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The National Guard, the National Board for the Promotion of Rifle Practice, and the National Rifle Association: Public Institutions and the Rise of a Lobby for Private Gun Ownership

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THE NATIONAL GUARD, THE NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, AND
THE NATIONAL RIFLE ASSOCIATION: PUBLIC INSTITUTIONS AND THE RISE OF A LOBBY FOR
PRIVATE GUN OWNERSHIP

by

JEFFREY A. MARLIN

Under the Direction of Dr. H. Robert Baker

ABSTRACT

Today, the strength of the National Rifle Association (NRA) is understood by the general public and many scholars to be dependent on the Second Amendment of the U.S. Constitution, the right of individuals to own firearms. This dissertation challenges that understanding by focusing on three organizations, the NRA, the National Guard and the National Board for the Promotion of Rifle Practice (NBPRP). While each organization appears in today's world to be distinct and independent, this dissertation reveals how they garnered strength from a symbiotic relationship. The NRA was founded in 1871, originally as a marksmanship organization. The National Guard, which grew from the nation's militia, was formally established in the early twentieth century. The NBPRP was a small organization that was established in 1903 within the War Department at the encouragement of the NRA.

Following passage in 1903 of legislation bringing state militia units under federal control, the newly formed National Guard became dependent on the NRA, which in turn leveraged that dependence to create a nationwide grassroots organization. The NBPRP was headed by the Assistant Secretary of War until 1916 when the position of the Director of Civilian Marksmanship was created, to be held by a U.S. Army or U.S. Marine Corps officer. The NRA acted as the surrogate of the NBPRB outside of the halls of government. At the same time, the NBPRB provided the NRA with a voice within those same halls that aided in the development of federal policy and budget positions related to firearms acquisition, competition, and training.

The purpose of this dissertation is to reveal how the NRA was able to employ these two public institutions to develop an exceptionally powerful grassroots organization that today is recognized as one of the most influential special interest groups in America. Understanding how the NRA grew as a private gun lobby offers one perspective of how the bureaucracy that has been developed to support America's federal system of government is uniquely susceptible to special interest influence.

INDEX WORDS: National Rifle Association, National Guard, Militia, National Board for the Promotion of Rifle Practice, Special interest politics, Public institutions, Gun ownership

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JEFFREY A. MARLIN

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Doctor of Philosophy

in the College of Arts and Sciences

Georgia State University

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INTRODUCTION

This is the story of three organizations and how they grew to become integral components of modern America. Each organization is now over 100 years old. While each appears in contemporary times to be distinct and independent, this dissertation reveals how these organizations gained strength from their connections to one another. The first two are the National Rifle Association (NRA), originally founded in 1871, and the nation's militia, which became the National Guard in the early twentieth century. The NRA sponsored its own political operatives while the Guard was represented on Capitol Hill by the National Guard Association (NGA) or the Interstate National Guard Association (INGA).¹ The third organization was the National Board for the Promotion of Rifle Practice (NBPRP).² The NBPRP was a small organization established in the War Department Secretariat. It was headed by the Assistant Secretary of War for its first few years, but after 1916 would be headed by the Director of Civilian Marksmanship, a U.S. Army or Marine Corps officer.³

The establishment of all three of these organizations had an underlying goal: to improve America's military posture. Improvement would be accomplished in two parts. First, as pointed out by NRA founder George Wingate, there was a need to develop the proper method

¹ The NGA, founded in 1878, is now the National Guard Association of the United States (NGAUS). INGA was founded in 1897 to meet the special needs of western states. INGA and NGA merged in 1902 to become the NGAUS. The NRA was not required to register as a lobby until 1968.

² The NBPRP was founded in 1903 as an advisory board to the Secretary of the Army. In 1996, NBPRP was converted to a civilian corporation, the Civilian Marksmanship Program, now administered from Camp Perry, OH and Anniston, AL.

³ Assistant Secretary of War Carl Sanger was the first president and Colonel Samuel W. Miller the first Director of Civilian Marksmanship. The then president of the NRA, former Princeton chemistry professor William Libby, lobbied President Wilson and the Secretary of War aggressively to assign the initial Directorship to Marine Colonel William Harllee.

of instruction in order to achieve maximum benefit from the much improved accuracy of the breech-loading rifle. "In all European countries marksmanship has been recognized as one of the most important parts of the School of the Soldier, more than doubling the efficiency of the men, by giving them a steadiness and confidence in action not to be obtained by other methods, and particularly by preventing the waste of ammunition so apt to follow from putting a breech-loading arm in the hands of inexperienced troops. So thoroughly is this principle recognized, that the English army regulations assert officially 'that a man who cannot shoot is useless, and an incumbrance (sic.) to the battalion'."⁴ The second effort was to modify the role of the state militias by creating a federal National Guard that would be trained and equipped to a national standard. This was done in order to rectify the much maligned and frequently ignored Militia Act of 1792 which had been passed in order to create "An energetic National Militia...as the capital security of a free republic." Secretary of War Henry Knox had constructed the militia plan based on general principles that included that "the great body of the people (would) [to] possess a competent knowledge of the military art and that this knowledge cannot be attained in the present state of society but by establishing adequate institutions for the military education of youth."⁵ The failure of state militia forces during the nineteenth century had confirmed that adequate institutions for military training had not been established and that corrective action was necessary.

One need not subscribe to Thomas Carlyle's great man theory of history to accept that important men in positions of influence are valid subjects of inquiry, and important men play

⁴ George Wood Wingate, *Manual for Rifle Practice: Including a Complete Guide to Instruction in the Use and Care of the Modern Breech-Loader* (New York: W.C. Church, 1874), 2.

⁵ Henry Knox, *A Plan for the General Arranged of the Militia of the United States* (New York: Francis Childs and John Swaine, 1790), 7-9.

big parts in this dissertation. Most tellingly, the important men surveyed had interlocking roles within all three of these organizations. New York Militia Major General George Wingate, one of the two founders of the NRA, was also a founder of the NGA. Wingate's associate, New Jersey National Guard General Bird Spencer, played the pivotal role in the creation of the NBPRP. Ohio Major General Charles Dick was chairman of the House Committee on Militia Affairs that sponsored the legislation that began the transition of the militia to the National Guard. Dick, as president of the INGA, had earlier chaired a committee that wrote the proposed legislation that was forwarded to the Secretary of War for his review prior to congressional deliberations. The legislation was eventually passed as the Militia Act of 1903, which created the federal National Guard. Major General Milton Reckord served in the Maryland National Guard from 1901 until 1965. Reckord's service included 45 years as the Adjutant General for the State of Maryland, chief lobbyist for the NRA and the National Guard Association and one term as the executive director of the NRA.

No story involving the American political narrative would be complete without addressing how money flowed into these organizations. The Congress of 1792 authorized an annual appropriation of \$200,000 to be divided among the state militias, and almost 100 years passed before that appropriation was increased. As the nineteenth century drew to a close, the NRA fought long and hard to obtain federal government support, and the NGA was divided because some members wanted federal money and others did not. In 1903, a small appropriation was authorized for competitive marksmanship, and it opened a door for the creation of the National Board for the Promotion of Rifle Practice that would in turn empower the NRA and facilitate the improvement of the newly created National Guard. The NRA

developed a special relationship with the new National Board and helped members of the federalized National Guard improve their rifle marksmanship, and in so doing the Association was able to establish itself as a national organization with powerful tentacles that reached every corner of the country while simultaneously infiltrating the federal bureaucracy.

This dissertation begins by addressing the strength of the NRA as an interest group in contemporary America. This first chapter illuminates a small measure of the NRA's influence and explores how that ability to influence was achieved. This chapter also provides an overview of some of the work that political scientists and historians have done in studying the NRA. Chapter 2 looks at the period after the Civil War and how militia men formed rifle clubs that helped form the NRA and offered the potential for a disciplined National Guard. Chapter 3 examines the rise and fall of the National Guard Association and the NRA in the latter part of the nineteenth century. Chapter 4 reveals the marriage of the NRA and the militia, and the events of 1903 that created the federal National Guard. Chapter 5 investigates the creation of the National Board for the Promotion of Rifle Practice and the rebirth of the NRA as the surrogate for the National Board. Chapter 6 addresses a change of leadership and focus for the NRA that ushered in the birth of a nationwide organization. Chapter 7 demonstrates how the NRA, a relatively small organization, used its strength as a force on Capitol Hill to provide input into major legislative activities and the federal budget. Finally, the conclusion summarizes the remarkable growth of the National Rifle Association long before it became a defender of Second Amendment rights. In so doing, it offers a different perspective on the growth of this special interest group that suggests the potential need to look further into our history to better understand and appreciate who and how we are. That perspective, a view from the

Association's early development, reveals that the now important Second Amendment was not a material part of the NRA's origins. It also suggests that our federal system of government, when effectively exercised, can be the catalyst for the magnified influence that can accrue to a special interest group.

CHAPTER 1: ILLUMINATING THE STRENGTH OF THE NATIONAL RIFLE ASSOCIATION

“It is agreed by both sides in the gun control controversy that the existence of the National Rifle Association is the greatest single reason why the United States has not adopted the types of firearms restrictions which are common in many countries.”⁶

1.1 Gun Control: A Long Debate

America's gun control debate harkens back to 1787 when Richard Henry Lee argued for a militia that was not under Congressional control. Lee's fear of a potentially tyrannical army that was controlled by the central government would in time lead to the passage of the Second Amendment to the U.S. Constitution. For a variety of reasons, Lee was successful in the addition of the Amendment that guaranteed that a "well regulated militia" be maintained by each state.⁷ In the nineteenth century, as the nation continued to grow, neither gun ownership

⁶ Edward Leddy, *Magnum Force Lobby: The National Rifle Association Fights Gun Control* (Lanham, MD: University Press of America, 1987), 1.

⁷Anti-Federalist #29, "Objections to the Control of the Militia," http://www.rightsofthepeople.com/freedom_documents/anti_federalist_papers/anti_federalist_papers_29.php (accessed April 10, 2013). As has been shown by numerous scholars, the Anti-Federalists were more concerned about a strong central government than the possession of weapons by individual militiamen. For a sample of arguments, see Leonard Levy, *Origins of the Bill of Rights* (New Haven: Yale University Press, 1999), 133-149; and Akhil Amar, *The Bill of Rights* (New Haven: Yale University Press, 1998), 50-52. For arguments connecting Lee to the control debate, see Stephen Halbrook, *The Founders' Second Amendment: Origins of the Right to Bear Arms* (Chicago: Ivan R. Dee, 2008), 234-236.

nor gun control was a major issue. One exception was Supreme Court Justice Joseph Story's comment that "it cannot be disguised, that among the American people there is a growing indifference to any system of militia discipline, and a strong disposition, from a sense of its burthens (sic), to be rid of all regulations. How is it practicable to keep the people duly armed without some organization, it is difficult to see."⁸ Justice Story was clearly expressing his concern for the possession of arms without discipline, an issue that would again surface in 1879 when the state of Illinois challenged the rights of citizens to arm themselves and march through town.⁹ In the twentieth century, gun ownership and the federal regulation of gun control became a major issue, first in the 1930s and then again in the 1960s. In the 1960s, the NRA became the focal point for that issue and the NRA remains at the center of that issue today. In 1967, the gun control debate was highlighted by the *Washington Post* when it published the following comments about the strength of the NRA.

If you want to acquire a magnificent edifice like the house that the National Rifle Association built recently on 16th Street, you must study the strategy of the NRA. First, you must get yourself chartered as a nonprofit organization dedicated to education, social welfare and the promotion of public safety. With the facade to protect you from taxation, and from any obligation to register as a lobby, you can begin to lobby to your heart's content in the interest of an industry which will, of course, advertise

⁸ Joseph Story, *Commentaries on the Constitution of the United States* (Boston: Hilliard, Gray, and Company, 1833), 3: 746-747.

⁹ *Presser v. State of Illinois*, 116 U.S. 252 (1886). Herman Presser was convicted of leading a group of armed men in a public parade without a license from the governor. The conviction was upheld by the Supreme Court who denied Presser's argument that his Second Amendment right to bear arms was being infringed.

lavishly...in the slick-paper magazine which you will distribute to your 800,000 members. And on top of all that, if you'll just get yourself a steady, solid subsidy from the Government, you'll have it made, man; you'll have it made.¹⁰

The ability of the NRA to exert its influence as a special interest group has been the subject of multiple inquiries by political scientists, sociologists, legal scholars, and historians.¹¹ Although not necessarily politically motivated, most of this scholarship has tended to either affirm or oppose gun control policy in the United States. Those who have supported gun control have, by their sheer numbers, dwarfed the NRA's defenders.¹² Nonetheless, the NRA's position dominates state government policy and judicial reasoning, at least in the lower courts. In fact, many state constitutions, laws, and court decisions affirm that the individual's right to

¹⁰ "The House That NRA Built," *Washington Post*, June 17, 1967.

¹¹ The following list offers candidates from various disciplines. If the title does not provide the discipline, it has been added to the note. Don Stephen Cupps, "Bullets, Ballots, and Politics: The National Rifle Association Fights Gun Control" (PhD diss., Princeton University, political science, 1970); Mary Christine Cagle, "A Case Study of the Political Struggle between the Centers for Disease Control and Prevention and the National Rifle Association over Policy Related to Firearms Violence" (PhD diss., political science, Georgia State University, 2000); Leddy, *Magnum Force Lobby*, social movement theory; Brian Anse Patrick, *The National Rifle Association and the Media: The Motivating Force of Negative Coverage* (New York: Peter Lang, 2002), use of the media; Kristin A. Goss, *Disarmed: The Missing Movement for Gun Control in America* (Princeton: Princeton University Press, 2006), mass movement theory; Robert J. Spitzer, *The Politics of Gun Control*, 3rd ed. (Washington, D.C: CQ Press, 2004); Josh Sugarmann, *NRA: Money, Firepower & Fear* (Washington D.C.: National Press Books, 1992), political science; Russell Gilmore, "Crackshots and Patriots: The National Rifle Association and America's Military-Sporting Tradition, 1871-1929" (PhD diss., history, University of Wisconsin, 1974); Lee B. Kennett and James L. Anderson, *The Gun in America: The Origins of a National Dilemma* (Westport, CT: Greenwood Press, 1975); Stephen P. Halbrook, *That Every Man Be Armed: The Evolution of a Constitutional Right*, 1st ed. (Albuquerque: University of New Mexico Press, 1984); Earl R. Kruschke, *Gun Control: A Reference Handbook* (Santa Barbara: ABC-CLIO, 1995).

¹² The Galileo Interconnected Libraries (GIL) was searched on January 29, 2011 for entries under the heading of "Gun Control." That search revealed 195 entries under the subject heading. Fourteen of those entries supported the NRA, though four of those entries were for different versions of the same book by Osha Davidson. The greatest preponderance of research has been dedicated to understanding the NRA as a powerful interest group. Accordingly, there is a dearth of historiography while there are a plethora of political science works.

bear arms is protected by the Second Amendment to the Constitution.¹³ Conversely, the U.S. Congress has taken the opposing view. Following the debates in the 1960s, the Senate Judiciary Committee, led by Senator Orrin Hatch of Utah, held hearings to explore the right to gun ownership. The committee reported to the Senate that "there is no individual right that can be claimed independent of state militia."¹⁴ In other words, gun ownership was not protected as an individual right except when that individual held membership in a militia organization that was authorized by the member's state. The Senate Committee based their conclusions, inter alia, on the Supreme Court's 1886 decision against Herman Presser that found "(I)t shall not be lawful for any body of men whatever, other than the regular organized volunteer militia of this state, and the troops of the United States, to associate themselves together as a military company or organization, or to drill or parade with arms in any city or town of this state, without the license of the governor."¹⁵ The Committee also concluded that "delegates to the Constitutional Convention had no intention of establishing any personal right to keep and bear arms...that nothing in the Second Amendment, however, precludes Congress or the states from requiring licensing and regulation of firearms."¹⁶

While scholars examined gun control as the focus of special interest politics and Congressional Committees debated the rights guaranteed in the Constitution, the NRA continued to increase its ability to influence the legislative process. Like many organizations

¹³ For a discussion of the forty-three state constitutions that recognize the individual's right to bear arms, see David B. Kopel, Stephen Halbrook, and Alan Korwin, eds., *Supreme Court Gun Cases* (Phoenix: Bloomfield Press, 2004), 61; Stephen P. Halbrook, *A Right to Bear Arms: State and Federal Bills of Rights and Constitutional Guarantees* (New York: Greenwood Press, 1989).

¹⁴ "The Right to Keep and Bear Arms," *Report of the Subcommittee on the Constitution of the Committee on the Judiciary of the United States Senate Ninety-seventh Congress*, 2nd ed. (Washington, D.C.: U.S. Government Printing Office, 1982), 167.

¹⁵ *Presser v. State of Illinois*, 116 U.S. 252 (1886).

¹⁶ Senate Subcommittee, "The Right to Keep and Bear Arms," 169-170.

that, when challenged by an adversary, respond with increased vigor, the NRA strengthened its resolve and its determination to defeat any efforts to restrict gun ownership. This was no better demonstrated than when the NRA anticipated a public outcry for greater gun control following the shootings in Littleton, CO. The *New York Times* included the following comments in an article about NRA activity.

"Gun owners tend to respond when they feel threatened," said Alan Gottlieb, founder of the Second Amendment Foundation. "And they feel more threatened right now than ever." There is a perception in Congress that the association can defeat even entrenched incumbents, and members often cite the case of former Representative Jack Brooks, Democrat of Texas. A staunch N.R.A. supporter for 40 years, Mr. Brooks lost its support in 1994 when he voted for a crime bill that included an assault weapons ban. Later that year, he lost his race for re-election.¹⁷

Scholars, journalists and politicians of the latter half of the twentieth century reflected on and responded to the strength of the NRA, but they seldom looked beyond the extant financial backing and public cries to protect gun rights to find the source of that strength. To properly understand the NRA's success we must understand how the power currently wielded was accrued and how the NRA acquired its influential voice long before this democratic society questioned access to guns by men like Lee Harvey Oswald and James Earl Ray. In so doing, we might come to understand one implementation of political power in a federal bureaucracy. To

¹⁷ James Dao and Don Van Natta, Jr., "N.R.A. is Using Adversity to Its Advantage," *New York Times*, June 12, 1999.

adequately understand what the NRA is today, one must appreciate the achievements that have served as building blocks configured to construct the current edifice.

