-general, held by his son Michael, then in his 20s and without any military experience, was discontinued after 1820. The inspecting field officer left the province in 1817.<sup>30</sup> That vital link between the county battalions and government was now gone with the result that administration suffered and discipline became lax.

Smyth, who had left the province under a cloud in 1813, returned as lieutenant-governor in 1817. His appointment was not popular and led to increased acrimony between the executive and the assembly. Smyth placed in office those who were within his own inner circle, thereby inviting the enmity of the old established Loyalist families.<sup>31</sup> To the post of adjutant-general, viewed by many as a comfortable and respectable sinecure in the provincial hierarchy, he appointed his trusted friend and close confidant, George Shore.<sup>32</sup> Although the appointment was political, Shore was a man of remarkable energy and considerable administrative skill. During his 30-year tenure he was responsible more than any other man for keeping the militia functioning in spite of major challenges to his

29 *JHA*, 9 February 1813; 23, 25 and 28 February, 1 and 2 March 1814.

30 Facey-Crowther, *Commissioned Officers' Lists*, p. 112; Hill, *The Old Burying Ground*, II, pp. 177-83.

31 MacNutt, *New Brunswick*, pp. 185-7.

32 For details on Shore's life and his relationship with Smyth see D. Murray Young, "George Shore", *Dictionary of Canadian Biography*, IX (Toronto, 1976), pp. 219-20.

authority from the Loyalist establishment, the inevitable inertia of the militia units in a time of peace and the rising chorus of complaints about militia service. It was largely because of his efforts that the New Brunswick militia enjoyed a modicum of efficiency at a time when the militia forces of the other provinces were in sharp decline.<sup>33</sup>

Shore faced a host of problems at the beginning, not least of which was establishing his authority in the face of serious opposition to his appointment from the militia hierarchy. Peace had already undone much of the progress made during the war years. Annual musters were poorly attended. In some instances there was even open hostility and insubordination to commanding officers attempting to enforce the requirements of the militia law. Appointments had lapsed since the war, leaving companies without their full complement of officers. With an increase in population, battalions had become too large and there were continuing shortages of serviceable weapons for training the companies.<sup>34</sup> Shore attended the annual musters of as many of the battalions as possible to ensure that standards of inspection were enforced. He made a concerted effort to find officers of "experience and weight in the Society" to fill vacant positions and assumed direct control over appointments to the commissioned ranks. He created new battalions to deal with an expanding population in some of the countries.<sup>35</sup> The one problem he was unable to rectify was the shortage of arms. The imperial government was not prepared to bear the additional cost and the provincial assembly refused to allocate precious revenue to such an expenditure in a time of profound peace. Nonetheless, Shore's reforms brought gradual but significant improvements. Some units even went so far as to provide uniforms at their own expense. This progress appeared threatened, however, when Smyth died in office in March 1823 and the succession passed temporarily to one of Shore's political enemies, Ward Chipman.

The arrival of Sir Howard Douglas as lieutenant-governor in 1824 marked the beginning of a new phase in militia affairs. It also coincided with the beginning of new tensions with the United States over the Maine-New Brunswick boundary, an issue that kept defence concerns alive during his administration. Douglas was immensely popular with New Brunswickers which accounts in great measure for his considerable success as a militia reformer. Douglas' experience with Spanish guerrilla fighters during the Peninsular War convinced him of the usefulness of a

33 Stanley, "Canadian Militia", p. 39; Hitsman, "Militia", pp. 11-12, 29.

34 Militia Act 1821: Report by G. Shore, RG4, S29-R, PANB; "Militia General Orders" [hereafter "MGO"], *New Brunswick Royal Gazette*, 4 June 1822.

35 See "MGOs" for the period and also listings in Facey-Crowther, *Commissioned Officers' Lists*.

well-trained militia in broken country like New Brunswick and he readily lent his support to Shore's efforts.<sup>36</sup> He wrote a drill manual for use by the militia and appointed regular officers to oversee training.<sup>37</sup> Mock battles were organized between the militia and regular troops to simulate battle experience. He also played a major role in the reorganization of a number of the county battalions.<sup>38</sup> At the end of Douglas' incumbency, the boundary dispute threatened to break the long-standing peace. Douglas wisely tried to avoid any incidents on the New Brunswick side of the border, although one serious breach of the peace exacerbated tensions and alarmed the British government to the point where it authorized 5000 stand of arms and accoutrements for the provincial militia.<sup>39</sup> Douglas' greatest achievement was the consolidated militia act of 1825 which went further than similar acts elsewhere by including provision for the payment of unit adjutants and sergeant-majors and for the appointment of officers to inspect and instruct the militia. The act was to remain in force for six years initially but in 1830 was continued for a further ten years, thereby committing the assembly to the support of a militia they increasingly found expensive and unnecessary.<sup>40</sup> It therefore laid the foundations for a future legislative impasse.

Douglas' departure in 1829 marked an important turning point for the militia. Until then it had enjoyed a generous measure of public and legislative support as well as positive encouragement and direction from the executive and from the headquarters staff. In the years that followed that support declined sharply and by the end of the decade both public and legislative opinion had become openly hostile. Although Sir Archibald Campbell, Douglas' successor and also a soldier, had a very low regard for the militia and took no personal interest in its activities, ironically, he spent much of his administration fighting its detractors. Campbell's administration was extremely unpopular and marked by a long and bitter struggle over control of the province's casual and territorial revenues. That issue was to draw a number of other unrelated grievances into its wake including the payment of the militia appropriation.

