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Administrative History of the Nauvoo Legion in Utah

Ralph Hansen

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ADMINISTRATIVE HISTORY OF THE NAUVOO LEGION IN UTAH

A Thesis
Presented to
the Department of History
Brigham Young University
Provo, Utah

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts in History

187796

by
Ralph Hansen
June, 1954
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In view of the fact that the author is not a native Utahn, recognition of the following individuals constitutes sincere appreciation rather than a mere formality.

Dr. Richard D. Poll of the thesis committee suggested the general subject which was developed into the restricted study of the administrative history of the Legion.

The office staff of the Utah National Guard and Colonel Hamilton Gardner (Retired) directed the author to manuscript material which must be the basis of any future studies in this field as they were for this one.

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I. INTRODUCTION

Traditionally, a militia was a military organization formed on a voluntary basis as a permanent force for service only in times of emergency. Modern militia is said to have had its roots in the Anglo-Saxon fyrd, which was the force created by the obligation of every freeholder to defend the realm against invaders. This tradition came to America with the English settlers, and by 1775 the Minutemen of Lexington and Concord demonstrated the value of such a system. In the 19th Century the various States had militia organizations which were created principally to give the members an opportunity to drill, parade, and wear bright uniforms. They were, however, called into service in all the wars of that century. The organization of the National Guard superceded the many independent groups and the adoption of conscription through selective service diminished the importance of the militia.¹

So ingrained was the militia-system in the American way of life that it was included in the Constitution. Article Two of the Bill of Rights says that "a well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be

infringed." Furthermore the necessity for accepting and furthering the development of a militia was voiced by many of the leading statesmen of the late 18th and early 19th Centuries.2

In the early 1840's the Mormon people of the then Western United States (Ohio, Missouri, Illinois) found it expedient to protect themselves from persecution by the unsympathetic neighbors. The core of this protection was to be an independent militia. With such an organization the Mormons thought to preserve their inherent rights of personal security, personal liberty, and private property. The militia that was organized did not provide the salvation that was hoped of it; the opponents of Mormonism eventually had their day and drove the Saints from east of the Mississippi.

The militia which was organized by the Mormons was named the Nauvoo Legion, after the city of Nauvoo, Illinois, the center of the Mormon church in the 1840's. In the fall of 1840, John C. Bennett was commissioned to go to Springfield, the capital of Illinois, to secure charters for the city, the militia, and the University of Nauvoo. In his efforts he was entirely successful. The three charters were incorporated as one, and on December 16, 1840, signatures of the Governor and Secretary of State, Stephen A. Douglas completed

the work of the legislature.  

The powers granted to the city were very liberal. The twenty-fifth section of the charter provided for the organization and the government of the militia as follows:

The City Council may organize the inhabitants of said City, subject to military duty, into a body of independent military meant to be called the 'Nauvoo Legion,' the Court-Martial of which shall be composed of the commissioned officers of said legion and constitute the law making department with full powers and authority to make, ordain, establish, and execute, all such laws and ordinances as may be considered necessary for the benefit, government, and regulation of said Legion; provided said Court-Martial shall pass no law or act repugnant to, or inconsistent with the Constitution of the United States or of this State; and provided also, that the officers of the Legion shall be Commissioned by the Governor of the State. The said Legion shall perform the same amount of military duty as is now or may be hereafter required of the regular Militia of the State, and shall be at the disposal of the mayor in executing the laws and ordinances of the City corporation, and the laws of the State, or of the United States, and shall be entitled to their proportion of the public arms; and provided that said Legion shall be exempt from all other military duty.

Several days later the following amendment became law:

"Any citizen of Hancock County, may, by voluntary enrollment attach himself to the Nauvoo Legion, with all the privileges which appertain to that independent military body."  

John C. Bennett, rewarded for his success at Springfield by election as mayor of Nauvoo, said in his inaugural


address, "Early facilities should be afforded the Court-Martial for perfecting their plan of drill, rules and regulations." That same day the council passed an ordinance which divided the Nauvoo Legion into two cohorts--cavalry and infantry. The highest office was that of lieutenant-general. Other officers of the various branches were created by the ordinance, which also provided that the discipline and the drill of the Legion, as well as the uniforms, were to be patterned after the United States Army as far as it was practical.

On February 4, 1841, the Court-Martial met and the election of officers resulted in the choice of Joseph Smith for lieutenant-general, John C. Bennett, major-general, and Wilson Law and Don Carlos Smith as the brigadier-generals of the two cohorts. The staffs of the respective generals were chosen from the leading citizens of Nauvoo, some of whom were not members of the Mormon church.

The Nauvoo Legion, according to John C. Bennett and others who rely chiefly on his account, was patterned after the ancient Roman legion. Richard W. Young, a graduate of West Point and an early authority on the Mormon military, says that there was little resemblance between the Roman and Nauvoo Legions except in the use of the names legion and cohort and the rank of the superior officer. The Nauvoo Legion was a very top-heavy corps. The staffs of the general officers were

6Ibid.
7Ibid.
unusually large and somewhat fantastic. Although the army of
the United States as well as the militia of Illinois had no
officer higher than a major-general, Joseph Smith was a
lieutenant-general. The independent nature of the legion would
probably have prevented its officers from ranking the regular
army's in the event of a call to active service.8

All the citizens of Nauvoo not exempted by law were re-
quired to attend the Legion. Absence from general parades
was punishable by a fine ranging from five to twenty-five
dollars, depending upon rank. Absence from company parades
resulted in lesser fines.

The Nauvoo Legion, which was organized with only six
companies, grew to fifteen hundred men in the summer of 1841,
to two thousand a year later, and to approximately five thou-
sand by 1844.9 In 1842 the organization of the legion was
perfected in a manner which suggested the work of John C.
Bennett, who had a brilliant imagination. In this fantastic
scheme a herald and armor-bearer plus other supernumeraries
were added to the staff of the lieutenant-general and the
major-general. In spite of this top-heavy organization, the
Legion was progressing to the point that some companies were
completely uniformed and others partially so. The uniform,
which was patterned after the regular army style, used a
unique emblem to distinguish the various grades among

8Ibid., p. 47.

9Young, op. cit., p. 46.
officers—an ostrich feather which was dyed a different color for each rank. Uniforms never became common, probably because of the difficulty of getting a tailor to make one in less than a year.

Parades by the Legion caused a general holiday spirit to prevail in the entire area, and the citizens came from miles around to enjoy the festivities. This popularity and the color of the over-elaborate and efficient military organization caused petty jealousies in the other militias of the state. Whereas Joseph Smith meant the Legion to be of service to the state and nation, fearful observers were likening the legion to the hords of Mohammed who spread religion by the sword. The enemies of the Mormons had only to point to one of the many musters or drills to awaken the fears of the people of Illinois. Hence that which was to protect the Saints was transformed by their enemies into an excuse for distrusting them.10

As early as the winter of 1842 the repeal of the charter of the Legion was urged in the legislature. Anti-Mormon sentiment began to grow, and when, in 1844, the newspaper, The Nauvoo Expositor, was destroyed by the Mormons, it became necessary to place Nauvoo under martial law. The Legion was mustered into service, and Joseph Smith took personal command of it. Governor Thomas Ford sent word to Nauvoo that the Mormons must return to the state of Illinois the public

10B. H. Roberts, A Comprehensive History of the Church of Jesus Christ of Latter-day Saints (Salt Lake City: Church of Jesus Christ of Latter-day Saints, 1930), Vol. I, p. 60.
arms issued to the Legion, amounting to three cannons and about two hundred muskets. The men turned over their arms with no apparent show of malice.11

The death of Joseph Smith in 1844 and the repeal of the Nauvoo charter in 1845 struck mortal blows at the life of the Legion in Illinois. Brigham Young succeeded Smith as the commander, but he did not have the same degree of interest in the Legion as its founder. Before too long the state took it upon itself to cut the muscle from the body of the church with the aforementioned charter repeal, which ended the Nauvoo Legion's legal existence.

The militia of the Mormon people was not ready to become a page in history. True, the organization was defunct, but references to its existence were made during the crossing of the plains. When the Saints were preparing for the Western trek a meeting was held in which the following occurred:

President Brigham Young informed them that we had come together to organize and take care of ourselves in this savage country and prepare for going over the mountains. Pres. Young asked if they would take the officers in the Nauvoo Legion, or choose new ones. Voted unanimously to take the old officers.12

The old Nauvoo Brass band crossed the plains, and they brought with them the original flag which they had used in the parades and drills of the original Nauvoo Legion. Some of the

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11Young, op. cit., p. 86.

12Journal History of the L. D. S. Church, September 22, 1846. MSS history in the L. D. S. Church Historian's Office, Salt Lake City, Utah. Typewritten copies of documents and clippings from newspapers.
cannon must have crossed with the early emigrants for we find one in use in the Indian engagement at Fort Utah in 1850.\textsuperscript{13}

In addition to the physical evidence, it seems safe to assume that some of the pioneers brought with them mental remembrances of the once-proud militia which contributed to the desire to reactivate it in Utah.

II. LEGISLATIVE ORGANIZATION

The legislative reorganization of the Nauvoo Legion in the West was carried out through enactments of three lawmaking bodies, the High Council of the Church of Jesus Christ of Latter-day Saints, the Legislature of the State of Deseret, and the Legislature of the Territory of Utah.

During the early period of the settlement of Utah, the Mormons, who made little distinction between civil and religious rule, used the organization of the Church for the region's civil administration. The High Council of the Salt Lake Stake has the distinction of passing the first enactments which recreated the Nauvoo Legion in Utah.

On January 20, 1849, the High Council passed on ordinance, "appointing an armorer and determining that an armory be erected."

On March 3, 1849, the Council authorized the organization of a militia and on the 31st George D. Grant was appointed to raise a company of mounted men to protect the settlers in Salt Lake Valley. In that same month the Constitution of the Provisional State of Deseret was accepted and a new body took over the reigns of government.

The Constitution of Deseret provided for a Militia in

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2Ibid.
Article Six:

Sec. 1. The Militia of this State shall be composed of all able bodied, white male citizens, between the ages of 18 & 45 years, except such as are, or may hereafter be exempt, by the Laws of the United States, or of this State; and shall be armed, equipped, and trained, as the General Assembly may provide by law.

Sec. 2. All Commissioned officers of the Militia, (Staff officers excepted,) shall be elected by the persons liable to perform Military duty; and all Commissioned officers shall be commissioned by the Governor. 3

The Constitution limited the age of the participants to no younger than eighteen nor older than forty-five, yet on March 9th the legislative council of the State of Deseret met and passed an ordinance organizing the Nauvoo Legion. That ordinance contained other age limits:

That a committee of three be appointed to organize, or authorize others to organize, all male inhabitants of the valley of the Great Salt Lake, who are able-bodied men, over fourteen, and under seventy-five years of age, into different companies, the whole to form an entire Military organization of the people, under the name of the Nauvoo Legion. Whereupon Amasa M. Lyman, Charles C. Rich and Daniel H. Wells, were appointed said committee. 4

Eventually the members under eighteen were organized into the Juvenile Rifles and those over forty-five into the Silver Greys. More will be told of these organizations in their proper place.

While the State of Deseret was the de facto organ of government, the Nauvoo Legion was formally organized April 28, 1849. The "State" legislature also enacted three measures

3Ibid., p. 161.

4Journal History, March 9, 1849.
which provided for the further development of the military resources of the Territory.

The first of these laws was An Ordinance Regulating the Militia of the State of Deseret, passed on December 8, 1849. In part, this law said that it was every man's duty to serve and to provide himself with the necessary arms and equipment. Other sections of the law outlined the provisions for musters and the punishment of delinquents. It also organized a company of mounted "Rangers" and a company of "Minute Men."

The second, An Ordinance Authorizing the Erection of a Building for the Safe Keeping of the Public Property, Purchasing Arms, Ammunition, Supplies, &c., is self explanatory and will be dealt with in discussing the Ordnance department.

The final ordinance of the State Legislature was passed on January 17, 1851, and pertained primarily to completing the administrative organization of the Legion. The act divided the region into military districts, provided the method and procedure for enrolling members, organized the procedure towards delinquents, and authorized the quartermaster and commissary to make out reports of expenditures. This ordinance was probably the product of Charles C. Rich, William W. Phelps, Daniel H. Wells, Willard Snow, Hosea Stout, the members of

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6 Ibid., pp. 185-186.
7 Journal History, January 17, 1851.
the standing committee "On Military" in the General Assembly. 8

Upon the urging of Governor Brigham Young, the first session of the territorial legislature of Utah was motivated to act on behalf of the Legion. The resultant act, passed in 1852, was seventy-eight sections in length. Too long for summation at this point, this act provided much of the foundation upon which the Legion was developed prior to 1857 at which time a new act superseded it. One feature is worthy of mention here—the provision for a lieutenant general to command the Legion.

David H. Wells, the second elected commander in Utah, held the rank of major general until his reelection in 1852, when he became the first lieutenant general since Joseph Smith. 9

On Dec. 27, 1852 the legislature passed an act which furthered the construction of an armory and appropriated money for the encouragement of a military school and for the development of an ordnance department. 10

For almost four years the Legion carried on without any more major legislative enactments pertaining to organization, but by 1857 it was apparent to some that all was not well. The lack of field activity after the conclusion of the Walker War produced a need for a closer knit organization which could

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8 Alter, op. cit., p. 233.
9 Acts, Resolutions, and Memorials, Passed by the First Annual, and Special Sessions of the Legislative Assembly, of the Territory of Utah (Great Salt Lake City, Utah Territory: Brigham H. Young, Printer, 1852), pp. 143-160.
10 Deseret News, January 22, 1853.
keep the interest of the Legion's members at a high pitch.

The Legislature consequently passed an Act which gave the lieutenant-general the authority to draft a new military law. General Wells called upon Generals H. S. Eldredge, James Ferguson, A. P. Rockwood, and G. D. Grant, Colonels N. B. Clawson and L. W. Hardy, Lieutenant Colonels William H. Kimball and William Hyde, and Major R. T. Burton for aid. Territorial Attorney General Hosea Stout was also asked to serve.\footnote{11} Hosea Stout records in his diary that the committee met on the night of February 19, 1857, to draft a new military law.\footnote{12} Details of the plan discussed will be dealt with in Chapter Three.

The committee drew up a set of regulations which were put into force, not by legislative enactment, but through the authority which created the committee and the power it had to reorganize the Legion. Although thirty-three sections in length, the reorganization order often repeated old enactments and in the main strengthened only the staff organization of the militia. Two new units resulted from the reorganization: a Corps of Topographical Engineers and an Ordnance Department. A topographical engineer had been on the general staff prior to 1857, but the position had involved one man without aides.\footnote{13}

\footnote{11}Deseret News, January 21, 1857.

\footnote{12}Hosea Stout, Diary, MSS., Brigham Young University Library. Vol. 7, p. 406. (Typewritten)

\footnote{13}Deseret News, April 8, 1857.
The reorganization of 1857, authorized by the legislature, appeared to be the last endeavor on behalf of the Legion by this body. In 1867 the legislature adopted a resolution which indicated that a better military law might be in order, and Daniel H. Wells, George A. Smith, Robert T. Burton, and William B. Pace were appointed commissioners to draft a Military code for submission to the lawmakers.\textsuperscript{14}

Did the committee ever act on a new code? The lack of records, other than official enactments, on the Territorial legislature made it difficult to trace the activities of special commissioners and others appointed to make reports. There is, among the papers of the Utah National Guard in Salt Lake, An Act Concerning Militia, which, according to its front page, was passed February 20, 1868.\textsuperscript{15} If it was passed it never received the approval of Governor Charles Durkee, because it is not published among the official acts of the Territory. The act's importance is minor, since it is a restatement of previous enactments.

\textsuperscript{14} Acts, Resolutions and Memorials, Passed at the Several Annual Sessions of the Legislative Assembly of the Territory of Utah from 1851-1870 Inclusive (Salt Lake City, Utah: Joseph Bull, Public Printer, 1870), p. 35.

\textsuperscript{15} Archives of the Utah National Guard, Fort Douglas, Salt Lake City, Utah. The "Archives" are a collection of Nauvoo Legion papers collected by the U. S. Government when Utah veterans were pressing claims for Indian War service. The papers are in an old safe, unarranged and improperly stored. Some evidence of order is visible but there is no index to the material. The author went through each drawer and envelope which contained relevant material. Since there is no way of identifying the source by reference to page, file, or shelf these records will be referred to only as Archives.
The task of developing a frontier Militia was not one which a legislature could handle alone. The groundwork was laid by legal actions, but it was up to the military to provide for the details of organization. This was accomplished by numerous orders emanating from the commanding general's office and some from the various division commanders. Most of these orders created new companies, battalions, regiments, or divisions, appointed officers, and divided military districts into smaller compact units. Publication in the Deseret News or on a handbill made these general orders official.\footnote{Deseret News, April 8, 1857.}
III. FUNCTIONAL ORGANIZATION

The legislative organization of the Nauvoo Legion ended in 1857 after undergoing several changes. The pre 1857 Legion was governed primarily by the law of 1852, consequently the laws of 1852 and 1857 form the bases of this study.

When the report of Daniel H. Wells and Charles C. Rich\(^1\) was adopted in 1849, it was decided that there would be two cohorts with four regiments in each cohort. Each regiment was to have two battalions, with five companies in each battalion.\(^2\)

By 1852 the thinking concerning the T. C. E.\(^3\) of the Legion had crystalized somewhat. In the law of that year the division was substituted for the cohort.\(^4\) The division was to have not less than two, nor more than four brigades, either infantry or cavalry. Each division was to have one major-general, one division paymaster, one surgeon, and two chaplains.

A brigade had the same option as a division--it had

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\(^1\)Amasa Lyman was on a mission and did not participate in the report.

\(^2\)Journal History, March 3, 1849.

\(^3\)Table of Organization.

\(^4\)Acts...First...Session...Legislative Assembly, p. 147.
two to four regiments. If the brigade was infantry, it had attached to it one company of artillery; if cavalry, one company of light artillery was attached. Each brigade had one brigadier general, and staff officers similar to the division with the exception that only one chaplain was called for.

The regiment was allowed four to eight companies. It was officered with one colonel, one lieutenant colonel, one major, one adjutant, one commissary of subsistence, one paymaster, one surgeon, one chaplain, one sergeant major, one quartermaster sergeant, one principal musician, and two sergeant color bearers.

Below the rank of regiment the law became vague as to size of units. A separate battalion was to have two to four companies. The officers of the separate battalion were a major, an adjutant, a commissary of subsistence, one paymaster, one surgeon's mate, a principal musician, and two sergeant color bearers.

On the company level the cavalry was permitted between twenty-five and fifty-seven privates. One captain, a first lieutenant, a second lieutenant, a third lieutenant, four sergeants, four corporals, and two buglers completed the

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5It is not clear whether the designation meant the third lieutenant in the company or whether it was an official designation.
compliment. If the company had the bare minimum of privates, there would be one officer or non-commissioned officer to each two men.

A company other than cavalry was allotted more men than its mounted counterpart. The artillery, light artillery, infantry, or riflemen were allocated not less than forty-one, nor more than eighty-nine privates, who were officered like the cavalry.6

As mentioned previously on February 19, 1857, Hosea Stout and others planned a comprehensive reorganization. His diary records:

This evening met with a committee to draft a new military law. The object which is trying to be obtained, seems to be to get up a military organization according to the good old Bible rule of captain's of 10's 100's &c and at the same time to correspond with the U. S. tactics as such an organization is thought by some to be more efficient. The subject was only discussed and will be farther (sic) considered hereafter.7

Not only was the subject further discussed but it was acted upon. The object, as expressed by Hosea Stout, may have been to "get up a military organization according to the good old Bible rule," but it seems more of an effort to give a definite status to the units which were extremely flexible under the old law.

Under the new design a division had two brigades--no more, no less. In the new brigade there were to be one thousand "rank and file." A regiment consisted of five battalions

6Acts...First...Session...Legislative Assembly, p. 143-160.

or five hundred rank and file, hence there were two regiments in a brigade. Each battalion had one hundred men, organized into two companies of fifty men, and each company had five platoons of ten men.  

The platoon was commanded by a second lieutenant, who with a sergeant was elected by the platoon and had to be one of their number and were counted as part of the ten which made up the platoon.

The officers in the higher echelon units were reorganized as well as their units. On the division level a major general was still in command and his staff was still six members, but they were functional in designation. In place of the paymaster, inspector, and one of the chaplains who were eliminated, were an adjutant and two aides-de-camp. On the brigade level the staff was cut from five to three and so on down the line.