This dissertation will offer a way to understand the NRA by exploring the relationships that existed between three organizations: the NRA, the National Guard, and the National Board for the Promotion of Rifle Practice. The significance of these organizations to America's leaders is reflected by their mention in letters that were appended to the *Amicus Curiae* brief that supported the respondent before the Supreme Court during the 2008 gun control case—*District of Columbia v. Dick Anthony Heller*, which reversed seventy years of precedents and the aforementioned Senate Committee conclusions.¹⁸ The following paragraphs are excerpted from those letters with emphasis added to highlight the organizations that are explored in this dissertation.

February 1, 1938

From Franklin D. Roosevelt to General Reckord, Executive Vice-President,

NRA:

"On the occasion of the Annual Dinner of the **National Rifle Association...**

will be very happy if you will convey my greetings and best wishes for a

long life of service for your successful organization. From a small beginning

your Association has grown to large proportions. You are doing what I

believe to be meritorious work, contributing your efforts to carrying on the

¹⁸ *District of Columbia v. Heller*, 554 U.S. 570 (2008). The Supreme Court held that the Second Amendment protects an individual's right to possess a firearm for private use absent any militia membership requirement. The excerpts are from "Brief Amicus Curiae of Retired Military Officers in Support of Respondent in No 07-290," The Supreme Court of the United States, *District of Columbia v. Dick Anthony Heller*, Appendix B.

successful promotion, among the citizens of this Nation, of rifle marksmanship."¹⁹

February 1, 1943

From Lewis G. Hershey, Director of the Selective Service System to the National Rifle Association:

"The **National Rifle Association** Nationwide Pre-Induction Rifle Training Program will give an opportunity to thousands of American men to learn the basic principles of straight shooting prior to entering military service. I am sure that all prospective selectees will take advantage of these benefits wherever it is possible for them to do so. The place of marksmanship in the training of any soldier of the fight for victory cannot be underestimated. It is reassuring to know that prospective soldiers have an opportunity to learn to use the finest small arms weapons in the world."²⁰

February 3, 1943

From Paul V. McNutt, Chairman of the War Manpower Commission to the National Rifle Association:

"The patriotic program of the **National Rifle Association** to organize the volunteer effort of its more than 3,000 rifle clubs and hundreds of capable instructors to provide pre-induction rifle training to our men who are soon

¹⁹ Ibid., 15.

²⁰ Ibid., 16.

to be called to the colors means more straight shooting and makes for victory."²¹

August 16, 1943

From Dwight D. Eisenhower, Allied Commander-in-Chief to the Director of the Cleveland Civilian Marksmanship Association:

"Any young man that has ahead of him prospective service in the armed forces will do well to learn all he can about the American military rifle...If the Cleveland **Civilian Marksman's Association** is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."²²

November 14, 1945

From Harry Truman, President of the United States to C.B. Lister, Secretary-Treasurer of the NRA:

"The **National Rifle Association**, in the periods between our last four wars, has done much to encourage the improvement of small arms and of small-arms marksmanship in the regular services, as well as in the **National Guard**, reserve units, and the civilian population...I hope that the splendid program which the **National Rifle Association** has followed during the past

²¹ Ibid., 16.

²² Ibid., 15.

three quarters of a century will be continued. It is a program which is good for a free America."²³

March 20, 1961

From John F. Kennedy, President of the United States to Franklin Orth,
Executive Vice-President of the NRA:

"On the occasion of Patriots Day, I wish to offer my congratulations and best wishes to the **National Rifle Association** of America which over the past years has done credit to our country by the outstanding achievements of its members in the art of shooting. Through competitive matches and sports in coordination with the **National Board for the Promotion of Rifle Practice**, the Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minutemen. I am pleased to accept **Life Membership in the National Rifle Association** and extend to your organization every good wish for continued success."²⁴

The NRA, in short, had not achieved its position of prominence by protecting its members' absolute rights to gun ownership from an overreaching government. On the contrary, the NRA had grown strong by promoting marksmanship in the service of government and military service and by close partnership with the National Board for the Promotion of Rifle Practice, the National Guard, and state and local marksmanship clubs. The NRA's promotion of

²³ Ibid., 16.

²⁴ Ibid., 16.

marksmanship as an expression of patriotism and the NRA's creation of a symbiotic relationship between itself and these three organizations is the subject of this dissertation. I argue that by exploiting the government bureaucracy at state and federal levels, and with the help of the arms and ammunition industries, the NRA created grassroots and national power bases that would eventually provide a firm foundation for future efforts to combat any endeavor to establish national gun control legislation.

Since the late nineteenth century, the organizations identified by three sitting and one future president as contributing "incalculable value" to our nation's interest had begun to build the foundation upon which Justice Scalia would place his majority opinion for the 2008 Supreme Court decision in the *District of Columbia v. Dick Anthony Heller* that individuals have the right to own guns without militia affiliation.

1.2 Interest Group Politics of the National Guard and the NRA

For the first century after ratification of the Constitution, government largess was dispensed through a system of patronage that was not unlike the client-server relationship that had been left behind in Europe. The 1883 Pendleton Act that created a merit-based civil service system to replace the traditionally accepted practice of patronage, as well as numerous other Progressive Era reforms, helped to reduce the influence of those individuals who had received government positions through personal appointments.²⁵ With the demise of the patronage system, interest groups became important to America's political scene. The absence of

²⁵ *An Act to Regulate and Improve the Civil Service of the United States*, Public Law 16, 22 Stat 403 (January 16, 1883) was introduced by Senator George H. Pendleton. Theodore Roosevelt, who would play an important role in federal support of the NRA, was the first Civil Service Commissioner to enact an actual merit-based system.

individuals appointed by benefactors was impactful, but it did not remove the desire of corporate- or private-sector America to sway the decision-making of the nation's political leadership.²⁶ Accordingly, interest groups identified common concerns and coalesced to represent those elements of business and society that desired to influence government activities. The growth of interest groups challenged the federal bureaucracy to find ways to manage the nation's resources while responding to political and cultural pressure. In time, the regulation of lobbying activities would become codified toward that end. That regulation would differentiate between lobbying activities carried out for private gain and those carried out in the name of the "common good." The latter category, within which the NRA was classified until 1968, might generally be considered singularly interested in reform and therefore not a special interest. However, groups that wished to reform America had special interests and like their private counterparts desired to influence the federal bureaucracy. Without a disciplined and adequately resourced organization, those goals would not be achievable.

The early twentieth-century interest groups that first come to mind are those that were highly visible and remain so today: those seeking women's suffrage and those looking to prohibit the use of alcoholic beverages. Though less visibly passionate, the group that sought to improve the nation's military reserve and the group that desired to improve the marksmanship skills of the nation's youth formed two other early twentieth-century interest

²⁶ Elisabeth Stephanie Clemens, *The People's Lobby: Organizational Innovation and the Rise of Interest Group Politics in the United States, 1890-1925* (Chicago,: University of Chicago Press, 1997), 46-47. See also the essays in Richard C. Box, ed., *Democracy and Public Administration* (Armonk, N.Y.: M.E. Sharpe, ca. 2007).

groups. All four of these interest groups were successful in changing the nation. The first group was formed when women gained the franchise; the second when a temporary ban was placed on the import, manufacture and sale of alcoholic drink; the third by creating the National Guard; and the fourth developed through the permanent instantiation of the NRA in American culture and the federal bureaucracy. Today, there are minimal, if any, polemics attendant to universal franchise, the National Guard, or the federal regulation of the sale of alcoholic beverages. That is not the case with the NRA. When the discussion turns to gun control, the NRA becomes embroiled in legislative, editorial and public debate.²⁷ That was not the case in 1871 at the inception of the NRA or during the Association's rebirth in the early twentieth century. Had today's challenges related to issues of gun control been present during the earliest years of the NRA, the desire of 75% of the American public for the federal regulation of all firearms may have realized fruition.²⁸ However, those challenges were not raised until the NRA had been able to establish a grassroots organization and a federal presence that has been, throughout the twentieth century and now into the twenty-first century, able to withstand efforts to implement greater gun control.

Today, the federal government's reluctance to implement controls on the purchase and possession of firearms suggests, by legislative inaction, support by omission for the NRA's determination to avoid gun control. Additionally, any mention of the NRA in the late twentieth or early twenty-first century is haunted by the specter of the Second Amendment. That was not the case during the first decades of the NRA as is clearly revealed in the testimony of NRA

²⁷ I define "gun control" as efforts by federal or state legislative bodies to implement regulations to restrict by any means the manufacture, import and/or ownership of firearms. These means might include taxation, registration, inspection, or use permits without cost.

²⁸ The percentage of Americans who desire gun control is addressed in the next section of this chapter.

President Karl Frederick, who, when questioned about the Second Amendment, responded that he had not given it much thought.²⁹ However, even absent any polemical issues regarding the Second Amendment, those early decades were critically important to the construction of an association that is today able to repeatedly challenge majoritarian opinion. Political scientists have pointed out that "Representation is not just a matter of responding to specific interests or citizens; the government must also respond to the collective needs of society, and here the success of individual interests reduces the possibility of overall responsiveness. The very vibrancy and success of contemporary groups contribute to a society that finds it increasingly difficult to formulate solutions to complex policy questions."³⁰ It is, however, not just the complexity of the problem that has given rise to the ability of the NRA to frustrate federal legislators from responding to the collective desires of society. It is also the sheer strength of the NRA.

Few historians and political scientists address the early years of the NRA. Instead, they focus their attention on the latter half of the twentieth century and attribute today's NRA strength to a growth in membership following efforts in the 1960's to implement federal regulations for the ownership of guns. Those scholars have suggested that the NRA became a powerful special interest following the Association's transition from a sportsmen's organization to the defender of gun ownership rights, which in turn led to the Supreme Court breaking its seventy year refusal to address the Second Amendment.³¹ In response to the question, "Why has it taken so long for the Court to take up a Second Amendment case?" constitutional scholar

²⁹ Karl Frederick's congressional testimony is discussed in Chapter 7.

³⁰ Allan J. Cigler and Burdett A. Loomis, eds., introduction to *Interest Group Politics*, 7th ed. (Washington, D.C: CQ Press, 1983), 30.

³¹ On fifteen occasions between *U.S. v. Miller* in 1939 and *D.C. v. Heller* in 2008 the Supreme Court denied certiorari in cases that raised an appeal based on Second Amendment rights.

Jack Rakove noted, "It took the transformation of the National Rifle Association from an organization primarily concerned with promoting the safe and skillful use of guns into an active advocacy group bent on opposing all forms of firearm regulation to give the Second Amendment any salience in constitutional debate."³² Though the Second Amendment was not the subject of a Supreme Court decision between 1939 and 2008, one reflection of the salience referred to by Professor Rakove can be found in the attention the Amendment received in other Court cases. While "(A)mong legal scholars, it is undisputed that the Supreme Court has said almost nothing about the Second Amendment," between 1939 and 1998 there were at least 24 cases in which the Amendment was quoted, cited or discussed.³³ One such instance, involving Fourth Amendment protections from unreasonable search and seizure by law enforcement, was authored by Justice William O. Douglas. In *Adams v. Williams*, Justice Douglas wrote that "(T)he police problem is an acute one not because of the Fourth Amendment, but because of the ease with which anyone can acquire a pistol. A powerful lobby dins into the ears of our citizenry that these gun purchases are constitutional rights protected by the Second Amendment."³⁴ It takes no act of fanciful imagination to understand that the

³² Jack Rakove, "Jack Rakove on Heller and History," *New York Times*, November 7, 2010.

³³ Kopel, Halbrook, and Korwin, *Supreme Court Gun Cases*, 75. They also cite Sanford Lewinson, "Is the Second Amendment Finally Being Recognized as Part of the Constitution? Voices from the Courts," *BYU Law Review*, no. 127 (1998): 75.

³⁴ Frederick E. Adams v. Robert Williams, 407 U.S. 143 (1972). The following comment is from Justice Douglas' dissent: "The police problem is an acute one not because of the Fourth Amendment, but because of the ease with which anyone can acquire a pistol. A powerful lobby dins into the ears of our citizenry that these gun purchases are constitutional rights protected by the Second Amendment, which reads, '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.' There is under our decisions no reason why stiff state laws governing the purchase and possession of pistols may not be enacted. There is no reason why pistols may not be barred from anyone with a police record. There is no reason why a State may not require a purchaser of a pistol to pass a psychiatric test. There is no reason why all pistols should not be barred to everyone except the police."

lobby reference made by Justice Douglas was to the NRA, and yet, while states addressed the Second Amendment to which Justice Douglas alluded, the federal government did not.

Political scientists Samuel C. Patterson and Keith R. Eakins argued that the NRA paid little attention to gun control before the 1960s. After that, the Association was able to mobilize a grassroots organization to bring pressure on Congress based on political experience, the use of an emotionally charged issue, and a core group with passion for their cause.³⁵ Professor Rakove's assessment, along with the arguments of Patterson and Eakins that place the NRA as the agent most responsible for the interest in the Second Amendment, have a great deal of merit. However, what is missing from both assessments is an acknowledgement of how the NRA was able to become such an influential organization. In this dissertation, I argue that the position currently held by the NRA as one of the Nation's most powerful interest groups should be traced to the early decades of the twentieth century when, as a quasi-government organization, the Association had a direct impact on the legislative agenda, participated in government budget debates, and effectively implemented a plan to create a nationwide organization through affiliation with the War Department and the inchoate National Guard.

1.3 Measuring the Desire for Gun Control

In November 1999 *Fortune Magazine* released its annual report ranking the relative strength of those organizations that lobby our nation's legislative bodies.

Despite this having been the worst year in memory for mass shootings,

Fortune's annual survey of the most powerful lobbying organizations

³⁵Samuel C. Patterson and Keith R. Eakins, "Congress and Gun Control," in *The Changing Politics of Gun Control*, ed. John M. Bruce and Clyde M. Wilcox (Lanham, MD: Rowman & Littlefield, 1998), 60-61.

revealed that the National Rifle Association (NRA) was considered the most influential by lawmakers and congressional staffers, the capital insiders closest to the lobbying action. The NRA also ranked No. 2 overall in the annual, mail-in survey which asked all manner of Washington players, such as lobbyists, trade association executives as well as lawmakers and their staffers, to rate the influence of lobbying, coming in just behind the perennial No. 1 in Fortune's Power 25, the Association of Retired Persons (AARP).³⁶

In relative size, the NRA claims to have approximately 4 million members and the AARP approximately 40 million members.

American's demand for greater gun control has been a topic of interest in this country for generations. As noted by Richard Hofstadter, "The United States is the only modern industrial urban nation that persists in maintaining a gun culture."³⁷ The individual freedom to own a gun and to use it with a uniquely American sense of entitlement has had a tremendous impact on the culture of this liberal society. Furthermore, that impact has been magnified by the NRA and enflamed by those who cherish individual freedom and states' rights. However, as pointed out by Samuel P. Huntington, "liberalism does not understand and is hostile to military institutions and the military function."³⁸ The hostility noted by Huntington is reflective of those who struggle with the tension between equality and democracy on the one hand and the

³⁶ "FORTUNE Releases Annual Survey of Most Powerful Lobbying Organizations," *Fortune Magazine*, November 15, 1999. Mass shootings in 1999 included fourteen deaths at Columbine High School in Littleton, Colorado in April; thirteen deaths in Atlanta; and seven deaths in Fort Worth, Texas in September.

³⁷ Richard Hofstadter, "America as a Gun Culture," *American Heritage* 21, no. 6 (October 1970): 4.

³⁸ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge: Belknap Press of Harvard University Press, 1957), 144.

cost of protecting those institutions on the other. Richard Hofstadter suggested that in this liberal society, "perhaps more than anything else the state of American gun controls is evidence of one of the failures of federalism."³⁹ Political scientist Kristin Goss, while writing about what she refers to as the paradox of gun control or the absence of an effective gun control movement, noted that "(F)or the seventy years that scientific surveys have been conducted, Americans have strongly and consistently favored at least one approach to the violence problem: stricter government regulation of firearms."⁴⁰ Goss suggested that politicians have avoided the issue because opponents of gun control were more successful than their opponents "in using American federalism to their advantage."⁴¹ Goss cited a finding that "(O)ne of the few constants in American public opinion over the last two decades has been that three-fourths of the population supports gun control," but implementation of controls has remained elusive because Congress has been unable to overcome the strength of the NRA.⁴²

That strength, Goss pointed out, has been due, in part, to the valuable contribution that War Department arms and ammunition provided to the growth of the NRA in the early twentieth century.⁴³ However, her discussion began with the twentieth century and, in so doing, failed to address how the grassroots organization was established with the help of the National Guard which was the epitome of the distribution of power that we label federalism. Goss also attributed the failure of gun control advocates to their choice of a "policy-driven

³⁹ Hofstadter, "America as a Gun Culture," 85. In the same article Hofstadter illuminated the state of American gun control by noting that there were over 20,000 state and local gun laws in 1970.

⁴⁰ Kristin A. Goss, *Disarmed: The Missing Movement for Gun Control in America*, Princeton Studies in American Politics (Princeton: Princeton University Press, 2006), 3.

⁴¹ *Ibid.*, 3.

⁴² *Ibid.*, 5n18; Tom W. Smith, "The 75% Solution: An Analysis of the Structure of Attitudes on Gun Control, 1959-1977," *Journal of Criminal Law & Criminology* 71, no. 3 (1980): 300.

⁴³ Goss, 75.

model" that would originate in the legislative branch of government. By making that choice, according to Goss, gun control advocates were unable to disrupt the status quo of the "politics-driven model" that was, and remains, rooted in a powerful grassroots organization.⁴⁴ William Vizzard reached a similar conclusion. After reviewing the passage of the 1968 Gun Control Act (GCA), he concluded that "the lack of preparation and organization on the part of policy advocates, the administration and the bureaucracy doubtless played a significant role in limiting their policy success." Vizzard continued by citing political scientist Nelson Polsby. Polsby had positioned "the failure to pass more significant firearms legislation in 1968 as a classic example of a failure of a policy initiative due to inadequate preparation by advocates."⁴⁵ Vizzard suggested that the administration's focus on the war in Vietnam and the War on Poverty occupied those resources that might have been applied to the gun control issue. The *New York Times* was more direct in its comment about the 1968 GCA in noting that "the public's education and desires have still not yet fully penetrated the Congress. The Senate Judiciary Committee reported out a weak law shot full of loopholes." Reminiscent of the challenges faced by Attorney General Cummings in the debates of the 1930s, "(T)he House, voting for a similarly flawed bill, turned down every effort to include what Attorney General Clark and state and city law-enforcement officers seek; registration and licensing."⁴⁶ Like his predecessor, Homer Cummings, Clark was unable to overcome the power of a well-established grassroots

⁴⁴ Ibid., 194-5.

