**The Role of the Militia in the War of 1812**

(Speech to the Edmonton Chapter of the United Empire Loyalists’ Association of Canada, Nov. 5, 2012)

**Introduction**: My interest in the militia was provoked by a letter I found in the Archives in Ottawa referring to my Loyalist ancestor Andrew Miller. It is a letter dated 1821 from Henry Trout, Captain of the Third Regiment of the Lincoln Militia and he wrote, “I certify that Andrew Miller…retained his Loyalty to His Majesty’s Government during the Late War.” I will say more about this letter later.

Andrew Miller was born in 1766 and after being a captive of the Iroquois the 12 year old Andrew was brought by a group of Iroquois to Fort Niagara in 1778/1779 where the sutler of the fort, John Burch recognized him and took him into his home beside the Fort. Later in 1782 when John Burch and his wife built their homestead right next to Niagara Falls, Andrew went with them, probably worked for Burch in his grist mill and in 1791 was married in his home to Elizabeth Everett. Andrew received his 200 acres as a Loyalist and he took up farming at his property on the Niagara River, 5 miles north of Fort Erie, at what is today called “Miller’s Creek.” Andrew and Elizabeth had 11 children (I am a descendent of their youngest son, Edward). In 1812 Andrew would have been 46, and three of his sons were aged 20, 19, and 17 in 1812—I mention this because all men over the age of 16 were required to serve in the militia. Andrew joined the Third Regiment of the Lincoln Militia (commanded by Lt. Col. John Warren) in June 1809 and was appointed Ensign (which is not just the guy who held the flag as in medieval armies, but was considered a Second Lieutenant). Andrew’s oldest son, John Burch Miller is listed as a member of the Third Regiment of the Lincoln Militia. And his son Peter also served with the militia.

1. **The Militia before the War**

John Graves Simcoe, the first Lieutenant-Governor of Upper Canada

had set up the province’s militia system in 1793 specifying that every male between the age of 16 and 50 were required to become members of the militia. In 1794 this was changed to between 16 and 60, mainly because not many showed up for service. The Upper Canada Legislature passed the **Militia Act of 1808** stipulating the duties of the militia. Commanding officers of regiments were to muster their men on June 4 of each year (the king’s birthday) for a day of training followed by a regimental parade. You could be fined if you didn’t show up. Defaulters and deserters could serve jail time. Those exempt from service included civic officials, clergymen, physicians, one miller for every grist mill, and Quakers, Mennonites and Tunkers who “for certain scruples of conscience declined to bear arms.”

The names of the regiments were county names like Lincoln, or Leeds or Grenville since the militia drew on the farmers and merchants local areas, so on the annual day of the mustering of the regiment farmers and their families all went to the appointed place. Richard Feltoe describes these events as follows:

Despite the intents and efforts of the local authorities, these annual reviews took on the aspect of not so much a military training exercise but more of a community holiday and social picnic. (Redcoated Ploughboys, p. 30)

They didn’t have uniforms so the men wore multi-coloured clothes of every description. Their weapons included whips, bludgeons, hoes, umbrellas, canes, sticks and pitchforks. The whole community would gather to watch the men go through the motions of marching and arms drill—and laugh at the results. Then there was a communal meal with dancing and drinking and usually a good old fashion brawl or two. Since my ancestor operated a tavern at Miller’s Creek his family was no doubt fully involved—as Alan Taylor states in his book, The Civil War of 1812, the annual review featured “more drinking than drilling.” In early 1812 an observer, Robert Nichol described the militia in the London District as “little better than a legalized mob; the officers without respectability, without intelligence and without authority, and the men without any idea of subordination.” (quoted in Alan Taylor, p. 150)

1. **Brock’s Recruiting and Improvement Strategy**

Isaac Brock was not pleased. He became a brigadier-general in 1807 and he was charged with among other things the recruiting and training of Canadian militia volunteers. Even though there were about 10,000 British regulars in British North America, 80 per cent of them were stationed at the garrisons in Halifax, Quebec City and Montreal. Upper Canada had only 1,200 men to defend a long, long frontier. Brock desperately wanted a strong militia, but he complained to his brother in a letter that the militia was scattered along a line of some 500 miles “unarmed and totally unacquainted with anything military, without officers capable of giving them instructions.” Besides this there was the issue of trust. Lieutenant-Governor Francis Gore stated that he was confident in the loyalty of the inhabitants of Glengarry and those who had served during the Revolutionary War, but he thought the more recent wave of immigrants from the US were too filled with ideas of equality and insubordination. Brock agreed and he expressed his trust in the original Loyalists more than the more recent immigration of Americans to Canada. It was Brock’s task to oversee the improvement of the militias and that he accomplished.