Later growth of the Legion did not seem to strain the staffs as they were organized in 1857. One exception was in 1866 when major-generals were authorized to add one aide-de-camp to their staff and brigadier generals were authorized to add two aides-de-camp to theirs. However, by 1869 a special committee suggested that the office of regimental aide-de-camp be discontinued and that the number of majors in each regiment be reduced to two. The committee also recommended that the office of battalion adjutant be discontinued.

8Deseret News, April 8, 1857.  9Ibid.  10Deseret News, April 26, 1866.  11Archives.
These organizational maneuvers were minor and did not affect the Legion as it was put together in 1857.

**Military Districts**

The question of how to apportion the units about the territory was first answered by the last military enactment of the provisional State of Deseret. Section one divided the "State" into the following military districts: Box Elder, Weber, Tooele, Utah, San Pete, and Iron. These counties and all other counties to be formed in the future were regimental districts. If the number of inhabitants did not warrant a regiment in the county then the lowest size military unit practicable was to be used. If need be the major general of the Legion could order some citizens to organize the district without a unit. Section two of the ordinance divided Great Salt Lake County into two military districts.

In 1852 the military districts were increased by the new Territorial Legislature. Great Salt Lake district was confined to the limits of that city and West Jordan and Cottonwood districts in the county. Other districts, Davis, Green River and Pauvan, were also created by the act. Of the twelve districts organized to date, only Pauvan district did not take on the same name as the county it represented; it included all the militia within Millard County.

It is interesting to note that Box Elder military

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13 Acts...First...Session...Legislative Assembly, p.148.
district did not become Box Elder County until 1856. In 1852 the Deseret enactments dealing with Box Elder military district were repealed. With the creation of Box Elder County in 1856 the military district of the same name was revived and the counties of Cache, Malad, and Greasewood were attached to it for military purposes.

The general order which recreated Box Elder district in 1856 also constituted Carson County as a military district and attached St. Mary's County to Carson County for military purposes. Shambip County was attached to Tooele military district for a like purpose, as was Beaver County to Iron military district. Summit county was attached to Green River district. Also mentioned in these orders was Juab, but there is no record of when this county was made a military district.

The organization in 1856 stood at fourteen districts, representing nineteen counties; only Great Salt Lake county had more than one military district.

The reorganization of the militia in 1857 brought about some changes in the arrangement of the military districts. The three military districts of Salt Lake County were combined, while Utah County's one district was expanded into three units. The new plan had thirteen districts. The district of Carson was completely dropped in the new structure.

15Deseret News, June 11, 1856. 16Ibid.
17Deseret News, April 22, 1857. All the Mormons abandoned the Carson Valley settlements within a few months after.
The complete list of military districts, with the counties included and the organizers, is listed below:

Military Districts

1. Great Salt Lake military district, to embrace the whole of Great Salt Lake County, and to be organized under the supervision of George D. Grant.
2. Green River County, to be organized into one district, under the supervision of Isaac Bullock.
3. The northern portion of Utah County, extending south to the northern limits of Provo City corporation, to be organized into one district under the supervision of David Evans, to be called the Lehi military district.
4. The Provo military district, to extend to the corporation boundaries of Provo City on the north and south, and the eastern and western limits of Utah county, to be organized under the supervision of P. W. Conover.
5. The Peteet-neet military district, to embrace the whole of Utah county south of Provo, to be organized under the supervision of Aaron Johnson.
6. The Juab military district, to include the whole of Juab county, and to be organized under the supervision of George W. Brandley.
7. The Sanpete military district, to include the whole of Sanpete County, to be organized under the supervision of Warren Snow.
8. The Pauvan military district, to include the whole of Millard County, to be organized by L. H. McCullough.
10. Tooele military district, all of Tooele County by John Rowberry.
11. Davis military district, all of Davis county, by Allen Taylor.
13. Box Elder military district, all of Box Elder, Malad, and Cache counties by Jefferson Wright.  

Of the thirteen men assigned the task of organizing the military districts, all but four were later elected as commanders of the districts they had organized.  

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18 Ibid.

Summit County was created as a military district in 1864 by order of Daniel H. Wells. In 1866, Utah and Cedar counties were united as a military district for the purpose of forming a division. The portion of Iron County lying east of the Wasatch range of mountains, together with Pi-Ute and Sevier Counties became a separate military district through the same orders, but no name was given to the new area. Finally, Wasatch and Richland counties were made into separate districts.

The usual procedure followed by the Nauvoo Legion in organizing new military districts varied only in who performed the duties of activation. Generally the nearest district sent a ranking officer to act as organizer. Under his direction the military unit of the size appropriate to the numbers enrolled was established, and election of officers was held. When this was done, the new officers took over and completed the construction of the unit. The new commanding officer chose his staff and as a final step he held a regular muster. Reports of the muster sent to the Adjutant-General's office put the unit "on the book."

Officers

In 1867 the Nauvoo Legion had over 12,000 officers and men in its ranks. It would be impractical, if not impossible,
to list even the known officers of this sizeable group. However, with apologies to those who may be overlooked some effort will be made to list the ranking officers of the Legion.

Although much credit has been given to Daniel H. Wells as the leader and organizer of the Utah Nauvoo Legion, another man must be given credit for the groundwork which was begun in 1848. At that time Charles Coulson Rich, under the direction of the stake authorities, was elected chief military commander.\textsuperscript{23} Little remains to enlighten about his work other than that he was an officer of the Legion in Nauvoo, Illinois.

On April 28, 1849, by a unanimous vote, Daniel H. Wells was elected Major General of the Nauvoo Legion.\textsuperscript{24} The Legion was assembled and organized into military units and the necessary officers were elected by the assembled men. Many of the elected officers did not rise to great heights in the Legion, but as the first elected leaders in Utah they deserve recognition.

On the same April 28, eleven companies were organized, six cavalry and the rest infantry. The eleven companies, encompassed by the two cohorts, were combined in four battalions and two regiments.

\textsuperscript{23} Alter, \textit{op. cit.}, p. 69.

\textsuperscript{24} \textit{Journal History}, March 3, 1849.
Elected Officers of the Nauvoo Legion—1849

First Cohort—Brigadier General Jedediah M. Grant
First Regiment (Cavalry)—Colonel John S. Fullmer
First Battalion—Major Willard Snow
First Company (Life Guards)—
  Captain George D. Grant
  Lieutenant William H. Kimball
  Lieutenant James Ferguson
  Lieutenant Ephraim Green

Second Company (Mounted Dragoons)—
  Captain Daniel C. Davis
  Lieutenant Nelson Higgins
  Lieutenant Joseph W. Young
  Lieutenant Anson Call

Third Company (Mounted Dragoons)—
  Captain Samuel Thompson

Second Battalion—Major Ira Eldredge
First Company—Captain Benjamin F. Johnson
  Lieutenant Hosea Stout
  Lieutenant John Allger
  Lieutenant J. C. L. Smith

Second Company—Captain James T. S. Allred
  Lieutenant P. R. Wright
  Lieutenant Erastus Bingham
  Lieutenant John Steele

Third Company (Pioneer and Exploring)—
  Captain John Brown
  Lieutenant Albert Carrington
  Lieutenant Joseph Matthews
  Lieutenant John D. Holliday

Second Cohort—no commander elected
First Regiment—Colonel John Scott
First Battalion—Major Andrew Lytle
First Company (Silver Greys)—
  Captain Jesse P. Harmon
  Lieutenant Shadrack Roundy
  Lieutenant Isaac Morley
  Lieutenant Phineas Richards

Second Company (First Artillery)—
  Captain Daniel Tyler
  Lieutenant Don P. Curtis
  Lieutenant Charles Shumway

Third Company (Second Artillery)—
  Captain Daniel Corn
  Lieutenant Truman O. Angel
  Lieutenant William M. Lemon
  Lieutenant James Beck

The Constitution of Deseret limited membership in the militia to those under forty-five. It would seem that fifty was the age limit practiced.
Second Battalion—Major Henry Harriman
First Company—Captain George B. Wallace
   Lieutenant J. C. Stratton
   Lieutenant Jacob Gates
   Lieutenant Jonathan H. Holmes
Second Company (Juvenile Rifles)—
   Captain Edmund Ellsworth
   Lieutenant Henry P. Richards
   Lieutenant Joseph A. Young
   Lieutenant Lyman L. Rockwood

The work just cited shows the first officers elected by the membership of the Nauvoo Legion. By 1868 the Legion had 1,843 commissioned officers,27 each of whom received his commission from the governor.

Of the early staff of Major-General Wells there is little information. In 1851 his adjutant was James Ferguson.28 Colonel, later General, Ferguson served in this position until August 1861, when he resigned. During this ten year period Adjutant Ferguson served faithfully, except for a short period around 1855 when he went on a mission for the L. D. S. Church. During the missionary interlude Hiram B. Clawson acted in Ferguson's stead.

The successor to James Ferguson was H. B. Clawson, whose signature appears on some of the orders in the early 1860's. The job of adjutant necessitated the use of more than one man and an increasing departmental budget.29 Assisting Clawson were Colonel T. W. Ellerback of the General staff

28 Journal History, February 15, 1851.
29 See Adjutant General's Department, p. 34, infra.
BRIGHAM YOUNG,
GOVERNOR OF THE TERRITORY OF UTAH.

To all to whom these Presents shall come, GREETING:

KNOW YE, THAT Ira S. Clariage, having been duly elected to the office of Major of the 1st Regiment of cavalry, of the Nauvoo Legion, and of the Militia of the Territory of Utah; I, BRIGHAM YOUNG, Governor, for and on behalf of the people of said Territory, Do commission him Major of the 1st Regiment of cavalry of the Nauvoo Legion, and of the Militia of the Territory of Utah, to take rank from the Twenty-sixth day of May 1849, being the time of his election to office.

He is, therefore, promptly and diligently to discharge the duties of said office, by doing and performing all things thereunto belonging; and I do strictly require all officers and soldiers under his command to be obedient to his orders; and he is to obey all such orders and directions, as he shall receive from time to time, from the Commander-in-chief, or his superior officer.

IN TESTIMONY WHEREOF, I HAVE hereunto set my hand and caused the seal of said Territory to be affixed.

Done at Great Salt Lake City, this Twenty-fifth day of November A. D. one thousand eight hundred and fifty one. And of the Independence of the United States of America the seventy sixth.

By the Governor.

BRIGHAM YOUNG.

Secretary Pro Tem.

Appointed by the Governor.

Fig. 1
To all to whom these Presents shall come:

Know ye, that William Ke. Damey, having been duly elected to the office of Colonel of the Iston Military District, I, Brigham Young, Governor, for and on behalf of the people of said Territory, do commission him Colonel of the Iston Military District of the Nauvoo Legion, and of the Militia of the Territory of Utah; to take rank from the 24th day of May, 1851, being the time of his election to office.

He is therefore, promptly and diligently to discharge the duties of said office, by doing and performing all things thereunto belonging; and I do strictly require all officers and soldiers under his command to be obedient to his orders; and he is to obey all such orders and directions, as he shall receive from time to time, from the Commander-in-Chief, or his superior officer.

In Testimony Whereof, I have hereunto set my hand and caused the Seal of said Territory to be affixed at Great Salt Lake City, this Fourteenth day of March, A.D. one thousand eight hundred and fifty-four, and of the Independence of the United States of America the Seventy-fourth.

Brigham Young

Secretary.
and Colonels R. T. Burton and D. J. Rose of Great Salt Lake
military district. By 1868 a clerk, John Winder, had been
hired to work in the Adjutant-General's office. General
Clawson remained the Legion's Adjutant until 1870.

Other members of the staff in 1850 were Hiram H.
Clawson, Aide-de-camp; Lewis Robison, Quartermaster General;
Albert P. Rockwood, Commissary General; Ezra G. Williams,
Surgeon General; Ezra T. Benson and Wilford Woodruff,
Chaplains; Edward P. Duzette, Chief of Music; and Ephraim
Hanks and Lot Smith, Color Bearers General. The color bearers
were captains, the rest colonels.30

By authority of the legislative enactment of 1852 the
staff of the lieutenant general was to be composed of three
aides with the rank of colonel, two topographical engineers
with the rank of colonel, and a military secretary with the
rank of lieutenant colonel. Two chaplains and the adjutant
general, commissary general, and quartermaster general were
all brigadier generals. The paymaster general, the head of the
hospital, the head of the department of music were colonels.
The color department was to supply two color bearers general
with the rank of captain.31

The staff of the lieutenant general did not alter per-
ceptibly after 1852, except to include the new positions author-
ized by the legislative enactment. The Deseret News lists the

31 Acts...First...Session...Legislative Assembly, pp. 143-146.
officers at the beginning of 1853; James W. Cummings (Paymaster General), James Barlow (Aide-de-camp), and Thomas Bullock (Military Secretary), filled the new staff positions created in 1852. Other changes made since 1850 were Nathaniel H. Felt and W. M. Andrews, who took over the positions of Chaplain and Surgeon General.32

Somewhat of a change in the Lieutenant General's staff occurred in 1857. Section five of the "System of Regulations for the Present Organization and Government of the Militia of the Territory of Utah" elaborated these changes.

The Staff of the Lieutenant General shall consist of an Adjutant General, with the rank of Brigadier General of Light Artillery; one Aide-de-Camp with the rank of Brigadier General of Cavalry; a Quartermaster General with the rank of Brigadier General of Heavy Artillery; a Commissary General of Subsistance with the rank of Brigadier General of Infantry; a Chief of Topographical Engineers with the rank of Colonel; a Chief of Ordnance with the rank of Colonel of Light Artillery; one Aide-de-camp with the rank of Colonel of Infantry; two Chaplains with the rank of Colonel of Infantry; a Surgeon General with the rank of Colonel of Infantry; a Chief of Music with the rank of Colonel of Infantry; a Military Secretary with the rank of Lieutenant Colonel of Infantry; one Color Bearer General with the rank of Major of Cavalry; one Color Bearer General with the rank of Captain of Cavalry; and such assistants in the various departments as the good of the service may require, with ranks corresponding, to be designated by the Lieutenant General.33

With the completion of the reorganization of the Nauvoo Legion in 1857, Lieutenant General Wells appointed his new staff, retaining many of the original personnel. The following are the appointments made on April 11, 1857:

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32 Deseret News, January 8, 1853.
33 Deseret News, April 9, 1857.
James Ferguson, Adjutant General;
Hiram B. Clawson, 1st Aide-de-Camp;
Lewis Robison, Quarter Master General;
Albert P. Rockwood, Commissary General of Subsistence;
Albert Carrington, Chief of Topographical Engineers;
Thomas W. Ellerback, Chief of Ordnance;
Jesse C. Little, 2nd Aide-de-Camp;
James W. Cummings, Paymaster General;
Hosea Stout, Judge Advocate;
Joseph A. Young, 2nd Aide-de-Camp;
Elders Wilford Woodruff and Franklin D. Richards, Chaplains;
Dr. J. L. Dunyan, Surgeon General;
E. P. Duzette, Chief of Music;
John T. Caine, Military Secretary;
Brigham Young, Jr., 1st Color Bearer General;
Stephen Taylor, 2nd Color Bearer General. 34

The positions of Chief of Ordnance and Judge Advocate were new to the general staff.

A possible, although by no means accurate, barometer of the esteem in which an officer was held is the special assignments he received. One such assignment was to serve as member on one of the many code commissions created between 1850 and 1870 to provide new regulations for the Legion. The major reorganization of 1857 had as its designers Daniel Wells, James Ferguson, A. P. Rockwood, G. D. Grant, H. B. Clawson, L. W. Hardy, W. H. Kimball, William Hyde, Robert T. Burton, and Hosea Stout. 35 A similar commission in 1867 was composed of D. H. Wells, George A. Smith, Robert T. Burton, and William Pace. In 1869 the previously mentioned Burton and Pace were joined by Brigham Young Jr., Robert Smith, John Winder, David McKenzie, and Samuel G. Ladd in a committee to

34 Deseret News, April 22, 1857.
35 Deseret News, April 8, 1857.
investigate the form of tactics the Legion should adopt.\textsuperscript{36}

Other special assignments were meted out to Colonel Hiram B. Clawson, as a special agent to build an Armory in 1853;\textsuperscript{37} Colonel G. A. Smith, appointed Commander of all forces south of Provo during the Indian outbreak of 1853;\textsuperscript{38} Lot Smith and Robert Burton, sent upon government request on expeditions against Indians during the Civil War; and William B. Pace, appointed commander of the troops sent to Southern Utah during the Black Hawk War.

Similar to the honor of being chosen for a code commission was the regard shown for the men elected as district commanders. Neither of the positions was gained by a demonstration of military ability; instead it was personal popularity. Among the earliest commanders of military districts were Colonel Geroge A. Smith, Iron County; Peter W. Conover, Utah County; Cyrus C. Canfield, Weber County; and Nelson Higgins, Sanpete County.\textsuperscript{39} In 1853 Lieutenant Colonel Little took over Iron County from Colonel Smith.\textsuperscript{40}

\textsuperscript{36} \textit{Acts...Several Annual Sessions...1851-1870 Inclusive}, p. 35.

\textsuperscript{37} \textit{Deseret News}, January 22, 1853.

\textsuperscript{38} \textit{Deseret News}, July 25, 1853.


\textsuperscript{40} \textit{Deseret News}, December 8, 1853.
Instructions of August 1, 1857 were sent to the following named district commanders:

Colonel Chauncey W. West, Weber
Colonel P. C. Merrill, Davis
Major Samuel Smith, Box Elder
Major John Rowberry, Tooele
Colonel William B. Pace, Provo
Major David Evans, Lehi
General Aaron Johnson, Peteet-neet
Major C. W. Bradley, Nephi
Major Warren S. Snow, Sanpete
Major L. H. McCullough, Fillmore
Colonel W. H. Dame, Parowan
Major Allen Weeks, Cedar

The list of officers who served with distinction in the Utah Nauvoo Legion could fill volumes, but three men deserve a few more words in passing--Lot Smith, Robert T. Burton, and William B. Pace. These men typified the best that the Legion brought out in men. They started when they were young men and worked their way to the top. In 1870 William Pace was elected brigadier general, after having served as a colonel since 1855. His career included, among other accomplishments, the writing of a book of military drills and tactics for the use of the Nauvoo Legion.

Lot Smith who began his illustrious career as a color bearer on the staff of the Lieutenant General was, by 1869, the commander of the Cache military district. Robert Burton took over command of Salt Lake military district in

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42 William B. Pace, Diary, MSS., Brigham Young University Library, p. 22. (Typewritten).
43 Deseret News, September 22, 1869.
about 1866. Both men served in the only Civil War action that the Legion saw. It was men like these who gave the Utah militia its vitality and strength.

We have already seen how the State Constitution provided for election of Legion officers and how this privilege was exercised in the first major organizational meeting at Salt Lake City. This activity by the members of the Legion involved no spectacular events, but it was one which was engaged in constantly by increasing numbers as the Legion grew.

The Commanding General never failed to remind the Legion of its responsibility to elect the men they wanted at the helm. Whenever a new company or larger unit was created by a military order, the order would always caution the newly organized men to elect officers. Before a new organization was recognized it was obliged to hold elections for officers.

The only case on record in which the election of officers was rejected came at the hands of Governor Shaffer. In 1870, contrary to law, Shaffer appointed his own men to leadership positions in the Legion.  

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144 Deseret News, April 26, 1866.

IV. DEPARTMENTS OF THE GENERAL STAFF

Adjutant-General's Department

According to the statutes of the United States, each state and territory that had a militia was to have an adjutant-general. The duty of the adjutant was many-fold and necessitated the spending of considerable time with paper work.¹

Specifically the adjutant's duties were to distribute all orders from the commander-in-chief² of the state to the several corps; to attend all public reviews when the commander-in-chief of the state should review the militia; to furnish blank forms of different returns that were required; to receive returns which reported the actual situation of arms, accoutrements, ammunition, delinquencies, and every other thing which related to the general advancement of good order and discipline; from all the returns, he was to make proper abstracts and present them to the commander-in-chief of the state.³

Proof of the size of the adjutant's task is implied in

¹U. S. Statutes at Large, Vol. I, pp. 273-274. (Little, Brown, ed.).

²The governor of the Territory was the commander-in-chief of the militia. No Utah governor took an active part, consequently the actual commander was the elected lieutenant general.
the growth of the office, both in the financial assistance given to this office and the increase in personnel. In 1853 the territorial legislature appropriated four hundred dollars for the expenses of the adjutant-general. In 1859 the appropriation was one thousand dollars, of which three hundred was the adjutant's remuneration. By 1867 the expense involved in the adjutant-general's department had doubled the 1859 appropriation. Of the two thousand dollars appropriated for 1867, eight hundred defrayed the expenses of running the office, and the rest went for salaries of clerks and the adjutant. In 1869 another two thousand dollars were appropriated, but in 1870 only one thousand five hundred was set aside for the adjutant-general's department.