⁴⁵ William J. Vizzard, *Shots in the Dark: The Policy, Politics, and Symbolism of Gun Control* (Lanham, Md: Rowman & Littlefield Publishers, 2000), 105; Leon Freidman, ed., *Firearms and Violence*, vol. 5 of *Violence in America* (New York: Chelsea House, 1983). Freidman's book was a report for the National Commission on Causes and Prevention of Violence in America and is an excellent source for information about the results of the 1968 GCA, particularly the chapter on federal firearms laws and the summary of the Kerner Commission Report.

⁴⁶ "Parting Shot," *New York Times*, August 3, 1968.

organization that leveraged the federal system of shared powers to influence Congressmen at the local level. While the 1968 GCA was the most sweeping federal firearms legislation since the 1930s, its scope was modest so an effort to "neutralize the...act climaxed with the Firearms Owners Protection Act (FOPA)" passed in 1986.⁴⁷ As reported by the *New York Times*, the passage of FOPA was challenged on several levels to include "officers representing 13 national organizations (who) tried to persuade Congress not to gut Federal gun control." The *Times* article also mentioned that "(S)ince 1938, the Gallup Poll has shown that a majority of Americans favor handgun control. Yet during the two days of debate last week, no Congressman spoke up for tightening the 1968 law."⁴⁸

Because the "framers of the Constitution rigged the U.S. political system to frustrate the ambitions of bold policy reformers and to reward those who build consent from the ground up...(T)heir plan succeeds to this day."⁴⁹ Whether the NRA has taken advantage of a "rigged system" or is just particularly adept at exercising the constitutional processes that James Madison defended in recognition of the eternal existence of factions, the Association has regularly been the manager of influence well beyond its actual percentage of the population.

Pollsters have been measuring gun control opinions in the United States since at least 1938 when a Gallup poll found that 79 percent of the American public favored some level of "gun control." Most surveys and polls conducted since the 1930s have reported similar results.⁵⁰ Attitudes in the 1930s were largely shaped by the highly publicized, lawless activities

⁴⁷ Spitzer, *The Politics of Gun Control*, 116. See also Vizzard, *Shots in the Dark* for an expanded discussion of the FOPA and the relationship between the NRA and police, 130-132.

⁴⁸ Linda Greenhouse, "The N.R.A.'s Lobbying is as Effective as Ever," *New York Times*, April 13, 1986.

⁴⁹ Goss, 3.

⁵⁰ Howard Schuman and Stanley Presser, "Attitude Measurement and the Gun Control Paradox," *Public Opinion Quarterly* 41, no. 4 (Winter 1977-78): 427-38 passim. Schuman and Presser reference data from a report that was

of individual criminals who employed automatic weapons, which did in fact bring about the passage of legislation restricting the ownership of machineguns. Hazel Erskine, from *Public Opinion Quarterly*, reviewed the gun control polling data collected from 1938 through 1972 and reported that "the vast majority of Americans have favored some kind of action for the control of civilian firearms at least as long as modern polling has been in existence."⁵¹ In an article for *Public Opinion Quarterly*, Erskine commented that "it is difficult to imagine any other issue on which Congress has been less responsive to public sentiment for a longer period of time."⁵²

Perhaps the best-known "gun control" question was instituted by Gallup in 1959: It read, "Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?" The proportion favoring such a law stood at 75 percent in 1959 and has varied from 68 to 78 percent in all Gallup polls since. The National Opinion Research Center (NORC) has included the identical item in its annual General Social Surveys. From 1972 through 1977, the proportion in favor of such a law varied between 70 and 75 percent.⁵³ A revised version of the Gallup question, "(I)n general do you feel that the laws covering the sale of firearms should be made more strict, less strict, or kept as they now are?" was used during the latter half of the twentieth century with similar results. Data from surveys taken between 1975 and 2000 showed that the number who responded "more strict" ranged from

prepared by Decision Making Information, Inc. (DMI), of Santa Ana, California, a private, for-profit research and polling firm. The report is based on a national survey conducted during 1978, and was commissioned by the National Rifle Association. See also, Leon Freidman, *Firearms and Violence in America*, 99, 104; and Carl Bakal, *The Right to Bear Arms* (New York: McGraw-Hill, 1966), 176.

⁵¹ Howard Schuman and Stanley Presser, "Attitude Measurement and the Gun Control Paradox." Hazel Erskine was a social researcher and editor for publications on polling data for the *Public Opinion Quarterly*.

⁵² Goss, 3n; *Public Opinion Quarterly* 36, no. 3 (1972): 456.

⁵³ Howard Schuman and Stanley Presser, "Attitude Measurement and the Gun Control Paradox," 434n. NORC was founded in 1941, and is affiliated with Divisions of Social Sciences at the University of Chicago.

59% to 78%.⁵⁴ The National Opinion Research Center/General Social Survey has found that since 2000, support for a law that would require a police permit before the purchase of a gun has been higher than 80%.⁵⁵ With strong public support, affirmative Senate committee findings and Supreme Court precedent, the Congress has thus far failed to enact federal legislation that would require or at least strongly encourage a nationwide police permit system.⁵⁶

1.4 The NRA without the Second Amendment

This dissertation is not about the Second Amendment. It is about how the NRA gained strength sufficient to obviate James Madison's famous argument that, "(I)f a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote."⁵⁷ My argument is about how the NRA has been able to achieve results like those that were reported following the 2010 Congressional elections when, "(T)he National Rifle Association endorsed candidates in about two-thirds of congressional races in the midterm elections. Often, the choice not to endorse was pragmatic -- either both candidates had top NRA ratings or both had poor ratings. Of those endorsed, 80

⁵⁴ Spitzer, 100.

⁵⁵ Kelly Patterson and Matthew Singer, "Targeting Success," in *Interest Group Politics*, ed. Allan J. Cigler and Burdett A. Loomis (Washington, D.C: CQ Press, 1983), 42; David R. Harding Jr., "Public Opinion and Gun Control," in *The Changing Politics of Gun Control*, ed. John M. Bruce and Clyde M. Wilcox, (Lanham, MD: Rowman & Littlefield, 1998). The latter essay includes seven pages of tables extracted from Gallup, CBS and *New York Times* polls showing that well in excess of 50% of the American public, no matter how measured, support gun control - numbers run well into the 80% range in many categories.

⁵⁶ Schuman, Howard, and Stanley Presser, "The Attitude-Action Connection and the Issue of Gun Control," *Annals of the American Academy of Political and Social Science* 455 (May 1981): 41. Schuman cites "An Analysis of Public Attitudes toward Handgun Control," prepared by Cambridge Reports, Inc., better known as Patrick Caddell's political polling firm. The Caddell report is also based on a large national survey conducted in 1978, and was commissioned by the Philadelphia-based Center for the Study and Prevention of Handgun Violence.

⁵⁷ James Madison, "Federalist No. 10," in the *The Federalist* (New York: Barnes and Noble Classics, 2006), 51. James Madison's "Federalist No. 10" was written to explain how in a large country a republican form of government would control the "violence of faction" through representatives who would bring a balance to the central government while being unable to influence the entire nation.

percent won, according to The Washington Post's analysis."⁵⁸ While today's political candidates may respond to suggestions that Second Amendment rights are being infringed, that response is sufficiently powerful only because of events that occurred in the late nineteenth and early twentieth century and not, as many political scientists have suggested, in response to 1960s calls for greater gun control.⁵⁹

In his book, *The Politics of Gun Control*, political scientist Robert Spitzer offered that "the key to the NRA's effectiveness that distinguishes it from other interest groups lies in its highly motivated mass membership and the organization's ability to bring pressure from that membership to bear at key moments and places."⁶⁰ Spitzer continued by suggesting that there are four factors needed to incentivize members in any organization: material rewards, the receipt of special recognition, membership in a select group, and a common cause. For each factor, Spitzer was able to identify how the NRA fulfilled each need to incentivize its members, thus gaining strength needed to be an effective interest group. Missing from Spitzer's argument is recognition of the need to build the grassroots membership and support system through which those four incentives might be announced, advertised, and disseminated. Like other political scientists and historians, Spitzer assumes the existence of an established membership, but he fails to address how that membership was built.

Spitzer does give some attention to the legislative efforts for gun control in the 1930s, noting that in the "1930's, national gun registration was openly advanced as an achievable

⁵⁸ "The NRA's Electoral Influence," *Washington Post*, December 15, 2010.

⁵⁹ Here I refer to those calls for gun control that followed the assassinations of John and Robert Kennedy and Martin Luther King, Jr., and led to the passage of the Gun Control Act of 1968, the first federal gun control act since the 1930s.

⁶⁰ Spitzer, 87.

national policy," though passage by the Congress was as difficult then as it is today.⁶¹ Spitzer's subsequent discussion of President Franklin Roosevelt's efforts for gun control legislation acknowledged that a role was played by "well organized and motivated forces...spearheaded by the NRA."⁶² After providing a list of reasons for the failure of the passage of the administration's gun control agenda, Spitzer suggested that among them must be the "deep-seated, personal feelings of opponents that these bills would impinge on the values identified here as the gun culture."⁶³ Understanding how members who held those values were transformed from individuals to a "well organized and motivated force" is tantamount to understanding how the NRA was able to "bring pressure at key moments."

Edward F. Leddy approached his study of the NRA through the lens of a social movement theorist. He divided the Association's history into four phases: the encouragement of military shooting, the regulation of civilian and international competition, the defense of shooting interests, and active political involvement. He then focused his study on the last two phases which he dated from 1923 to the completion of his study in 1983.⁶⁴ He, like others, gave credit to the NRA for influencing the gun control legislation of the 1930s. "The National Rifle Association at that time was small, but it could influence legislation because the proponents of control laws had no organization at all. The National Rifle Association became, mostly because of its legal and technical expertise, the consultant to many legislatures in the

⁶¹ Ibid., 110.

⁶² Ibid., 112.

⁶³ Ibid., 112.

⁶⁴ Leddy chose 1923 as the starting point for his study because that is when the NRA magazine was first published as an in-house organ. His study focuses on the magazine and how it portrayed the Association. While there were earlier magazines that covered marksmanship and the NRA—*The Rifle, Arms and the Man* and *Shooting and Fishing*—they were privately held. In 1923, General James Drain sold *Shooting and Fishing* to the NRA and the name was changed to *The American Rifleman*.

writing of gun laws."⁶⁵ By simply suggesting that a small organization offering legal and technical advice was adequate to successfully oppose public opinion and the extant administration leaves questions unanswered, not the least of which is, how was the organization able to deploy such skills and organization that could withstand the policy goals of a popular President? Leddy did not address the genesis of the political influence that existed prior to the NRA's response to the early twentieth century legislative agenda and how that political influence was built through a relationship with the National Guard.

Leddy does credit the creation of the National Board for the Promotion of Rifle Practice with aiding in the establishment of "the program of the National Rifle Association as the law of the land" regarding competitive marksmanship that brought additional federal resources and encouraged membership.⁶⁶ However, he was focused on the social movement aspect of the Association's twentieth century growth and did not look back to the nineteenth century and the possible role that might have been played by the National Guard. Furthermore, during the 1930's debates, there was considerable support for gun control, some of which was well-organized. More importantly, the NRA's position was aggressively opposed by the very popular Franklin Roosevelt, and his attorney general, Homer Cummings. Without the grassroots organization, based in a large part on a relationship with the National Guard, the NRA would not have been able to exert the level of influence seen during the gun control debates of the 1930s.

Historians, like the political scientists who address the early years of the NRA, do not dwell on the Second Amendment and look elsewhere for the basis of the NRA's strength. Lee

⁶⁵ Leddy, *Magnum Force*, 85.

⁶⁶ *Ibid.*, 65.

Kennett and James Anderson suggested that Attorney General Cummings "probably underestimated the forces opposing him" who consisted of small arms manufacturers and the nation's hunters and gun collectors "who found a common spokesman in the National Rifle Association."⁶⁷ These historians point out that "(G)overnment sales of surplus arms were a vital element in the organization's growth" which was critical to the 1920s expansion of rifle clubs.⁶⁸ That strength was particularly evident when, during the 1963-1964 Congressional hearings in response to demands for stricter gun control, there was marked support against any such measures. "The periodic deluges of pro-gun letters that have descended on congressmen are usually attributed to the prompting of the NRA. Yet in many cases they have been spontaneous. This self-propulsive tendency at the grass-roots level is perhaps the hallmark of the 'gun lobby'."⁶⁹ The effectiveness of that lobby was no better articulated than by Secretary of Defense Robert McNamara in a letter, made public in the *Washington Post*, to Senator Edward Kennedy who was staunch proponent of stronger gun control measures. "Congressional inaction over gun control legislation poses an open and permanent invitation to violence and disorder. I am frankly shocked that Congress has been so remiss in enacting the necessary controls to assure that the sale and use of weapons is effectively kept out of the hands of those who use them to threaten the right of free dissent."⁷⁰ Contrary to the position taken by Kennett and Anderson, the grassroots organization that caused inaction by flooding Congress with letters was not spontaneous. It was the result of a nationwide organization, created with the help of federal and state government support over fifty years earlier.

⁶⁷ Kennett and Anderson, *The Gun in America*, 205

⁶⁸ *Ibid.*, 205.

⁶⁹ *Ibid.*, 240.

⁷⁰ "McNamara Deplores Lack of Firearms Control Law," *Washington Post*, July 2, 1967.

Two dissertations were published during the 1970s that did locate a rise in the NRA's power during the first decades of the twentieth century. Russell Gilmore, in "Crackshots and Patriots: The National Rifle Association and America's Military-Sporting Tradition," argued that the real increase in the NRA's power did not come until the mid-1920s. For Gilmore, the NRA's assumption of the lobbying role previously played by arms and ammunition manufacturers marked its rise to power as an effective political force. While he credited the ability of the NRA to leverage a relationship with the War Department and a "wholesale enrollment of bank vigilantes that had to be members of the Association," he does not address the relationship created with the National Guard or the importance of the nationwide grassroots network.⁷¹ Taking a broader view, Donald Lefave's dissertation, "The Will to Arm: The National Rifle Association in American Society, 1871-1970," examined the NRA's role in a changing American society. Lefave's work looked closer at the relationship between the National Guard, the National Board for the Promotion of Rifle Practice and the growth of the NRA, and he went so far as to note that all three organizations were often represented by the same leaders. Lefave's work is singularly significant in that he appears to be the only historian who has linked the three organizations in a meaningful fashion.⁷² However, he concluded that the NRA gained its strength by leveraging America's desire to become a more military society that was highlighted by the preparedness movement of the early twentieth century. Roger Possner's book, *The Rise of Militarism in the Progressive Era, 1900-1914*, provided affirmation for Lefave's arguments. Possner suggested that the Army and the progressives shared the values of a well-structured

⁷¹ Gilmore, "Crackshots and Patriots," 257.

⁷² Donald George Lefave, "The Will to Arm: The National Rifle Association in American Society, 1871-1970" (PhD diss., University of Colorado, 1970), 29-51, 284.

society that placed "social duty above private desire" as reflected by the conduct of frequent military tournaments and marksmanship contests. As if to offer a vote of confidence in Lefave's argument, Possner began his book with a quote from Senator Albert Beveridge, "Our blood is the most militant blood on the face of the earth...Militarism in America! It is here indeed, here in the blood we young men of America have inherited from our fathers."⁷³

Law professor Leon Friedman pointed out that efforts in the 1930s to implement firearms control at the federal level had the support of the American Bar Association, the International Chiefs of Police and "according to a Gallup Poll, 79 percent of the Nation's population."⁷⁴ Those efforts were marginally successful in the face of opposition from the emerging anti-gun control elements that were led by the NRA. In a footnote in his work, *Violence in America*, Friedman added that "Nearly 30 years later, in a May 1967 survey, 85 percent of adults said they would back...a law" that required owners of pistols and revolvers to register with the government.⁷⁵ Similar to the efforts of the 1930s, the gun control measures implemented in the 1960s fell short of requiring national registration. In a summary statement, Friedman noted that "whatever the effectiveness of current federal firearms policy, the prospect for developing a more effective policy is not encouraging."⁷⁶ Friedman's conclusions were reaffirmed during budget debates that were conducted in the late 1990s that placed the bureaucracy represented by the Centers for Disease Control and Prevention (CDC) in direct opposition to the NRA.

⁷³ Roger Possner, *The Rise of Militarism in the Progressive Era, 1900-1914* (Jefferson, N.C: McFarland, 2009), 1-3.

⁷⁴ Leon Friedman, *Violence in America*, 99.

⁷⁵ *Ibid.*, 99n15. Friedman is citing the Gallup *Opinion Index: Gallup Political Scoreboard* (1968), 6-7. The "30 year" reference is to the passage of the 1938 Federal Firearms Act, the last federal gun control legislation prior to the passage of the Gun Control Act of 1968.

⁷⁶ Friedman, 111.

In 1992, the National Center for Injury Prevention and Control (NCIPIC), an arm of the CDC, initiated a study of the role firearms played in violent injury to Americans. Sensitive to any effort that might impact the ownership of guns, the NRA became an early opponent to the CDC study, arguing that funds for the NCIPIC effort were a misuse of tax payer dollars for "flawed, biased, and politicized firearms research...to produce pseudo scientific research."⁷⁷ In a study of the interaction of Congress, the federal bureaucracy and a special interest group (the NRA), Christine Cagle examined the interaction of the CDC and the NRA as each sought to influence the congressional budget process.⁷⁸ Though the NRA was not able to bring about the defunding NCIPIC efforts to study violence in America, the 1997 fiscal year appropriation did include the statement that "none of the funds made available for injury prevention and control at the Center for Disease Control and Prevention may be used to advocate or promote gun control."⁷⁹ The fact that that statement remained in CDC budget documentation for subsequent years is a reflection of the NRA's ability to impact the allocation of the nation's resources to protect the interests of the Association and its allies.

1.5 An Issue of Culture

With a history that spans almost 150 years, the NRA has become a part of America's culture. Did America's gun culture spawn the NRA or is the NRA the author of America's gun culture? Framing this important question as a dichotomy inheres to the dilemma defined by David Hackett Fischer as "the fallacy of the false dichotomous question" by posing a question in

⁷⁷ Mary Christine Cagle, "A Case Study of the Political Struggle between the Centers for Disease Control and Prevention and the National Rifle Association Over Policy Related to Firearms Violence" (PhD diss., Georgia State University, 2000), 214.