In 1831 the militia numbered nearly 16,000, all ranks organized into 24

36 D. Murray Young, "Sir Howard Douglas", *Dictionary of Canadian Biography*, IX (Toronto, 1976), pp. 219-20.

37 Douglas to Bathurst, 14 September 1824 and 18 April 1825, Despatches Sent; Bathurst to Douglas, 23 November 1824, Despatches Received, RG7, G8B, vols. 48, 6, NAC.

38 Facey-Crowther, *Commissioned Officers' Lists*, p. 286; Baird, *Seventy Years*, p. 29; *JHA*, 15 February 1825, 5 April 1828; "MGO", 18 July 1825, 20 January 1827; *New Brunswick Courier*, 24 January 1829.

39 Goderich to Douglas, 29 October 1828, RG7, G8B, vol.9, NAC.

40 "Militia Act of 1825", *Revised Statutes of the Province of New Brunswick* (Fredericton, 1854).

infantry battalions and two cavalry units. From the annual appropriation the legislature paid the salaries of the unit adjutants and sergeant-majors, the adjutant-general, the quartermaster-general and two inspecting field officers, one a local militia lieutenant-colonel and the other a regular officer seconded to the province.<sup>41</sup> This paid staff enabled the headquarters to exercise greater control over the militia commanders and to enforce uniform standards of training and discipline in the units. The government considered the expenditure, amounting to several hundred pounds, to be essential as a means of maintaining the general efficiency of the militia. But within the assembly there were those who viewed the expense as an unnecessary burden on the province's limited revenues. Their leader was Charles Simonds, speaker of the house, commanding officer of the 2nd St. John County Militia, and soon to emerge as a powerful opponent of the government on the crown lands issue. The attack on the militia began with the 1831 appropriation when Simonds successfully argued for the abolition of the pay for the salaried staff in the units on the grounds that the work could be done more efficiently by the commanding officers. The legislative council, no doubt strongly influenced by Shore who was a member, rejected the bill and found itself thrust into the unexpected role of champion of the province's militia law.<sup>42</sup>

The attack on the militia could not have come at a worse time for Campbell. Relations with Maine were deteriorating and the small regular garrison of six rifle companies and a few artillery was considered inadequate for the defence of the province. When Campbell failed to get reinforcements from Halifax, he was forced to fall back on a militia he viewed as poorly organized and ill equipped.<sup>43</sup> When he tried to obtain additional arms for the latter, the British government refused, in retaliation for the assembly's attempt to reduce the militia appropriation. Campbell's consternation only made it easier for the assembly to use the militia as a lever in its campaign for control of the crown lands. In the 1832 session, despite a plea from Campbell for "continued protection" for the militia, the assembly withheld the appropriation for the regular force inspecting field officer, Lieutenant-Colonel C.B. Turner, and relented only when pressed by the Colonial Office.<sup>44</sup> The following year, the by now annual debate on the militia appropriation entered a new phase when Simonds proposed nothing less than

41 *New Brunswick Courier*, 13 November 1830; *New Brunswick Almanac*, 1829.

42 *New Brunswick Courier*, 11 and 19 February 1831; *Journal of the Legislative Council* [hereafter *JLC*], 25 March 1831.

43 Campbell to Goderich, 17 September 1831, RG7, G8B, vol. 50, NAC.

44 The other inspecting field officer was Lieutenant-Colonel John Allen, a member of a prominent Loyalist family and also a member for York County. *JHA*, 19 January, 27 February, 1 March 1832.

the dismantling of the entire structure on the grounds that it was expensive and that the training periods encouraged intemperance. His supporters were not prepared for so drastic a step, contenting themselves with a reduction of the appropriation and a limitation of the training period to one day, but the legislative council refused to accept the assembly's measure.<sup>45</sup> Frustrated by the impasse, Simonds and his followers included the militia issue in a list of grievances presented to the Colonial Office by a deputation from the assembly. Although Campbell convinced Lord Stanley, the Colonial Secretary, to try to persuade the delegates to continue financial support for the militia,<sup>46</sup> in the 1834 session the assembly again refused to pay Turner's salary and also threw out sections of the law governing the annual training period. While the latter could be vetoed, Campbell could not find the funding for Turner and his services were terminated. With inspections from headquarters severely reduced, there was little incentive for the militia units to remain effective. As Campbell saw it, the fate of the province's "constitutional force" had come to depend on the "mercy of a mischievous faction" and the "precarious...[and] periodical vote of the Assembly".<sup>47</sup>

The legislative debate contributed to a lessening of morale in the units and led to major infractions of the militia law. Editorials and letters to the papers ridiculed the annual musters and complained about the absurdity of training militiamen without weapons, a shortcoming the government was fully aware of but powerless to rectify. Within the units the men continued to turn out for musters although less from a genuine sense of military purpose than from habit, love of reunion and the fear of punishment under the law.<sup>48</sup> Although the assembly's attack on the militia continued until Campbell's departure in 1837, his successor, Sir John Harvey, was far more conciliatory and early on in his administration the crown lands dispute was resolved to the assembly's satisfaction. In the resulting euphoria, the opposition to the militia simply melted away, hastened to a great extent by events on the Maine-New Brunswick frontier and in the more distant Canadian provinces. These events went a long way to restoring public interest in the militia and reviving flagging morale in the county units.