On Feb. 4, 1812 General Brock addressed the Parliament of Upper Canada and through his efforts an amendment was made to the Militia Act of 1808, ensuring that men attending the annual muster would receive more serious training. He said to the Parliament,

“Principally composed of the sons of loyal and brave bands of veterans, the militia, I am confident, stand in need of nothing but the necessary legislative provisions to direct their ardour in the acquirement of military instruction, to form a most efficient force.” (Laxer, p. 120)

The main change that Brock brought was to amend the 1808 Militia Act and institute “flank companies.” The members of the militia were all part-time volunteers, mostly farmers who were available in the summer between seed-time and harvest but they were quite reluctant to leave their farms (and anyway the army needed them to supply food). The flank companies were full-time and became known later in 1813 as the Volunteer Battalion of Incorporated Militia of Upper Canada.

1. **The Structure of the Militia**

The “embodied militia” as it was called was divided into regiments (e.g. the 1st, 2nd, 3d, 4th and 5th Lincoln Regiments or the 1st, 2nd, 3d York Regiments) and each regiment was commanded by two field officers, a colonel and a major. And then within each regiment there were a number of companies (of between 20 and 50 privates) and each company was commanded by a captain, a lieutenant and an ensign. (For example in the 3d Lincoln Regiment there were 8 companies, 4 from the Bertie township area and 4 from the Willoughby township area)

General Brock also thought it would be a good idea if all members of the militia would wear clothes that were the same colour so that they wouldn’t start shooting at each other. And since there always seemed to be a shortage of the red colour, militia members wore the “green-faced red” regimental coat.

Each militiaman was to provide his own musket and bring it to the annual muster day. (Some of my relatives think that Andrew’s musket exists somewhere but I have not found it. Perhaps it is in storage at Fort Erie!). But even if they possessed a musket most of the militia did not engage in fighting. That was left to the “flank companies.” Brock established these sub-units which would be better trained and armed and so in the case of war or an invasion they could be called up first and serve alongside the regular troops as a buffer force to delay the enemy until reinforcements could arrive. The flank companies in the various regiments (the amendment stipulated that there would be two flank companies in each regiment) were to draw on men between the age of 18 and 50, excluding men with families, and a ballot system was put in place if there was a deficiency of men. But given the aura of danger in 1811 the flank companies quickly filled up. By the end of 1811 as war became imminent the morale of the civilian population improved and especially along the Niagara frontier all the efforts to improve defenses and train the militia impacted the convictions of the populace. Brock was still concerned about the loyalty of many of the “late Loyalists,” but he thought it was more prudent to proceed as if no mistrust existed.

The flank militias filled up with volunteers and they began their more intensive training (captains called out their companies for training six times a month). The full-time Incorporated Militia would not be formed until 1813, but in 1812 many of the officers who saw action became leaders later on, and more than one hundred men from the ranks were a part of flank companies seeing action in late 1812.

1. **The Involvement of the Militias in 1812**

The U. S. declared war on June 18th, 1812 and on July 17th Captain Charles Roberts and a force of 700 native warriors, 260 Canadian militia, and 50 British regulars swooped down on Fort Michilimackinac and swiftly seized the fort.

In early August of 1812, General Brock left York for Niagara, and overland to Long Point on Lake Erie where he was joined by 40 British regulars, 260 Canadian militia (from the York and Niagara areas) and 60 Mohawk warriors. They embarked in boats and rowed for 5 days to Fort Malden (near the Detroit River). Brock met Tecumseh and they planned the siege of Fort Detroit. This first battle of the War of 1812 illustrated the three-pronged attack strategy, using a combination of British regulars, the Canadian militia and native warriors. On August 16, Brock’s force that crossed the river and laid siege to Fort Detroit was made up of 300 British regulars, 400 Canadian militia and 600 warriors led by Tecumseh. General Hull quickly surrendered. After the surrender most of the American militia members were allowed to go to their homes, but 582 U.S. regular soldiers were taken prisoner and transported across Lake Erie to Fort Erie. General Brock ordered that the prisoners be marched along the Portage Road along the riverbank, in plain sight of the American forces on the other side. The prisoners walked on from Niagara to York and Kingston and on to Montreal. This triumphant return by Brock and his soldiers and the militia herding American prisoners was a huge boost in morale. With great pride farming families must have been standing beside the Portage Road cheering loudly their returning heroes so that Americans across the river would hear. No doubt, the Miller family cheered as the Brock led procession passed in front of their home.

In the tense days just before the invasion of Queenston Heights on October 13, 1812 the flank companies and other militia of the three York militia regiments were stationed along the Niagara frontier. As American soldiers came ashore the flankers of the York 2nd Regiment and the 5th Lincoln Regiment of the militia were there to protect the village and guard the batteries. They also arrived on Queenston Heights during the battle but their contribution was minimal. Legend has it that as Brock fell fatally wounded he uttered the words, “Push on, brave York volunteers.” After Brock’s defeat the militia went back down the hill and hunkered down waiting for reinforcements. When General Sheaffe led a counter-attack the militia formed lines behind and to the left of the main body of regulars. Sheaffe’s attack was successful so the York militia found themselves in command of the Heights along with the army.