⁷⁸ Cagle, *passim*.

⁷⁹ *Ibid.*, 307.

such a way that it demands a choice between two answers which are neither exclusive nor exhaustive.⁸⁰ Fischer suggests that the historian's best solution is to "indicate the structural deficiencies in the question's framing and to revise the inquiry on that level by the introduction of a more refined and more open question, which can be flexibly adjusted as the analysis proceeds."⁸¹ Following Fischer's advice requires a close look at America's gun culture apart from the NRA, the role of the NRA in American culture and the manner in which the NRA accrued influence that was sufficient to author and maintain a nation-wide movement. Equally important to this dissertation is David Konig's suggestion that Fischer's "description aptly describes the current controversy over the historical meaning of the Second Amendment," as a cultural dilemma that has not disappeared with the divided Supreme Court ruling that reduced some, but not all of the component parts of the dichotomy.⁸²

In 1970, Richard Hofstadter wrote that "(T)he United States is the only modern industrial urban nation that persists in maintaining a gun culture."⁸³ First expressed in an article for *American Heritage* and subsequently in a book on violence in America, Hofstadter blamed three aspects of frontier life for America's affinity for guns. First, with a nation that abounded in wild game, the better one shot, the better he and his family ate. Second, if frontier farmers

⁸⁰ David Hackett Fischer, *Historians' Fallacies: Toward a Logic of Historical Thought* (New York: Harper & Row, 1970), 11.

⁸¹ Fischer, 12.

⁸² David Konig, "The Second Amendment: A Missing Transatlantic Context for the Historical Meaning of 'The Right of the People to Keep and Bear Arms,'" *Law and History Review* 22, no. 1 (Spring 2004): 119. In the *District of Columbia v. Heller*, decided June 26, 2008, Scalia writes in majority opinion that the Second Amendment protects an individual right to possess a firearm unconnected with service in a militia. Dissenting opinions of Justices Stevens, Souter, Ginsburg and Breyer challenged Scalia on unlimited gun ownership, connection with the militia, and the rights of self-protection. The fact that the vote was 5-4 strongly suggests that the cultural scaffolding which can and does change the lens through which the Court views its cases remains unsettled. While this may appear to ignore the "originalist" position of strict interpretation of the Constitution, the sources referenced in Justice Scalia's opinion go well beyond that document. His use of Joyce Malcolm's arguments for individual rights rather than Lois Schwoerer's opposing position in and of itself suggests an extra-Constitutional advocacy.

⁸³ Hofstadter, "America as a Gun Culture," 4.

were to protect their crops, guns were essential to "keep the wolf from the door." Third, there were the original residents who continued to resist, often violently, the encroachment of settlers.⁸⁴ Lee Kennett and James LaVerne Anderson in their book, *The Gun in America*, agreed with Hofstadter's use of the American frontier as justification for Americans and their passion for guns. They accentuated their agreement with a quote from the prophet Nehemiah; "(T)hey which builded (sic) on the wall, and they that bare burdens with those that laded, everyone with one of his hands wrought in the work, and with the other hand held a weapon."⁸⁵ These authors, as well as the prominent historian Fredrick Jackson Turner who wrote that "the farmers met Indians armed with guns...yet, through its sale of guns, gave to the Indian increased power of resistance to the farming frontier" had little difficulty finding a place for the gun in the American frontier.⁸⁶

All three gun ownership justifications that Hofstadter and others have embraced for pioneers on the frontier are wanting in twenty-first-century America. Therefore, it is easy to see why William Tonso argued, in his sociological dissertation, that according to Hofstadter "an armed citizenry makes no sense; it is out of place in the modern world -- an anachronism, a cultural lag."⁸⁷ Tonso used the term *cultural lag* throughout his work to demonstrate the failure of American culture to adapt to the modern environment regarding gun ownership. Tonso argued that firearms "are tools developed by men to enable them to cope with objective conditions as these conditions are socially defined and subjectively experienced." He further

⁸⁴ Ibid., 7. See also Richard Hofstadter, *American Violence: A Documentary History* (New York: Knopf, 1970).

⁸⁵ Kennett and Anderson, 34. Kennett is quoting the Old Testament Book of Nehemiah 4:17.

⁸⁶ Frederick Jackson Turner, "The Significance of the Frontier in American History," a report of the American Historical Association, in the *Fifth Year Book of the National Herbart Society* (University of Chicago, 1839), 204.

⁸⁷ William R. Tonso, *Gun and Society: The Social and Existential Roots of the American Attachment to Firearms* (Washington, D.C: University Press of America, 1982), 17.

expanded his thesis to suggest that Americans have become attached to guns for symbolic and recreational purposes. This in turn, Tonso argued, has expanded the gun's significance well beyond the original intent of society. This expansion has ensured that the interest in guns survives any diminution of their practical function.⁸⁸ While Tonso clearly stated his disagreement with the way in which Hofstadter had reached the conclusion that American federalism's demise had led to gun control failure, he is in full agreement that the issue was driven by cultural norms, and it was not likely to change in the near future. Tonso's conclusions add cultural norms to the political status quo that Goss has suggested is so difficult to change in a federal system. Established as a component of the "web of significance" that we recognize as American culture, the NRA has secured a well-protected position for itself.⁸⁹

Historians, constitutional scholars, and political and social scientists all have a place in deliberations over gun control. The paramount question which they have failed to answer, however, is how the NRA has come to wield so much power. The ubiquitous bumper stickers that extol the virtues of gun ownership represent individual beliefs and personal impulsive desires to identify with those beliefs. As Robert Shalhope noted in his discussion of the origins of the Second Amendment, "(I)t is the National Rifle Association (NRA), however, that transforms this popular impulse into one of the most powerful and active lobbies in Washington.⁹⁰ Finding and defining the source of that power is the objective of this dissertation in order to better understand the way in which state and federal bureaucracies interact with special interest groups. It will provide a new perspective on the gun control

⁸⁸ Tonso, *Gun and Society*, 39.

⁸⁹ The reference to a "web of significance" refers to Max Weber's suggestion that "man is an animal suspended in webs of significance he himself has spun."

⁹⁰ Robert E. Shalhope, "The Ideological Origins of the Second Amendment," *The Journal of American History* 69, no. 3 (December 1982), 599.

paradox in the U.S. that over 70% of Americans support greater gun control yet the federal legislature and judiciary remain at odds with this position. In her study of the conflict between the CDC and the NRA, Christine Cagle found that "another aspect of the NRA's reputation for power is its aggressive lobbying presence in all 50 state capitals, and a consistent ability to effectively mobilize its large membership."⁹¹ Though she made no reference to his work, Don Cupps also concluded that "(I)n political terms, the real strength of the NRA lies in the effectiveness of its state and local organization. Although the national office in Washington is efficient, well organized, and financially independent, it is the local apparatus -- organized in 52 State Rifle and Pistol Associations and more than 12,000 affiliated gun and hunting clubs -- that provides much of the information which the *American Rifleman* brings together for members each month."⁹²

As a nationwide, grassroots organization with a presence in the nation's capital, the NRA is recognized by political scientists as a "federated organization." "In federated organizations an individual member's greatest loyalty is likely to rest with the constituent unit to which he belongs, since it is the state or local unit that has the greatest access to, and contact with, the rank-and-file membership. This can be especially damaging to the power of the national organization if the constituent units antedate the federated body."⁹³ The NRA's original founding is rightfully dated to 1871, but the organization was not successful until the twentieth century, coincident with the creation of the National Guard, that served as a surrogate organization for the NRA at the state and local levels. "An excellent example of the way in

⁹¹ Cagle, 196.

⁹² Cupps, "Bullets, Ballots, and Politics," 101.

⁹³ *Ibid.*, 51.

which federated interest groups concentrate their efforts on Congress can be seen in the political activities of the National Guard."⁹⁴ As noted by political scientist Don Cupps, "a highly important and desirable tactic used by groups that operate in hostile environment, is the forging of 'symbiotic' relationships with other groups that possess well established points of access to governmental power."⁹⁵ By marshalling the support of the National Guard and its lobbying arm, the National Guard Association (NGA), the NRA was able to exert exceptional influence during the legislative debates of the 1930s and beyond. Quoting from Martha Derthick's *The Politics of the National Guard*, Cupps pointed out that "(T)he chairman of the NGA executive committee was a political general with a vast chain of command" that empowered him to reach into every state and territory that supported a National Guard unit, thus providing constituent pressure on members of Congress.⁹⁶ Derthick's interest in federalism drew her to study the National Guard as an interest group without concern for marksmanship or the NRA. However, her identification of the Guard's "several distinctive advantages" is equally applicable to the NRA.⁹⁷

1.6 Distinct Advantages

Examining the distinct advantages that Derthick attributes to the National Guard provides a framework for a similar examination of the NRA, though the NRA plays no part in her argument. *The National Guard in Politics* begins with a discussion of six unique advantages held by the National Guard that have empowered it to be a particularly effective pressure group.

⁹⁴ Ibid., 57-58.

⁹⁵ Ibid., 82.

⁹⁶ Ibid., 58; Martha Derthick, *The National Guard in Politics* (Cambridge: Harvard University Press, 1965), 32. Derthick's work is about interest group politics using the NRA as a case study.

⁹⁷ Derthick, 1.

The first three advantages she noted give the Guard a unique position when addressing issues within the purview of the federal government.

- First, the Guard possesses a "foundation in the Constitution of the United States" through Article 1, Section 8, "To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; and To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress," and the Second Amendment 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."
- Second, as a component of the Department of Defense the Guard is as a "part of the government... (and) the Justice Department does not require the Guard's lobby, the National Guard Association, to register under the Regulations of the Lobbying Act."
- Third, as a component of the nation's defense the Guard has claims on public resources. Here she has referred to the ability of the Guard to be a part of the budget process and thereby access to the taxpayers contribution to the federal welfare.

Derthick's advantages four through six addressed the Guard's grassroots support and its ability to influence legislative action at the constituent level.

- Fourth, the Guard is a "nationwide institution, rooted in the city, the village, and rural areas" across the country. This situation provides unique access to congressmen and "its character as a community institution enhances its appeal to them."⁹⁸
- Fifth, as a military organization, the Guard possesses a system of recruiting and selecting leaders that has "facilitated the concerting of activity by Guard members for political purposes."
- And finally, sixth, "as a result of its connection with state governments the Guard has connections with state party organizations."⁹⁹

The same "six unique advantages" that have empowered the Guard have also empowered the NRA. While the NRA has been able to reap considerable benefit from its relationship with the National Guard, created by a common interest in marksmanship, there was also a sui generis parallel between these organizations that has allowed the NRA to enjoy the same advantages held by the constitutionally founded and nationwide Guard. In so doing, the NRA was able to recreate itself in the early twentieth century with an image of Constitutional and patriotic weight. These six advantages represent, intentionally or inadvertently, the foundation upon which the NRA has built a structure that challenges, and at times surpasses, the success of the Guard as a pressure group.

- First, the NRA's earliest justification for its existence was based on a need to improve the nation's defense when it became necessary to take up arms. To meet this need, the NRA claimed a role in the nation's highest law through its self-assigned charter to train the militia how to shoot so that they would be properly empowered citizens, effectively able to defend

⁹⁸ Ibid., 2.

⁹⁹ Ibid., 1-2.

the country. Though the twenty-first century NRA would also claim to be the nation's defender of the Second Amendment, that role was not assumed until the latter part of the twentieth century and played no part in the early growth of the Association.¹⁰⁰

- Second, the National Board for the Promotion of Rifle Practice, an agency of the Department of War during the early years of the twentieth century, assigned to the NRA the responsibility of organizing and managing a nationwide network of rifle clubs. This role included the drafting of rifle club by-laws, supervising local and national rifle competitions, and establishing the conditions for and authorizing the distribution of government provided arms and ammunition.
- Third, the receipt of government surplus arms and ammunition, some at cost and others at no expense to receiving rifle clubs, was limited to those clubs who were affiliated with the NRA. A precondition of that affiliation was the approval by the NRA of local club rules, regulations and conduct of operations. Simply stated, if a rifle club desired to receive government arms and ammunition, it had to be a NRA affiliate in compliance with NRA mandated procedures.
- Fourth, the nationwide network of state associations and rifle clubs provided the NRA with the same support received by the Guard from their "nationwide institution, rooted in the city, the village, and rural areas" across the country. Like the Guard, the NRA gained access to congressmen with the added appeal of being an association training to defend the nation in times of emergency.

¹⁰⁰ See NRA President Karl Frederick's testimony in Chapter 7.

- Fifth, the NRA and the National Guard shared the same leaders at the national and local levels. Beginning with George Wingate, who in 1879 served simultaneously as the President of the National Guard Association and the National Rifle Association, common membership on boards of directors and other advisory boards was the norm. At the state level, the governor's principal advisor for matters related to the National Guard was his appointed Adjutant General. The NRA, during its early twentieth century rebirth, awarded membership on the Association's Board of Directors to all Adjutants General. Additionally, the NRA state associations were traditionally housed in the office of the state Adjutant General. At the local levels, National Guard units contained NRA rifle clubs and civilian rifle clubs were frequently trained by local guardsmen. While the military organization of the National Guard facilitated activities for their political purposes and recruiting, that same organization filled a similar role for the NRA.
- Sixth, the governor-appointed Adjutant General was a member of the governor's immediate staff. The Adjutant General was responsible for the administration of the state's military forces in accordance with the mandates of the Constitution - "reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia." Accordingly, the Adjutant General had direct access and regular interaction with the congressional delegation that represented his state in Congress. Again, as a member of the NRA Board of Directors, when it became necessary for the NRA to generate a grassroots campaign, the Association was able to call on the Adjutants General nationwide to both energize the state citizenry and directly petition the congressional delegation.

1.7 Conclusion

Just as America was born in response to repressive rule, membership in America's National Rifle Association (NRA) has burgeoned in response to a perceived threat. Today the NRA has millions of members located in every state, the District of Columbia, and in United States territories. Those members are active participants who enthusiastically support the Association, particularly when there are perceived threats to the NRA's adamant positions on gun ownership. The debate over gun ownership began with the debate over this nation's constitution and it continues to this day. As a special interest group with a unique relationship with the federal, state and local governments, the NRA has employed a variety of political and social tactics to position itself at the forefront of that debate. In so doing, the Association has successfully withstood organized opposition and the apparent desires of the majority of the national polity for almost 100 years. The assumption by the NRA of the mantle of a constitutionally supported very special "interest group" and as a cultural icon did not, as some political scientists and historians have suggested, rise out of the reaction to the violence of the 1960s. Rather, its foundation is more appropriately situated in the late nineteenth and early twentieth centuries. During those decades, the NRA grew in tandem with the nation's new National Guard, and it was empowered by the federal bureaucracy.

CHAPTER 2: POST CIVIL WAR AMERICAN MEN: RIFLECLUBS, MILITIAMEN, AND THE INCHOATE

NRA

Following the Civil War, the nation's militia began the transition from disparate state armies to a national reserve force. That transition faced institutional and cultural challenges. The 1870s also saw the beginnings of the National Rifle Association in a country very familiar with rifle shooting and which was at almost every turn inspired by the same leaders who would lead the state militias to become the National Guard.

2.1 Introduction

Civil War combatants fought as militiamen, as draftees into the regular army, or as volunteers who willingly offered to serve in state organizations or the regular army. Compulsory service militiamen, based on the compulsory requirements of the Militia Act of 1792, had all but disappeared during the antebellum period replaced by volunteers and conscripted citizens who were assigned to regular army units. Volunteers filled out state companies, battalions, and regiments, referring to themselves as militiamen, National Guardsmen, or volunteers, irrespective of their actual status as prescribed by fundamental law. Following the war, most state units were disbanded and the few that were identifiable retained a minimum of military cohesion and orderly discipline. The decade of the 1870s would see those few forces assigned responsibilities to quell domestic disturbance.

In 1871, Captain George Wingate, a member of the New York State National Guard, launched the National Rifle Association (NRA). Though rifle clubs existed in almost every state of the Union, Wingate traveled to Europe to learn about Britain's NRA which had been formed

in 1859 in response to a perceived threat from France. That threat had generated what became known as the Long Acre Indignation Meeting during which public pressure forced the Queen's Secretary of War to establish a volunteer force.¹ The British meeting inspired Poet Laureate, Lord Tennyson, to author the poem, "Form Riflemen Form." While the poem's focus was on the threat to Britain from across the channel, the closing stanza, repeated in two verses, might easily have been seen as a motivational force for the formation of the early American NRA. In fact the poem was published in New York in 1899 under the title *Rifle Clubs*.

Storm! storm! riflemen, form!
Ready, be ready, to meet the storm!
Riflemen, riflemen, riflemen form!²

By early 1872, American newspapers across the nation were reporting the founding of the National Rifle Association and the purchase of property on which to build a rifle range on Long Island that would be similar to those that had been used by the British NRA since 1860.³ Those announcements were followed by invitations from leading American marksmen to National Guard units to participate in rifle shooting competitions in New York.⁴ By 1875, the NRA had decided to host a competition that would be comprised of twelve-man teams from every state in the Union.⁵ Within days of the meeting that announced that competition,

¹ Similar pressure would be brought to bear a half a century later on America's Secretary of War, Elihu Root.

² Susie Cornfield, *The Queen's Prize* (London: Pelham Books London, 1987), 14. Cornfield notes that Tennyson's poem was published in *The London Times* on May 9, 1859. The poem was also published by the Marion Press in Jamaica, Queensborough, New York in November 1899 in book form.

³ "An American Wimbledon Founding in NY with National Guard," *Daily Central Register* (Central City, CO), April 17, 1872; Untitled article, *Boston Daily Advertiser*, September 13, 1872; "National Rifle Association," *Milwaukee Daily Sentinel*, October 10, 1972.

⁴ *Milwaukee Daily Sentinel*, May 19, 1873.

⁵ "The National Rifle Association," *The Galveston Daily News* (Houston, TX), July 18, 1975. NRA Annual Meeting Minutes of January 13, 1874 reported that in June 21, 1873 teams from New York and New Jersey National Guard had participated with regulars from Governor's Island and U.S. Engineers at Willet's Point and that it was "the first

various state National Guard units present at a meeting in Chicago "gave their hearty approval" to the planned contest.⁶ The NRA had a strong start with the support of both Guard units and civilian rifle clubs, but because of organizational challenges and an insufficient depth of support, the association proved unable to sustain the momentum needed for long term success.