45 *Chatham Gleaner*, 26 February 1833; *JHA*, 23 February, 5 and 6 March 1833.

46 Campbell to Goderich, 21 March 1833; Stanley to Campbell, 28 September 1833, RG7, G8B, vols. 50, 13, NAC; *New Brunswick Courier*, 8 February 1834; *JHA*, 10 February 1834.

47 Campbell to Stanley, 15 November 1833; Stanley to Campbell, 30 September 1833, RG7, G8B, vols. 50, 13, NAC; MacNutt, *New Brunswick*, pp. 240-1.

48 *New Brunswick Courier*, 12 October 1833, 1 March, 30 August, 6 September 1834; "Editorial from the St. John Observer", *Chatham Gleaner*, 5 and 19 July 1836; "MGO", 5 September 1834; G. Dibblee Papers, Shelf 114, P116a, NBM; Campbell to Stanley, 20 April 1834; Campbell to Glenelg, 12 May 1836, RG7, G8B, vol. 51, NAC; William R. Bird, *North Shore (N.B.) Regiment* (Fredericton, 1963), p. 27.

The renewal of tensions on the border with Maine, shortly after Harvey's arrival, did not immediately involve the militia as the Colonial Office wisely preferred to use the regulars, to avoid inflaming feelings while diplomatic efforts were underway. When the Canada Rebellions led to a withdrawal of the regular garrison, the assembly responded by voting £10,000 to enable the government to raise a force of 1200 volunteers to support "the Queen's government in the Canadas". The militia, in response, volunteered almost to the man to serve in the Canadas, but the offer for troops was not taken up because the province was shortly to face a dangerous deterioration in the situation on its own frontier.<sup>49</sup> The so-called "Aroostook War", which erupted in the winter of 1839, sustained the patriotic fervour of the preceding months, allowing Harvey, in the legislative session that year, to obtain unqualified support for the militia. For the first time in years, the assembly passed the militia appropriation, increasing the amount to cover the costs of employing drill instructors. As the boundary issue heated up, Harvey requested reinforcements from Halifax and drafted 850 militia into active service. Then, without consulting the military command in Halifax, he dispersed his small force of regulars and militia along the line of the upper St. John River. Although these independent arrangements annoyed Halifax and led to a protracted debate over Harvey's authority, he went about completing detailed arrangements for defending the province from an attack. As the crisis mounted, the New Brunswick legislature placed the entire revenues of the province at Harvey's disposal and the city of Saint John offered £1000 to support the families of militiamen on active duty. By March there were over 1200 militia either on active service or ready for call-up and 1000 regulars deployed along the border. At this point, Harvey, who had previous association with the American commander, Winfield Scott, during the War of 1812, met his old adversary and on the 25th signed a truce.<sup>50</sup> Shortly thereafter, the issue was turned over to arbitration and finally settled by the 1842 Webster-Ashburton Treaty.

Harvey's independent actions helped to cut short his career in New Brunswick, but before he left he expressed his personal satisfaction with the way the militia had handled itself during the crisis.<sup>51</sup> The militia had, in fact, performed remarkably well considering the long period of neglect and public disfavour it had experienced in the early 1830s. The crisis demonstrated that with a modest amount of annual training, the militia could undertake limited military responsibilities, such as

49 *Revised Statutes of the Province of New Brunswick*; MacNutt, *New Brunswick*, p. 259.

50 *JHA*, 15 January and 13 February 1839; Order Books, First and Second Battalions, Carleton County Militia, 1839, Shelf 55, NBM; Harvey to Colonial Office, 18 February 1839; Harvey to the Colonial Secretary, 10 March 1839; Normanby to Harvey, 18 February 1839, RG7, G8B, vols. 52, 53, 19, NAC; Baxter, *New Brunswick Artillery*, p. 57.

51 *MGO*, 27 March 1839; Hannay, *New Brunswick*, II, p. 73.

performing garrison duty and guarding stores. It also showed that with additional and highly concentrated periods of training and instruction, the militia could take its place alongside the regulars as part of the provincial defence force. The "Aroostook War" should have vindicated the militia, rendered its acceptance more popular, and encouraged continued legislative support but it did not. With the end of the boundary crisis the militia finally succumbed to public and legislative hostility.

For several years after the "Aroostook War" the drill periods and unit inspections, begun during the crisis, remained in effect, while inspection reports indicated that, although still badly equipped and armed, the battalions were, for the most part, in good shape. Turnout at musters was high and the men were punctual and attentive during drill periods. But in 1841 the paid drill instructors were dismissed and their duties taken over by unpaid unit staff.<sup>52</sup> Discipline began to suffer and attendance at musters declined. Commanding officers were forced to offer bribes of beer and spirits, thus turning a military exercise into a social gathering, and it proved increasingly difficult to find enough public-spirited individuals to take up militia commissions. Not all problems were with the units. George Shore spent less time on militia affairs and shifted most of the administration to a clerk in the provincial secretary's office.<sup>53</sup> The situation in New Brunswick was by no means unique. In 1843 the Nova Scotia legislature, in a pique over the lieutenant-governor's reluctance to cede responsible government in local matters, suspended the sections dealing with training and the pay of regimental adjutants and brought militia activity to a total standstill for three years.<sup>54</sup> In the united province of Canada a new class of professional men, farmers and merchants replaced the older more experienced officers drawn from seigneurial and Loyalist stock. Annual musters were occasions for "jollification and alcoholic merriment".<sup>55</sup> The prospects of peace had simply melted away concerns about local defence everywhere.