General Sheaffe during the brief armistice following their victory on Queenston Heights called up additional regiments of the militia for patrol and garrison duties along the Niagara frontier. Afraid that the Americans would invade again somewhere along the Niagara frontier, Sheaffe subdivided his army into detachments, supported by the militia to guard sections of the riverbank between Newark and Fort Erie. His orders on October 23 commanded the 3d Lincoln Militia (under Major Warren) which was stationed at Miller’s to march from Miller’s to Wintermute’s (closer to Fort Erie) and the 3 companies of the 5th Lincoln Militia were ordered to march on October 24th to be stationed at Palmer’s and the remainder to (quote) “occupy the quarters at Andrew Miller’s.” (E. Cruikshank, p. 159)

Because of the decision to have sub-units stationed at various places, the two-pronged attack by the Americans on November 28, 1812 led by 420 U.S. soldiers who came across the Niagara River in boats, found the British battery positions near Fort Erie and at Frenchman’s Creek to be guarded by small groups of regulars and militia. The 2nd Lincoln Militia under Captain James Kerby was defending the battery at Frenchman’s Creek, and he became famous later as the future captain of Company No. 1 of the Incorporated Militia.

Most of the members of the militia did not engage in battle but nevertheless provided the necessary behind the scenes support for the army. They served in the different garrisons allowing the British regulars to go out into the field; they engaged in transporting supplies and building blockhouses and bridges—along the Niagara frontier between Fort Erie and Niagara Falls there were bridges over every creek, Frenchman’s Creek, Street’s Creek, Chippawa Creek and also Miller’s Creek—in 1814 just before the Battle of Chippawa the British retreated from Fort Erie to Chippawa and as they retreated they tore off all of the wide boards of the wooden bridges to slow the American army down. Of course the Americans rebuilt the bridges (using no doubt their militia men). This happened a number of times throughout the war. The militia men were there behind the scenes (in both armies) building and rebuilding, providing whatever supplies were needed.

When you read the accounts of the war with both armies taking turns burning down buildings it is amazing that anything was still standing at the end of the war. Well, I discovered that one building made it through the war, my ancestor, Andrew Miller’s tavern/inn. A newspaper article published in Fort Erie in 1873 states that the Miller tavern/inn was used to accommodate workers building the International Railroad Bridge from Fort Erie to Buffalo. It is quite

understandable. Why would they destroy a tavern? Just one quote suffices—from James Laxer’s excellent book, Tecumseh and Brock (p. 64). British regulars came from the urban poor in England and it was tough being so far from home. And for officers also, it was a tough wearisome existence especially for those posted in distant colonies who really wished to be somewhere else like General Brock himself. For all of these men, “the generous consumption of alcohol made the drabness more endurable.” And among my family stories or legends it is claimed that General Brock was a regular in Miller’s tavern.

After the war was over Andrew Miller petitioned the government to be reimbursed for the destruction of his fences (not his tavern/inn) and the letter I referred to at the beginning supporting him as a Loyalist was probably attached to his petition. And the fences referred to were split log fences, which you can still see in Ontario. Alan Taylor states, “Passing soldiers also tore down fences to make fires, and they pilfered from orchards, gardens, henhouses, and pigsties.” Farmers were expected to provide food and lodging for passing troops, and to give up their oxen, horses, wagons, and sleighs whenever the commanding officer wanted them.

Conclusion: **the Militia Myth**

The militia was involved in every battle of the war—either through the flank companies that fought alongside the regular British soldiers and aboriginal warriors or behind the scenes providing support. After the war the “Militia Myth” developed arguing that the militia was the key to winning the war, in the “mythological” words of Egerton Ryerson:

The Spartan bands of Canadian Loyalist volunteers, aided by a few hundred English soldiers and civilized Indians, repelled the Persian thousands of democratic American invaders, and maintained the virgin soil of Canada, unpolluted by the foot of the plundering invader.

This Militia Myth became quite strong throughout the 19th century proclaiming that “in town, village, and sparsely populated townships, the staunch Canadians rose as one man, determined, at all hazards, to stand by the old flag, and go forth, under that venerated ensign, to fight to the death for king, country and home.” (quote from Agnes Machar, writing in 1874 in **For King and Country**,p. 167) This myth may have been invented by a clergyman, Rev. John Strachan who said in a sermon already in November,1812 after the victory at Queenston Heights,

“It will be said by the future historian, that the Province of Upper Canada, without assistance of men or arms, except a handful of regular troops, repelled its invaders, slew or took them all prisoners…And never, surely, was greater activity shewn in any country, than our militia have exhibited, never greater valour, cooler resolution, and more approved conduct; they have emulated the choicest veterans, and they have twice saved the country.”

The idea that it was the people who rose up and beat back the enemy is completely false. The defence of Canada owed everything to British Army regulars, and it was the militia that provided the “handful of troops,” but this exaggeration is completely understandable. From the beginning General Brock was concerned about the defeatism among the Loyalist population. And any news of success especially by the ordinary farmers who served in the militia was welcome news. For the first time in the history of Upper Canada there were home-town heroes fighting for their country. If national unity was lacking before the war, the courage of the militia was an important ingredient in the formation of Canadian identity and self-worth. We can’t let the Militia Myth over emphasize the role of the militia. But we also can’t denigrate or underemphasize the indispensable role that our ancestors, ordinary farmers and merchants played in the War of 1812.

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