Reading the history of the Guard and the NRA in parallel reveals that both were institutions that benefited from the special advantages that accrue to interest groups that are shielded and supported by the government's bureaucracy, and that each struggled to find a unifying identification and a strong foundation. Though closely affiliated with the Guard from its inception in the early 1870s, the NRA was never an official part of any state or the federal government. Its leadership, however, was comprised of members of the Guard who were in positions of power that facilitated a considerable level of influence on state governments and the federal bureaucracy. The growth of the Guard and the NRA following America's Civil War was neither smooth nor assured, but as each grew, the other realized a benefit. The strength of the common tendons that grew between the Guard and the NRA would prove invaluable as each sought to survive nineteenth century challenges to become essential components of the nation's defense establishment in the early decades of the twentieth century.

instance...in which the National Guard of the different States have been brought into military competition with each other or with the Regular Army." The January 8, 1878 Annual Meeting Minutes reported that during the fall of 1877 matches there were teams from NY, CA, LA, NJ, MA, CT, DC and New Orleans National Guard units at the annual matches.

⁶ Untitled article, *Inter Ocean* (Chicago, IL), July 22, 1875.

2.2 Rifle Clubs

After the Civil War, militiamen enjoyed the camaraderie of a growing fraternal organization that was soon to include competitive rifle marksmanship sponsored by the NRA.⁷ Periodic calls to assemble for "militia day" events had been the highlight of many communities since the nation's earliest days. Militia service in the American colonies marked its first muster with a drill on the village green in Salem, Massachusetts following the unit's official organization on December 13, 1636. More important than the service militiamen performed was the motivation for their membership and the place they held in the social milieu. As noted by Edmund Morgan, "service in the militia was a school of subordination, where the structure of society was most visibly displayed."⁸ Harry Laver, who has explored the Kentucky militia during the early republic, established that "the militia was found in nearly every town and village (and that) given the militia's geographic pervasiveness, widespread participation and longevity, its impact on local communities and American society as a whole exceeded that of any fraternal institution."⁹

The fervor and enthusiasm found in the colonial militia was much less evident in the newly established nation. While the Militia Act of 1792 required a level of universal militia

⁷ Many militiamen were referred to as members of state guard, or in some cases National Guardsmen. The name change did not alter the fact that these military organizations were state forces unless called to federal service by the president. As state forces, they had no federal obligation or responsibility, making the "national" label a misnomer. Until passage of the National Defense Act of 1916, state organizations were variously labeled State Guard, National Guard, State Militia and, in some instances, State Rifle Associations.

⁸ Edmund S. Morgan, "How Did the Reality of the Militia Differ from the Ideal of the Militia in Revolutionary America?" in *Whose Right to Bear Arms Did the Second Amendment Protect?* (Boston: Bedford/St. Martin's, 2000), 137. For early militia service at the individual level and how militiamen were selected to serve during time of war, see Kyle Zelner, *A Rabble in Arms: Massachusetts Towns and Militiamen during King Philip's War*, The Warfare and Culture Series (New York: New York University Press, 2009).

⁹ Harry S. Laver, *Citizens More Than Soldiers the Kentucky Militia and Society in the Early Republic* (Lincoln: University of Nebraska Press, 2007), 3.

service, the designated "enrolled militia" became less and less reliable as the country grew and as the memory of the Revolution faded into the past.¹⁰ Several historians have addressed this change and among them in his book, *I Am the Guard*, Michael Doubler offered an excellent summary of the "creeping rot that afflicted the enrolled militia after the War of 1812."¹¹ Doubler explained that the demands of the Militia Act of 1792 that every able-bodied white male serve in the militia were being ignored and, in fact, many states had, by 1840, eliminated any requirement for service in the militia.¹² Doubler went on to point out that as the militia system collapsed, "an expanded network of volunteer militia companies emerged to infuse the concept of the citizen soldier with renewed vigor." In his *History of the Militia and National Guard*, John Mahon noted that as the "compulsory system...waned, volunteering waxed." Mahon concluded that "most of the volunteers were men of substance who saw in volunteer units instruments by means of which they could help defend what they owned." Volunteers in these organizations were active participants who became very involved in unit identification through specially designed uniforms, paid membership dues, imposed fines for missing events, and participated in parades and rifle competitions.¹³ Although during the early national period, the new emphasis on individualism supported a break with the compulsory militia service volunteer militiamen, a "conservative subset of society that desired continuity rather than

¹⁰ The enrolled militia referred to those members designated for service by the Militia Act of 1792. This Act and its implications are addressed elsewhere in this dissertation. This mention is to offer an explanation of the transition from militia to volunteers that occurred during the early national period.

¹¹ Michael Doubler, *I Am the Guard: A History of the Army National Guard, 1636-2000* (Washington, D.C.: Government Printing Office, 2001), 90.

¹² Massachusetts, Indiana, Maine, Ohio, Connecticut, New York, Missouri, and New Hampshire all had eliminated requirements for mandatory muster before the beginning of the Civil War. William H. Riker in *Soldiers of the States: The Role of the National Guard in American Democracy* (Washington: Public Affairs Press, 1957) dedicates an entire chapter to the "Degeneration of the Militia, 1792-1860." John K. Mahon, *History of the Militia and the National Guard* (New York: Macmillan, 1983) includes a chapter "Decline of the Militia, Rise of the Volunteers."

¹³ Mahon, *History of the Militia and National Guard*, 80-84.

change...embraced the values of patriotism, duty, camaraderie, and honor rather than individualism and greed."¹⁴ This same attitude spread to the growing immigrant communities who also raised militia companies "as the soundest possible display of patriotism toward their adopted country."¹⁵ Along with the many other social and military training events conducted by these volunteer organizations was a wide array of marksmanship competitions.¹⁶ This segment of the public that possessed a growing sense of patriotism and camaraderie, coupled with martial accomplishment and decidedly conservative political views, would prove to become the deposit that the NRA was later able to mine and mold as a powerful grassroots force in American politics. To further confirm that the influence suggested by Laver continues to this day, in June of 2009 CBS reported that "the United Auto Workers union had written into its contract a holiday on the first day of hunting season." In the twenty-first century "many of the nation's millions of hunters believe, sometimes incorrectly, that they are NRA members." Whether members of the NRA or not, gun ownership has become important to Americans in "nearly every town and village."¹⁷

Membership in the militia was not the only place in which Americans were becoming familiar with firearms. Long before the National Rifle Association was formed in America or any other country, there were rifle clubs. As early as the 1830s, rifle clubs provided a social venue

¹⁴ For a discussion of the impact of individualism in the early national militia, see Jerry M. Cooper, *The Rise of the National Guard: The Evolution of the American Militia, 1865-1920*, Studies in War, Society, and the Military 1 (Lincoln: University of Nebraska Press, 1997), 14. For information on the volunteers see Doubler, *I Am the Guard*, 91.

¹⁵ Doubler, 94.

¹⁶ *Ibid.*, 95.

¹⁷ *CBS News*, "Why the NRA Gets Its Way," by David L. Miller, June 10, 2009.

for men, and sometimes women, to gather and practice their marksmanship skills.¹⁸ New York became the ubiquitous home to a wide array of rifle clubs that were generally referred to as target companies. The *Weekly Herald* reported that a European visitor to Thanksgiving Day parades in 1850 would not likely see much of the regular army but would certainly "fall in with a target company under arms...(bearing) a target decorated with flowers...to be shot at for a prize." The article's author went on to suggest that target company members "next thought, perhaps, is to go a step higher, and join a militia corps, or it may be that his attachment to their target company is so great that he would not exchange his post for membership in the most dashing militia company in the city."¹⁹

The *Weekly Herald* speculated that while there were only 6,000 men in New York's 100 militia companies, there were as many as 10,000 active members in the New York target companies. As a way of demonstrating the passion Americans had for their rifles, and prescient of future national debates, the author of this article suggested that "there is nothing like this in Europe --nothing like it anywhere but in this free and independent republic, where to carry arms is not the mere birthright of the citizen in theory, as Blackstone tells us it is in England, but the passion and practice of our youth."²⁰ Ten years later, the same newspaper reported that the annual Thanksgiving Day parade included "not less than three target companies...(and that)

¹⁸ *The New York Morning Herald* ran classified advertisements during the summer of 1937 advising that "military companies on target excursions can be accommodated with dinners as usual." The *Natchez Daily Courier* (Natchez, MS) on February 26, 1939 published information that "a member of the Savannah Rifle Club, last week fired, off-hand 20 successive shots at a target one hundred yards distant and the whole occupied a compass which could be covered by the crown of a hat." The *North American and Daily Advertiser* (Philadelphia, PA) on July 19, 1942 reported on the recent excursion of the Savannah Rifle Club through St. Augustine for the purpose of alligator hunting.

¹⁹ "The Military Spirit in New York -- The Target Companies on Thanksgiving Day," *The Weekly Herald* (New York, NY), December 14, 1850.

²⁰ *Ibid.*; Russell Gilmore, "Crackshots and Patriots." Chapter 1 has an excellent summary of target company activities.

juveniles of the different wards, who got up a number of mimic affairs of the kind, mostly in uniform, and paraded around the streets."²¹

In 1854, a Philadelphia newspaper lamented that a "notable feature of Philadelphia development is the tendency to organize target companies for practice with the rifle" at the expense of more proficient fire departments.²² More importantly, the article's author noted that the military "have a higher purpose to serve than mere show" which was a major objective of target companies.²³ Target companies, though focused on social events, did attempt to prove their mettle as meaningful contributors as reported in 1861 when the New York target company, "John Barry Musketeers" adopted the resolution "(T)hat we tender our service to the government to aid them in suppressing the revolution and bringing the seceders (sic) of the South back to their loyalty."²⁴ Interestingly, it was the inability of New York Guardsmen to demonstrate proficiency with their rifles that would eventually lead to the founding of the NRA.

While late nineteenth century attitudes toward immigrants would hamper some of the aspirations of the National Guard's leadership, rifle club development had the opposite effect.²⁵ Enthusiasm for rifle practice was generated by an influx of German immigrants who brought the *Schuetzenbund* - shooting federation - tradition with them. Though initially limited to ethnic participation, the festivities that surrounded Schuetzenbund events attracted wide participation even though these events were often limited to more social drinking than active

²¹ "Thanksgiving Day, The Way It Was Observed," *The New York Herald*, November 30, 1860.

²² Many fire departments participated in athletic competitions that included their own target companies that competed against other departments and units.

²³ "Target Companies," *North American and United States Gazette* (Philadelphia, PA), February 25, 1854.

²⁴ "Military Movements in New York," *The New York Herald*, April 19, 1861.

²⁵ Anti-immigrant feeling caused many National Guard units to reject applications for immigrant membership which was consistent with much of the hyper-nationalism of the period. See John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick, N.J.: Rutgers University Press, 2002).

marksmanship participation. However, their numbers were sufficiently strong to play an active role in influencing national competitions and political affairs. When the Schuetzenbund submitted a request that the target presentations be modified so that they might participate in the annual competition, the NRA Board of Directors responded favorably and made the changes requested.²⁶ Additionally, in 1895, a delegation from the national Schuetzenbund extended an invitation to President Cleveland, a known rifle practice participant, to attend its national festival to be held on Long Island. The president responded that "it would be a pleasure for him to attend, but that he must take into consideration the condition of public business." He did, however, leave the door open to a future invitation.²⁷

Rifle shooting was not limited to entertainment and was seen as beneficial by many. In the midst of the Civil War, Horace William Shaler Cleveland authored *Hints to Riflemen* to address a subject he "long believed to be one of National importance."²⁸ "The fact cannot be denied, that a craving for its (the rifle's) use is one of the strongest instincts of a boy's nature" but skill on the battlefield required a level of discipline and familiarity with his weapon for a soldier to be effective.²⁹ To meet this requirement, Cleveland suggested the organization of "Rifle Clubs for target practice, and (to) excite a spirit of emulation by the stimulus of public shooting matches for prizes."³⁰ To support his proposal, Cleveland noted that English Rifle Clubs

²⁶ "NRA Board Meeting," *Shooting and Fishing*, May 22, 1890, 12. The annual competition modified its target presentations for the Schuetzenbund matches.

²⁷ "An Invitation to the President" *The North American* (Philadelphia, PA) April 26, 1895, 8.

²⁸ H.W.S. Cleveland, preface to *Hints to Riflemen* (New York: D. Appleton, 1864), 3. Cleveland was a landscape architect by trade and finished second to Fredrick Law Olmstead in bidding for the design and construction of New York City's Central Park.

²⁹ Cleveland, *Hints to Riflemen*, chap. 1, p. 10. The chapter number is provided as Cleveland's book begins each chapter with page 1.

³⁰ *Ibid.*, chap. 1, p. 12.

had over 200,000 members and the advocacy of royal patronage.³¹ Whether by Cleveland's encouragement or not, rifle clubs were founded throughout most of the country and they were in secondary schools and colleges. Schoolboy rifle competition would later become a passion of NRA founder George Wingate, resolutely supported by the NRA and President Theodore Roosevelt.

As the country grew and increased its international presence, Cleveland's thoughts were published by W. C. Gould in *The Rifle*, "If rifle clubs were formed in every town and village for such practice as would train the members to the ready use of the weapons in sporting service... it would tend to encourage and develop such a general familiarity with the use of arms as is especially desirable in a republic and...be regarded as exponents of national power."³²

Extending Cleveland's thoughts to the college campus, Harvard University's president, Charles William Eliot remarked that rifle practice was "one of the finest sports in the whole round of amusements...it is a most excellent practice for the eye, and also tends to develop steadiness of the nerves. I am a great admirer of this past time and wish there was more of it among our young men."³³ His wish would come true with the development of major interscholastic and intercollegiate shooting leagues in the twentieth century.³⁴

Prior to the Civil War, rifle clubs and target companies served a variety of purposes and although ubiquitous, the slender thread that linked them was not sufficient to unite them for any single purpose. They were places for social gathering, for instilling patriotic verve, and for demonstrations of athletic ability. During the period following the Civil War and until the

³¹ Ibid., chap. 1, p. 18.

³² W.C. Gould, "An Essay on the Sporting Rifle," *The Rifle*, May 1887, 321.

³³ "Commendation of Rifle and Pistol Shooting," *Shooting and Fishing*, February 1888, 471. Eliot is quoted in this article.

³⁴ Collegiate and schoolboy shooting is addressed in a later chapter.

solidification of single party rule, southern rifle clubs played a very different role than those in the North and West when radical republicans mandated black membership in state militias. Throughout the reconstructed South, rifle clubs were formed in response to militia organizations that were predominately black until the reconstitution of white supremacy with the 1876 election of Rutherford Hayes and the subsequent removal of federal troops from the "reconstructed states."

In the U.S. Army's historical series, Robert Coakley wrote that the "old Southern white ruling class abandoned the clandestine methods of secret organizations for the more overt method of rifle clubs that were, in fact, a sort of unofficial white militia."³⁵ "Rifle clubs and White League paramilitary units...helped topple the last Republican governments of Mississippi, South Carolina and Louisiana" in 1875 and 1876.³⁶ In addition to the activities of the Ku Klux Klan in 1875 Mississippi, there was a state-wide network of rifle clubs "which conspicuously showed themselves drilling and practicing marksmanship." Many of these club members chose to wear red shirts to be more conspicuous to freedmen thus providing a silent, yet very visible threat.³⁷ In Louisiana, U.S. Army Captain Clayton Hale reported that local rifle clubs determined to thwart Republican officeholders would only respect superior physical force.³⁸ Following the election of President Hayes and the dissolution of many Republican organizations, South

³⁵ Center of Military History, *The Role of Federal Military Forces in Domestic Disorders, 1789-1878*, by Robert Coakley (Washington, D. C.: Government Printing Office, 1988). Russell Gilmore in his dissertation "Crackshots and Patriots" provides an excellent overview of southern rifle clubs, particularly in South Carolina.

³⁶ Steven A. Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA: Belknap Press of Harvard University Press, 2003). This quote appears under a picture following page 294. The image was taken from *Harpers Weekly*, October 21, 1896, 848 and shows two white men aiming their pistols at a black man with several other white men looking on.

³⁷ E. Merton Coulter, *The South During Reconstruction, 1865-1877* (New Orleans: LSU Press, 1947), 358.

³⁸ Coakley, *The Role of the Federal Military*, 335. Coakley cited a letter from Hale to the assistant Adjutant General, Department of the Gulf, dated December 15, 1876.

Carolina's Governor Wade Hampton called "upon the rifle clubs and red shirts to be a little more moderate and keep the peace" during a local election.³⁹ Hampton's call may have been effective but it in no way removed the presence of these clubs that played a role in the next presidential election held in South Carolina. During the campaign for that election, the *Boston Herald* reported that General Grant was "the only candidate who can bring out the Republican vote of the State in defiance of "red-shirts or rifle clubs."⁴⁰ Writing for the *North American Review* in 1890, former Congressman Robert Smalls noted that "(H)aving perfect immunity from punishment, the encouragement, if not the active participation, of the State government, and the protection of the courts of the State, the rifle clubs committed their outrages without restraint."⁴¹ While Hampton was calling on the rifle clubs to help keep the peace, Smalls suggested that they did so because the managers in each election precinct were selected from the rifle clubs.⁴² Though they played a significant role in local politics, southern rifle clubs were different than their counterparts in the north and west where hundreds of clubs received regular mention in marksmanship publications. With the exception of one club in San Antonio, Texas and another in Savannah, Georgia, southern rifle clubs were not included in reports published by *Shooting and Fishing* until late in the 1880s, when a team from Savannah, Georgia would win the Interstate Rifle Competition.

³⁹ "Governor Hampton," *Boston Daily Advertiser*, October, 31 1878. During the antebellum period, New York and other major cities clothed their firemen in red shirts for ceremonial purposes. Following the war the red shirt became synonymous with the "bloody red shirt" a symbol of sacrifice, first waved by a northern congressman.

⁴⁰ Reprinted in *Independent Statesman* (Concord, NH), April 8, 1880. Coakley suggests that by 1876 South Carolina had "organized nearly 13,000 men into 68 rifle clubs." Coakley, 337.

⁴¹ Robert Smalls, "Election Methods in the South," *North American Review* 151(November 1890): 593. Smalls was a former slave and congressman from South Carolina during Reconstruction.

⁴² Smalls, 595.

While rifle clubs existed to provide an opportunity for competitive marksmanship, occasions for community gatherings, or as a vehicle for political empowerment, their members were frequently also members of local militia or National Guard organizations. The marriage of rifle practice and state soldiery would eventually provide the scaffolding upon which the NRA would be able to build a nationwide organization.