Final settlement of the boundary dispute with Maine coincided with the beginning of Sir William Colebrooke's administration and the revival of anti-militia sentiment in the assembly. Since Colebrooke had come to New Brunswick

52 Lt. Col. R. Hayne to Lt. and Adj. E. Pick, New Brunswick Regiment of Artillery (Fredericton), 14 January 1839; Inspection Report by George Priestley, Capt. and Staff Adj., Militia, to Hon. Lt. Col. Shore, AGM, Maugerville, 13 November 1839, RG2, RS8, PANB; Report from George Priestley, Captain and Staff Adjutant of Militia, Appendices CXVIII to CXXXI inclusive, *JHA*, 1840; Report from Lieutenant-Colonel Hayne, Appendices CXC to CXCI inclusive, *JHA*, 1840.

53 One notices a sharp decline in militia general orders after this period. Also militia appointments are no longer handled by Shore personally but by the provincial secretary. See MGOs after 1841.

54 Hitsman, "Militia", p. 12.

55 Stanley, "Canadian Militia", p. 40.



determined to govern in accordance with the majority opinion in the legislature, he did not stand in the way of a renewed attack on the militia, which began shortly after the bitterly fought election in the winter of 1843. But when the assembly tried to cut the appropriation, it was again blocked by the upper chamber. Colebrooke was more co-operative and reduced the annual muster to one day, leaving the units with only enough time to correct their lists and enroll new members. It was a significant victory for the opponents of the militia and set an important precedent. From that date onwards, the militia became little more than a paper force.<sup>56</sup>

The rapid deterioration of provincial militia forces ran counter to British efforts to seek their revival as a way of reducing the financial burden of imperial defence. Although the legislature showed some concern in times of crisis, as during the Oregon boundary dispute, it remained steadfastly opposed to any notions of revitalizing their militia forces. Even the governors, in these early years of responsible government, were frequently lukewarm to appeals from the imperial government to make improvements.<sup>57</sup> Colebrooke saw no need for initiatives in New Brunswick: the militia had performed well during the dispute with Maine and the legislature had been generous in its financial support.<sup>58</sup> After the arrival in 1848 of Sir Edmund Head, New Brunswick's first civilian lieutenant-governor, responsible government was fully implemented in the province. For the militia this important political development sounded its death knell.

Shortly after Head assumed office, he lost his adjutant-general. Shore died on 18 May 1851 and was succeeded by his assistant adjutant-general, Richard Hayne. Shore's long militia career had spanned just over 30 years and coincided with the period of most dramatic change in the militia. Shore had been both the architect and the driving force behind the revitalization of the militia in the 1820s. His centralizing tendencies were never popular but did provide the militia with a more efficient and responsible administration. Through his insistence on high standards and on a uniform and consistent application of the militia law he did much to inspire a generation of militia officers in the proper performance of their duties. So long as he had an efficient headquarters staff to support him and the qualified personnel to undertake the inspections and to enforce the law,

56 *JHA*, 28 February, 8 and 11 March, 1, 3, and 4 April 1843; see correspondence on militia affairs for the period 1832-1846 in RG2, RS8, PANB.

57 This was certainly the case in the Maritimes. See Hitsman, "Militia", pp. 12-3. Morton implies that this was the case in the United Province of Canada as well. See Morton, *Military History*, pp. 78-9.

58 Stanley to Colebrooke, 18 August 1845; Gladstone to Colebrooke, 3 February and 18 April 1846; Cathcart to Colebrooke, 14 March and 4 May 1846, MG9, A1, vol. 41, PANB

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Shore could function as an able and efficient administrator. But when legislative acrimony and retrenchment reduced that support, Shore found it increasingly difficult to maintain effective control over the militia. As he grew older and as the weight of additional responsibilities began to press more on his time and energy, he found himself less able to maintain the enthusiasm and dedication of his early years. Only as a member of the executive and legislative councils did he continue to play an active role, fighting a rearguard action against the assembly's efforts to repeal the militia law. Ironically, just before his death he presided over the legislative council committee that finally agreed by a single vote to the proposal of the assembly for the suspension of the annual drills.<sup>59</sup> It was a hollow victory for the assembly as the militia had long ceased to be a vibrant institution, something that even Shore seems to have accepted at the end of his long career. Head summed it up well when he wrote to the Colonial Secretary: "As it [the militia] is now, it is reduced to the merest elements".<sup>60</sup> Two years later, in 1853, a further suspension of the annual drills ensured the continued inactivity of the province's militia.<sup>61</sup>

For almost a decade the militia practically disappeared from the provincial scene. Although the unit structures remained intact and rather feeble attempts were made to keep up the number of officers, the ending of the annual drills discouraged efforts to maintain even a modicum of military training in the companies. Where activity did continue it was mainly social in nature and principally among the uniformed companies at events such as the presentation of colours, mess dinners, church parades, regimental balls and the occasional turnouts at public celebrations. The militia had thus been reduced to a kind of social club, providing the opportunity for individuals to meet and to be entertained.<sup>62</sup>

During the early 1850s the imperial government began a gradual reduction of the North American garrison, with the object of saving money by shifting the burden of defence to the provinces and their militia forces.<sup>63</sup> It was a burden which the provinces neither wanted nor accepted. Nevertheless, the process of withdrawal continued, hastened by the Crimean War, although its effects were largely mollified by the Reciprocity Treaty which promised better relations with

59 *JHA*, 30 April 1851; *JLC*, 24 and 26 March 1851; *Chatham Gleaner*, 24 March 1851.