As mentioned above, the adjutant had a variety of tasks under his immediate jurisdiction such as distributing all military orders to the units in the state (territory). This could be, and was, carried out in several ways. The most common method was to have the order printed in the Deseret News. The publication of orders from the lieutenant-general in any public newspaper of the territory was deemed to be a

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1See chapter 3 in this work that discusses officers.

2Acts and Resolutions passed at the Third Annual Session of the Legislative Assembly of the Territory of Utah (Great Salt Lake City: Ariel C. Bower, 1854), p. 17.

3Deseret News, February 23, 1859.

4Archives.
lawful notice. Orders printed on handbills were known as general circulars. (See cut). If the particular order pertained to only a small segment of the Legion, the adjutant would use a personal letter to convey the information.

The general reorganization order of 1857 gave some very definite information concerning military orders. All orders were to be numbered, beginning and ending with the year or with the campaign. The orders issued by the lieutenant-general were in two series, general and special, with names revealing for whom they were issued. Any orders from other sources were to be simply styled "orders," and they had to be filed in the adjutant's office. Upon examination of the remnants of the orders still in existence it appeared that the system of using the same number over again involved a certain amount of confusion when making a reference.

The Federal law required the adjutant to accompany the commander-in-chief to all public reviews of the militia. The Nauvoo Legion carried this provision one step further by delegating to the assistant adjutants the task of visiting the different military districts for the purpose of inspecting the various units. These inspectors became a very useful and busy appendage of the adjutant's department.

8Deseret News, April 8, 1857.
9Ibid.
10Acts...First...Session...Legislative Assembly, p. 159. also Deseret News, April 25, 1864.
HEAD QUARTERS NAUVOO LEGION,
ADJUTANT GENERAL'S OFFICE, G. & L. CITY, JULY 31, 1857.

GENERAL ORDERS
No. 5.

I. It having appeared requisite for the more complete organization of the Legion, that an additional officer should be attached to the Staff of a Regimental Commander, the Lieutenant General Commanding directs that each Colonel appoint an Aide-de-Camp, who shall hold the rank of Major, and be obeyed and respected as such.

II. So far as applicable, Hardee's Ribs and Light Infantry Tactics will be adopted through the Legion. As the difference in the number and grade of officers between the Regular Army and Militia of the Territory requires some variation in formations and manoeuvres, the following rules will be adopted as a basis of manoeuvres:

FORMATION OF A REGIMENT IN LINE.

1. A Regiment is composed of ten Companies, or five Battalions, which will be posted from right to left at the discretion of the commanding officer.

2. A Company is composed of five platoons posted from right to left at the discretion of the Captain.

3. In all exercises and manoeuvres, every Regiment or part of a Regiment, composed of two or more Battalions, will be designated as a Regiment.

4. The centre Platoon of the right centre Company will constitute the color bearers and color guard of the Regiment. That Company with all on its right will be denominated the right wing of the Battalion, the remaining Companies the left wing.

5. The formation of a Regiment is in two ranks; and each company will be formed into two ranks as follows: The Lieutenant of each Platoon on the right of the front rank, his Sergeant covering him. The Platoons will be numbered in fours, irrespective of Lieutenants and Sergeants.

POSTS OF OFFICERS.

6. The Captain three paces in front of the centre of the Company. His Adjutant three paces in front of the left file of the Company. The Company Adjutant will direct the alignments, wheelings and other movements of the Company to the left.

7. The Major of Battalion will take his position six paces in front of the centre of his Battalion. The Battalion Adjutant three paces in rear of the centre of the Battalion.

8. The Colonel will take his position twenty-five paces in front of the centre of the Regiment. The Regimental Adjutant will take his position twelve paces in front of the centre of the right wing of the Regiment. The Regimental Aide-de-Camp will take his position twelve paces in front of the centre of the left wing of the Regiment. The Surgeon and other Staff officers serving with the Regiment, thirty paces in rear of the centre.

9. The music of the Regiment will be formed in two ranks fifteen paces in rear of the centre of the Regiment.

10. The formation of a Regiment in line of battle, is the same as before laid down, with the exception that the officers whose positions are in front of the line, will pass to the rear opposite to, and at the same distance from the line as the positions they occupied in front.

11. The following positions will be observed in manoeuvring or marching by column:

The Colonel ten paces to the left opposite the centre of the column. The Adjutant five paces to the left opposite the centre of the right wing of the Regiment. The Regimental Aide-de-Camp five paces to the left opposite the centre of the left wing of the Regiment. The Regimental Surgeon and other Staff officers accompanying or attached to the Regiment, five paces to the right opposite the centre of the Regiment.

12. In column of Battalions, Battalion and company officers as in line.

13. In column of Companies, the positions of the Major will be three paces to the left opposite the centre of the Battalion; the Battalion Adjutant two paces to the right opposite the centre of the Battalion. Company officers as in line.

14. Three platoons with those of a company, the Colonel, Regimental Adjutant, Aide-de-Camp and Surgeon, and Battalion officers as before laid down. The Captain one pace to the left opposite the centre of the Company. The Company Adjutant one pace to the left, on a line with the rear file of the Company.

15. Until the men are tolerably advanced in the school of the soldier, it is recommended that they are drilled in squads not to exceed ten men or one Platoon, and in single rank. A Platoon in single rank is composed of ten men side by side, the Lieutenant on the right; and the Sergeant on the right of the left four.

16. The Platoon being in single rank to form it in two ranks, the instructor will command:

1. In two ranks to the right.
2. March.
3. Right-dress.
4. Front.

17. At the command, march, the Lieutenant and four men on the right, who constitute the front rank, advance one step; the Sergeant and four men, who constitute the rear rank, face to the right, and step off together; each man halts behind his file leader, as fronts without command.

At the command, march, the men align themselves to the right, and at the word, right, face to the front.

18. To resume the single rank, the instructor commands:

1. In single rank to the left.
2. March.
3. Halt.
4. Front face.
5. Right-dress.
6. Front.

19. At the command, march, the rear rank men face to the left and step off together, halting at the word. At the command right, they face to the front, and are aligned by the instructor.

The formation of Two from line, and files from Two in rank marching, will be conducted on the same principles; care being taken in all manoeuvres so far as practicable to keep the Lieutenant and four front rank men together, and the Sergeant and four rear rank men together, as Companies in arms.

20. Commanders of Districts are instructed to see that all proper care is taken to instruct their commands in the Drill hereby adopted. All other changes or additions to accommodate the present organization will be made when they appear requisite and will be communicated to the Legion through this office by the Lieutenant General.

By order of

Lieutenant General DANIEL H. WELLS,
JAMES FERGUSON, Adjutant General.

Fig. 3
The assistant adjutant-generals who acted as inspectors for the adjutant-general in the late 1860's were Robert T. Burton and David J. Ross.\textsuperscript{11} When it became necessary to reorganize a unit by enlarging it, the inspectors were on hand.\textsuperscript{12} During 1866, whenever the Deseret News described a muster, the names Burton and Ross were invariably mentioned. Rather than act as passive observers at musters, the inspectors led the troops through the manual of arms and field exercises in order to judge the degree of proficiency of the visited forces.

The most important activity of the department of the adjutant-general was to receive and make proper abstracts of the returns of the militia which were filed on forms he was enjoined to furnish.

The 1852 act to provide for a fuller organization of the Legion seconded the Federal statute in regard to the necessity of having the adjutant furnish all blank forms necessary in each department. This was to be done at the expense of the territory.\textsuperscript{13} Although there are statements in the National Guard Archives from the Deseret News printing company indicating that printed forms were purchased, not many of the returns are on such forms. Most are self-rulled plain

\textsuperscript{11}Deseret News, April 25, 1864.

\textsuperscript{12}Records of Provo Military District Command 1857-1858. Campaign Record of Expedition to Sanpete and Piute Military District 1866-67, MSS.; Brigham Young University Library, p. 66. (Typewritten.)

\textsuperscript{13}Acts...First...Session...Legislative Assembly, sec. 14, p. 145.
### Muster Roll of the Provo Brass Band

**Regiment of Infantry**

**Navarre Legion** commanded by Capt. James E. Daniels, mustered in Provo Co., Utah Military District, September 25, 1861.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Rank When Mustered</th>
<th>Rank When Final Return Made</th>
<th>Rank By Whom Final Return Made</th>
<th>Rank When Discharged</th>
<th>Rank When Discharged By Whom</th>
<th>Rank When Resigned</th>
<th>Rank When Resigned By Whom</th>
<th>Rank When Died</th>
<th>Rank When Died By Whom</th>
<th>Rank When Other Disposition Made</th>
<th>Rank When Other Disposition Made By Whom</th>
<th>Instruments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>James E. Daniels</td>
<td>1stLt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Cornetian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>John Wetherby</td>
<td>2ndLt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Trumpet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>John K. Ballard</td>
<td>1st Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Drums</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>John B. Clark</td>
<td>2nd Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Tuba</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Geo. Halley</td>
<td>3rd Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Jim S. Dayle</td>
<td>4th Lt.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Josiah Robinson</td>
<td>5th Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Nathan Lewis</td>
<td>6th Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Daniel B. Dailey</td>
<td>7th Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
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<td></td>
</tr>
<tr>
<td>10</td>
<td>Joseph Buttons</td>
<td>8th Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Henry White</td>
<td>9th Lt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Horns</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Total Discharged | 11 |

**Mustered at Provo Aug. 1861.**

**Discharged at Provo in accordance with an order of the Governor of the State of Utah, October 2, 1861.**

**Capt. Commanding:**

James E. Daniels

**Fig. 4**
<table>
<thead>
<tr>
<th>Name</th>
<th>Rank</th>
<th>Mustered into Service</th>
<th>Arms, Equipment, Ammunition, &amp;c. on hand</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Platoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. F. Dean</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Black</td>
<td>Capt.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Samuel Bland</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Brown</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles Smith</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Adams</td>
<td>Capt.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Brown</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Platoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Johnson</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Clark</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Green</td>
<td>Capt.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third Platoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Smith</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Jackson</td>
<td>Capt.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fourth Platoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry Young</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifth Platoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert Davis</td>
<td>Lieut.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: 59. 4th Battalion.
During the Black Hawk Indian War the need for printed forms became acute. The following suggestion was made to the Lieutenant General.

The great amount of service rendered by Salt Lake, Davis, and Southern military districts demands that the adjutant general's department should furnish the commandants of these districts forms for muster, payroll, quartermaster and commissary reports.15

Concerning the responsibility of making out and sending in reports, one of the earliest actions of the State of Deseret was to define the company commander's duties in this regard.16 The reports were to be "full, complete and ample," and they were to report the number of men, number of arms, description thereof, amount of ammunition, and condition thereof. This record, including names of delinquents, was to be completed five days after every muster.

In 1852, enlarging upon the importance of reports, the legislature ordered the adjutant to keep a rank role of all officers as well as the muster rolls. Also, he was to keep a record of all property belonging to the Legion and a report of all expeditions and the resulting expenses.17

Further, the legislature put on a local level the Federal provision whereby the adjutant was to receive reports from the various officers. These were to be in on the first

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14 Archives.  
15 Ibid.  
16 Journal History, January 17, 1851.  
17 Acts...First...Session...Legislative Assembly, secs. 18-19, p. 145.
of April and the first of October each year. Failure to turn in reports could cause the delinquent officer to be fined, dismissed, or cashiered, at the discretion of a general court martial.18

Keeping a copy of the record, by the reporting unit, was considered second only to sending a return to the adjutant.19 Some districts complied with this requirement in a complete manner; the incomplete character of the territorial archives which are extant makes a generalization with regard to all districts impossible.

To insure the adequate returns from the newly organized units, the command of the Legion could with-hold the necessary orders for the election of superior officers. The Salt Lake archives reveal many pleas, but no coercion in the formal communications requesting a prompt and complete return.

After all the reports were in and a compilation was made by the adjutant, he had two more responsibilities to fulfill. First, he was to furnish the Governor of the Territory with a report of the strength and condition of the forces of the Territory.20 Second, he was to send a return, including a report of arms, accoutrements, and ammunition, to the President of the United States.21 Both reports were due at

18Ibid., sec. 16, p. 145.
19Deseret News, April 8, 1857, sec. 16.
20Ibid., sec. 32.
the year's end.

The adjutant-general did not comply fully with the above requirement. In 1852, Governor Young, in his message to the Legislature, referred to the adjutant-general's report. In 1862, Governor Stephen S. Harding complained in his message that, "the condition of the Militia of this Territory is unknown to me,"22 and Governor Charles Durkee made a similar statement in 1865,23 but in 1867 a report was made to the governor.24 Whether because of laxity or hostility between the federally-appointed governor and the Legion leadership, the adjutant's office failed to keep the governor properly informed of the militia's condition in many instances.

The failure to inform the governor carried over into the responsibility towards the Federal government. In 1851, 1852, and 1853, Adjutant Ferguson sent complete manpower reports to Washington. As for arms, only the one cannon received from the government was listed by Ferguson. After 1853 no reports were made to Washington, consequently later abstracts presented to Congress used the year 1853 for Utah's report.25 Utah was not the only state or territory which did not send in reports. By 1874 Utah was no longer listed on

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22 Messages of the Governors, MSS., Utah State Historical Society, Salt Lake City, p. 82. (Typewritten.)
23 Ibid., p. 102.
the abstracts presented to Congress, although other states and territories which had similarly failed to report were listed.26

Reports of the Adjutant General

What do these reports which were sent to Washington divulge? The return of 1851 revealed a total enrollment of 2,575 office and men. A breakdown shows this number divided thusly: general staff--9, cavalry--1,256, artillery--65, infantry--568, and riflemen--677. A further breakdown indicates that there were six chaplains, four surgeons, two surgeon's mates, forty-two musicians, and forty-two buglers and trumpeters. The section of the report form dealing with the general staff has no printed "Commissary General of Subsistance" on it, and this position was written in by Adjutant Ferguson, implying that it was an office peculiar to the Nauvoo Legion. Of 2,575 men listed, 217 were officers.27

The only ordnance and ordnance stores listed for 1851 and the two succeeding year's were one twelve pound brass howitzer with accompanying sponges and rammers (2), ammunition boxes (2), powder carts (2), and one set of harnesses.28


28 Ibid.
In 1852 Ferguson felt the need of explaining to the Washington headquarters why there had been a decrease in the enrollment figures. The rolls showed a total of 2,141. The reason, as put forth by General Ferguson, was the large number of men sent to colonize the surrounding territory. "At times," Ferguson said, "whole companies are sent to other settlements." Although all segments lost men the cavalry was hardest hit, dropping from 1,256 to 907. Other figures show the infantry at 1,163, artillery 51, and general staff 20. The report combined the riflemen with the infantry, which had been listed separately in 1851.²⁹

In 1853 General Ferguson expressed his thanks to General Cooper for the twenty-one rounds of "shot" sent to Utah in exchange for the twenty-one expended in "the late Indian uprisings." The returns indicated the strength of the Legion to be as follows: general staff--20, cavalry--1,004, artillery--73, infantry--1,724, for a total of 2,821.

For the period 1853-1867 no muster reports of the compiled strength of the entire Utah militia are available. In 1868 a report of the militia's strength as of December 21, 1867, was presented by the governor to the legislature. It is the most comprehensive compilation of figures pertaining to the Nauvoo Legion available.³⁰

The statistics revealed a growth from 2,821 in 1853 to

²⁹Ibid.
12,024 by the end of 1867. The staff of the commanding general remained the same size as 1852. All other officers, including the topographical engineers and ordnance, numbered 1,824. There were 896 sergeants, 322 musicians, 82 teamsters, and 8,881 privates in the total. Earlier reference has been made to the Legion's top-heavy organization during the Nauvoo period. The 1,843 officers in 1867 represented 15% of the active force, still an unusually high proportion of officers to men. Other post-Civil War militias which rivaled the Nauvoo Legion in total enrollment had smaller officer percentages. They ranged from 3% for the Texas militia to 8 1/2% for Pennsylvania. The average percent of officers to men was 5%.31

The breakdown of membership in 1867 shows 2,525 in the cavalry, 179 in the artillery and 9,207 in the infantry.32 The arms and equipment of this body were reported as several pieces of artillery, 2,838 horses, 2,476 saddles, 4,926 revolvers, 2,052 swords, 6,960 rifles, 1,719 muskets or shotguns, 25 bayonets, 431,375 rounds of ammunition, 77 trumpets, 96 fifes, and 107 drums.

Discounting the swords, the men had 13,605 firearms, which seemingly gave each man at least one weapon. This figure is misleading since muster reports show that some units were ill-equipped while others had more weapons than necessary.33

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32These totals do not include the general staff, topographical engineers and ordnance department.
33Archives.
The 431,375 rounds of ammunition divided equally would have provided each man with thirty-five rounds.

On the basis of the figures presented above, some comparisons can be made. In 1857-58 the estimated size of the Utah militia was placed at 7,000 men. In the returns of the militias of the United States for the same period Utah ranked 32nd out of 33 states and territories sending reports. However this was on the basis of the 1853 report sent to Washington by Utah. To advance to 31st in that year Utah would have had to report over 7,000 men which was her estimated enrollment. Utah would still have been next to Minnesota at the bottom.

From this inconspicuous position, the Nauvoo Legion advanced to at least the third largest militia in the nation. As stated above, in 1867 when Utah reported the size of its militia, there were 12,024 men enrolled. A corresponding report of all the militias from the Federal government did not occur until 1874. In that year Texas had 74,593 organized militia, and New York had 24,357. The next highest was Pennsylvania with 9,039.

Utah's seeming rise in numerical proportion to other militias is a sign of the decline of the militia system in the United States in general, as well as a growth in Utah.

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34 Young, op. cit., p. 361. The 1860 Census places Utah thirty-sixth out of forty-one states and territories tabulated.
36 "Abstract of the Militia Force of the U.S." op. cit.
Prior to the Civil War, militias of the eastern states numbered in the hundred's of thousands. In 1874, as noted, none topped 75,000. 37

Incomplete statistics make a further comparison impractical.

Quartermaster, Commissary and Paymaster

The Legislature of the State of Deseret, in an ordinance passed on January 17, 1851, provided for two of the three departments which were concerned with the physical wants of the militia. 38 Section eight required the quartermaster and commissary of the Legion to make out annual reports of all sums received and expended by them. Said report was to be submitted by the first day of November.

Prior to the above act the quartermaster department was authorized by the General Assembly of Deseret to erect an armory and to purchase and maintain necessary war equipment. 39

The above represented very little in the way of a guide for anyone to operate a quartermaster or commissary department. Brigham Young realized the awkwardness of the situation and in his message to the 1852 Legislature he made the following observation:

The department of the Quartermaster and Commissary's of Subsistence, need some more valuable means, in order to supply demands constantly occuring, and the better preservation of the public property. 40

38Journal History, January 17, 1851.
In its major reorganization of 1852, all the Legislature did for the two departments under consideration was to create more assistants. Section eight of An Act to Provide for the Further Organization... supplied the commissary general of subsistence with assistants down to the battalion level. Section seven did the same for the quartermaster, with the exception that only one assistant was assigned to each district. The quartermaster's aids were known as military store keepers.\footnote{Acts...First...Session...Legislative Assembly, p. 143.}

In this division of commissary and quartermaster the Legion had a unique organization. Ordinarily military practice has the quartermaster responsible for all supplies, food, clothing, and equipage; in the Legion the commissary was concerned with rations while the quartermaster supplied wagons, animals, sets of harness, and other non-edibles.

The division of labor provided by the two departments to handle supplies undoubtedly lightened the loads of the commanders of the respective offices. This was quite important to those men who gave their time and effort to the service because they were hardly ever remunerated for their efforts.

In a financial statement to Washington, D. C., Lewis Robinson, the quartermaster general, reported that a horse maintained in the field during the Walker War required ten pounds of hay and ten quarts of oats daily. At that time
oats were one dollar a bushel and hay one cent a pound. Quartermaster Robinson also reported that horses and wagons hired to transport "needed items to the troops" cost $5.50 a day with some as high as $8.00 daily. On the basis of these figures, Congress complied when petitioned to redress the quartermaster corps for its expenses.\(^4\)

Similarly, Commissary General of Subsistence Albert P. Rockwood presented Congress a statement of the expenses his department incurred in the uprising. Rockwood supplied the troops with fresh beef, flour, coffee, sugar, rice, soap, candles, salt, and vinegar. Prevailing prices for the above supplies were as follows: vinegar, $1.00 a gallon; salt, $.08 a quart; candles and soap, $.50 a pound; rice, sugar, and coffee, $.40 a pound; flour, $19.50 a barrel; beef, $.10 a pound. Congress felt that the existing prices were very generous and allowed all of the claims made by General Rockwood.\(^5\)

The office of paymaster general was first filled by James Cummings. During the Walker War of 1853 Cummings was as busy as his fellow dispersing agents in the commissary and quartermaster departments.