2.3 The Militia: Uncertain Obligation, Uncertain Service

In 1977, Army Colonel Elbridge Colby wrote in *The National Guard of the United States: A Half Century of Progress* that "it is wrong to say that the National Guard of today is the unchanged, pure descendent of an ancient militia, British or colonial, of the Anglo-Saxon fyrd...or of any organization in which enrollment and service was compulsory, for the true National Guard has been and still is a volunteer service."⁴³ Colonel Colby would argue that the modern National Guard is equally not descended from America's militia of 1792 that was based on obligatory service from age 18 to 45. The Guard has been sculpted by the Constitution of the United States and a series of legislative actions that have vested distinct authority and responsibilities in both the federal and state governments for its support and control.

Before the militia could become a well-organized and responsive federally controlled National Guard, it had to overcome barriers that had been established by the Constitution, specifically the controls granted to state governments, as well as cultural norms. Article I, Section 8, Clause 14 of the Constitution provides that the Congress has three constitutional

⁴³ Elbridge Colby, *The National Guard of the United States: A Half Century of Progress* (Manhattan: Military Affairs/Aerospace Historian, Kansas State University, 1977), 4. Colby introduces his book with a recommended alternative title, "The Progress of a Political Institution." Also, see Martha Derthick, *The National Guard in Politics*, for a discussion of the Guard as a uniquely powerful interest group.

grounds for calling up the militia: "to execute the laws of the Union, suppress insurrection and repel invasions." All three standards appear to be applicable only to the Territory of the United States and none suggests that the militia might be employed on foreign soil for the purpose of extending America's influence beyond its borders. This limitation played a part in antebellum wars that required the projection of force into both Canada and Mexico and would again surface at the end of the nineteenth century during the Spanish American War.

Clause 15 of the same Section gives Congress the power "to provide for organizing, arming and disciplining the militia...reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress." To this day, governors retain the authority to appoint officers to the Guard, thus insuring the first loyalty of those officers to their state's chief executive. The limits placed on federal power, and the creation of this patronage system combined with the election of some officers by the members of various commands, provided ample support for the citizen-soldier to justify his ambivalence when called to serve the federal government during the nineteenth century. It also created a real dilemma for those officers who, when called into federal service, were faced with serving two masters. Neither the troops nor their officers were in a position to recognize a benefit to membership in a federalized militia or a true "national" guard.

Clause 15 also generated concern over a too-strong central government, which, in turn, led to the addition of the Second Amendment that was intended to ensure that the federal government could not disarm the state militias. That guarantee, combined with Section 10 of Article 1, that stated that "No State shall, without the consent of Congress...keep troops" created further opportunities for tension. That anxiety was realized when, in accordance with

Article 4, Section 4, states applied to the legislature for protection "against domestic violence." Those applications, particularly during the civil unrest of the latter half of the nineteenth century, would create a need to improve the relationship between the militia and the regular army.

2.4 The Rise of the National Guard

The name, National Guard, was first used by a New York militia unit that paraded to honor the Marquis de Lafayette during his 1824 visit to the United States.⁴⁴ Lafayette had been elected commander of the Paris *Garde Nationale* which was established by active citizens to maintain law and order during the French Revolution. The titles National Guard or State Guard vice militia were used intermittently during the nineteenth century. By 1900, the title National Guard in place of militia was universally accepted by most of the states. However, the roles and responsibilities of the state organizations did not change and their affiliation and loyalty did not shift from their state to the national authority until implementation of the Militia Act of 1903.⁴⁵ Furthermore, as noted by Colonel Colby, changing nomenclature from militiaman to National Guardsman had no effect on the ideological argument that the citizen-soldier employed when he was faced with a call-to-service. The decision to serve continued to be his and his alone. Whether called militiaman or National Guardsman, until 1903 when Congress modified the

⁴⁴ On August 16, 1824, to honor Lafayette during his visit to New York, recalling the National Guards of Paris, an officer suggested calling the local unit the National Guards. In 1832 that unit became the 7th Regiment of the New York National Guard. Other states followed suit and in 1896 only three states retained the title militia. In 1897, an act of Congress (29 Statute 592) added parenthetical words "generally known as the National Guard" to a reference to the militia. The use of the term "National Guard" was first mandated by the National Defense Act of 1916.

⁴⁵ Also known as the Dick Act for Senator Charles Dick, Ohio, Major General in the Ohio National Guard and Chair of the Senate Committee on Militia.

Militia Act of 1792, state soldiery remained as virtuous republican citizen-soldiers empowered with the individual freedom guaranteed in a liberal democracy.⁴⁶

Following the Civil War, Brevet Major General Emory Upton authored the first systematic examination of the nation's military history in a volume that was eventually published as *The Military Policy of the United States*. A West Point graduate and recognized scholar of military history, Upton was an outspoken opponent of civilian control of the military and, in particular, the ability of a militia comprised of citizen-soldiers to be viable defenders of the nation's interests.⁴⁷ His experiences in the recent conflict confirmed his belief that "the military edifice (the Militia Act of 1792) proposed by this law shows that its foundations were built on the sanas (sic) and that the Congress had, through the creation of state militias, substituted multiple state armies for a requisite national army."⁴⁸ He noted that states had failed to maintain a militia adequate to meet the needs of the Civil War and that "citizen soldiers will never take the place wisely reserved for them by the framers of the Constitution."⁴⁹ Upton was convinced that "the General Government could be reduced to a state of utter helplessness and inefficiency if it depended upon the militia alone."⁵⁰ Upton's position was based on his findings that militia forces had not proved adequate to the nation's needs during its first one hundred years and that the nation needed a dedicated, professional army. He was

⁴⁶ The fungibility of militia or National Guard can be confusing. In fact, there was no difference until after the Militia Act of 1903 established a federal role for the state soldiery during peacetime. Prior to that, state soldiers were only subject to federal service when mobilized by the chief executive of the country.

⁴⁷ Secretary Elihu Root, preface to *The Military Policy of the United States*, by Emory Upton (Washington, D.C.: Government Printing Office, 1912; repr., Memphis: General Books, 2010), 3. Upton died in 1881 and Root had his work privately published in 1904 before Government Printing Office publication. See also, Russell Frank Weigley *Towards an American Army: Military Thought from Washington to Marshall* (New York: Columbia University Press, 1962), 156-159.

⁴⁸ Upton, *Military Policy*, 102-4. Upton was referring to foundations built on sand.

⁴⁹ *Ibid.*, 102-4. Upton's use of the word "wisely" is out of context with his argument in general and can only be considered as a misprint or a unique understanding of the word.

⁵⁰ *Ibid.*, 102-4.

further validated by the events of the decade following the Civil War during a period that many historians have identified as the nadir of the nation's citizen-soldier viability.⁵¹

Whether they mustered as volunteers or as members of a compulsory force, and whether they joined to socialize, participate in rifle practice or other athletic events, the militiamen of the decades following the Civil War became embroiled in conflicts created by industrial capitalism. In addition to the traditional and cultural roles expected of citizen-soldiers, the economic reality of the late nineteenth century brought about the reinvention of the state military forces as agents of local businessmen as well as antagonists of unions and their membership. It was in this role that they were often reported by the news media as the enemy of labor who were "a menace to workingmen and used in the interest of oppressive capital and corporations."⁵² The role of domestic peacekeeper would do little to transition the state militias to a well-organized and dependable military force that would be available for national defense.

Following the war, one principal use of the militia was to support the government's efforts to break strikes. Between 1877 and 1892, the militia was called out in thirty-three instances to suppress labor unrest.⁵³ During the summer and fall of 1877, newspapers across the country reported about the conflicts between militiamen and laborers who had brought the nation's railroads to a halt. There was considerable destruction of property and the loss of over one hundred lives during the conflicts between strikers and military forces. Though questioned

⁵¹ For discussions of the militias' decline after the Civil War, see Derthick, *The National Guard in Politics*; Cooper, *The Rise of the National Guard*; and Riker, *Soldiers of the States*.

⁵² "Labor and the Militia," *The Milwaukee Sentinel*, January 13, 1887.

⁵³ Riker, *Soldiers of the States*, 52.

by some, historians have suggested that "the great majority...were killed by militia."⁵⁴ By the end of the nineteenth century, there were regular conflicts between labor unions and militia forces. In Muncie, Indiana, the local trade council condemned the militia and approved the removal of any union member who served in the state's armed force. While many non-union members decried the action as un-American, the union members responded with claims that the militia was little more than a tool of the corporations.⁵⁵ The *New York Times* was less gracious than the unions, reporting that "we have no desire to attempt the ungracious task of underrating the service now rendered to the public by the volunteer Militia...it must be said that the conduct of many of them has been disgraceful, and the plight of the best absolutely pitiable."⁵⁶

With limited financial support, their unwillingness to serve out of state, and their roles restricted to the suppression of civil unrest, most state militiamen had lost the military bearing expected by President George Washington who had written that "(T)he Militia of this Country must be considered as the Palladium of our security, and the first effectual resort in case of hostility."⁵⁷ However, they did retain one thing—and that was a commitment to state affiliation without federal intervention. While the leaders of New York's state soldiery focused on rifle

⁵⁴ Robert M. Fogelson, *America's Armories: Architecture, Society, and Public Order* (Cambridge, MA: Harvard University Press, 1989), 21. Jim Dan Hill defends militiamen and does not mention casualties from the strikes, arguing that militiamen sided with the strikers and took "casualties rather than fire into the rioters." Hill, *The Minute Man in Peace and War: A History of the National Guard* (Harrisburg, PA: Stackpole, 1964), 126; Riker, *Soldiers of the States*, 51-55. Riker provides tabular data about strike occurrences but avoids mention of casualties; Mahon, *History of the Militia*, 112-113. Conversely, Mahon attributes lost lives to militia firing machineguns into mobs of strikers.

⁵⁵ *The Indiana State Journal* (Indianapolis, IN), October 4, 1899.

⁵⁶ "Volunteer Militia and Riots," *New York Times*, July 26, 1877.

⁵⁷ George Washington to John Hancock, circular, June 11, 1783, Papers of George Washington, <http://gwpapers.virginia.edu> (accessed November 12, 2012). Washington and the other founders would have been familiar with the English militia model, which had been imported to the Colonies. Under that model, the militia was restricted to local service unless expressly called forth in the event of a national exigency.

practice, citizen-soldiers in other parts of the country were conflicted by societal demands for law and order. Until those arguments were resolved, the nation would have difficulty creating an organization that would satisfy everyone. However, in the ranks—whether in response to romantic, masculine or patriotic appeal—men who formed units and purchased arms, uniforms, and equipment in the 1870s would become "the nucleus of the National Guard."⁵⁸

While the militia fell on hard times following the Civil War, the early 1870s saw a marked increase in men interested in militia membership and service for a variety of reasons. Among those reasons was a longing for military association by many Civil War veterans. Additionally, the romanticism of military service was appealing to young men who had not served and who sought opportunities for manliness, physical fitness, duty, and discipline, which were the values the National Guard promised. Concurrent with this apparent yearning by individuals, former Civil War officers began to consider ways that might be employed to improve the quality of the average militiaman.⁵⁹ Improvement would unveil itself through two forums: first the improvement of individual skills, specifically an effort to improve rifle marksmanship, and second offering those individuals membership in a military organization, which would give rise to the National Guard Association in 1879. In his book, *The Segmented Society*, about America's maturation in the latter half of the nineteenth century, Robert Wiebe argued that in order for segments of society to work together they must find non-threatening

⁵⁸ Derthick, 16-18; Cooper, *Rise of the National Guard*; and Riker in *Soldiers of the States* point out that the states did not assume the title National Guard until the following decade during which every state in the union revised their military codes.

⁵⁹ Improving American society in the late nineteenth and early twentieth centuries is the theme of Robert Wiebe's *The Search for Order, 1877-1920* (New York: Hill and Wang, 1968); Roger Possner, *The Rise of Militarism in the Progressive Era, 1900-1914* (Jefferson, N.C: McFarland, 2009), 10-13 discusses the improvements sought for the National Guard during this period.

common ground.⁶⁰ For the National Guard, military marksmanship competition was that common ground with a common language and common purpose.

Among the guard officers interested in improvement was Captain George Wingate, a civil war veteran of New York's Twenty-second Regiment "eager to improve the marksmanship skills of his Guardsmen."⁶¹ Wingate, a practicing attorney, had enlisted in the New York National Guard as a private in 1862. After reaching the rank of sergeant, Wingate, who had been familiar with firearms from boyhood, proved to be the best marksman in his company. While certainly proud of his accomplishment, Wingate "became impressed with general ignorance existing among the troops of the National Guard in relation to the use of their arms." Repeatedly refusing a commission, he rose through the ranks, and, during service at Gettysburg, was promoted to First Sergeant.⁶²

Wingate finally accepted a commission in late 1863 and was promoted to captain in 1867. Following the war, Wingate began to assess the needs of the soldiers with whom he had served. He noted that state military organizations during the antebellum period had focused on the social rather than military skill attributes. "Being dissatisfied with the time devoted to secure precision in drill while the practical duties of a soldier were almost neglected," led him to seek, inter alia, a method to improve rifle practice. Toward this end, he contacted his brother, J. Phelps Wingate, who was in England.⁶³ Wingate's brother was able to acquire "copies of text-books used in the English Volunteers and in the British Musketry School in

⁶⁰ Robert H. Wiebe, *The Segmented Society: An Introduction to the Meaning of America* (New York: Oxford University Press, 1974), 53.

⁶¹ *The National Guardsman*, April 1878, 146.

⁶² *Ibid.*, 146.

⁶³ *Ibid.*, 146.

Hythe.⁶⁴ Subsequently, Wingate set up a training program and a series of local and interstate competitions for members of the Twenty-second Regiment and, at the request of the "Board of Officers... prepared a short manual of aiming and position drill for regimental use."⁶⁵

"As there was no book to be had from which the officers could obtain the information necessary to enable them to instruct their men in shooting, the writer was required by the Board of Officers of the Twenty-second to prepare something of that description to be printed for regimental use. In compliance with this request, he wrote a small pamphlet, based upon the system that he had developed in the instruction of Companies A and H."⁶⁶

Fortuitously, in the summer of 1869, Wingate met Major William H. Powell who was a journalist with the military publication, *Army and Navy Journal*. Their discussions about marksmanship in the Guard led Powell to introduce Wingate to the future co-founder of the NRA, the *Journal's* publisher, Colonel William Conant Church.⁶⁷

In his memoirs, Wingate wrote that "(P)rior to 1871 rifle ranges were as rare as white elephants. The National Guardsman served his entire term of enlistment without firing a shot." "Aiming or position drill was unheard of. The men learned how to load and fire their rifles and that was all."⁶⁸ This was the condition that prevailed in America until after 1871, although the Civil War had "demonstrated with bloody clarity that soldiers who could not shoot straight

⁶⁴ George Wood Wingate, *History of the Twenty-second Regiment of the National Guard of the State of New York: From Its Organization to 1895* (New York: Edwin W. Dayton, 1896), 387.

⁶⁵ Wingate, 391-405; *The National Guardsman*, April 1878, 146.

⁶⁶ Wingate, 389.

⁶⁷ Wingate wrote *The Last Campaign of the Twenty-Second Regiment: N. G. S. N. Y June and July 1863* (New York: C.S. Westcott, 1864) as a tribute to his regimental officers. See "Life Sketches - Colonel George W. Wingate," *The National Guardsman*, April 1878, 146. The quotes in this and the previous paragraph come from the *National Guardsman* biography.

⁶⁸ Wingate, *History of the Twenty-second Regiment*, 71.

were of little value."⁶⁹ Wingate's concern, also reflected in the report of the first meeting of the NRA, was that a changing America was "rapidly depriving (young American men) of the personal skills in arms and marksmanship, which has hitherto formed one of the greatest elements of our national strength."⁷⁰ His search for information about marksmanship training led him to Church's *Army and Navy Journal*. Prior to military service, Church had been an avid sportsman with a keen interest in riflery. This interest guided him to publish several articles on the importance of marksmanship, European methods of training, and the lack of rifle expertise in the American forces.⁷¹ One month after the *Journal's* initial publication, its subscribers read about Church's interest in the "possibility of combining a rifle corps with a reorganized militia."⁷² In 1870, America was among the very few major armies that did not have a formal marksmanship program. Perhaps frustrated by limited attention to marksmanship training in the U.S., and with a desire to expand their attention beyond Guard units, Wingate and Church turned to Great Britain. Britain's National Rifle Association would prove to be a valuable source of inspiration and practical knowledge in the establishment of a similar American association and the implementation of a rifle marksmanship program for this nation's citizenry.

⁶⁹ George Wood Wingate, "Recollections of the National Rifle Association," *American Rifleman*, May 1951, 32. This was a re-publication of parts of Wingate's memoirs.

⁷⁰ NRA, *Report of the National Rifle Association of America for the Year 1873* (New York: Reynolds & Whelpley, 1877). Henceforth abbreviated as *First Annual Report*.

⁷¹ During the Civil War, Church had been selected to publish the United States *Army and Navy Journal and Gazette of the Regular and Volunteer Services*, first appearing in August 29, 1863. The publication's purpose was to counter what some considered a "disloyal and subversive press." While Church met his obligations to the Union cause, he did not hesitate to use this newly developed vehicle to advocate personal goals. See James B. Trefethen, *Americans and Their Guns: The National Rifle Association Story Through Nearly a Century of Service to the Nation* (Harrisburg, PA.: Stackpole Books, 1967), 30; Donald N. Bigelow, *William Conant Church & the Army and Navy Journal* (New York: Columbia University Press, 1952), 184; and Charlotte Wallis Chamberlain, "William Conant Church and the Transformation of the National Rifle Association" (master's thesis, University of New Orleans, 1993).

⁷² *Army and Navy Journal*, May 11, 1867, cited in Bigelow, *William Conant Church*, 184.