60 Cited in Hitsman, "Militia", p. 6, note 35.

61 *JHA*, 30 April 1851, 14 April 1853; D.G.G. Kerr, *Sir Edmund Head, A Scholarly Governor* (Toronto, 1954), p. 10; *JLC*, 26 March 1851; *Chatham Gleaner*, 24 March 1851.

62 *Chatham Gleaner*, 8 and 22 August 1846, 8 September 1851; Baird, *Seventy Years*, p. 37.

63 Stacey, *Canada and the British Army*, pp. 73, 79-80; Third Earl Grey, *The Colonial Policy of Lord John Russell's Administration*, (London, 1853), I, pp. 260-6.

the Americans. In New Brunswick the mood simply did not favour any expenditure for defence. Having just gotten rid of the burden of its militia the province was hardly likely to want to resurrect it. Besides, public and legislative interest was much more concerned about the possible benefits to be derived from free trade with the Americans. In the session of 1856, the Fisher government renewed the Suspending Act of 1851, preventing the renewal of the militia for at least another five years. Ignoring imperial exhortations, the government also refused to make any contribution to provincial defence on the argument, echoed elsewhere in British North America, that defence was an imperial responsibility.<sup>64</sup> For the next four years the provincial militia continued dormant until, quite unexpectedly, it began a revival on its own.

In the United Kingdom in the mid-1850s, amid growing concerns about home defence and fears of a French invasion, thousands of Britons joined volunteer corps, established along the lines of those formed in the Napoleonic period. In British North America military authorities were convinced that the volunteer movement could be transplanted into the provinces, an opinion grasped enthusiastically by the Colonial Office. All of the provinces had some experience with volunteer corps raised in the past during periods of emergency and as early as 1846 Canadian militia legislation had tentatively endorsed the notion of voluntary enlistment in the militia. Enthusiasm generated by the Crimean War was largely responsible for the creation of British North America's first volunteer militia force in Canada in 1855.<sup>65</sup> In New Brunswick, the new lieutenant-governor, John Henry Manners-Sutton, found his legislature less co-operative and his own powers limited by an act that allowed for the revival of the militia only in an emergency. The solution adopted was to accept spontaneous offers from the militia to volunteer for drill and exercise under their commanding officers. From that suggestion, the volunteer movement came to New Brunswick four years later than to Canada.<sup>66</sup>

Initially the volunteer movement began without government support, but the public response was encouraging, especially after a shipment of some 3000 arms and accoutrements made realistic drill and training a possibility. As the movement became more popular, the provincial government felt obliged to give it some measure of support and allowed the lieutenant-governor, by proclamation, to reactivate the suspended sections of the militia law, although for volunteer companies only. It also apportioned the small sum of £250 to pay for drill

64 MacNutt, *New Brunswick*, pp. 374-5.

65 Morton, *Military History*, pp. 79-80; Stanley, "Canadian Militia", p. 40; Hitsman, "Militia", p. 13; Militia Act 1855, United Canada, RG24, No. 21, vol. 1858, pp. 1-3, NAC.

66 *JHA*, 22 March 1860; Baxter, *New Brunswick*, p. 81.

instructors from the British garrison. It was a small concession, considering that the Canadian parliament had authorized £24,000 for its volunteer militia. Throughout that first year nearly 1100 men enrolled in a total of 17 companies, including artillery and, later, a troop of cavalry. These companies, for the most part uniformed and supplied with the new Enfield rifles from government stores, met frequently in makeshift accommodation for drill and instruction under regular force instructors. A generous supply of ammunition from army stores and the establishment of a challenge cup for marksmanship did much to encourage initial enrollment.<sup>67</sup>

By the end of 1861, however, the volunteer movement was in difficulty everywhere. Growth was slow and uncertain in the Maritimes while in Canada enthusiasm had already waned and the government there was giving serious consideration to a revival of the old sedentary militia. The movement had also become more social than military in character and largely urban based. It drew its membership mainly from the middle class who could afford the uniforms and time for training, although in New Brunswick the movement was immensely popular with those “engaged in industrial pursuits”, namely the mechanics in the larger centres. The commissioned ranks, formerly the preserve of the old patrician class, increasingly were filled by the middle class but initial enthusiasm was not matched by a well-developed sense of responsibility. The new officers quickly became lax in the performance of their duties and drills and exercises that were to be learned for the benefit of the companies they commanded were often not passed on.<sup>68</sup> If the volunteers were to become the foundation upon which a revitalized militia could be built, as many hoped it would, discipline, training and proficiency in arms had to be drastically improved. The Trent Affair and a renewal of tensions with the Americans rekindled concerns about provincial defence across British North America and enabled New Brunswick’s new lieutenant-governor, Arthur Hamilton Gordon, to take important initia-

67 Manners-Sutton to Newcastle, 9 December 1859, Manners-Sutton Despatches. These are photostatic copies of Colonial Office 188 [hereafter CO 188], located in UNBA. *JHA*, 22, 23, 29 March, 9 April 1860 and Report on the Militia 1859; Hitsman, “Militia”, p. 13.