The prevailing rate of pay for mustered militiamen in Utah at that time was from $2.00 a day for privates up to $4.00 a day for full colonels. Surgeons received the same pay


\(^5\)Ibid.
as captains—$3.00. Horses, if supplied by individuals were worth $.50 a day.\textsuperscript{44} As with the commissary and quartermaster, the necessary funds to fulfill payroll obligations were drawn from territorial sources. Congress was petitioned to reimburse the treasury of the territory for the outlay of the paymaster. The claim was only partially allowed.

Working on the basis that a private in the mounted troops of the United States Army was allowed $.72\frac{1}{2} a day, including $.12\frac{1}{2} for clothing and $.40 for his own horse, Congress felt that the Utah militia had been allowed too much pay. From a total of $76,017.40 asked by the three departments only $53,512.20 was allowed. The claims of the paymaster were pro-rated down to army base pay.\textsuperscript{45}

All-in-all, the Nauvoo Legion was fortunate in receiving the appropriation they did from Congress. Not until after 1900 were Utahns again to be so fortunately blessed in claims against the government. Prior to the Civil War the problem of dealing with the Western Indians was not recognized by Congress as a Federal obligation. (Utah was reimbursed in 1861 for the Walker War of 1853). After Congress had accepted the responsibility of controlling the Indians, the Mormons in Utah had become a political issue and found it extremely difficult to get a friendly hearing concerning financial claims due to Indian depredations.

Fortunately the Nauvoo Legion had been prepared for

\textsuperscript{44}Ibid. \quad \textsuperscript{45}Ibid.
such a possibility, without realizing what the future held. As mentioned above the Legion sustained itself during the Walker War but was later repaid. What the Legion could not supply, the territory did. And the L. D. S. Church, through its tithing store house, lent aid to the soldier in the field.  

When Utah Territory was threatened by a United States Army force in 1857, the Church in all its branches participated in supplying the army in the field. No longer was the paymaster required to find funds for the men. They were serving on missions for the L. D. S. Church. In the capacity as missionaries they were supported by the wards in which they made their homes.

The following represents part of "A list of donations toward fitting out soldiers for the army of Israel 1st Ward Ogden City, Weber Co., 1st February 1858."

John Shaw $25.00 cash  
Thomas B. Faye 1 horse and saddle  
George Tomlin 2 bushels wheat 3 bushels oats 3 do corn  
William Chapman 100 lbs pork 10 bushels corn  
Wm Jones two years old steer  
Chas De Saul 1 revolver and shirt for Ezra Strong and Minnie rifle  
John Tullson 1 saddle  
Thomas Thomas 1 rifle & 1 horse  
Henry Manning 100 lbs flour  
Mathew Fifield, 1 rifle for Wm A Allred  
George Stranger, 1 yauger, 2 blankets, two 1 year old steers.  

In Ogden on February 3rd, 1858, another ward meeting

\[46\text{Records of Orders, Returns and Court Martials etc. of 2nd Brigade, 1st Division, Nauvoo Legion, MSS., Brigham Young University Library, p. 13. (Typewritten Copy).}\]

\[47\text{A List of Donations Towards Fitting Out Soldiers for the Army of Israel, MSS., Brigham Young University Library.}\]
was called to outfit men for the army. The following interesting results came out of this meeting:

John Hart will fit out one fourth of a man
John Harris-half a man
Wm Dixon-one fourth
John Shaw-one hundred dollars

The record concludes with the names of fifteen men that the ward "fitted out."

Not all the units called to duty in 1857 were fortunate enough to have all their supplies furnished by their home wards. It was then up to the commissary officer to obtain supplies where he could obtain them, without the obligation of paying immediately in cash. The following bill is typical of the expenses incurred by some of the Legion's units in 1857.

The kind and amount of supplies and Forage furnished by, and disbursed to the Brigade.

<table>
<thead>
<tr>
<th>#</th>
<th>Bush</th>
<th>Dol:cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hard Bread</td>
<td>14347 at 10 cents</td>
<td>1434.70</td>
</tr>
<tr>
<td>Flour</td>
<td>6894 &quot; 6 cents</td>
<td>622.20</td>
</tr>
<tr>
<td>Dried Beef</td>
<td>65 &quot; 25, and 299 lbs.</td>
<td>76.04</td>
</tr>
<tr>
<td>Fresh Beef</td>
<td>4340 &quot; 7 cents, and</td>
<td>578 at 10cts.</td>
</tr>
<tr>
<td>Two Beefs on foot valued at</td>
<td>$40.00</td>
<td>80.00</td>
</tr>
<tr>
<td>Fork</td>
<td>144 &quot; 20 cents</td>
<td>8.80</td>
</tr>
<tr>
<td>Sugar</td>
<td>146 &quot; 40 &quot;</td>
<td>58.40</td>
</tr>
<tr>
<td>Tea</td>
<td>12½ &quot; 2.00</td>
<td>25.00</td>
</tr>
<tr>
<td>Coffee</td>
<td>108 3/4 &quot; 40 &quot;</td>
<td>43.50</td>
</tr>
<tr>
<td>Butter</td>
<td>518¼ &quot; 25 &quot;</td>
<td>129.50</td>
</tr>
<tr>
<td>Cheese</td>
<td>61 &quot; 20 &quot;</td>
<td>12.20</td>
</tr>
<tr>
<td>Potatoes</td>
<td>29½ &quot; 75 &quot;</td>
<td>22.12</td>
</tr>
<tr>
<td>Onions</td>
<td>24½ &quot; 2.00</td>
<td>49.00</td>
</tr>
<tr>
<td>Beans</td>
<td>19 4&quot;5qts. &quot; 3.00</td>
<td>15.22</td>
</tr>
<tr>
<td>Corn</td>
<td>490.10 &quot; 1.50</td>
<td>735.48</td>
</tr>
<tr>
<td>Cats</td>
<td>295.37/100 &quot; 1.00</td>
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</tr>
<tr>
<td>Wheat</td>
<td>34½ &quot; 2.00</td>
<td>69.00</td>
</tr>
<tr>
<td>Barley</td>
<td>10½ &quot; 1.50</td>
<td>15.37</td>
</tr>
</tbody>
</table>

48 Ibid.
Salt 53. at 4 cents 2.12
Vinegar 2 gals. " 20 " .40
Clothing Amount consumed in the Brigade $4,560.1649

The problem of paying the bills acquired by the militia rested heavily upon the participants' shoulders. Not only were they required to serve in the field, but they were expected to liquidate their unit's debts. William Marsden records in his diary that Bishop Blackburn "called me to assist to obtain cattle from the Brethren to pay a debt contracted by Capt. Joseph Clark's Company for clothing &c to the amount of $295.95."50 A later entry shows that six head of cattle were sent to pay a bill of $74.00 for twenty cans of powder and two thousand caps. 51

Called away from home, facing possible combat, indebted by the necessary supplies, the Legionnaires were at least saved the worry of how the farm was doing at home. The following orders insured care of the land of those away from home.

1857, Sept. Provo Military District

You are hereby required to call out the men under your command by Tens, with their Teams, Wagons, and racks, Pitch Forks, Sythes, Sickle &c. to Monday Morning and continue until further orders. To assist in taking care of the Brother's grain & hay, who have gone out on the road.

49 Records of Orders...2nd Brigade, 1st Division, p. 21-22.
50 William Marsden, Diary, MSS., University of Utah Library, p. 20. (Typewritten.)
51 Ibid.
The major test of the Utah Legion came in the late 1860's when a renegade Indian led a group of braves on raids against the Southern Utah communities. This uprising, though limited, cost Utah many millions of dollars. The United States Army units stationed in Utah at the time did nothing to help fight the Indians, and the Nauvoo Legion was called upon to perform the job which ordinarily the army could have handled. No financial aid was forthcoming from Federal sources. Consequently, the Legion was on its own as it had been during the "Utah War." Unfortunately this time there was bloodshed.

The use of missionaries for military service and the payment of debts by group action was revived. The Legion had learned its lesson well.

It was not always possible to obtain volunteers to fight the Indians. If volunteers were needed and did not respond then "men transients" were hired at $15.00 a month. The fifteen dollar per month pay scale was more realistic than the previous two dollars a day paid by the Legion. In 1861 the Deseret News printed a pay scale of the militia while in service, showing a private's pay to be eleven dollars a month.

The hired transients did not prove very popular or

\[52\text{Records of Provo Military District, p. 20.}\]
\[53\text{Ibid., p. 77.}\]
\[54\text{Deseret News, July 3, 1861.}\]
efficient. General A. Johnson, when instructing the officer in charge of replacements, admonished him to send "men of good character-learned men-and have the fear of God at heart, who will live their religion every day."

Expenses accumulated during the Black Hawk War were liquidated in the same manner as was used in 1857 and 1858. The records of the Nauvoo Legion show the following entry:

Notified personally the staff and field officers to attend a meeting at head quarters on Wednesday, September 4th for the purpose of deciding on the best method of raising means to liquidate a debt that is due Woodmansee Brothers, for outfitting supplies obtained in 1867 for Sanpete Expedition.

Supplying a tactical unit with enough foodstuff for a campaign is a difficult problem which was sometimes beyond the capabilities of the man assigned the task. In a scathing letter to Col. Washburn Chipman, Brigadier General William Pace denounced those responsible for sending him ill-equipped troops. These troops, from American Fork, were to be found "entirely destitute of everything but bread and meat furnished by our quartermaster." In addition General Pace found the men insufficiently clothed "to be even comfortable, without any attempt at respectability." In conclusion Pace felt, "it is entirely too late in the day to plead ignorance, or for an officer of his experience to say he could not get the outfit required in a city of as much wealth and spirit as American Fork."

55 Records of Provo Military District, p. 78.
56 Nauvoo Legion Muster Rolls 1840-1872, MSS., L. D. S. Church Library, p. 222.
57 Records of Provo Military District, p. 122.
In the United States Army it was the job of the quartermaster to supply the ranks with uniforms, foodstuff, and weapons. The general practice among the militia of the United States was in opposition to the standard army procedure, and the Nauvoo Legion was no exception. At no time during the course of its history did the Nauvoo Legion take upon itself the responsibility of outfitting its membership. The uniform, when obtainable was purchased at the discretion of the individual. As late as 1866 it was "recommended" that all commissioned officers wear the insignia of rank conforming with U. S. regulations and that the uniforms adopted by companies, battalions, or regiments were to be chosen by the men according to the wishes of the majority. This was the general practice followed by the militia even though in 1857 an effort was made to regulate uniforms.

The officers of the Legion were generally in uniform. The higher the rank, the more impressive the attire. During the Utah War period an alien visitor gave the following description of an officer's dress:

Lieutenant General Wells dons the cocked hat and plumes, gold epaulets, gold tinsel fixings here and there, and strips down the pants; the spurs also do something at glittering. His staff have their military ornamentations. Several companies are regularly uniformed; but by far the greater portion of the army is in ordinary dress.

An idea of what the Legionnaires wore is given by the

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58 Deseret News, April 23, 1866.
60 Deseret News, May 12, 1858.
Deseret News in its description of parades. In 1861 George Romney's company marched in the July 4th parade wearing white pants and grey blouses. In 1862 Major Ladd's artillery battalion paraded with uniforms consisting of dark blue blouses, blue pants, and an "appropriately" trimmed cap. These uniforms were not "costly, but very neat and showy."

During a muster at Camp Wasatch in Utah County in 1866 the commanding officers of the assembled militia wrote a letter to Lieutenant-General Wells, suggesting that a military store be established at the earliest practicable date. Said store would be under the direction of the adjutant general's department and its object would be to purchase and import military dress goods, holsters, sabres, bridles and other necessary accoutrements.61

Nothing was done concerning the suggested military store. In 1869 advertisements by Brown and Mathews Merchant Tailors appeared in the Deseret News. This Chicago firm announced, "Special attention paid to making up Military Uniforms." It supplied only officers "at a reasonable price." The same year that Brown and Mathews sought business in Utah, Z.C.M.I. went into the field of military goods. The following advertisement called attention to the new service:

61 Archives.
ATTENTION! THE LEGION!
Just arrived, a full assortment of MILITARY TRIMMINGS
INCLUDING
SHOULDER STRAPS
SASHES
SWORDS
HATS
AND TRIMMINGS
ALSO
AN IMMENSE STOCK OF UNIFORMS
Whole companies can be fitted out with clothing, guns, and fixed ammunition
at astonishingly low prices.

Prior to the recommendation by the Utah County Militia concerning a military store, the firm of Eldridge and Clawson of Salt Lake City informed the Legion that it had military goods for sale. These goods, however, were merely trappings and did not completely fulfill the needs of the Utah militia.

The Legion did not have a satisfactory outlet from which it could obtain the uniforms and other paraphernalia necessary to "dress" its ranks until 1869, when a good start was made by Z. C. M. I. Shortly thereafter the life of the Legion was threatened by Governor Shaffer, as will be explained later.

The responsibility of supplying arms for the membership of the Legion rested with the men themselves. The Federal law of 1792 to provide for the national defense by establishing a militia said that the enrolled must provide himself with a good musket or firelock, bayonet, belt, two spare flints,

63 Deseret News, April 9, 1866.
knapsack, and a pouch with twenty-four cartridges.\footnote{64}{U. S. Statutes at Large, Vol. 1, p. 264. (Little Brown edition).}

In 1849 the General Assembly of the State of Deseret made it the duty of each enlisted man to have one good rifle, musket, or yauger gun with all necessary accoutrements, and not less than forty-eight rounds of ammunition.\footnote{65}{Alter, op. cit., p. 167.}

The membership of the Legion was not overly diligent in fulfilling this requirement. Typical of the reports submitted to the Adjutant-General is that of the 2nd Brigade, 1st Division. This Salt Lake group stated that in 1862 it had in its two regiments 787 men who were equipped with 505 firearms of various classifications. These 787 men possessed 15,863 rounds of ammunition which would amount to just over twenty rounds apiece.\footnote{66}{Records of...2nd Brigade, 1st Division, p. 39.} Since powder and arms were not easy to come by in Utah, that could account for the discrepancy in the report.

The pioneers had several sources from which they might obtain arms. They could buy them from passing pioneers; they could send to the East and buy directly from the manufacturer; they could pick up their quota from the government; or they could make them in home factories.

The feasibility of buying from passing immigrants does not at first seem to present a good source since the immigrants were in need of their weapons which were their sole means of
defense and a means of obtaining fresh food. But some of the passers in need of supplies were willing to part with a weapon or powder in exchange for the staples of life, and Salt Lakers had a profitable exchange with gold-seekers in the 1850's. Be that as it may, the settlers were admonished not to miss an opportunity of obtaining arms and ammunition from the immigrants. 67

The second source, eastern manufacturers, was not overlooked. General D. H. Wells corresponded with Samuel Colt, the inventor of the famous pistol. Wells was interested in obtaining rifles which, however, Colt did not manufacture, but Colt sent a price list and description of his pistols. 68 No other correspondence is available to indicate whether weapons were purchased from Colt or any other manufacturer.

By law the Federal Government was to supply the militias of the several states and territories with some arms. 69 The number of arms to be allotted depended on the size of the organization under the original arrangement, but in 1855 this system was amended. After 1855 arms were apportioned according to the number of senators and representatives. The territories were to have their supply "made equal" to 2,000 muskets after which they would receive the same number as the least received by any state. 70

67Ibid., p. 3.  
68Archives. 
70Statements Relating to arming and equiping the Militia, Records of the War Department, Office of the Chief of Ordnance, Record Group 156 MSS, The National Archives, Washington, D. C.
The old proportion of muskets alloted to men in the service was six weapons per thousand men. Utah, with less than three thousand men enlisted prior to 1855, was not in a position to receive much help from the Federal Government. With the establishment of the new ratio, between 1855 and 1863, Utah was entitled to a yearly average of 134 muskets. This figure does not include the pieces provided to give all the territories a starting base of 2,000.

In 1860 Colonel H. K. Craig wrote to Governor Cumming revealing that Utah was due 2,775 muskets, together with accoutrements. These arms had never been claimed by the territory. Seemingly, efforts were made by Colonel T. W. Ellerleck of the Ordnance department to obtain this allotment in 1861, but he reported to the legislature that he was having difficulty. There is no record to show receipt of any Federal arms between 1855 and 1871.

Producing weapons in Utah, the fourth source of acquiring arms, was used because of the emergency situation which was brought about by the threat of war with the United States. Gunsmiths were scarce in Utah, and when the need arose for increased production of arms in 1857 the territorial legislature took over the existing facilities.

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71Ibid.

72Journals of the Legislative Assembly of the Territory of Utah 10th Annual Session 1860-61, (Great Salt Lake City: Elias Smith, 1861), p. 15.

73Kate B. Carter (comp.), Heart Throbs of the West (Salt Lake City, Utah: Daughters of Utah Pioneers 1941), Vol. III, p. 21.
In Salt Lake City, a Mr. Bell visited the armory. The following account was reported in the New York Herald:

Mechanics were busy in the manufacture of revolvers. They were turning out Colt's holster revolvers at the rate of twenty per week. The Mormons were quite pleased with the manufacture of this article, and consider it equal, at least, to Colt's.74

Provo also established an arms plant where "2 or 3 gun-smiths engaged in fitting up and repairing everything in the shape of arms."75

The four sources by which it was possible to obtain arms were augmented by at least three private enterprising establishments. James Hague, John S. Barnes, and Ross and Barrett advertised weapons for sale.76 The recurrent Indian uprisings in 1866-68 encouraged these men to deal with firearms. Even with this source there was no period when the Legion had an oversupply of useable weapons for its members.

In a pre-Christmas message to the 1852-53 Legislature of the Utah Territory, Governor Young, reporting on the Militia, dealt at length with the problem of powder:

The military, under the provision of the Law of the last Legislature, have an efficient organization, numbering over two thousand, and are generally well furnished with ammunition and arms. It has been somewhat difficult, to induce men to retain a requisite amount of powder on hand, for such emergencies as might occur in a wild, Indian country, owing to the scarcity and consequent advance of price; yet upon a rigid inspection of the forces by the Adj. General, a sufficiency was found; which in addition to the amount in military store, will, if retained

74Deseret News, May 12, 1858.
75Records of Provo Military District, p. 20.
76Deseret News, March and RApril, 1867.
on hand, prove sufficient for any exigency that will be likely to rise. The manufacture of Powder would be a salutary measure, if by the encouragement by the Legislature it could be accomplished in the Territory, as the Indian trade in that article, is becoming extensive, causing a corresponding advance in the price. 77

What could be more natural than to establish a powder plant to add to the strength of the militia? If ever the Legion was truly called upon to act independent of outside help, as was so often forwarned, then a home powder manufacturer would be necessary for effective military action.

The Legislature was not slow to act on the Governor's suggestion. In January it passed a Resolution for the Encouragement of the Manufacture of Powder. The generous provisions of this resolve included:

That a premium of two hundred dollars be paid for for the first one hundred pounds of good rifle powder that is manufactured from ingredients which are the products of the Territory of Utah; and one hundred dollars for the second hundred pounds: and fifty dollars for every subsequent hundred pounds shall be offered, that is entitled to receive the premium. 78

It was further stated that the manufacturer had to prove to the Lieutenant-General of the Legion that the powder was a product of Utah and if it proved under test that it was of suitable quality the reward would be released.

Sometime after October 6, 1853, Brigham Young attempted to organize a company for the purpose of manufacturing powder. A Swiss convert by the name of Loba, who claimed to be a chemist, was to be the backbone of this company. His

77Deseret News, December 25, 1852.
78Deseret News, January 22, 1853.
assistants were Eugene Henroid, Horace Eldredge, William Staines, and William Elderly who were to be "traveling agts. in search for Salt Peter, sulphur" and other ingredients.79

Loba's capability as a chemist was proved after the company was organized, but unfortunately it was not with powder but with alcohol. His experiment in this realm made it expedient that he leave the territory, and the first attempt at powder manufacture was written off as a failure.80

The effort to interest some ambitious pioneer in producing powder led the Deseret News to print a complete formula for the manufacture of gunpowder.81 However, by 1855 the bounty had not been paid, and the need for powder was still urgent. This lack of results probably influenced Lieutenant Colonel Robert Keys to increase the premium to those living in Southern Colonies.