2.5 Founding the NRA

George Wingate's interest in rifle marksmanship continued well after the war and his failure to find information about how to teach marksmanship in America's War Department libraries led him to follow Church's suggestion that he write a manual for his soldiers. The *Manual of Rifle Practice* was subsequently published as a serial by Church in *Army and Navy Journal* and as a book in 1874, which Wingate wrote "led to the formation of the National Rifle Association."⁷³ Wingate was aided in the preparation of the manual by Colonel Henry G. Shaw of the New Jersey National Guard. Shaw had been working for some time to introduce rifle practice in New Jersey's Fourth Regiment and would have likely been a more significant contributor to the early NRA if he had not been transferred to California in his civilian capacity as an employee of Pacific Life Insurance Company. Shaw remained active in NRA matters and by 1875 the California press was reporting that Colonel H.G. Shaw was the president of the California Rifle Association.⁷⁴

Wingate's manual was well received at the state level and became an accepted resource for marksmanship training in New York Guard units. Wingate was specific in his direction that "every commanding officer is responsible for the instruction of his command in musketry."⁷⁵ It was this recommendation that led to the establishment of rifle practice inspectors at every level of the National Guard. Capitalizing on the use of the *Manual* and his frequent articles on the importance of marksmanship, Church published a clarion call to arms for the establishment

⁷³ George Wood Wingate, *Manual for Rifle Practice*. The manual was published in serial from 1870 to 1871, just prior to the first meetings of the NRA. Wingate, *History of the Twenty-second Regiment*, 391 addresses the purpose of the publication.

⁷⁴ "California Rifle Association," *Daily Evening Bulletin* (San Francisco, CA), June 7, 1885.

⁷⁵ Wingate, *Manual for Rifle Practice*, 4.

of America's NRA. "An association should be organized in this city to promote and encourage rifle shooting on a scientific basis."⁷⁶ Significant to Church's solicitation was his subsequent comment that the "National Guard is to-day too slow in getting about this reform."⁷⁷

One week after that publication, Church and Wingate met in the *Journal's* offices for the embryonic meeting of the NRA.⁷⁸ The assembly assigned a committee on organization that included Major General John B. Woodward, Brigadier Generals Augustus Funk and Thomas S. Dakin, Colonels Church, Harry Rockafellar and Henry G. Shaw, Major George Moore Smith, Captains Bird W. Spencer, and George W. Wingate with Colonel Frederick E. Mason as chairman. At the next NRA meeting, on March 5, 1872, the Board of Directors resolved that "the *Manual Of Rifle Practice* prepared by Captain George W. Wingate, and which has been examined and approved by the Major-Generals commanding the First and Second Divisions N.G.S.N.Y. be approved and adopted by this Association, and that the Commander-in-Chief be requested, if the same meets his approval, to adopt the same officially for the use of the National Guard."⁷⁹ The Board's recommendations received favorable action from the governor which allowed Wingate to include in his manual that "Regulations adopted by the National Rifle Association to govern all competition in marksmanship (were) Approved by the Adjutant-General, June 1872."⁸⁰ Captains Spencer and Wingate would play pivotal roles in the development and growth of the National Guard, the National Board for the Promotion of Rifle

⁷⁶ "Rifle Shooting Association," *Army and Navy Journal*, August 12, 1871.

⁷⁷ Ibid.

⁷⁸ The initial meeting was held in the offices of the *Army and Navy Journal* at 192 Broadway in Manhattan, NY. The meeting was reported in the National Rifle Association's *First Annual Report* issued in 1873 (New York: Reynolds & Whelpley, 1877). *The National Guardsman*, April 1878, 146 also details the events of the first meeting of the NRA.

⁷⁹ Wingate, *Manual for Rifle Practice*, 1. In this instance the Commander-in-Chief referred to is the governor of the state of New York. N.G.S.N.Y. is the National Guard of the State of New York.

⁸⁰ Wingate, *Manual*, 96.

Practice, and the NRA. Seven years later, Brigadier General Wingate would preside at the initial meeting of the NGA, and thirty years later, it would be Brigadier General Spencer who would provide Secretary of War Root the organizational structure for the Board that would inexorably tie the federal government to the NRA.⁸¹

The purpose of the NRA, according to Church, was to turn “the Guard into sharpshooters.”⁸² Church was convinced that the government was moving too slowly to improve rifle practice and that “private enterprise must take up the matter and push it into life.”⁸³ Church and the other early members recognized the importance of image. Beginning with the choice of Civil War General Ambrose Burnside as the Association's first president, the NRA would select a series of presidents who were either former U.S. presidents, commanding generals of the Army, or other equally recognizable luminaries.⁸⁴ As reported in the Colorado press, the "National Rifle Association, organized in this city with General Burnside as President, and a number of well known citizens on its Board of Directors, is endeavoring to unite the National Guard...to make rifle practice a part of the regular course of instruction."⁸⁵ General Ambrose's first assignment was prophetically to act as a lobbyist for the inchoate Association.

The newly-formed organization was incorporated under the laws of the state of New York and included among its incorporators the "Generals of ... the National Guard of NY and

⁸¹ A copy of Spencer's letter relating the events of the late January 1902 meeting of the NRA executive board with Secretary of War Root is found in Box 29 of the Civilian Marksmanship Program Archives. That letter relates the meeting's purpose to provide recommendations for rifle practice to the Secretary. An attachment to the letter includes written recommendations subsequently provided to the Secretary at his request. The contents of the letter and its implications are addressed in detail in the discussion of the rebirth of the NRA in the early twentieth century. The letter was also published by W.C. Gould in *Shooting and Fishing*.

⁸² Bigelow, *Church*, 186.

⁸³ Untitled article, *Army and Navy Journal*, August 12, 1871. Also cited in Trefethen, *Americans and Their Guns*, 34.

⁸⁴ Burnside was followed by Generals Sheridan and Grant. The selection of prominent Americans continued well into the twentieth century with the selection of Charlton Heston as the Association's president from 1998-2003.

⁸⁵ "An American Wimbledon," *Daily Central City Register* (Central City, CO), Wednesday, April 17, 1872. Wimbledon, England is the site of the British National Rifle Association's annual matches.

General A.E. Burnside and other ex-officers of the Army...and many prominent citizens."⁸⁶

Though founded by prominent citizens, there was a pressing need for intellectual, financial and material resources with which to establish a marksmanship program. To meet those demands, "the NRA began a process it would perfect throughout the next century."⁸⁷ That process began with the 1872 draft by the NRA Board of Directors of "An Act to Establish a Rifle Range and Promote Skill in Marksmanship." The plan was originally prepared by Wingate and presented to the NRA at the same time that he presented his proposed *Manual for Rifle Practice*. The final document was provided to David W. Judd, a New York legislator and close friend of both Wingate and Church, who had been elected to the State Assembly from Richmond County, NY. It certainly did not hurt that Judd was a veteran of the Twenty-second Regiment, Wingate's regiment during the Civil War, and a former war correspondent for the *New York Times*. Judd sponsored the bill in the Assembly that would eventually bear his name while John C. Perry of Kings County, NY sponsored it in the Senate.⁸⁸ With the help of Church's connections and General Ambrose's lobbying, as well as numerous articles by Wingate and encouragement from New Jersey's Colonel Shaw and New York Adjutant-General Townsend, the bill passed shortly before the end of the legislative session. "The friendship of Adjutant-General Townsend toward the measure was great assistance in securing the passage of the bill, and for its subsequent success the National Rifle Association is largely indebted to that eminent officer's

⁸⁶ NRA, *First Annual Report*, 6-7.

⁸⁷ Josh Sugarmann, *National Rifle Association: Money, Firepower & Fear* (Washington, D.C.: National Press Books, 1992), chap. 1.

⁸⁸ NRA, *First Annual Report*, 10. The NRA would add its thanks to Judd by commissioning a rifle trophy that still bears his name. See Trefethan, *Americans and Their Guns*, 50. "Judd Match offered annually...to commemorate the services rendered by Hon. David W. Judd in securing the passage of the law by which the Association was enabled to obtain a range." *The Rifle*, July 1885, 30.

firm and unwavering support."⁸⁹ Once signed by the Governor, the law provided \$25,000 to the NRA to purchase land for rifle ranges. Additional funds were provided by "the city of New York...railroad corporations and other parties interested in the establishment and success of the range."⁹⁰ With the state's largess, the association acquired the one-hundred acre Creed Farm on Long Island and proceeded to develop Creedmoor Range.⁹¹ The new association had initiated the first of many NRA successes based on legislative support for marksmanship training. That the city of New York provided funds for the development of Creedmoor would likely be a factor leading to Congressman Abram Hewitt's support for rifle practice during the 45th Congress.⁹²

Converting a one-hundred acre farm into rifle ranges was a major and expensive undertaking. Again, political connections would provide the needed support. Transformation of the Creed farm was aided by Captain William Prince of the U.S. Army Ordnance Department and with skilled military labor that was provided at minimal cost by Major General Henry L. Abbot, commander of the Army engineer detachment stationed at Willett's Point, Long Island.⁹³ Lacking local expertise upon which to draw, Colonel Rockafellar traveled to England, and Wingate traveled with consulting engineer John A. Church to Canada seeking information about

⁸⁹ "Life Sketches, Colonel George W. Wingate," *National Guardsman* 1, no. 9 (April 1878): 147. In this biographical article about Wingate, the author quotes Wingate as having credited Townsend for his support. Townsend would later contest a future Governor's decision to rescind support for Creedmoor.

⁹⁰ "The National Rifle Association and the New Range," *Boston Daily Advertiser*, June 15, 1873; "The Creedmoor Range," *Frank Leslie's Illustrated Newspaper* (New York, NY), July 5, 1873; and George Wingate, "Recollections of the National Rifle Association," *American Rifleman*, June 1951.

⁹¹ "The National Rifle Association and the New Range," *Boston Daily Advertiser*, June 15, 1873; *The Milwaukee Sentinel*, October 10, 1872. The Wisconsin paper reprinted articles from the *New York World*. Church and Wingate chose to add "moor" to the farm name as the land suggested the appearance of an English moor.

⁹² Congressman Hewitt's support of NRA initiatives is addressed in the next chapter.

⁹³ NRA, *First Annual Report*, 14; Trefethen, 44.

targets, an effective marking system, and how to operate a large marksmanship range.⁹⁴

Wingate would later visit the ranges at Wimbledon Common, home of the British NRA, and purchase targets and carrier mechanisms for installation at the American NRA facility.⁹⁵ In an effort to support Wingate's new organization, New York Congressman Roscoe Conklin "asked and by unanimous consent obtained leave to introduce a bill to permit the importation, free of duty, of certain targets and appurtenances for the National Rifle Association."⁹⁶ Conklin's bill was referred to the Committee on Finance where it was postponed indefinitely. While the NRA had been able to muster the support needed to succeed in gaining the support of the New York legislature for the appropriation of funds, the federal government would not become directly favorably inclined toward the NRA until well into the twentieth century. In the meantime, it became imperative to find other means through which to gain the support needed to become a long-standing, national organization.

The British National Rifle Association was founded because the volunteer force created in 1859, out of fear of French invasion, "was totally unskilled in the use of rifles."⁹⁷ The charter for Great Britain's NRA included the mission "to provide a focus for marksmanship for the newly formed corps of volunteers which had been raised to meet the perceived threat of invasion by the French."⁹⁸ While the royal family supported the NRA, there was a noted

⁹⁴ NRA, *First Annual Report*, 15.

⁹⁵ NRA, *Second Annual Report* (Passaic, NJ: Daily News Printers, 1875), 5.

⁹⁶ Congressional Record, 42nd Congress, page 3811, Senate Bill 1160

⁹⁷ Susie Cornfield, *The Queen's Prize: The Story of the National Rifle Association* (London: Pelham Books, 1987), 16. The book's title comes from Queen Victoria's personal bestowal to the winners of the first competition trophy awarded by the British NRA.

⁹⁸ NRA, *First Annual Report*, 14 noted that Colonel Harry Rockafellar went to England, and Wingate and John Church to Canada for research on their programs. The *Second Annual Report* notes that Wingate had just returned from Britain with additional information about range operation. The mission of the NRA of Great Britain can be found at <http://www.nra.org.uk> (accessed April 10, 2013).

absence of support from Parliament, except, not unlike the American Congress, during time of war when Parliament reluctantly supported the provision of an instructor staff. The charter that would eventually be developed for America's NRA depended heavily on the British marksmanship program, but America's charter set its sights on a much broader vision for future growth and one dependent on the establishment of marksmanship clubs throughout the country. Unlike the British situation, America already had a well-established, if not well-disciplined, militia upon which to draw. However, like the British NRA, there was a "noted absence of support" from the legislature. This absence would haunt the NRA until a reversal of legislative temperament was achieved in the early twentieth century.

By early 1872, American newspapers across the nation were reporting the founding of the National Rifle Association and the purchase of property on which to build a rifle range on Long Island that would be similar to those that had been used by the British NRA since 1860.⁹⁹ Those announcements were followed by invitations to participate in rifle shooting competitions from the New York leaders of American marksmanship to National Guard units around the country.¹⁰⁰ The first shots were fired on Creedmoor Range by George Wingate on April 25, 1873, and the first competition was held two months later between regular Army and National Guard units from New York and New Jersey, "the first instance it is believed, in which the National Guard of the different States have been brought into military competition."¹⁰¹ The training that had been conducted by Wingate paid big dividends. The Twenty-second Regiment of the New York National Guard was the overall winner in the regimental competition.

⁹⁹ *Daily Central Register* (Central City, CO), April 17, 1872; *Boston Daily Advertiser*, September 13, 1872; *Milwaukee Daily Sentinel*, October 10, 1872.

¹⁰⁰ *Milwaukee Daily Sentinel*, May 19, 1873.

¹⁰¹ NRA, *Second Annual Report*, 12.

Thereafter, the NRA range was in almost continuous use, including weekends, for either competitions or training of Guard and regular Army forces. Young men who were regularly seen traveling from the city "armed with rifles and improved models" were "National Guardsmen, as the New York militia delight to call themselves...on their way to the new range at Creedmoor to practice."¹⁰² The *NRA Annual Report* noted that "that General Rathbon (New York's Adjutant General) has officially required the National Guard throughout the State to take up aiming drill and rifle practice as part of their regular drill" and that over 3,000 men used the range during the previous year.¹⁰³

2.6 NRA Goes National

Building on the enthusiasm for rifle clubs and a growing interest by National Guard units, on October 8, 1873, the NRA initiated annual competition with a match named in honor of David W. Judd, the sponsor of the NRA's first legislative success. Wingate's efforts were validated when the Twenty-second Regiment again dominated the competition. Creedmoor's first international competition was held in September 1874 between an NRA civilian team and the Irish national team.¹⁰⁴ The NRA opened its third annual meeting on January 12, 1875 with a report from its President that great success had been achieved during the past year to include the building of ranges similar to Creedmoor around the country and along the southern coast of

¹⁰² The National Rifle Association and the New Range," *Boston Daily Advertiser*, June 15, 1873.

¹⁰³ NRA, *Second Annual Report*, 12.

¹⁰⁴ Trophies first presented in 1874 and 1875 are still awarded annually and currently reside at the Directorate for Civilian Marksmanship at the Army National Guard Camp in Perry, Ohio. The following year America won a rematch that was held in Ireland. Creedmoor matches in 1874 and 1875 included teams from Ireland, Scotland, Australia, and Canada. America won again and a new trophy, the Centennial Trophy, made its first appearance. The word "PALMA," Latin for palm tree, a symbol for excellence in ancient Rome, was engraved on the trophy and it was soon renamed the Palma Trophy, awarded for the Palma Match.

America.¹⁰⁵ Additionally, "(T)he treasurer is able to report a most satisfactory condition of his department....money coming to him from State and municipal appropriations sufficient to cover every obligation."¹⁰⁶ As previous annual reports had also shown a level of fiscal security, the Association reached the decision to lease offices for the NRA at Fulton and Nassau Streets and to hire two employees, an assistant secretary, and a treasurer. Additionally, the Association approved an initiative to allow National Guard and affiliated rifle clubs (specifically the Amateur Rifle Club which predated the NRA) to build cottages on the Creedmoor grounds at no cost "so long as such organizations continues its connection with the National Rifle Association."¹⁰⁷ The fact that local rifle clubs would be affiliated with the NRA would become a major plank in the platform proposed by the NRA when it later sought to become the nation's preeminent marksmanship spokesman. Early indications of this included reports from affiliated clubs in Pennsylvania, Connecticut, Massachusetts and California that were included in the report of the Association's fourth annual meeting. Affiliation expanded to clubs from six states and the District of Columbia by 1877. At the same time, numerous clubs were founded in New York, and the use of the Creedmoor range by local Guard units was increasing. The direct relationship of extant rifle clubs, Wingate's manual, and the NRA can be seen in the number of rifle clubs that employed inspectors of rifle practice.¹⁰⁸ By 1875, NRA competitions were being publicized across the country on a regular basis.¹⁰⁹

¹⁰⁵ NRA, *Report of the National Rifle Association of America for the Year 1875* (Passaic, NJ: Daily News Printers), 7. Henceforth abbreviated as *Third Annual Report*.

¹⁰⁶ *Ibid.*, 8.

¹⁰⁷ *Ibid.*, 16. The Amateur Rifle Club was a decade's old, active club in New York interested in regular use of Creedmoor.

¹⁰⁸ See section 2.2, "Rifle Clubs," in this dissertation.

¹⁰⁹ Pending NRA competition with Britain resulted in fifty articles appearing between December 30, 1875 and March 23, 1876 in fourteen different newspapers from thirteen states.

As the NRA expanded its reach, it offered marksmanship and range development advice to clubs and to the Adjutant Generals of other states. NRA President Shaler reported that the "fourth year of our existence as a Rifle Association has been one of eminent success and prosperity...free from debt. In every direction, Associations and Clubs are being formed, and men of all ages and conditions of life are studying the science and indulging in the past time of open air rifle shooting."¹¹⁰ In 1877, the Wisconsin legislature presented a petition that had been prepared by the National Rifle Association for an appropriation for the "encouragement of rifle practice not only in the regular army and navy, but among the uniformed militia of the various states."¹¹¹ Not only had the name changed from militia to National Guard but now there would be a national competition that included both militia and regular forces, and it would be coordinated and directed by a private organization which might easily be seen as in direct conflict with Article I, Section 8 of the U.S. Constitution which reserved to the states the authority of "training the Militia according to the discipline prescribed by Congress." The expanded reach of the growing Association was placing some of the aforementioned congressional authority in the hands of the NRA. Though the NRA struggled to survive in the nineteenth century, in the early twentieth century it would extend its reach to become a voice within the executive branch of the federal government. The potential strength of the federal government had, during deliberations over the Constitution, raised such concern that the Anti-federalists had sought means to deflect the power of a potentially tyrannical clone of the British monarch through the introduction of the Second Amendment which guaranteed state control over the militia forces. By positioning itself in state-level training of the militia, the NRA was

¹¹⁰ NRA, *Third Annual Report* (Passaic NJ: Daily News Printers, 1876), 5-6.