68 Morton, *Military History*, p. 80; Hitsman, “Militia”, pp. 13-4; C.F. Hamilton, “Defence, 1812-1912”, in Adam Shortt and Arthur G. Doughty, eds., *Canada and its Provinces: A History of the Canadian People and their Institutions by One Hundred Associates* (Toronto, 1914), pp. 399-401; *Report of the Commissioners Appointed to Report a Plan for the Better Organization of the Department of Adjutant General of Militia and The Best Means of Reorganizing the Militia of This Province, And to Prepare a Bill Thereon* (Quebec, 1862); Colonel C.F. Hamilton, *The Canadian Militia: The Maritime Provinces, Canadian Defence Quarterly*, VI (October 1928 — July 1929), pp. 476ff. For a discussion of the place of the artisan and the mechanic in Saint John society, see Chapter 4 in T.W. Acheson, *Saint John: The Making of a Colonial Urban Community* (Toronto, 1985).

tives in overhauling the province's militia structure.

The Trent Affair led to a major reinforcement of the British garrison in North America and the movement of some 6,000 troops in December 1861 through New Brunswick provided the first useful occasion for employing the volunteers. In the absence of any initiative from the provincial government Gordon was left to organize the New Brunswick portion of the overland trek. Using unpaid volunteers he arranged for fatigue parties to assist in the billeting of soldiers and set up patrols near the border to prevent desertions along the route. To the credit of Gordon and the volunteers, the passage of British troops through the province was accomplished without incident.<sup>69</sup> Although the Trent Affair offered compelling evidence that the imperial government would not abandon the colonies in a crisis, it also underscored the weakened state of provincial defence. Faced with a major reassessment of defence needs, the politicians preferred to leave the initiative to Gordon, assisted by his very able adjutant-general, Lieutenant-Colonel Thomas Anderson. Gordon's experience with the volunteer movement in his native Scotland gave him unparalleled advantages as a reformer. Unhindered by any need to deal with a civilian Minister of Militia, as was the case in Canada by 1863, Gordon was able to use the full authority of his office as commander-in-chief, a position he kept free from political influence, to give personal direction to the course of militia reform in New Brunswick. He appointed a militia commission that recommended far-reaching changes in the province's militia law. The resulting 1862 legislation completely reorganized the militia into two major components, the active, consisting of the volunteers and all able-bodied males between 18 and 45, and the sedentary, consisting of the physically fit between 45 and 60. Gordon went counter to directions taken elsewhere and wisely concentrated his energies on building up the volunteers as the foundation of a revitalized militia.<sup>70</sup>

Gordon's task was not an easy one as he faced conflicting pressures from the imperial government and the local politicians. In 1861 a British government committee appointed to examine imperial defence costs condemned the expensive system of maintaining large garrisons overseas and concluded that the cost and responsibility of military defence should devolve mainly upon the colonies. The sentiment was not new but the determination to implement it was, in spite of a

69 J. MacKay Hitsman, "Had Britain Intervened", *Canadian Army Journal*, XVII (1963), pp. 34-5; J.K. Chapman, *The Career of Arthur Hamilton Gordon, First Lord Stanmore: 1829-1912* (Toronto, 1964), p. 21; Gordon to Doyle, 15 March 1862, Civil Government Letterbook, 1861-1864, RG7, G8B, vol. 62, NAC; Lieutenant-Colonel Crealock to Gordon, 5 March 1862, RG7, G8B, vol. 42, NAC.

70 *JHA*, 28 February and 14 March 1862; *Chatham Gleaner*, 26 April 1862; *Acts of the General Assembly 1862*, Cap XX, An Act relating to the Militia, pp. 46-68.

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renewal of tensions with the Americans. The Canadian government responded by raising its defence budget to an unprecedented \$1.1 million although it later went down in defeat over its militia bill.<sup>71</sup> In New Brunswick the government appropriated a paltry \$10,000 for defence but later threatened to withdraw it unless the efficiency of the militia improved and popular support for it increased.<sup>72</sup> Gordon responded by appointing a second militia commission in January 1865 which recommended setting up annual camps of instruction, of 28 days' duration, to train one company of volunteer militia from each of the battalions. These trained companies, in turn, would be used to instruct their respective battalions, thus allowing the whole of the militia to benefit from the training of the volunteers. This innovative proposal differed sharply from the Canadian practice which set up military schools to train officers only and for a limited period of time.<sup>73</sup> Although the government adopted the commission's recommendations, the resulting legislation was delayed, first by the confederation conferences and then by the provincial election that returned an anti-Confederation government under Albert Smith. When the bill was finally brought before the legislature, it became identified with the government's stand on the Confederation issue and its commitment to strong local defence and its passage was accompanied by a bitter and raucous debate.<sup>74</sup>