I will give $150 on the Deseret Iron Company, for the first ten pounds of good rifle powder manufactured in the southern settlements,...the powder to be made of ingredients found in said regions of country. I will also give $100 to the first discoverer of good lead ore in sufficient body to pay for working profitably....I will allow two years for the term of the above reward.82

The financial gain to an enterprising "Saint" could no longer be ignored. With the promise of receiving three-hundred

79 Letter from Eugene A. Henroid to Andrew Jensen, September 28, 1926, L. D. S. Church Library.
80 Ibid., Loba, while experimenting with molasses, manufactured an alcoholic beverage which turned his attention from powder. He left the territory soon after.
81 Deseret News, January 19, 1854.
82 Journal History, September 18, 1855.
and fifty dollars for the first one-hundred pounds of powder produced, many people undoubtedly tried, but Eleazer Edwards of Cedar City was the first to succeed. On the 16th of December, 1857, Hosea Stout met I. C. Haight of Iron county who "exhibited a canister of good rifle powder" made by Edwards. By 1858, when Johnston's Army was entering Salt Lake Valley, "Bro. Elizzer Edwards of Washington County" had produced about 1200 pounds of salt petre in his powder mill. This powder was considered as fine as any manufactured in the country, and it is not inconceivable to believe that it was Edwards who received the two-hundred dollar premium distributed by the Territory in 1859. This initial disbursement is the only one on record.

The news of Johnston's Army had the same effect on powder manufacturing as it had on the production of weapons. Provo, always active in Legion affairs, reacted to the emergency with enthusiastic vigor as witnessed by the following letter:

Head Quarters Provo Mil. Dist.
Captain
Elson Barney
Adjutants Office
Provo City Jany 12th 1858.

Sir

Whereas the officers of Provo Mil. Dist. at a general meeting held on the evening of the 11th inst. Voted unanimously to erect a Powder Mill and carry on the making of Gun Powder, to be built and controlled by the Military of this District.

This is therefore to authorize you to take control of the same as superintendent and call upon the different

\[\text{83 Stout, op. cit., p. 437.}\]
\[\text{84 Journal History, July 27, 1858.}\]
\[\text{85 Deseret News, December 14, 1859.}\]
companies for such aid in work and means as you may require for the completion of the buildings &c.  
I would also suggest Thos. B. Clarks Lath Mill as the most suitable place to locate the same as in all probability his Water power can be hired much cheaper for a certain length of time than one can be built.  
Be energetic and prosecute the work.  
Respectfully Yours  
Wm B. Pace  
Col. Comdg 66

Colonel Pace's instructions were carried out by his men and the Clark mill was set up as the center for powder manufacture. Men were sent out to locate deposits of salt petre which they were able to find in the vicinity of Slate Canyon and Springville. Larger quantities of salt petre were known to be at the head of "Duchanes Fork", but winter conditions made it impractical to go after it then. M. C. Kinsman was brought down from Salt Lake City to supervise the powder manufacture, and with his arrival the operation began. When Captain Barney was called on a mission in March 1858, Lieutenant Kinsman was made superintendent of the Provo Powder Works. 87

Salt Lake City was not outdone in the manufacture of powder. The same Mr. Bell who reported to the New York Herald on the matter of pistol manufacturing found the Mormons overcoming early difficulties and producing some excellent powder. Mr. Bell expected that by spring "they will have it in abundance." 88

86 Records of Provo Military District, p. 40.
87 Ibid., p. 38 and p. 42.
88 Deseret News, May 12, 1858, reprinted from the New York Herald, February 23, 1858.
After the Utah War Brigham Young was still determined to locate a powder mill in Salt Lake City. Notwithstanding his first failure in employing a chemist, Alex Pyper and "Edwards" were located by President Young on the Church farm near Sugar House. Pyper, the chemist, eventually became a successful business man in Salt Lake. There is no record as to how the powder mill fared.

The mining of lead for shot became of considerable importance during and immediately after the threatened war with the U. S. Army under General Johnston. Early Mormon settlers in Southern Nevada discovered mineral deposits in the form of silver lead, however, this material proved to be too hard for bullets and the project was abandoned.

Tarlton Lewis, William Barton, and Isaac Grundy brought some specimens of silver-lead ore to Brigham Young on November 12, 1856. Under orders of Brigham Young, they were joined by James Rollins and together they opened Rollins' Mine in the Minersville region. The first bar of ore smelted, which weighed sixty pounds, was carried to Salt Lake City and sold at twenty-five cents per pound. The deeper penetrations produced ore too hard for bullets and the enterprise was abandoned in the early sixties.

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91 W.P.A. Federal Writer's Project, News Releases, April 24, 1942, Brigham Young University Library. (Mimeographed.)
The operations of the Quartermaster and Commissary departments were characterized by cooperative effort. The need for supplies was met by the group as a whole. In the field of obtaining uniforms and weapons, independent effort, with no visible aid from the Quartermaster, was the process followed. The Paymaster was, after 1853, a minor department head.
V. DEPARTMENTS OF THE GENERAL STAFF (CONTINUED)

Ordnance

"An ordnance department is hereby created under the charge of the chief of ordnance. It shall consist of one lieutenant colonel, one major, three captains, and five first lieutenants."¹ Thus, in 1857, the Nauvoo Legion was officially provided with an ordnance department; Colonel T. W. Ellerback was appointed chief.²

This act was merely giving recognition to an institution which had existed in Utah since January 1849, when the High Council of the Salt Lake Stake passed several ordinances which appointed an armorer and called for an armory to be erected.³ Thomas Tanner was appointed territorial armorer, Reynolds Cahoon and Thomas Bullock were appointed to head the armory construction committee, and thirty-two dollars were immediately subscribed towards the expense of the building.⁴

The Territorial Legislature became interested in the armory project in 1852 when it appropriated $3,000 to enclose

¹Deseret News, April 8, 1857.
³Altey, op. cit., p. 77.
⁴Journal History, January 20, 1849.
a block and build an armory for the "preservation of the public arms," and provided that the equipment of the quarter-master and commissary department were to be stored there. H. B. Clawson was appointed special agent for the erection of the arsenal and was authorized to collect contributions and make the contracts for construction.⁵

During the period known as the Utah War, the armory located on Capitol Hill was used for the manufacture of arms. Other than this period it served only as a storing and repair center. On October 12, 1871 the building burned to the ground.

Aside from the money provided for the construction of the armory, the legislature appropriated one thousand dollars in 1852 for the mounting of ordnance and repairing of arms.⁶ Prior to 1852 Tanner billed the territory ninety-three dollars for repairing arms in 1850.⁷ The armorer and armory certainly had more use than the recorded events, but incomplete records revealed no more.

Topographical Engineers

The Legislative Act of 1852, which provided for the further organization of the militia of the Territory of Utah, included as part of the staff of the lieutenant general, two topographical engineers who were to be colonels.⁸ When

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⁵Acts, Resolutions and Memorials, Passed at the Several Annual Sessions of the Legislative Assembly of the Territory of Utah, (Great Salt Lake City: Joseph Cain, 1855), p. 231.
⁶Ibid.
⁸Acts...first...Session...Legislative Assembly, sec. 4, p. 143.
Albert Carrington was given one of the positions he became chief of the topographical engineer corps.

Colonel Carrington was well qualified to fill this position. In the art of survey he was a pupil of Captain Howard Stansbury of the United States Army, having served as assistant when Stansbury made his survey of the eastern Great Basin in 1849. Carrington was without previous experience in the use of the instruments but "being a gentleman of liberal education, he soon acquired, under instruction, the requisite skill." 9

Three years after the position of topographical engineer had been created, Colonel Carrington was authorized to complete the corps by enrolling "the names of so many from the Nauvoo Legion, as will in your judgment, from their knowledge of the requisite branches of military science, justify the appointment." 10 The first sign of the choices which Colonel Carrington may have made came in 1857 when the following were appointed to the corps of topographical engineers:

- William Clayton as Lieutenant Colonel
- Jesse W. Fos as Lieutenant Colonel
- Horace K. Whitney as Major
- Leo Hawkins as Major
- John Y. Long as Major
- Wm. G. Miles as Captain
- Thomas D. Brown as Captain
- John Jaques as Captain
- James H. Martineau as Captain
- James Linforth as Captain
- John Chislett as First Lieutenant

10 Deseret News, September 12, 1855.
Colonel T. W. Ellerback, chief of ordnance, was also assigned to the engineers when his other duties permitted.

During the Indian wars and while preparing for Johnston's Army, the topographical engineers were called upon to perform their particular task. Accompanying photo reproductions testify to the quality of their achievement.

Judge Advocate

The office of judge advocate was the only position in the staff of the Lieutenant General which was not specifically called for by law. It was a department organized for "the good of the service" at the discretion of the Lieutenant General.

The specific duty of the judge advocate, as the legal officer, was to act as prosecutor at court-martials. Hosea Stout, the Legion's only recorded judge advocate, also participated as an ex-officio member of the many committees which drafted various military laws.

An ordinance of the State of Deseret, passed in 1849, framed the pattern which was to be followed by the Legion in levying fines by court-martial. Failure to attend a muster

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12 Deseret News, April 8, 1857. The lieutenant-general was authorized to adopt any regulation that he may deem essential to the good of the service.

We having made some little exploration in this portion of the territory this fall, I send you some of the results, thinking that perhaps it may be of some use or interest in a topographical view. With some others, we left Nuxal on Sunday, Sept. 4, 1807 to find Summerton's trail and explore the country north east of that place. I have a map of our trail.

Expedition of Logs and trail.

Enter the mountains at Soldier Creek, two miles beyond Tatama, followed up the stream of Miles to the foot of a main divide; then turn a little more miles for 3 miles, and cross the divide into the river water shed, descending into a beautiful valley about 4 miles long by 1 to 2 wide, with several springs and great abundance of grass. Here descending through a narrow but ample entrance to a ravine in which a spring breaks forth, forming a watering about 100 acres) you enter a valley about 6 miles in extent and 11/2 miles wide. The 3 to 5 range of hills and eminences in the middle line described through a very beautiful valley of 10 miles, marked in the map. There is a beautiful spring of water near the end of the trail passes through several springs, and the stream in its descent to the river issues at the Narrows of that place, which 90 spans for 6 to 8 mile through a deep gorge of the mountains. Following in the stream about 1 mile you emerge into a wide bottom from 4 to 6 miles wide. The river at this place is about 30 to 40 feet wide, 18 inches deep, and rapid current, with even bottom covered with large pebbles.

Fig. 6
or coming equipped in a manner contrary to law was punishable by a fine ranging from five to twenty dollars, depending on rank. All fines collected were turned over to the public treasury.\textsuperscript{13}

By 1852 the jurisdiction of the court-martial had been expanded. On the day that the militia was to parade it was considered as under arms from sun-up to sundown. The court-martial was empowered to deal with all persons in the militia who had the temerity to discharge their firearms on such occasions without permission. Furthermore, all "who shall appear on parade wearing a false face, or other unusual or ludicrous articles of dress...which are calculated to interrupt the peaceable and orderly discharge of duty" were liable to prosecution.\textsuperscript{14}

Elaborate procedures were laid to ensure the collection of the levied fines. The monies thus collected were to be used to purchase blanks of returns and rolls which were required by the adjutant general. Some of the money was also intended for the establishment of a military school.\textsuperscript{15}

If a muster did not involve the whole militia, the fines collected were appropriated for the benefit of the collecting unit. Such funds were to be used to provide the units with flags, music or "such decorations or equipment as may be

\begin{footnotesize}
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\item\textsuperscript{13} Alter, op. cit., secs. 7-10, 13, p. 168.
\item\textsuperscript{14} Acts...First...Session...Legislative Assembly, sec. 45, p. 152.
\item\textsuperscript{15} Ibid., sec. 56, p. 155.
\end{itemize}
\end{footnotesize}
for the good of the company."16

Court martials could be called by commanders of divisions, brigades, regiments, and separate battalions or districts. The findings of the court martial were to be enforced by the same commanders, provided that no capital punishment was inflicted and also that no commissioned officers were cashiered by the sentence of the court martial.17

When the charge against the accused was a capital offense the procedure was altered. The accuser was to prefer his charges in writing, and the charge plus other pertinent information was to be forwarded to the adjutant general's office. Within thirty days the Lieutenant General was obliged to call a general court martial, to consist of not more than twenty-three nor less than nine members.18

In 1857 the laws pertaining to court martial were further amplified. Membership of court martials dealing with neglect of duty were not to exceed five commissioned officers. Fines levied were five dollars for privates and non-commissioned officers, and ten dollars for commissioned officers.

On the question of dismissing commissioned officers, the law again re-stated in 1857 the ban against action by any but a general court martial. Disrespect to a superior officer, immoral conduct, neglect of duty, and incompetency were cause for dismissal.19

16Ibid., sec. 55, p. 156. 17Ibid., sec. 62, p. 156. 18Ibid., sec. 65, p. 156. 19Deseret News, April 8, 1857.
With all the information available concerning the statutory powers of a court martial it was disheartening not to have more data concerning the actual trials. From the various diarists and through indirect references in communiques it appeared that many trials were held. No accurate estimate was possible as to the number or proportion of trials.

By virtue of the resulting publicity and consequent inclusion in historical texts, the court martial of Colonel John Scott was well known. Perhaps his was an isolated case; it was the only one of its kind on record in Utah. Colonel Scott was elected commander of the second cohort in 1849. The following year, during the Indian raid on Provo, he was ordered south with a relief force. Not only did Colonel Scott refuse to comply but his abusive actions at the subsequent trial left the court martial no choice but to dismiss him.20

One other high ranking officer faced the humiliation of a court martial, A. P. Rockwood. He was brought to trial for encouraging two men, whom he wished to work for him, to stay away from muster. He was found guilty and severely reprimanded.21

**Chaplains**

The general staff of the Nauvoo Legion was to have two chaplains and larger units were similarly supplied. Perhaps they were superfluous because no duties were outlined for them. The chaplains did find some use for their calling. At Camp

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20Young, *op. cit.*, p. 124.  
21Ibid.
Burton, Provo, the orders of the day outlined their duty as follows: "Chaplain call will be sounded at 7 a.m. and 8 p.m. when the troops will assemble at their respective regimental headquarters for prayers."\(^{22}\)

Prayers in the Mormon militia were not the private property of the chaplains. Herein lay the superfluity of this department. Under the Latter-day Saint system of ordaining to the priesthood, any male over twelve could fill the position as a minister, and a special intermediary was not necessary to call upon divine guidance. As a matter of course many of the gatherings, on drill fields or in meeting houses, were opened and closed with prayer.\(^{23}\) Their supplications for divine guidance were offered by members of the group in attendance.

This disposition to "live their religion" was also the cause of a state of flux amongst the membership of the Legion. Adjutant Ferguson, who went on a mission for his church, suggested in his returns to Washington for 1852 that the movement to new settlements were decimating whole companies.\(^{24}\) What his letter did not say was that these men had been "called" by Brigham Young to open these settlements.

Missionaries were also sent throughout the world by the Mormon Church. A particularly poignant description by an

\(^{22}\)Archives.

\(^{23}\)Nauvoo Legion Muster Rolls 1850-1872, p. 122.

\(^{24}\)Annual Returns of the Militia of the Territory of Utah.
unknown author suggests the impact of this practice. "You will find by these returns that a large number were absent which was caused by a large number being sent on missions to various parts of the earth to fight the Devil."  

By 1856 it was necessary to require all commissioned officers who were leaving or returning from missions to contact the adjutant general's office. Truly the Legion's membership was distributed over the world.

**Hospital Department**

The fact that the Nauvoo Legion had a hospital department attests to the effort at completeness which was strived for by the organizers of the institution. The early settlers of Utah had little respect for doctors, and their leaders did nothing to change this attitude.

Brigham Young, when addressing a congregation, advised them, "instead of calling for a doctor, you should administer to them by the laying on of hands and anointing with oil." He further counseled his listeners to give the sick mild food and herbs "and medicine you understand."  

This attitude was quite understandable when one learned that many of the early doctors had graduated from the "school of experience." However, they were useful in treating gunshot

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25 *Nauvoo Legion Muster Rolls 1850-1872*, p. 31.

26 *Deseret News*, October 10, 1856.

27 Ralph T. Richards, *Of Medicine, Hospitals, and Doctors* (Salt Lake City: University of Utah Press, 1953), p. 15.
wounds and fractures. It was not likely that they were very proficient, but no doubt their patients were more efficiently treated than they would have been by home remedies alone.

Proficient or not, the Legion had surgeons. In 1852 the hospital department was created which provided all units with medical help. Battalions and smaller units had a surgeon's mate; the larger units had surgeons.

 Medicine chests were kept by regiments for emergency use. In 1862 Surgeon Hylers of the Second Brigade, First Division reported the medical chest had sufficient medicine for a three month's campaign, but there was a deficiency in instruments.28 Fortunately the opportunities to use medical supplies were limited by a lack of sanguine engagements. Consequently there was no more data about their use.

The few valiant men who practiced medicine in Utah after the middle of the century were also active in the territorial militia. Prominent among these practitioners was Doctor Washington Franklin Anderson. Promptly after his arrival here, he was appointed surgeon of the Nauvoo Legion. Considering that he was a Gentile this was no mean feat. In 1868 Doctor Anderson was appointed division surgeon under General Robert T. Burton.29

Doctor Anderson who was not a stay-at-home officer went on some of the Indian expeditions in 1853. His pay was

28 Records of...2nd Brigade, 1st Division, p. 52.
29 Richards, op. cit., p. 247.
three dollars a day. According to Henrietta Williams, her husband, a surgeon, was often called upon to go with expeditions in 1852-53. In 1857 Doctor Williams was the surgeon of "Kimball's Brigade." A fragment of a report in the National Guard Archives showed that the presence of doctors did not influence the Mormons in their attitude toward medicine. The report told of a fast trip by horse of some scouts riding in the mountains. When one of the riders fell from his horse, two others immediately came to his assistance and "laid their hands" upon his head and when they finished their prayer the injured man remounted his horse, none the worse for wear. It was not until 1905, when the Latter-day Saints Hospital opened, that administration took second place to treatment.

Music Department

"Musicians shall provide themselves with good instruments, suitable to the service they have to perform...."

The esprit de corps of a people, as well as a military organization is often buoyed by a musical organization. Under the direction of Captain William Pitt, the Nauvoo Brass Band

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30 Payrolls and Miscellaneous Papers pertaining to the Utah Rolls.

31 Henrietta E. C. Williams, Diary MSS., Brigham Young University Library, p. 13. (Typewritten.)

32 Archives.

33 Richards, op. cit., p. 17.

34 Alter, op. cit., p. 168.
was one of the first elements of the Nauvoo Legion to cross the plains and arrive in the promised valley. The trials of the journey were undoubtedly lightened by the band's music at the night's entertainment.

The problem of maintaining this morale-sustaining organization had to wait while the "Saints" established homes and planted crops. As long as instruments were available they probably were put to good use, but it was not until the 9th of April, 1850 that sixteen men sat down at the home of Robert Burton to reorganize the beloved military band.35

The first order of business was the election of H. K. Whitney as the clerk and William Clayton as chairman of the meeting. E. P. Duzette was then named as the chief of music of the Legion, which was made official by a later military order. In the discussion at the Burton home as to who should be permitted into the reorganized band there was much sentiment for keeping the original group together as much as possible. William Clayton seemed to express this feeling when he said, "I have a conscientious notion in organizing this band which was organized by Joseph Smith under the name of 'NAUVOO BAND',...My feelings are that we organize as members as stood

35Minutes of the Nauvoo Legion Band meeting, April, 1850. Miscellaneous File, L. D. S. Church Library. A type-written collection of a variety of short, but important Utah manuscripts. Information used here was from a fragment of the minutes of the band's meetings. The sixteen men were, E. P. Duzette; William Clayton; John Kay; Robert Burton; Charles Smith; E. Ellsworth; J. Armstrong; William Glover; M. H. Peck; George Wardle; D. Anderson; Edward Martin; James Standing; E. Everett; Daniel Hull; and H. K. Whitney.
on the old list."\(^{36}\)

William Pitt was then elected as Captain of the band and it was moved, seconded, and carried that the following names be sustained as members of the "old band": James Smithers, John Kay, David Smith, James Standing, William Clayton, J. F. Hutchinson, Stephen Hale, Ed. Ellsworth, Charles Hale, George Hale, Robert Burton, William Cahoon, J. Cahoon, M. H. Peck, Jacob Peart, Charles Smith, Ed. Martin, and H. K. Whitney. Others admitted to the band at this meeting were J. Armstrong, J. Anderson, William Glover, and George Wardle.