The first camp of instruction was held in Fredericton in July 1865 with nearly 1000 volunteers, officers and other ranks in attendance. It was an unqualified success. For 28 days the militiamen learned to function as professional soldiers, to operate under the rigours of military discipline and to practice the drills and movements of the regular army under the supervision of qualified drill instructors from the British garrison. Even the previously skeptical General Hastings Doyle, Commander at Halifax, was forced to admit that the camp had achieved positive results.<sup>75</sup> The expectation was that the benefits of the camp would be passed on to the militia at large but that process was interrupted by the Fenian threat.<sup>76</sup> Although fears of a Fenian invasion were far from groundless, the actual size and nature of the Fenian force were highly exaggerated. Unfortunately, neither

71 Stacey, *Canada and the British Army*, pp. 113-4, 123-30.

72 Cardwell to Gordon, 1 October and 10 December 1864, RG7, G8B, vol. 44, NAC; MacNutt, *New Brunswick*, p. 401.

73 Gordon to Cardwell, 12 January 1865, RG7, G8B, vol. 63, NAC; Stacey, *Canada and the British Army*, p. 151.

74 *Evening Globe*, 27 May 1865; *Chatham Gleaner*, 22 May 1865; *Colonial Farmer*, 22 May 1865; *JHA*, 18, 22 and 31 May 1865.

75 Doyle to Gordon, 30 August 1865, RG7, G8B, vol. 45, NAC.

76 MGO, 31 May and 9 August 1865; Report Upon the Militia, 1865, *JHA*, 1866; Baird, *Seventy Years*, pp. 229-40 *passim*.

Gordon, the provincial government nor the military authorities in Halifax had accurate information and so they viewed the reports of Fenian activity in neighbouring Maine with increasing alarm. Gordon felt that he could not call out the militia, which was for the most part untrained, and so he hit upon the novel idea of forming home guards from among the better organized companies of the active militia to supplement the small force of trained volunteers. These home guards he organized into two groups: the active, to be given weekly drill to the standard of the volunteers; and the reserve, to be given specific duties to perform in an emergency. Throughout the winter of 1865/66 Gordon took what precautions he could to monitor Fenian activity across the border and to protect Saint John and the isolated frontier settlements.<sup>77</sup> But by the spring of 1866, amid reports of increased Fenian activity, both Gordon and Hastings Doyle realized that the small militia contingents, numbering just over 1000 all ranks, would be insufficient to quell a full-scale invasion and a reinforcement of British troops was hastily sent to the province. This reinforcement and the presence of elements of the fleet in local waters considerably strengthened provincial defence and squelched Fenian hopes of an easy victory. By the end of May it was all over. Assurances from the American government and the departure of most of the Fenians from Maine permitted the regular force to be withdrawn. The volunteers and home guards were released, winning the highest praise from both Gordon and Lord Carnarvon, the new Colonial Secretary. But the lesson of the crisis was obvious: the province could not defend itself even with a partially revitalized militia. More serious was the fact that the total cost of the emergency to the province was a staggering \$111,852.28, bolstering the arguments of those who favoured Confederation.<sup>78</sup>

In the final year before Confederation the pace of militia reform initiated by Gordon was continued. The favourable publicity generated by the militia's role during the crisis rekindled an interest in the volunteers. In August 1866, a second militia camp was organized to train the commissioned ranks in drill and weapons training.<sup>79</sup> Gordon departed the province in October to become governor of

77 Colonel W.T. Baird Letterbook, microfilm copy, NBM; Maunsell, "The New Brunswick Militia, Second Paper", *New Brunswick Magazine*, 2, 4 (1899), p. 187; Gordon to Doyle, 10 March 1866, Gordon to Cardwell, 12 March 1866, RG7, G8B, vol. 63, NAC; Baxter, *New Brunswick Artillery*, pp. 3132-3; MacNutt, *New Brunswick*, p. 444.

78 MacNutt, *New Brunswick*, pp. 443ff; W.O. Raymond Scrapbook, Item #6, Woodstock Despatch, 1899, Carleton County Archives, Woodstock, N.B.; Baxter, *New Brunswick Artillery*, p. 132; Gordon to Doyle, 4, 15, 18 and 20 April 1866, RG7, G8B, vol. 63, NAC; *Colonial Farmer*, 30 April 1866; Harold O. Davis, "The Fenian Raid on New Brunswick", *Canadian Historical Review*, XXXVI (1955), p. 330; Maunsell, "The New Brunswick Militia, Second Paper", p. 188; Report on the Militia, 1866, *JHA*, 1867.