As the final order of business the members voted on the uniform that they wished to parade in. By parliamentary procedure the decision on dress of the band was, "straw hat for the covering of the head," a white dress coat, and white pantaloons. Added to this basic covering were a sky blue sash and a white muslin cravat. A committee was appointed to investigate the possibility of obtaining the prescribed outfits, and at the next meeting held three days later it was reported "to the satisfaction of the assembled group" that all but the straw hats could be purchased in the valley. A committee was then appointed to obtain the uniforms and to make arrangements for a "Band Carriage."\(^{37}\)

The members of the band lost little time in procuring the carriage with which they could display their wares to the

\(^{36}\) Ibid. \(^{37}\) Ibid.
populace. Hosea Stout witnessed the first public exhibition of the carriage on the 23rd of July, 1850:

I had the honor of a ride the first time she ran. This carriage is drawn by 14 horses and is 9 feet wide and 29 feet long with a suitable flag waving and is altogether a beautiful and magnificent sight. Altogether surpasses anything of the kind I ever saw.38

From this colorful beginning the musical organization of the Legion grew to impressive proportions under the direction of such capable men as Captain Pitt, Colonel E. P. Duzette, and Captain D. Ballo. Duzette, elected chief of music in 1850, retained this position until the unfortunate end of the Legion; his was one of the reasons for the wide extent of the musical organizations of the Legion by the year 1870. Colonel Duzette traveled to many of the newly developed Utah communities and helped set up "martial bands." In the broad sense the townspeople of the smaller hamlets called their organizations bands, but from the return of the musters received by Colonel Duzette they could hardly be classified as more than drum and fife corps. Even this was an accomplishment in a wilderness hundreds of miles from the nearest center of civilization. The larger communities such as Salt Lake and Provo could boast "large" bands while the others had to be content with what they could scrape together. It is interesting to note that the band of the Lieutenant General was allowed fifty members while brigades were permitted bands of twenty-five members.

38 Stout, op. cit., p. 353.
The report of Captain Ballo's band showed eighteen pieces in 1852, and Captain Pitt's had twenty-three members. The drill of Ballo's band must have been a wonder to behold. Captain Ballo was well qualified as the leader of a military band from the standpoint of his past experiences. For eight years he was a member of the U. S. Army as a musician, and for three and one half years he was stationed at West Point. In 1847 he organized a band in Nauvoo and marched with it to Council Bluffs where he resided for almost five years before continuing to Salt Lake where he built Ballo's hall for musical and recreational activities. His untimely death in 1861 was a heavy loss to the military of the Territory. From a military standpoint Ballo was the most qualified of the early band directors.

As was the custom of the day the military bands served several purposes, and the military usage was not always the most important. Captain Pitt's band was very popular as an entertainment organization, giving concerts on many occasions in Great Salt Lake. The Legion, however, was a military organization and had first call from its members as is evidenced by the following advertisement from the Deseret News.

CONCERT

Our patrons will take notice that the concert designed for this (Saturday) evening, will be unavoidably postponed, in consequence of some of the performers being gone to Ogden City, on the Indian expedition. Due notice will be given when it will take place.

39 Archives. 40 Deseret News, June 12, 1861. 41 Deseret News, September 10, 1850.
The bands were extensively used in the July 4th and 24th celebrations which were holidays of great import in the Territory. The entire Legion was used in these activities and the subject will be dealt with below. Serenading was another activity of the band which received considerable favorable comment from the Deseret News and diarists of the day. Those serenaded were important ecclesiastics, whenever they left or arrived at Great Salt Lake City, and special honored guests such as General William Sherman. On March 12, 1856 the band of Captain William Pitt left Salt Lake with an honor guard of Lancers, accompanied by Brigham Young, Heber C. Kimball, and Lieutenant General Daniel H. Wells to greet the first handcart company to arrive in Utah.

Conferences were other occasions at which the several bands rendered service. Charles Smith, of the original band, mentioned on several occasions that he "was in attendance with the band at conference." He also participated with the band when they accompanied the missionaries to the bench on their way East.

In 1865 when the Ogden band came to conference, Captain Parkman's stature in the music world grew when the Deseret News reported that there "were no niggards of excellent music while they remained, serenading the Presidency and other prominent citizens, and playing to the appreciative crowds between

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42 Charles Smith, Diary MSS., Brigham Young University Library, p. 25.
meetings while the conference continued.\textsuperscript{43}

The uniforms which were adopted by the various musical organizations of the Legion were not uniform in appearance, but were selected as the tastes of the band members dictated. From the \textit{Deseret News} we have an account of diversity of uniforms as seen at a muster of the Salt Lake Legion:

\ldots The 3rd. Regiment of Infantry was attended by Major Daynes' martial band and Capt. J. Eardly's brass band. Both were neatly uniformed, the former with gray pants and shirts, and blue caps with gilt bands; and the latter with red shirts and black pants, and black caps with gilt bands.\textsuperscript{44}

Very few of the "Saints" were in a position to send to the East for very elaborate uniforms, and at that time the tailors had not established a large military uniform business. Many wore no uniforms at all even though the units in the larger communities made an effort to take on a military appearance.

A leader could equip a band with uniforms and drill them in the proper evolutions while on parade, but without instruments or scores not much could be accomplished on a musical fashion. The Territorial leaders recognized this problem early in the settlement period and appropriated for "Music books for Nauvoo Legion."\textsuperscript{45}

The type of music that was played at the military functions was typical band music such as \textit{Yankee Doodle} and

\begin{footnotes}
\item \textsuperscript{43} \textit{Deseret News}, October 12, 1865.
\item \textsuperscript{44} \textit{Deseret News}, November 7, 1866.
\item \textsuperscript{45} \textit{Deseret News}, February 21, 1852.
\end{footnotes}
patriotic songs, which included songs written especially for
the Legion at the time of the Utah "War."

A SONG OF 1857.
Johnston's Army Episode.
When Uncle Sam, he first set out his army to destroy us:
Says he, "The Mormons we will rout, they shall no longer
annoy us."
The force he sent was competent to "try" and "hang" for
 treason,
That is I mean it would have been, but don't you know the
reason?

Chorus:
There's great commotion in the East, about the Mormon question:
The problem is to say the least, too much for their digestion.

As they were going up the "Platte" singing many a lusty ditty,
Saying we'll do this and we'll do that, when we get to Salt
Lake City.
And sure enough When they got there, they made the Mormons
stir Sir.
That is I mean they would have done, but oh, they didn't get
there.

When they got within two hundred miles, the old boys they
were saying,
"It will be but a little while, till the Mormons we'll be
slaying
We'll hang each man who has two wives, we've plenty of rope
quite handy."
That is I mean they would have had, but Smith burned it on
"Sandy."

Then they returned with awful tales, saying the Mormons beat
the devil;
They ride up hill, and over rocks as fast as on the level.
And if perchance you shoot one down, and surely think he's
dead Sir:
The first you know he's on his horse, and pushing on ahead Sir!

Then on "Ham's Fork" they camped awhile, saying "we'll wait a
little longer,
'Till Johnston and his crew come up, and make us a little
stronger.
Then we'll go on, take Brigham Young, and Heber his companion,
That is, I mean, they would have done, but were afraid of
Echo Canyon.

Now Uncle Sam take my advice you'd better stay at home, Sir!
You need your money and your men, to defend your rights at
home, Sir!
But if, per chance, you need some help, the Mormons will be
kind, Sir.
They've helped you once, and will again that is, if they've a mind, Sir.46

For most of the "bands" the acquisition of musical instruments was a relatively simple matter, since they were actually fife and drum corps. Larger organizations used such instruments as the cornopian, orphaclyde, trumpet, orphadide, sax-horn and trombone.47 By the middle 1860's Salt Lake had grown large enough, or the demand had been great enough, that several outlets for musical instruments were established in that city. Notwithstanding that the Territory had its own musical stores, in 1868 the band of the first regiment sent to London for its instruments which consisted of,

one silver E flat coronet; one E flat ventilhorn, soprano; six alto vebtil horns, baritones; two champion B flat euphoniums; two monster champion counter bases; one patent snare drum; one bass drum and one pair Turkey cymbals;...48

In 1866 D. B. Huntington established a drum factory which, according to the Deseret News, produced drums that "ought to awaken drowsy battalions if there are any."49 Drums sold from twelve to thirty dollars.

When Colonel Duzette and others organized new bands they of necessity had to teach the members of the bands the proper marching procedures and probably a good bit about music.

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47 Archives.
48 Deseret News, September 23, 1868.
49 Deseret News, April 19, 1868.
As the Territory grew older the young folks who came into the military picture had to be trained. From a musical standpoint, this need developed into schools and teachers which specialized in martial music. In the outlying communities the officers of the music section traveled to wherever they were needed to help set up and train the members of the bands. Captain Parkman, of the Ogden band, was giving instructions to the Kay's Ward, Plain City, Brigham City, Logan, and Richmond bands. D. B. Huntington, who is remembered more for his work as an Indian translator than as a musician, established a martial music school in Salt Lake City that stirred the Deseret News to the following comment:

MARTIAL MUSIC. We are pleased to learn that Prof. D. B. Huntington has established a school, inside the Temple Block, for the instruction of pupils in martial music. The Professor's abilities in this respect are too well known to need comment. Now is the time for militia battalions to get up proficient bands; will the majors see about it?¹⁰

Militarily, the martial bands of the Legion performed their most important functions at the annual musters and occasional drills. At the drills that were held by and at the convenience of the local units, the band supplied the inspiration which not only influenced the Legionnaires to improve their marching ability but attracted large crowds of the citizens, and this in turn encouraged participation by the male members of the community. At the annual musters the bands often combined and provided the music for the passing in review.

¹⁰Deseret News, January 4, 1866.
of the larger units as they were gathered at the camps.

Almost without exception when a unit of the Legion was called into service by the Federal government or by the Territory for the purpose of putting down the Indians, a musician was included as part of the complement. He was usually a bugler or one who could blow the horn with a degree of proficiency. As was the common practice in that day the bugle was used to direct the type of skirmish formation to be used in the attack or any other military activity. What type of call the bugler used depended on his ability or the desire of the detachment leader, since there was no uniform system of calls in the Nauvoo Legion.

Realizing this weakness of the Legion in 1866, four of the leaders, including Lot Smith and W. B. Pace, drew up a list of improvements which suggested that "a system of General and Skirmish calls be immediately adopted, published, and distributed for the use of both Cavalry and Infantry." By 1868 Colonel Duzette, through General Order #1 of September 23, was given the responsibility of seeing to it that a uniform system of calls of music be selected and adopted throughout the Legion. This was a long time to wait for a uniform system, considering that in 1852 the chief of music had been enjoined by law to see that the calls were uniform throughout the Legion.

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51 Archives. 52 Deseret News, September 23, 1868. 53 Acts...First...Session...Legislative Assembly, sec. 78, p. 158.
The contribution of the musical arm of the Legion was widespread, because it represented the military in parades, at formal gatherings, and in social functions. At the slightest excuse any of the many bands would supply lyrical entertainment for public meetings.

**Color Department**

When the Saints came across the plains one of the vestiges of the original Nauvoo Legion that they carried with them was the flag of the Nauvoo Brass Band. From that humble beginning flags developed into an integral part of the Legion's life.

On May 31, 1851 General Wells presented a flag to the band at drill. By 1852 the legislature made it clear that a color department was to be given due consideration along with the other elements of the Legion. By 1854 pride in its emblems evoked the following comment about a flag on display: "The bear on the ensign of the life guards attracted the attention of some of the United States officials."

Color-bearers as of 1857 were Brigham Young Jr. and Stephen Taylor, with the rank of captain. A notable graduate of the rank of color-bearer was Lot Smith, the daring and proficient leader during the Utah and Civil Wars. The flags

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54 The flag is now on exhibit at the Daughters of the Utah Pioneers Museum, Salt Lake City.

55 *Journal History*, May 31, 1851.

these and other men carried were colorful and expressed the sentiments of the people. Such symbols as the beehive and the all-seeing-eye were used, as well as slogans which are lost to us.

The need to carry national flags as well as home made unit emblems was brought out by an order given in December 1863 which made the following suggestion:

...in view of the distracted condition of our country... and in view of the untiring efforts of ambitious aspirants to deny and disapprove the loyalty of the Utah Militia, it is deemed requisite, and you are hereby ordered to cause, that a good and suitable stand of colors be forthwith provided for the Regiment which you command.

Said colors to be composed of Stars and Stripes, according to the device for a 'National Standard', as given in army regulations.

The presence of a National flag with your command would be palpable evidence of its loyalty to the Constitution and laws of the U. S. while its absence might, under some circumstances, seriously embarrass you.57

By the end of 1870 the supplying of flags had become a function of Z.C.M.I. In the Deseret News a special notice called attention to the fact that "Officers can procure Regimental and Company flags by applying early to James Phillips at Z.C.M.I."58 By the aid of Governor Shaffer the need for early application was eliminated because the flags would fly no longer in the drill of the Nauvoo Legion.

57Records of...2nd Brigade, 1st Division, p. 66.  
58Deseret News, September 21, 1870.
VI. ARTILLERY, CAVALRY AND INFANTRY

Artillery

The smallest branch of the Utah Nauvoo Legion was the artillery since there was little need for the cannons in the type of mobile and mountain engagements in which the Legion participated. The only recorded use of artillery was during the Indian attack on Fort Utah (Provo) in 1850, when the local militia's cannon was not very effective. In 1867 only "several pieces" of artillery were reported in the Legion's possession. The acquisition of weapons to arm the artillery companies was a major problem of the officers of the Legion.

On the basis of incomplete information, it could be determined the following cannons were in the territory at one time. First, the one used at Fort Utah in defense against raids. Prior to 1852 at least three, perhaps four, cannons were transported to the region by various agencies. In 1848 the ex-members of the Mormon Battalion brought two cannons from California with them. In 1851 Orson Hyde and Albert Carrington returned with one brass cannon from the East.

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1 Young, op. cit., p. 123.
3 Andrew Jensen (compiler), Church Chronology (Salt Lake City, Utah: Deseret News, 1899), p. 35.
4 Ibid., p. 43.
The probable fourth cannon was sent to Utah by the Federal government in 1851.\textsuperscript{5} Both the government's and Carrington's cannons arrived in the fall of 1851, which makes it possible that they were the same.

In 1865 the \textit{Deseret News} in reporting the muster of the Salt Lake County militia mentioned the use of four cannons.\textsuperscript{6} This only represented part of the cannons at hand. Poor road conditions prevented the transporting of more cannons to the muster site. The implication is that Salt Lake County alone had more than four cannons.

The quality of the cannons was poor; the guns were old. At the time of this writing a typical remnant, a heavy muzzle loader which was used in the War of 1812, is on exhibition in the Temple Grounds Museum. The quality is attested by references made to bursting cannon which killed and wounded bystanders.\textsuperscript{7} They were heavy, which was evidenced by the difficulty the artillerist had in dragging them to musters. Notwithstanding all these disadvantages and the lack of need for artillery, a recommendation was made in 1866 concerning the purchase of more guns:

2nd. In consequence of the limited number of field pieces, instruction in that arm of the service has been almost entirely neglected in all but the military district. We therefore respectfully suggest the propriety of sending to California or such other point as you may deem proper, to purchase a few pieces of improved artillery

\begin{itemize}
\item \textit{Deseret News}, May 16, 1859.
\item \textit{Deseret News}, November 9, 1865.
\item Jensen, \textit{op. cit.}, p. 38.
\end{itemize}
for the use of this district that those now in service may be distributed in other military district for the use of the schools.  

The major service of the artillery was non-military, such as July 4th and 24th when celebrations were in order and cannons were used to awaken the Salt Lakers and enliven the festivities. Participation in parades was also a service of the artillery.

As an arm of the military of Utah, the artillery participated in no combative activities, nor did they drill with live ammunition because of the danger of bursting barrels. However, a comparison of the artillery units of the National Guard described in Harpers New Monthly Magazine shows that Utah's unit was typical.  

Evaluating the guard of 1880, Harpers found that the artillery was almost entirely the old brass Napoleon, which was a muzzle loader. In the National Guard no effort was made to practice firing the weapons. The artillery of the Nauvoo Legion was conventional.

Cavalry

The Indians of Utah, like most Western Indians, used horses for transportation because they were necessary for the quick escape as well as the surprise attack. Consequently, an efficient counter-force of cavalry similarly outfitted was in order.

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8 Archives.

One expected the cavalry to be the most important force in dealing with the Indian problem, and during the Walker War of 1853 the mounted soldiers filled their calling satisfactorily. In 1857, after a period of relative freedom from Indian hostility, the cavalry was dealt a potentially serious setback by the following recommendation:

2-It is recommended that Cavalry Companies should be dispensed with throughout the Territory, until further orders, and that all drills after 4th July next should be performed on foot.10

Bancroft claimed that cavalry had no useful purpose to serve in a mountain fastness such as Utah and therefore was abolished.11 However, W. H. Anderson, a member of the Nauvoo Legion's cavalry, gave a vivid comment on the quality of cavalry in western terrain in reporting a raid on a herd of army mules during the Utah War:

We Stopped behind a ridge Sinched up our Saddles & seen that everything was in order for a speedy charge rode up to the ridge coming in plain Sight of the Camp & imagine our surprise to see a full & complete company of Dragoons riding up to Camp So that instead of orders to charge on the herd orders were given to retreat which was done without delay with the exception of Hickman & myself I think we Staid on the ridge about half hour. I was anxious knowing that we had been Seen to know if that mounted company of Soldiers would give chase I was no ways uneasy for my own Safety as I was aware that the Soldiers were poor horsemen & their horses no match for ours outside a beaten road for while our horses would dodge around among Sagebrush & grease Wood without any guiding their horses would plow through the brush checking their Speed & generally throwing their riders in advance of their saddles.12

12Henry W. Anderson, Diary, MSS., Brigham Young University Library, p. 102. (Typewritten)
Why was consideration given to the idea of limiting the service of the cavalry? The suggestion was Brigham Young's but it had considerable approval from other officials whose logic is found in the *Deseret News*:

We hail this as an important movement and trust it will be unanimously entered into as a project calculated largely to increase the skill and effectiveness of the Legion and save thousands of dollars in the expenditure for cavalry equipage, to say nothing of the value of horses annually disqualified for efficient service by excessive riding and the well known advantages to health and physical endurance acquired by marching or traveling on foot.\(^{13}\)

The major purpose behind the change was to "inure youth to hardy and vigorous exercises and mountain services."\(^{14}\) Certainly it would have helped to save many horses which were ruined by excessive riding, inasmuch as not all those who owned horses were well versed in how to properly care for them. Especially during musters the desire to "show off" was difficult for those "weekend" soldiers to suppress.

The order had its merits, but the approach of Johnston's army denied the militia the opportunity of putting it into practice. Without countermanding orders the cavalry remained to serve the settlers in future altercations.

**Infantry**

The terms Minute-Men, Life Guard, Silver Greys, and Juvenile Rifles are most commonly associated with the infantry sections of the Nauvoo Legion, but they do not cover all of the

\(^{13}\) *Deseret News*, July 1, 1857.

\(^{14}\) Stout, *op. cit.*, p. 414.
infantry units of the Legion.

The Juvenile Rifles was composed of boys under eighteen and over fourteen. In 1857 an innovation in using juveniles appeared when the "Hope of Israel," a company of boys about twelve years of age, was organized. During the July 24th celebration in 1857 they gave a precision demonstration of military maneuvers. It is interesting to note that this group, with its camping, woodcraft, and military activities, antedated the Boy Scout movement by a half-century.\textsuperscript{15}

The Juvenile Rifles, also known as "Junior Riflemen," was in a state of semi-active service for many years in Utah with many former members ascending to important officer posts in the Legion.\textsuperscript{16} In 1857, during the war crisis with the United States, the Juveniles were called into service.\textsuperscript{17} No actual record of field service by this group is available, but they did participate in patriotic parades.\textsuperscript{18}

The upper age limit for admission to the Utah Nauvoo Legion was forty-five. Those who wished to remain in the service and were over the age limit joined the Silver Greys. They, too, functioned at parades and participated in drills similar to the present day "Home Guard." In the event the militia was called away on an assignment, as during the Utah

\textsuperscript{15}W. P. A., News Releases, op. cit., December 12, 1941.
\textsuperscript{16}Ibid. \textsuperscript{17}Archives.
\textsuperscript{18}Deseret News, July 29, 1862.
War, the Silver Greys could be activated to provide protection to the community.

The Minute-men and the Life Guard, which were organized during the State of Deseret period, were what their name suggests, forces readily available for immediate duty. In an emergency the life of a Minute Man was particularly rigorous, as attested by the following account of Jesse N. Smith:

July (1853) a war broke out between the settlers and the Utah Indians. General orders were issued from the headquarters of the Utah Militia for the protection of the settlers... In company with the 'Minute Men' I was considered on duty all the while, whether harvesting grain, herding stock, hauling wood, or whatever duty was required, but the worst part was passing every third night at the guard quarters, where it was difficult to get any sleep at any time, and one-third of the night was spent on guard.

The Life Guard, an organization peculiar to Salt Lake City, was designed as a protector of the city and any of the leaders of the Latter-day Saints Church who might be in danger. Sometime after Johnston's Army arrived in Salt Lake City, it was rumored that President Young was to be taken into custody. Upon a prearranged signal, five thousand armed men assembled at the Bee Hive House to protect their leader.

The battalion of Life Guards in Salt Lake County, an independent battalion not attached to any brigade or division, was given the privilege of adopting its own regulations,

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19 Alter, op. cit., p. 159.
21 Journal History, January 7, 1859.
provided they did not contravene any legislative enactment. The battalion was subject to the call of the Governor and Lieutenant General at all times.\textsuperscript{22}

Modern infantry has been called the "Queen of Battle." Not so the old-time militia. \textit{Harpers} described the militia as ambitious cobblers, tailors, and ploughboys who carried their uniforms in a bundle to the rendezvous. They were tall, short, fat, skinny, bow-legged, sheep-shanked, cock-eyed, hump-shouldered, and sway-backed, equipped as economically as possible with old flint-lock muskets, horsemen's carbines, long squirrel rifles, double-barreled shot-guns, bell-muzzled blunderbusses, and side-arms of as many different patterns.\textsuperscript{23} The Corrine City paper in an article about the Legion almost uses the same description.\textsuperscript{24}

Undoubtedly the Nauvoo Legion was in many respects as described, inasmuch as the organization as set up throughout the United States was impracticable because all the able-bodied men could never be spared for war or trained for it. The Legion contained as many of the "able-bodied" men as it could encourage to participate, and this was a weakness, just as it was with other militias.

It was not within the scope of this paper to deal with the military engagements of the Utah militia, consequently an

\textsuperscript{22}\textit{Acts...First...Session...Legislative Assembly}, p. 154.


\textsuperscript{24}\textit{Daily Utah Reporter}, Corinne, Utah, November 26, 1870.
evolution of its quality cannot be undertaken. However, on the basis of certain information, relative to the infantry in particular, one fact was worthy of presentation. In 1867 William Pace, in an effort to avoid accidents, directed men to fire all loaded guns at a target before commencing drill. What occurred must have sent a chill down his spine:

...we made the astounding discovery that a large portion were entirely ignorant, of the use of arms, that the rule, 'Save Your Powder' had been so conscientiously observed, they were almost entirely useless to say nothing of being dangerous to each other with loaded guns in their hands.²⁵

In the November 3, 1869 issue of the Deseret News the problem of proficiency in the use of arms was dealt with at length when the writer praised the interest in attending muster and drills but warned, "unless we can use the weapons of self defense we are still at the mercy of our enemy." The article continued by recalling the days when ammunition was at a premium which made practice inadvisable. With the supply adequate in 1869 the need for hoarding was no longer prevalent and "we can afford to throw away a little to secure expertness and ability." The News went on to suggest competition with prizes which would encourage rifle practice.²⁶

One week later in the November 10th paper another article dealt with the problem of rifle practice. No response had been made to the suggestion of the previous week, but a story had come to the paper's attention concerning Indian raids.

²⁵ Records of Provo Military District, p. 176.
²⁶ Deseret News, November 3, 1869.
When a Southern Utah party pursuing thieving Indians fired at them from seventy yards and hit nothing more urgency was put into the plea for drill firing the rifle. In conclusion the News made the following observation:

But, aside from all consideration, rifle practice is pretty exercise for boys, and, in case of necessity, to be expert and sure is no less a necessity than to trust in God and to keep a supply of dry powder on hand... 27

What the Legionnaires lacked in the physical necessities of war they made up in shrewdness. For example, at Echo Canyon the "men marched around and around a fire and a pile of stones in an effort to impress the invaders" with the size of the defending army. 28

27 Deseret News, November 10, 1869.
28 Biography of John Theurer, Utah and Mormon Pamphlets, Vol. XXIV, No. 4., p. 2.
VII. MUSTERS, DRILLS AND PARADES

"The country rings around with loud alarms,
And raw in fields the rude militia swarms;
Mouths without hands, maintained at vast expense,
In peace a charge, in war a weak defense;
Stout once a month they march, a blustering band,
And ever but in times of need at hand:
This was the morn when, issuing on the guard,
Drawn up in rank and file, they stood prepared
Of seeming arms to make a short essay,
Then hasten to be drunk--the business of the day."

Dryden

The monthly musters of the Nauvoo Legion were not as inadequate as pictured by Dryden; nor does it appear that the "business of the day" was getting drunk. However, the Legion had its difficulties, whose types and magnitude are handled with varying degrees of bias in the sources.

General musters were ordered twice a year by the commander of the Legion. At such times all of the forces of the Nauvoo Legion gathered at their respective camp sites for inspection of arms and training sessions in the art of war.¹

In Logan the camp was called Deseret.² Camp Bently was in Iron County³ and Camp Wells in Provo,⁴ perhaps on Temple Hill, present site of Brigham Young University.⁵ The Provo camp was also called Camp Burton and the Salt Lake county

¹Deseret News, September 2, 1856. ²Archives.
⁴Archives. ⁵Deseret News, November 2, 1865.

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area was called Camp Wasatch. 6

The purpose of holding musters included checking the quality of arms among the members. This was rigidly adhered to, and advanced warning was given that the men were to have their arms in good order and an ample supply of powder. Delinquents in this respect were reported for court martial. 7

Two examples of musters are indicative of what occurred and what the commanding officer wished to occur. Standing orders for Camp Burton were issued by Brigadier General W. B. Pace on October 31, 1870. They announced that reveille would be at 6 a.m. and roll call at 6:15. Chaplain call was sounded at 7 a.m. and 8 p.m. when the troops assembled for prayer. Guard mount was at 8 a.m. and 5:30 p.m. Drill call was at 8:30 a.m. and 1:30 p.m. Roll call and evening parade was to be held at sunset and again at 9 p.m. Tattoo was to be sounded for roll call. Lights were to be out at 9:30 p.m. Morning reports were due at headquarters by 8 a.m. daily. 8 (See cut for a sample report.)

To maintain order during musters, the officers were advised to prohibit the discharging of weapons inside the encampment, and fast riding to or from the watering place or around camp. 9

The Deseret News report of muster of the Utah County militia gives a fine account of what occurred. The first day

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6 Archives. 7 Deseret News, September 2, 1865. 8 Archives. 9 Archives.
was rained out, but on the second day the weather permitted normal camp activities. At 8:30 a.m. the militia was formed into ranks, and General Wells and his staff reviewed and inspected the men. After the review, a square was formed for the purpose of listening to speeches. General Wells offered the opening prayer. Amasa M. Lyman delivered a short address in which he extolled the virtues of preparation, which would be a source of protection.  

General Wells then addressed the militiamen and said in part, "We have no assurance of the blessings of the Lord when we neglect those preparations for self-defense which it is the duty of every citizen to make." He further expressed gratification at the discipline and accomplishment of the assembled companies.

After the speeches it was dinner-time, and no further activities were engaged in until afternoon when regimental field movements occupied the troops. The following morning was also devoted to regimental evolutions.

The afternoon of the third day was spent in a sham battle. The companies were divided into attacking and defending groups. Under command of the inspectors from the Adjutant-General's office, a mock fight was engaged in. After the battle several more speeches were made prior to the breaking of the camp.

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10 Deseret News, November 2, 1865.

11 Ibid.

12 Ibid.
Musters drew large number of spectators, for each such affair was a holiday for the community. Even the theatre in Salt Lake decided to close until the militia returned.\footnote{Deseret News, October 20, 1869.}

Non-Mormon sources were not so favorable in reporting what they saw at musters. General James T. Rusling, a visitor to Utah in the middle 1860's, found the proceedings non-military and uniforms and arms insufficient. When Rusling arrived company drills were in progress. His description follows:

Of course, there were many awkward squads, but the so-called officers were the awkwardest of all. In many instances they were unable to drill their men in the simplest evolutions; but stood stupidly by, in brand-new coats, resplendent with brass-buttons, while some corporal or private, in civilian dress, "put the company through!" The personnel of the force was certainly good; but everything betrayed an utter lack of discipline or drill.\footnote{General James T. Rusling, \textit{Across America} (New York: Sheldon & Company, 1874), p.}

The Corrine \textit{Daily Utah Reporter} gave an equally disheartening description,\footnote{\textit{Daily Utah Reporter,} Corrine, Utah, November 26, 1870.} which may be discounted because of the paper's anti-Mormon character. Governor Charles Durkee, another spectator in the middle 1860's, was more flattering in his appraisal. In his message to the legislature he revealed his pleasure "with the evident care which had been bestowed in the Legion's training and equipment."\footnote{\textit{Message of the Governors}, p. 102.}

The major difference between a drill and a muster was
the length of meeting and the numbers involved. A drill could be a weekly affair of platoons or companies; muster usually included larger units, and because of the travel element they were held at greater intervals. The number of drills was voted upon by the participants. In one instance the men voted to meet every Saturday, except for one who was promptly referred to as a "knock kneed bandy shanked barefoot ignoramus." 17

Drills were held in the most convenient location for the participants. Smaller communities used the "town square," while Salt Lake City's militia used vacant lots in their respective wards. Not all drills were all inclusive; many were solely for officers. 18 These usually preceded the company drill, or were held at night when tactics were discussed and plans laid.

Associated with the musters and drills of the Legion was the effort to establish a military school in Utah.

It was not uncommon for America's militiamen to attend a school established on a local level to prepare officers and "non-coms" for the "rigors" of the annual muster. Said school was never intended as a permanent affair, and its meetings, which were held at night, were held only several weeks prior to the muster.

The settlers of Utah perceived the need for a military school of a permanent nature which could take the youth entrusted to it and turn out leaders of men. The school would

17 Record of Provo Military District, p. 138.
18 Journal History, February 15, 1851.
serve as an institution where every man could learn to "defend his home and the laws and constitution of his country."\(^{19}\)

This farsighted policy did not overlook the need for an immediate agency to aid with the training of the present officers of the Legion. The history of the attempt to further military education in Utah involves both the attempted establishment of a permanent day school for young boys and night sessions for the older members of the militia.

As with other phases of the Utah militia, the idea of establishing a military school was promulgated early in the formative period of the Territory. On January 15, 1851, the officers of the Nauvoo Legion decided to establish such an institution, and forthwith appointed C. Collins "to teach engineering, and Messrs. Hotchkinson and Turpin the sword, lance, and artillery exercises."\(^{20}\)

The Messrs. Collins, Hotchkinson, and Turpin did not seem to succeed at this premature effort at establishing a school. No word of their effort is found in later records, and when future attempts at establishing the school were inaugurated, these men were not involved.

Less than two years later, December 23, 1852, the legislature offered one thousand dollars to aid the ambitious man or men who would operate a military school.\(^{21}\) Earlier in

\(^{19}\) Deseret News, July 23, 1862.

\(^{20}\) Journal History, January 15, 1851.

\(^{21}\) Acts...Passed at the Several Annual Sessions of the Legislative Assembly...of Utah, p. 231.
1852 the concern for financing such an institution was reflected in a petition to the legislature suggesting that the fines collected by the military be appropriated to the University of Deseret for a military school.\textsuperscript{22}

The appropriation of 1852 produced no results of record. However, by 1855 the growth of Great Salt Lake must have been sufficient to encourage two men to try their hand at fulfilling the wishes of the legislature. In May 1855 the following advertisement appeared in the \textit{Deseret News}:

\textbf{Military Drill.}

\textit{IMPORTANT TO ALL}. The undersigned are prepared to commence schools for military instruction in the various wards of G.S.L. City, wherein will be taught the different branches of discipline in Cavalry and Infantry drill--namely, the use of the sword, musket and rifle; also company, troop, regimental, battalion, and brigade movements, on the latest and most improved principles. Instruction in riding and managing horses, and the usual gymnastic exercises so highly conducive to health, will be included. Parents and guardians would do well to send their youth to these schools. Terms for each pupil in advance, $2 per quarter.-For further particulars, apply to D. L. Ross, 14th Ward.

Robert Smith
David J. Ross-Drill Masters\textsuperscript{23}

Colonel Ross continued in his chosen pursuit. The \textit{Journal History} makes note of the fact that the Colonel "was teaching military tactics in the 14th Ward" almost two years after the first advertisement appeared.\textsuperscript{24} In January of 1857 another advertisement for the school revealed that Ross was

\textsuperscript{22}Stout, \textit{op. cit.}, Vol IV, p. 443.
\textsuperscript{23}\textit{Deseret News}, May 2, 1855.
\textsuperscript{24}\textit{Journal History}, January 16, 1857.
then the only instructor, and that the price of tuition had advanced to three dollars per quarter with, however, the proviso that the poor would be taught free. The school was to be held every afternoon, except Sunday, from four to six p.m.\textsuperscript{25} Although three dollars appears a reasonable fee, the public was not receptive and Ross later cut tuition to one dollar and fifty cents.

It is possible that competition hurt the Ross establishment, for Lieutenant John Tobin, formerly of the regular army, decided to enter the field in 1856. Possibly because of his army background, he received official encouragement from the commander of the Legion. In General Order Number 6 the qualifications of Lieutenant Tobin were outlined and attendance of his school was encouraged.\textsuperscript{26} Colonel Ross received no such help.

Next the question what happened to the one thousand dollars appropriated for the establishment of a military school arises. Colonel Ross, being the first to get into the business, seemed the logical recipient of the assistance. However, in the Governor’s message of December 18, 1856, which was eighteen months after Ross’ first advertisement, the appropriation was reported as still in the treasury.\textsuperscript{27} There is no evidence that either Ross or Tobin received the largess of the

\textsuperscript{25}\textit{Deseret News}, January 21, 1857.
\textsuperscript{26}\textit{Deseret News}, December 24, 1856.
\textsuperscript{27}\textit{Deseret News}, December 18, 1856.
Territorial Legislature, or that it was ever spent.

An act of the Territorial Assembly approved on January 14, 1857, provided for an appropriation of thirty-five hundred dollars for the public defense of the Territory. Included in that appropriation was a military school.28

Up to 1857 the efforts at establishing a military school had been centered around a system which would involve the use of extensive periods of free time such as a school age child had. Advertisements were not uncommon soliciting the interested to make inquiries and/or participate. After the 1857-58 incident these efforts ceased, and not until after 1860 when there was a revival of militia activity was the idea of school training revived. At that time there was no advertising, and the major effort seemed to be directed at training those officers and men enlisted and active in the Legion.

Frequent mention in various diaries indicated that drills were held once a week during the winter months. Samuel W. Richards went every Tuesday night to a regimental military school29 while Charles L. Walker went to take sword drill on the same night.30 H. W. Anderson, the organizer of the Legion at Mt. Pleasant, established a school which met weekly for the instruction of the manual of arms, presumably to help the new recruits.31

28Deseret News, May 13, 1856.

29Samuel W. Richards, Diary, MSS., Brigham Young University Library, p. 117. (Typewritten)

30Charles L. Walker, Diary, MSS., Brigham Young University Library, p. 297. (Typewritten)

31Anderson, op. cit., p. 129.
Colonel Ross, although not successful in establishing a permanent military school was not to be denied in his desire to be a teacher. In 1864 an order by the commander of the second Brigade of Salt Lake City, acknowledged that Colonel Ross "has been set apart to teach and drill the Infantry of the Territory." The order further stated that the various units were to arrange with Ross for a convenient time of meeting during which he might drill them.\textsuperscript{32}

In 1862 the Deseret News had a lengthy description of Colonel William B. Pace's activity in behalf of military instruction in Utah County. The occasion was an encampment for the members of Colonel Pace's school at which he demonstrated to assembled dignitaries the fruits of his labor. That school as the others held after 1857 made no pretense at being more than drill sessions primarily for the purpose of perfecting the manual of arms.\textsuperscript{33}

The institution which was first conceived in 1851 developed no farther than the short lived action already mentioned. To this day Utah has had no military academies of the kind "that would afford a healthy exercise calculated to develop both body and mind."\textsuperscript{34}

\textit{Tactics} or "the system of discipline and field exercise" employed by the United States was embodied in the

\textsuperscript{32}Records of...Second Brigade, 1st Division, p. 69.

\textsuperscript{33}Deseret News, July 23, 1862.

\textsuperscript{34}Ibid.
General Regulations for the Army, compiled by Major General Winfield Scott. As such it was also the system to be used by the militia.

Although required to use Scott's system of tactics, the Nauvoo Legion had its difficulty in resolving what form to use. The major difficulty the Legion faced prior to 1857 was adapting the United States Army system to the Legion's units which were not similar to the Army's.

In 1865 Colonel William B. Pace wrote *Rifle and Light Infantry Tactics: for the Exercise and Maneuvers of Troops When Acting as Light Infantry or Riflemen* Prepared expressly for the use of the militia of Utah, the book included instructions for skirmishes, regulations, and drills for the platoon and company. During a muster in 1865 the assembled militiamen were urged to acquire a copy of the new book.

In 1866 the territory paid a bill of $114.86 for military books from the East which indicated that other material was available for the interested.

On February 19, 1869 a meeting was held to consider using Major General Emory Upton's system of tactics as outlined in his book *Tactics*. The reasons given for adopting

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36 "Old Time Militia Musters," *op. cit.*, p. 213.
38 *Deseret News*, November 2, 1865. 39 Archives.
this system were its simplicity, its adaptability to all arms of the service, its provision for a single rank formation indispensable when using breech loaders, and its combining all necessary instructions into one volume. The system was evidently adopted because it was used in Iron County at a muster. A Salt Lake bookseller advertised Upton's military tactics at two dollars in 1870.

The ultimate goal of drills, musters, and the application of tactics was proficiency as a fighting force. But the glory of being in the militia was the recognition received at parades. Who would turn out for drills if the only incentive was preparedness?

The Nauvoo Legion had two days in July, the 4th and 24th, which were celebrated with equal vigor. July 24th was the day in which the arrival of the Mormons was celebrated by the pioneers. Both days were celebrated with parades and large gatherings for social purposes.

Going back to the early settlement days the story of the Legion's participation revealed almost complete domination of parades by its members. Quite naturally officers of the Legion were chosen as the directors of the parade for they "knew just how to do it."

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40 Archives.
42 Deseret News, April 20, 1870.
43 Interviews with Living Pioneers, LDS, Brigham Young University Library, p. 1.
GENRAL ORDERS NO. 1.

I.—THURSDAY, the 4th July, being the Eighty-Fifth Anniversary of American Independence; notwithstanding the turmoil and strife which distress the nation established on that foundation, the citizens of Utah esteem it a privilege to celebrate the day in a manner becoming American patriots and true lovers of the Constitution of their country.

II.—The Lieutenant-General directs that District Commanders throughout the Territory will conform, as far as practicable, to the requisitions of the various committees of arrangements for details.

III.—In Great Salt Lake City, at the request of the Committee of Arrangements, the following details will be made, and placed under the direction of Major JOHN SHARPE, Marshal of the day, viz:—

One Company of the 1st and one of the 3d Regiments of Infantry.
One Company of Light Artillery, and two guns.
Two Brass Bands and one Martial Band.

By Order of Lieutenant-General D. H. WELLS.

JAMES FERGUSON, Adjutant-General.
The parades included organizations other than the military, usually young men and women who were symbolic of Mormon ideals. After the parade all the community's inhabitants gathered in a central location in which patriotic speeches and toasts were delivered by men of importance. A typical toast to the Legion was made by one of twenty-four bishops who was assigned the job of toaster in 1849. It read, "Freemen cheer the hickory tree; In storms its boughs have sheltered thee." On other occasions toasts pertaining to the Legion were: "Utah—Her Governor, her Legion, and 'peculiar institutions' FOREVER!" and "Nauvoo Legion-Defenders of the Bee Hive."

With the arrival of Johnston's Army in Salt Lake, the militia in the vicinity became publicly quiescent for a number of years. The Major function of the Legion in connection with the holiday celebrations was to arouse the citizenry at 5 a.m. by the beautiful music of the bands and/or the discharging of the cannons.