79 Report on the Militia, *JHA*, 1867.

Trinidad. No other lieutenant-governor, except perhaps Douglas, had as great an impact upon the militia as Gordon. Exercising an authority that his counterparts elsewhere in British North America had either been forced to give up or chose to ignore, Gordon had worked tirelessly to revive and reorganize the provincial militia. He wisely chose to concentrate his efforts on the volunteers, building them up as a well trained cadre that could be used to benefit the militia at large. His greatest contribution was to create for New Brunswick a militia structure that correctly anticipated the direction of Canadian militia policy after Confederation, with its emphasis on the voluntary principle, and allowed for the easy integration of the province's militia into a national force. Under General Hastings Doyle, Gordon's successor as lieutenant-governor, the reform of the militia continued but at a reduced pace and increasingly against the backdrop of the upcoming union of the provinces. Although Doyle and his adjutant-general, Lieutenant-Colonel George Maunsell, believed that major changes were still necessary both in legislation and in the organization of the province's militia, it was decided to wait until a national militia system was devised. In the final months before Confederation there was a sharp drop in recruitment in the volunteer companies and several corps had to be disbanded, a reflection of the ending of the Fenian threat but also of recurring problems over inadequate drill facilities.<sup>80</sup>

For nearly a year after New Brunswick entered Confederation militia affairs continued to be managed by the province. Some changes occurred: the office of provincial commander-in-chief disappeared, all militia orders were now issued by the new federal Minister of Militia, Sir George Etienne Cartier, and in 1868 the Dominion passed its first militia legislation. But the position of adjutant-general remained and the provincial government still received information on the state of the militia and even enacted some of its own legislation as late as 1871. The first Dominion militia act repealed all provincial militia laws but its implementation did not significantly alter New Brunswick's militia organization, which Cartier pronounced the best in any of the provinces.<sup>81</sup> Most of the changes were administrative and organizational rather than substantive in nature. Canada was divided into nine military districts with New Brunswick designated as number eight and placed under the direction of a deputy adjutant-general, Lieutenant-Colonel Maunsell, the former provincial adjutant-general, supported by a small permanent staff. The strength of the Canadian militia was established at 40,000 all ranks to be drawn from the Active Militia, which included two classes already in place in New Brunswick, the Volunteers and the

<sup>80</sup> Report on the Militia, *JHA*, 1868

<sup>81</sup> *House of Commons Debates: First Session, First Parliament, 31 Victoria*, 31 March 1868, p. 428.



Regular Militia, and a third, the Marine Militia, similar in function to the province's sea fencible regiment. The federal law retained the principle of obligatory militia service but required compulsory annual musters and drill for the volunteers only, the latter serving for a limited term. Schools of Military Instruction, similar in purpose to the camps in New Brunswick, were set up in each of the provinces, the first of which was established in Fredericton the following year under Maunsell's direction. Significantly, the legislation confirmed the function the militia had been assigned during the colonial period, namely, to provide the mechanism by which the nation's manpower could be organized and trained as a defence force and called out in an emergency. The major distinction was that the emphasis, as it had been in New Brunswick since the time of Gordon, was on training only a small component of that larger resource, the voluntary militia. One role which the Canadian militia was assigned but which had been exercised hitherto by the New Brunswick militia was aid to the civil power.<sup>82</sup> In the New Brunswick experience it had always been considered wiser to leave that role to the British garrison.

By the act all volunteer companies were required to re-enrol by 1 October 1868. Even before the deadline, 18 of the 22 New Brunswick companies had re-enrolled. As the stages of reorganization continued the volunteer battalions in the province were renumbered and the quota raised to 3264 all ranks. The old county designations had gone; so, too, had the regimental areas which now corresponded to the provincial electoral districts.<sup>83</sup> By 1871 the reorganization was completed and the last vestiges of an independent militia structure in New Brunswick disappeared.

For over 80 years the New Brunswick militia had represented the province's principal contribution to its own defence, providing the mechanism by which a pool of trained manpower would be available in an emergency. For much of this period British troops guarded the province against attack and bore the main burden of defence responsibility. Nevertheless, during the numerous emergencies faced by the province in the colonial period the militia played a key role. In the early years the militia took on many of the responsibilities of the regulars including garrison duties, manning batteries, erecting defence works, and sending out patrols. During the boundary difficulties with Maine and at the time of the Fenian threat, the militia performed valuable service as sentinels, in guarding lines of communication and in manning defence lines. With one

82 *Report on the State of the Militia of the Dominion of Canada for the Year 1868* (Ottawa, 1869); *An Act Respecting the Militia and Defence of the Dominion of Canada* (Ottawa, 1868).

83 MGO, 29 July 1868; Department of Militia and Defence, Adjutant-General's Office, *Royal Gazette*, 21 December 1868.

notable exception and then through no fault of its own, the militia acquitted itself well when called out on active service. That it did so was as much a tribute to the diligence and resourcefulness of the militiamen themselves, who for much of the colonial period had to make do with inadequate supplies of arms and poor equipment, as it was to the role and leadership of key individuals like Carleton, Douglas, Shore and Gordon whose efforts shaped and directed the course of militia affairs over those years.

New Brunswick's colonial militia was the product of local considerations and local experience. Its first model was an American one, quickly replaced by one more appropriate to a wartime situation. In the 1820s, while the militia of the other provinces languished that of New Brunswick continued to develop and grow under the direction and encouragement of Shore and Douglas. The permanent militia law brought in by the latter created the conditions for the bitter debate over the militia appropriation in the 1830s. Yet, that guarantee of financial support also helped postpone the final demise of the militia until the advent of responsible government in the 1850s. The volunteer movement was an outside influence that was common to all the British American provinces but it was felt strongest in the United Province of Canada and in New Brunswick. Only in the latter, however, was it embraced as the foundation for a revitalized militia. The Fenian threat and the Confederation conferences interrupted the process of reform undertaken by Gordon but Cartier's remarks give clear indication that New Brunswick was headed in the right direction.