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44 Journal History, July 24, 1849.
47 Due to misrepresentation of the course of events in Utah the U. S. Government sent a military force, under the command of Albert S. Johnston to subdue the "rebellious" Mormons. The incident became known as the "Utah War" and resulted in strained relations between the contestants but no actual combat. The force used by the settlers to oppose the army was the Nauvoo Legion, the territorial militia. After the U. S. Army encamped in Utah the activities of the Legion diminished, probably to prevent further antagonism of the non-Mormon inhabitants and the Army.
With the inactivity of the Legion, floats and non-military groups were pressed into service. The new participants in the parades made it an annual event, and when the Legion again participated, the combination made for lengthy and interesting parades.

The spirit of celebration on holidays was not limited to those at home. When Captain Lot Smith and his command, who were in the Federal service, arose on July 4th, 1862, they had an impromptu celebration:

We were made aware that the glorious Fourth had dawned upon our camp by the firing of the muskets and revolvers incessantly for about one half an hour, when we were saluted by the strains of our national airs, Hail Columbia, Star Spangled Banner, Yankee Doodle, etc., performed with excellent spirit by our two brass buglers, Charles Evans and Josiah Eardley.48

After the drills and parades were over the members of the Nauvoo Legion were not loathe to continue their associations in social functions. The most common gatherings were the military balls, although an occasional dinner was held. Some of the balls served a dual purpose—entertaining and raising money for wounded comrades.

An indication of one respect in which the Nauvoo Legion differed from other militia of the time is found in the advertisement for a military dress ball sponsored by the First Battalion, Third Infantry regiment. The admission charge was three dollars per couple, additional lady one

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dollar. "A good time was held by all."\textsuperscript{49}

The spirit of comaraderie which was fostered by the Nauvoo Legion's drill and parade activities lingered with the members for many years after the Legion officially disbanded.

\textsuperscript{49}Deseret News, November 4, 1922.
VIII. DECLINE AND DISSOLUTION

Adjutant-General's Office U.T.
Salt Lake City, Aug. 16th, 1870.

General Orders, No. 1
No. 1.- Major-General Robert T. Burton, commanding 1st Division Nauvoo Legion, Salt Lake Military, will cause to be held a general muster, for three days, of all the forces within said district, for the purpose of drill, inspection and camp drill.

No. 2.- The commandants of Utah, Juab, Sanpete, Parowan, Richland, Tooele, Summit and Wasatch military districts will cause to be held a similar muster, not to exceed three days, of the forces in their respective districts, to be held not later than the 1st day of November. Said commandants will cause suitable notice to be given of time and place of muster, and all persons liable to military duty to be enrolled and notified.

No. 3....

By Order of
Lieut.-Gen. Daniel H. Wells,
Commanding Nauvoo Legion. 1

This innocuous order started off a chain reaction which rocked the foundations of the Utah militia. One month after it was issued and fifteen days after it was published in the Deseret News, Governor J. Wilson Shaffer took action to countermand it. Two proclamations were issued:

Executive Department, Salt Lake City, Utah Territory.
September 15th, 1870.

Know ye that I, J. Wilson Shaffer, Governor of the Territory of Utah, and commander-in-chief of the militia of said Territory, by virtue of the power and authority in me vested by the laws of the United States, have this day, appointed and commissioned P. E. Connor, major-general of the militia of Utah Territory; and W. M. Johns,

1Deseret News, August 31, 1870.

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colonetl and assistant adjutant-general of the militia of the Territory. Now it is ordered that they be obeyed and respected accordingly.

Witness my hand and the great seal of said Territory at Salt Lake City, this
the 15th day of September, A.D., 1870.
J. S. Shaffer,
Governor

Attest: Vernon H. Vaughn,
Secretary of Utah Territory.

Executive Department, Salt Lake City, Utah Territory.
September 15, 1870.

Know ye, that I., J. Wilson Shaffer, Governor of the Territory of Utah, and commander-in-chief of the military of the Territory of Utah, do hereby forbid and prohibit all musters, drills or gatherings of militia of the Territory of Utah, and all armed persons within the Territory of Utah, except by my orders, or by the orders of the United States Marshal, should he need a posse comitatus to execute any order of the court, and not otherwise. And it is further ordered that all arms or munitions of war belonging to either the United States or the Territory of Utah, within said Territory now in the possession of the Utah Militia, be immediately delivered by the parties having the same in their possession to Col. Wm. M. Johns, assistant adjutant-general; and it is further ordered that, should the United States Marshal need a posse committatus, to enforce any order of the courts, or to preserve order, he is hereby authorized and empowered to make a requisition upon Major-General P. E. Connor for such posse committatus or armed force; and Major-General P. E. Connor is hereby authorized to order out the militia, or any part thereof, as of my order for said purposes and no other.

Witness my hand and the great seal of said Territory, at Salt Lake City, this
the 15th day of September, 1870.
J. W. Shaffer,
Governor.

Attest: Vernon H. Vaughn,
Secretary of Utah Territory. 2

Thus the man who said, "Never after me shall it be said that Brigham Young is governor of Utah," commenced an

action which led to the inactivation of the Nauvoo Legion. The action was ill-advised and served only the purpose of demonstrating the governor's power. The appointment of officers was contrary to both Federal and Territorial laws. Forbidding musters frustrated the continuance of eighteen years of such activity which were supposedly held for the purpose of making returns as approved by Congress in 1803.5

Not all the fault was Shaffer's. As reported above, previous governors had complained concerning the lack of information of the Legion's activities. Closer cooperation with Utah's gentile chief executives might have prolonged the Legion's existence.

In reply to Governor Shaffer's proclamations, General D. H. Wells made a request that the second proclamation be suspended until November 20th, since without the muster it would not be possible to comply with the law requiring returns to the local and Federal governments. As far as could be ascertained, no such desire to comply with the law prompted past musters. The lack of reports sent to or received by Washington support this deduction.

General Wells' request for a delay in the execution of the Governor's suspension order prompted an exchange of letters.

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3 Bancroft, op. cit., p. 658.
5 U. S. Statutes at Large, Vol. I., p. 274.
6 Deseret News, November 2, 1870.
which were made public in the Salt Lake newspapers. The first letter by Governor Shaffer was an unrestrained attack on the Mormon church, the Mormon people, the Nauvoo Legion, and Daniel H. Wells. The Governor called the Legion "an unlawful military system" and refused to withdraw his suspension order.\^\textsuperscript{7}

Four days after Shaffer wrote his open letter to General Wells, the Governor died of a lingering illness. The debate, however, did not cease, for Wells had already written his reply in which he refuted at length the charges against the legality of the Legion.\^\textsuperscript{8} The argument fell on deaf ears, for the non-Mormon Territorial officials were interested in preventing the Legion from remaining in force in support of the Church.

At the same time that the issue was being debated in the public newspapers, events were taking shape behind the scenes. In his diary, S. W. Richards made the following entries in the latter part of October and the beginning of November:

Sun. 30...Eve with Bro. Franklin called on General D. H. Wells, several officers present, drill to be held in all counties....
Mon. 31. Doing some business and getting ready to attend the Utah County Muster and drill. Gov. Shaffer died this morning.
Wed. 2. Went out to Provo Bench, to Camp Burton, and spent the day riding with Gen'l Pace's staff....
Thurs. 3. Again went to camp. With Gen'l Burton N. Snow and other officers reviews and inspected the troops and arms....
Fri. 4...called on Genl. Wells. got his approval of

\^\textsuperscript{7} \textit{Ibid.} \hspace{1cm} \^\textsuperscript{8} \textit{Ibid.}
time for Weber District Muster and Salt Lake. 9

The actions described above occurred away from Salt Lake City and did not come to the attention of the state authorities. It took a local breech of the proclamation for the issue to flair up anew.

The opportunity to test the validity of Governor Shaffer's proclamation came to the Third Regiment of Infantry in Salt Lake City when the unit's band received new instruments. Apparently without any orders from their superiors, several officers and over two hundred men of the regiment assembled on November 21 at Salt Lake City on the Twentieth Ward square, which was in the vicinity of their homes. The band was in attendance and supplied music while the men drilled. As usual there were some spectators witnessing the proceedings. 10

Vernon H. Vaughn, successor to the late Governor, J. Wilson Shaffer, was absent from the Territory at the time and when tidings of the event were brought to his office, George A. Black, secretary to the Governor, received them. Secretary Black was greatly disturbed by the exhibition of contempt for the recent executive order. Together with the United States marshall and two of his deputies, Black proceeded to the scene of the "drill." The four men witnessed the drill for fifteen minutes and left. Thirty minutes later the drill ended.

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9 Samuel W. Richards, Diary, MSS., Brigham Young University Library, p. 364. (Typewritten)

Through the action of Acting-Governor Black, warrants were issued by Judge Cyrus M. Hawley for the arrest of the eight officers of the regiment who participated in the drill. The charge was treason. Andrew Burt, Charles R. Savage, William G. Phillips, James Fennamore, Charles Livingstone, George M. Ottinger, Archibald Livingstone, and John C. Graham were taken into custody.

After hearing the testimony of the witnesses Judge Hawley thought the defendants had "probably committed a crime." They were remanded to await action of the grand jury and since the defendants declined to pay bail they were placed in charge of the military authorities at Camp Douglas. Eventually the charge was dropped.

This incident, which is popularly known as "The Wooden Gun Rebellion," was widely cited by the anti-Mormon element to prove that a rebellion was in process in Utah. Such efforts were chronic in Utah's territorial period, despite numerous protestations of loyalty by the Saints.

On February 2, 1871 George L. Woods was appointed the new governor of Utah. His secretary was George A. Black, a holdover from the previous administration.

It was during Woods' administration that the coup de grace was delivered to the Utah militia. The occasion was the

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11 Daily Utah Reporter, Corrine, Utah, November 26, 1870.
12 Deseret News, July 23, 1862; June 10, 1863; September 22, 1869; October 20, 1869.
projected celebration in Salt Lake City on the Fourth of July in 1871. Two committees were created to lay plans for the event; one by the city council, and one by some of the non-Mormons of the city. When agreement between the two groups could not be reached, two separate celebrations were planned.

At the behest of the city council, General Wells ordered the militia to participate in the parade. The martial and brass bands, one company of artillery, one company of cavalry, and three companies of infantry from the Salt Lake Military District were ordered out.

Again due to the absence of the governor, Secretary Black, the acting governor, was in a position to act against the Legion. On June 30th he issued a proclamation countermanding the order of General Wells, and commanding "that all persons except United States troops desist from participating in or attempting to participate in any military drill, muster, or parade,... until it shall be otherwise ordered and commanded by the Governor..."14 Secretary Black called upon the commander at Camp Douglas to enforce his edict, directing the United States Army to fire upon the militia if they paraded upon the Fourth of July. Fortunately, the commander at Camp Douglas, General R. DeTrobraind, refused to be a party to antagonizing the Mormons.

DeTrobraind informed Secretary Black that if called out, his troops would be placed in a battle line and the

command "Present Arms" would be ordered. That was as far as the General would go. If Black wanted the parading militia fired upon he would have to give the order himself.

Secretary Black had not expected this development and rather than get involved in a situation in which he would have to take full responsibility, he retreated from his former position. The militia paraded, but without arms. The United States Army was in attendance, but as spectators.\(^\text{15}\)

In the eyes of Governor Woods the July 4th celebration was somewhat more tumultuous than that described above:

My first conflict with the church occurred July 4, 1871. The Organic Act of the territory made the Governor Commander-in-Chief of the militia. The Mormon legislature, prior to that time, usurped that authority, and invested it in Daniel H. Wells, the third in the church. That law was in force on my arrival. On July 1, 1871, Wells issued an order as Commander-in-Chief to the militia of the territory to assemble at Salt Lake City July 4th to participate in the celebration. I resented this usurpation, and forbade them to assemble, but my prohibition was disregarded. Thereupon I ordered to the rendezvous three companies of infantry, one of cavalry, and a battery of artillery, and dispersed them at the point of the bayonet. This practically ended the Nauvoo Legion.\(^\text{16}\)

Governor Woods did have a small part to play in sniping at the Legion in this period. Upon his return to the Territory he issued orders similar to Secretary Black's regarding a supposed parade of militia at Ogden on July 24, Pioneer Day.\(^\text{17}\)

Notwithstanding previous occurrences, on September 2,\(^\text{18}\)

\(^{15}\text{Ibid.}\)

\(^{16}\text{Quoted in Bancroft, op. cit., p. 663.}\)

\(^{17}\text{Whitney, op. cit., Vol II, p. 532.}\)
1871, General H. B. Clawson attended a sale of arms at Fort Douglas at which he purchased 1000 weapons and 100,000 rounds of ammunition.\textsuperscript{18} By now it must have been obvious that the enemies of the Utah pioneers would never allow the Legion to play an active role, yet the arms were obtained.

Evidence of the continued decline of the Legion came in July of 1872 when the patriotic holidays were celebrated with the help of only the military bands.\textsuperscript{19} During the fall of the same year the Indians became hostile again and when General Wells offered men and supplies to fight them Governor Woods declined the offer, with the proviso that if it became necessary to call out the militia, Wells would be informed.\textsuperscript{20}

As a matter of fact the militia of Utah was not completely idle during this period, if the reports in the Utah National Guard Archives are reliable. Units in the Southern counties acted against the Indians apparently without official orders and although General Wells must have been aware of their activities he could not coordinate the operation without going contrary to gubernatorial orders.\textsuperscript{21}

The official end of the Legion came in 1887 when the Edmunds-Tucker Act was passed by the Congress of the United States.

\textbf{Sec. 27.} That all laws passed by the so-called State of Deseret and by the Legislative Assembly of the

\begin{itemize}
\item \textsuperscript{18}Deseret News, September 2, 1871.
\item \textsuperscript{19}Deseret News, July 23, 1872.
\item \textsuperscript{20}Deseret News, August, 21, 1872.
\item \textsuperscript{21}Archives.
\end{itemize}
Territory of Utah for the organization of the Militia thereof or for the creation of the Nauvoo Legion are hereby annulled and declared of no effect; and the militia of Utah shall be organized and subjected in all respects to the laws of the United States regulating the militia in the territories; Provided, however, that all general officers of the militia shall be appointed by the governor of the territory, by and with the advice and consent of the council thereof. The Legislative assembly of Utah shall have power to pass laws for organizing the militia thereof, subject to the approval of Congress.22

A dozen years prior to this enactment the Legion had ceased to function as an organized whole. However, it had served the territory well in providing protection from the Indians, which was, after all, what it was created for. And it had provided opportunities for show and sociability, which are not unimportant by-products of the militia system as it has operated in United States history.

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ADMINISTRATIVE HISTORY OF THE NAUVOO LEGION
IN UTAH

An Abstract
of a Thesis Presented to
the Department of History
Brigham Young University
Provo, Utah

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts in History

by
Ralph Hansen
June, 1954
The Nauvoo Legion takes its name from the city in Illinois which was the center of the Church of Jesus Christ of Latter-day Saints in the early 1840's, when the Mormon militia was organized. When the Mormons were driven to the Rocky Mountains they revived the militia, in 1849, under its original title.

The legislative organization of the Utah Nauvoo Legion was carried out through enactments of three lawmaking bodies, the High Council of the Church of Jesus Christ of Latter-day Saints, the Legislature of the State of Deseret, and the Legislature of the Territory of Utah.

The various legislatures divided the territory into military districts which generally followed county lines except in Salt Lake and Utah counties, where population size necessitated further divisions. The districts were considered officially organized when returns of duly elected officers were made to the adjutant general's office.

The largest unit within the Legion was originally called cohort but this was soon changed to division. The number of brigades within a division was at first loosely defined, as were the other units within units; but by the reorganization of 1857 a definite size was assigned all units so that a regiment had a specific number of companies. The
system of creating units in multiples of ten's was followed so that of every ten men one would be an officer. This may account, in part, for the Legion's superabundance of officers, which comprised fifteen per cent of the Legion's membership in 1867, compared to the national average of five per cent.

Of the many officers in the Utah militia, the most important were those of Lieutenant General Daniel H. Well's staff. The second ranking office to General Wells was adjutant general, a position held by James Ferguson and H. B. Clawson during the active years of the Legion. Growth of the Legion is revealed by growth of the adjutant general's department budget, staff, and functions.

The first official report of the adjutant general revealed that in 1851 the Nauvoo Legion's strength was 2,575 officers and men and the last existing report in 1867 listed a total enrollment of 12,024, which made Utah's the third largest militia in the nation. The reports also showed that most of the units were not adequately supplied with powder and that many of the enlisted men were armed with the old Yauger guns or other practically useless weapons.

Other responsibilities of the adjutant general were to disseminate official orders to the Legion and to inspect units for the purpose of determining their quality. The distribution of orders was accomplished by three methods: printing on handbills, newspaper publication, and personal letter. The task of inspecting the units was first handled by the adjutant general but eventually turned over to assistants of
comparable military rank.

During periods of military service the problems of supplying the physical needs of the Legion--food, equipage, and financial remuneration--were handled in a unique fashion by the quartermaster, commissary and paymaster department of the general staff. Because of difficulties with the U. S. Government, reimbursement for supplying legitimate Indian expeditions was not forthcoming except for the Walker War of 1853. Equipage for the so-called Utah War of 1857-8 and the Black Hawk Wars of 1865-8 was paid for by the L. D. S. Church and the settlers involved. Many of the participants were called on missions for the purpose of serving in the Legion, with the necessary supplies collected from the various wards. Pay was afforded only to those transients who were hired to supplement the volunteers. Supplies were often acquired without immediate payment of the dealer, or borrowed from the tithing office of the church and to meet the bills the militia-men were obliged to contribute their own cattle, money or other saleable items.

Even in normal times the quartermaster of the Nauvoo Legion was divorced from the task of supplying the uniforms and arms to the members. This was the responsibility of the individual units, who were enjoined to uniform according to U. S. Army regulations and companies but often voted to accept other styles. The distinguishing feature of an officer's uniform was a plume, the color of which indicated rank; otherwise officers uniforms, which were more numerous than those of
the enlisted personnel, were copied after the regular army uniforms.

By law each member of the Legion was to possess one rifle and forty-eight rounds of ammunition. Conformity to the law, in this case, was difficult because of the dearth of resources in the isolated Rockies. However, efforts were put forth to mine salt petre for powder, lead for shot and to manufacture rifles and pistols. With the exception of powder the ventures were abortive. The successful manufacture of powder was encouraged by attractive bounties and the manufacture of weapons, while successful as an emergency measure, could not survive competition when peace was restored.

Six other departments round out the general staff of the lieutenant general, and although they did not play as significant parts as the aforementioned groups their existence attests to the completeness of the Legion's organization. They were the ordnance, topographical engineers, judge advocate, chaplain, hospital, music and color departments. In the organization of the music department larger communities had military organizations which were used for concerts, parades, and social functions as well as at military drills. Smaller settlements had drum and fife or bugle corps which they called bands and which satisfied immediate military needs.

The three forces of the Nauvoo Legion were the artillery, cavalry, and infantry, of which the artillery was the weakest. Cannon, never in abundance in Utah, were used only once in combat but often on special occasions such as holidays.
Poor road conditions and the necessity of pursuing the Indian in the mountainous areas thwarted additional utilization of artillery. On the other hand, the cavalry was the principal arm of the Legion because its mobility was comparable to that of the Indians and its major component—the horse, was in good supply. The infantry, as it was constituted, contained the Juvenile Rifles, boys under eighteen, and the Silver Greys, men over forty-five, as well as groups called "Minute-Men" and Life Guards. Primary tasks of the infantry were guard duty at the communities under threat of attack by Indians and participation in patriotic parades.

The musters and drills of the Nauvoo Legion differed in some respects from those of other militias in the country. The major business of the day was drilling in order to perfect the manual of arms and learn the proper procedure in combat; drinking and getting drunk was conspicuous by its absence. Typical musters included speeches by visiting dignitaries and sham battles, often for the benefit of the assembled curious as well as the participants.

Associated with musters and drills was the effort to establish a military school in Utah. Even with the encouragement of a bounty no attempt was successful; however, night classes in which sword exercises and other drills were taught were a permanent feature of the Legion. The system of tactics taught in the schools and used in drills and musters by the Legion varied with time and included an arrangement written expressly for it by Colonel W. B. Pace.
The Nauvoo Legion was growing at a time when the militia system in the United States was declining, but Governor J. Wilson Shaffer stopped the growth in 1870 by forbidding the Legion to hold its musters. Successive events proved to the Mormons that the Gentile authorities were committed to Shaffer's course, and that the days of the Legion were numbered. The absolute demise of the Legion came seventeen years after Shaffer's attack, in 1887, when the Edmunds-Tucker Act was passed by the United States Congress. By then the Legion had served its purpose, that of protection from Indian depredations and providing Utah's settlers with an opportunity for sociability and show—an integral function of militias of that period.