¹¹¹ *Milwaukee Daily Sentinel* (Milwaukee, WI), October 26, 1877.

using the fulfillment of the needs of the individual states as an important resource for future growth.

As the NRA improved its stature in the marksmanship community, it faced several obstacles. The Association began to solidify its relationships with gun manufacturers, and, as competition programs grew, that industry provided prizes for competitions, often paying entry fees for selected competitors. Twentieth century authors who look for ways to attack the NRA have suggested that "(R)umblings were heard in the sporting press that the NRA was a shill for arms manufacturers."¹¹² However, the leading marksmanship publications, *The Rifle* and *Shooting and Fishing*, carried numerous advertisements and did not include one "rumbling" between 1885 and 1900. The mainstream press was more favorably inclined to support arms manufacturers, and one report of financial dealings in the industry noted that the "Remington Brothers are now receiving assistance...and they are entitled to it, because they spent their money lavishly in good works and good deeds" to include over \$70,000 for a daily religious journal.¹¹³

Possible opposition from the press, however, was not the only obstacle to the success and growth of the burgeoning marksmanship program. A second challenge came from the regular Army which did not recognize the NRA as a military organization even though the Association saw itself as quasi-military and as the Nation's voice for marksmanship. Part of the

¹¹² Osha Gray Davidson, *Under Fire: The NRA and the Battle for Gun Control* (Iowa City: University of Iowa Press, 1998), 26. Conversely, a review of publications of *Shooting and Fishing*, the unofficial NRA magazine, from 1885 through 1900 reveals numerous articles in every edition about weapon and ammunition development and performance and a wide array of advertising. There were no suggestions that the NRA reaped special benefits. More to the point, the 1890s saw the failure of the NRA to continue in its role primarily due to the lack of necessary financial support to operate Creedmoor and keep its offices open. A C. Gould, the editor of *Shooting and Fishing* was not a fan of the NRA and was among the first to suggest its operation of Creedmoor was ineffective, suggesting that he would have included rumblings, had they existed.

¹¹³ "Why the Remingtons Went Under," *Daily Rocky Mountain News* (Denver, CO), May 15, 1878.

rationale that led the Army to return the trophy stemmed from an internal struggle between Army leaders who argued for an infantry that was focused on collective skills which included the massing of fires and those that subscribed a belief in the lethality of individual aimed fire.¹¹⁴ Massed fires would require a large number of soldiers to fire at a specified target with the expectation that the sheer volume of fire would suppress the enemy. This approach was adopted by those who did not believe in the advertised accuracy of military rifles and were convinced that individual soldiers could not develop marksmanship skills, even if they were supplied with highly accurate rifles. Wingate had been able to convince the Secretary of War to allow participation of regular Army competitors in the 1878 matches. "Although they failed in 1878, and again the next year...the Department of Missouri carried off Hilton's prize in 1880." However, as if to add insult to injury, following the 1880 matches, the Army withdrew from competition and went so far as to return the Hilton Trophy that had been won at the annual competition.¹¹⁵

There were exceptions to the Army position, including the ground-breaking work being carried on in California using the target system and marksmanship training programs developed by the NRA at the Creedmoor range in New York. "Major General Edward O.C. Ord actually had pioneered Army riflery - with a system based on that of the NRA - even before Little Big Horn (1876)."¹¹⁶ Ord's efforts would reap benefits during the subsequent decades as California saw rifle clubs flourish in San Francisco and San Diego. Civilian and army regulars competed for

¹¹⁴ The subject of aimed versus massed shooting for battlefield effectiveness is addressed at length in Chapter 6 of this dissertation in the section "New Questions about Rifle Marksmanship Raise a New Threat to the NRA."

¹¹⁵ Trefethen, *Americans and Their Guns*, 88.

¹¹⁶ Gilmore, "Crackshots and Patriots," 97.

opportunities to travel from the West Coast to New York for the annual competitions at Creedmoor.¹¹⁷

The Ordnance Department of the Army, in an apparent effort to separate itself from the NRA, and as "a singular method of vindicating itself from any suspicion of learning from the militia," wrote its own marksmanship manuals using much of Wingate's work, some with and some without his authorization.¹¹⁸ U.S. Army Colonel Theodore Thaddeus Sobieski Laidley was given the assignment and, as reported by *The Nation*, "(H)e had an easy task, apparently, since he availed himself of Wingate's 'Manual' with perfect freedom and to a large extent." *The Nation* also reported that in the transmission of Laidley's work, the War Department Chief of Ordnance wrote that "(I)n preparation of this work all credit is due to Colonel Laidley."¹¹⁹ Laidley, produced "A Course of Instruction in Rifle Firing," a marksmanship manual for which he was subsequently found guilty of plagiarism. Laidley later published a detailed response to the charge of infringement asserting that "Col. Wingate's (charges) are utterly without foundation in fact."¹²⁰ Wingate had earlier authorized Army Lieutenant Edward S. Farrow, Captain Stanhope E. Blunt, and First Lieutenant H.K. Gilman of the Marine Corps to use large portions of his *Manual for Rifle Practice* in service documents.¹²¹ The exchange of information and the charges of infringement are interesting. However, what is pertinent to this discussion is that a

¹¹⁷ "Shooting for Places in the Creedmoor Team," *Daily Evening Bulletin* (San Francisco, CA), Saturday, August 21, 1880. There are numerous articles in the *Daily Evening Bulletin* that announce similar events during the late 1870s and 1880s

¹¹⁸ "Colonel T.T.S. Laidley," *Boston Daily Advertiser*, December 16, 1879; "Notes," *The Nation*, September 18, 1879, 193.

¹¹⁹ "Notes," *The Nation*, September 18, 1879, 193.

¹²⁰ Theodore Thaddeus Sobieski Laidley, *Colonel Laidley's Reply to the Charge of Infringement of Colonel Wingate's Copyright (1879)* (Boston: Mills, Knight & Co., 1879). *The Nation* carried a report of Laidley's rebuttal on December 11, 1879.

¹²¹ Gilmore does provide evidence he cites from "Recollection of the National Rifle Association" found in a scrapbook held in the NRA Washington D.C. Archives. The NRA archives are no longer open to the public.

very real relationship existed between Wingate as a member of the New York National Guard and a spokesman for improved marksmanship to be implemented by the NRA, and the regular Army which was struggling with the importance of aimed fire.¹²² This exchange confirms that the NRA had a seat at the table and a voice in the discussion of rifle practice. The legitimacy of that voice would remain in question until the Association found a way to have its voice validated by the federal government, specifically the U.S. Army.

While the relationship between the Army and the NRA remained tentative until legislation in the twentieth century provided some structure, the NRA continued to grow. At the NRA's sixth annual meeting, held on January 8, 1878, the president reported that life membership had increased by thirty percent during 1877 and that teams from NY, CA, LA, NJ, MA, CT and DC had participated in the previous year's matches. Major trophies had been won by California and New Orleans National Guard units, thus bringing recognition to the increased strength of competition from southern and western participants. Acknowledging its expanding nature, the president also reported that an official name change to the National Rifle Association of American had been effected and that senior Army officers and all state Adjutants General had been added as *ex officio* directors.

The growth in membership would begin to shift the following year as reported at the February 1879 Board of Directors meeting that the "annual membership roll has suffered a decrease of about forty names during the past year."¹²³ The apparent change in the Association's success led to the promotion of several resolutions intended to reverse that

¹²² The subject of aimed versus massed shooting for battlefield effectiveness is addressed at length in Chapter 6 of this dissertation in the section "New Questions about Rifle Marksmanship Raise a New Threat to the NRA."

¹²³ NRA, *Seventh Annual Report* (Passaic, NJ: Daily News Printers, 1880), 9.

trend. Among the numerous resolutions adopted during the Seventh Annual Meeting was one that "the riflemen of the different States should endeavor to form State associations, which in turn may be represented in the National Association, so as to unite the riflemen now divided in local clubs without any bond of union, and aid in inducing the military authorities of each State to instruct their National Guard how to shoot."¹²⁴ Having been rebuffed by the regular Army, the NRA sought to increase its presence within the National Guard units of the various states. Success would not come for several years, and, in the meantime, the programs at Creedmoor continued to suffer. Following the 1878 spring matches, General John B. Woodward, the match Executive Officer, reported to the NRA president that the "attendance was but small, compared to what had been anticipated." His report continued with an expression of "regret that the meeting has not resulted in a substantial financial success." In fact, the treasury showed a balance of \$26.02 on May 31, 1878.¹²⁵

2.7 Conclusion

The closing decades of the nineteenth century would see major changes in the National Guard and the National Rifle Association. The former would strive to unite the states' soldiery in the National Guard Association, whose goal would be to transition the disparate state organizations into a reserve force for the nation's standing army. The latter would struggle to impress the nation with the importance of rifle practice for the defense of a nation which was growing in its international significance. Neither would succeed before the twentieth century, but the experience gained during the 1880s and 1890s would provide the knowledge needed

¹²⁴ NRA, *Seventh Annual Report*, 11.

¹²⁵ NRA, *Eighth Annual Report* (Passaic, NJ: Daily News Printers, 1881), 24-25.

for future success in both organizations. In addition, it would create relationships upon which to build a grassroots organization that reached to every corner of the country and to its territories.

From the end of the Civil War until the late 1870s, state militiamen and their organizations struggled to find an identity and a purpose. During that time, they were exposed to patriotic fervor, aspirations of manly intent, the camaraderie and competition of rifle clubs, and the animosity generated by struggles between labor and capital. As the 1870s progressed, militiamen were introduced to rifle practice as prescribed by a new organization, the National Rifle Association (NRA). As militiamen became Guardsmen, the NRA played a larger and larger part. For a variety of reasons, state transitions from militia to National Guard and the NRA's progression from a New York rifle club to a national association failed to come to fruition by the close of the decade. The 1880s would be different as state militia forces began to coalesce under the umbrella of a national organization. During 1880s and 1890s the NRA would begin to lose its national significance, lose use of the Creedmoor range it worked so hard to develop, and be diminished in credibility by the marksmanship press.

CHAPTER 3: A SUPPORTING ARM AND THE END OF THE BEGINNING OF THE NRA

Nineteenth century citizen-soldiers struggled to accept and perform the roles to which they were assigned. Their leaders sought a means through which clearer lines of responsibility and accountability might be defined. That pursuit led to the development of a national organization that would become a supporting arm for the NRA. The National Guard Association realized some success, but was forced to reorganize before the end the century. Though the

NRA continued to grow, organizational and funding issues began to undermine the association's vitality and threatened its future success. At the beginning of the twentieth century, both organizations would be part of the federal government.

3.1 Introduction

During the seventeenth, eighteenth, and nineteenth centuries, the American citizen-soldier was heroic and inconsistent, sacrificial and unreliable, replete with republican virtue and abounding with liberal self-interest. At times he was a domestic peacekeeper, but he was not the model soldier upon which American might depend in a national emergency. Following the Civil War, several former officers saw the militia as more than internal peacekeepers and sought to incorporate them as an integral part of the United States Military establishment.¹ A select few leaders of state forces wanted a national coalition of state militia units to become the nation's military reserve and to be recognized as such during times of peace as well as during national emergencies.

The state military leaders who met in the fall of 1878 did so with the singular intention of pursuing legislative action that would result in the conversion of the state National Guard and militia units into an Army reserve for the Nation. Such a revised role for the state soldiery would, by design, create a federal force. However, not everyone was in favor of that transition. Some segments of the state militia forces were opposed because they feared a loss of those freedoms that were constitutionally protected by Article 1 and the Second Amendment of the U.S. Constitution, specifically officer appointments by state governors and

¹ Mahon, *History of the Militia*, 118. See also Cooper, 23-43.

the maintenance of a state constituted "well regulated militia."² Solving this dilemma was the mission assumed by the newly formed National Guard Association (NGA).³ Not surprisingly, the genesis of this effort began in New York under the leadership of General Wingate. Since the end of the Civil War, Wingate had sought to bring scientific advancement to the training of his National Guard regiment, beginning with an improvement in rifle marksmanship, which had resulted in the creation of the NRA.⁴ The formation of a national association of militiamen, however, did not automatically transform the militia organizations throughout the country. So by 1895, the 115,700 militiamen, now NGA members, were national in name only but they did possess a built-in relationship with the NRA. Most members wanted to retain local control, elect their own military officers and maintain the fraternal nature of the republican citizen soldier without obligatory service away from home.⁵ The impact of this "sense of service" became a reality when some chose to exercise their rights as free citizens and refused to volunteer for the Spanish American War.⁶

The NRA shared similar resource concerns. Eight years after receiving a charter from New York, the Association was in dire financial straits. Additionally, the Association's number-one attraction, the annual meeting at Creedmoor Range, was becoming less relevant to the competitive marksmanship community every passing year. Creedmoor's relevance carried a twofold purpose; first, it claimed to be the titular center of American marksmanship and

² U.S. Constitution, art. 1, sec. 8, cl. 16. includes that "the Militia...reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia."

³ The NGA would change its official name to the National Guard Association of the United States in the early twentieth century.

⁴ Wingate provides details of his plans for improvement in an undated essay written between 1889 and 1893. "In What Way Can the National Guard be Modified So as to Make it an Effective Reserve To the Regular Army" is held in the National Guard Association of the United States Archives, Washington, D.C.

⁵ Cooper, 65.

⁶ Ibid., 106.

second, participation generated revenue. Money, however, was the NRA's second greatest obstacle. The first impediment was the need for the NRA to achieve legitimacy in the eyes of both state and federal governments. This difficulty would be overcome through a growing relationship with the newly formed NGA and its client, the National Guard.

3.2 The Creation of a Supporting Arm for the NRA

Though the National Guard Association (NGA) was founded by some of the same men who had been involved in founding the NRA, there is no indication that the two Associations had any plans for coordinated operations beyond a common purpose to improve America's defensive posture. While there was no intentional plan for support, the NGA was, from its inception, inexorably connected to the NRA from its common leadership to its common membership at the grassroots level. That connection was nourished by common goals that included marksmanship training and an affirmation of the role of the citizen soldier.

Issues of labor, racial and social unrest received considerable attention in the nation's capital during the legislative debates of the 45th Congress. Those debates led to the passage of the *Posse Comitatus* Act that required Congressional approval for the use of the Army to enforce local laws.⁷ The same legislative session entertained debates over the Army appropriations bill which surfaced another important issue. The recent unrest in the country that had led to strikes and other disorders had raised the specter of the need for a larger Army.

⁷ The 45th Congress met from March 1877 to March 1879 with a focus on the implication of the removal of U.S. Army troops from the formerly Confederate states. The *Posse Comitatus Act* was implemented following the removal of federal troops from the reconstructed South. "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army as a *posse comitatus* or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both." The *Posse Comitatus Act* did not apply to militia forces, which easily allowed their use in civil unrest.

In response, New York City Congressman Abram S. Hewitt argued that the states "should maintain order within their own limits by the use of its full duty in maintaining a police and citizen soldiery." Though it recalled the old anti-federalist argument that had generated the Second Amendment, Hewitt was actually concerned that some states needed federal assistance. He suggested that "One of the things we can do...is by some legislation within our constitutional power, to give encouragement to rifle-clubs, sharpshooting clubs, throughout the length and breadth of this land...no citizen should be allowed to grow up in this country who cannot handle a gun. You never fear disorders where the people bear arms."⁸ Without a direct connection to the NRA, it is not possible to confirm whether or not the association had lobbied Hewitt. However, during the Civil War, Hewitt's very successful manufacturing company had produced gun barrel iron for the government. Furthermore, by 1877, the NRA, with offices at 194 Broadway in New York City, had received a \$25,000 grant from the state, had held a state charter for six years, and its Long Island range had been open for state, interstate and international contests since 1873. As the congressman from New York City, Hewitt was very likely to have been aware of the NRA. This may have been the first time that the NRA, as a national organization, had acted as a lobbying agent for the National Guard.

Perhaps taking a cue from those legislative debates, in 1878 a group of officers gathered in Richmond, VA to discuss possible measures that might be employed to reform state militia organizations in such a way that they would be more responsive to the nation's defense

⁸ Congressman Abram Hewitt of NY addressing the 45th Congress, *Cong. Rec.*, 45th Cong., 2d sess., 1878, 7, pt. 4: 3538. Hewitt, a Columbia educated lawyer, was an iron manufacturer during the Civil War who had traveled extensively and had visited the Paris Exhibition of 1867. One of the principal concerns of Hewitt was "Communism which is flaunted before us as a reason why we should add ...fifty thousand men to our Army." This citation was also used in "Origin of the National Board for Promotion of Rifle Practice," a memorandum of William C. Wooldridge, Assistant to the General Counsel, Department of the Army, in *1973 Memorandum for the Record*, CMP Archives, Box 29, Camp Perry, OH.

needs. That brief meeting was followed by an informal, nationwide call for "volunteer officers" to meet at the Seventh New York Infantry Armory on January 16-17, 1879. "Although the weather was intensely cold and stormy, traveling tedious, uncomfortable, and dangerous, the attendance was large beyond expectation. Ohio, Illinois, Missouri, California, Iowa, Michigan, Louisiana, North Carolina, South Carolina, Virginia, Pennsylvania, New Jersey, New York, and Kansas, with large delegations from the New England States were represented."⁹ During the New York meeting, a committee was formed to draft an association constitution and by-laws. More importantly, the attendees drafted a proposed "(A)ct to reorganize and discipline the militia of the United States" for submission to Congress. In addition to reaffirming universal service for all male citizens between the ages of eighteen and forty-five, the proposal suggested the division of the militia into two classes; "the active, to be known as the national or state guard, as the legislature of each state may prescribe, and the inactive, to be known as the reserve militia."¹⁰ The final section of the proposal suggested an annual appropriation of \$1,000,000, which would be the first increase in federal funding for the militia in over seventy years.

The first formal convention of the inchoate National Guard Association (NGA) was held in St. Louis, Missouri on October 1, 1879.¹¹ The conference proceedings opened with an historical reference and a strong condemnation that "no advance" in support of the nation's

⁹ Excerpt from the Ohio Adjutant General (AG,) *Annual Report to the State of Ohio* (1879), 1.

¹⁰ Excerpt from the Ohio AG report for 1879, sec. 2.

¹¹ The emphasis placed on volunteer is to discriminate between compulsory militia which, in accordance with the militia act of 1792, still existed, although in practical terms had long since been replaced by volunteers. The report of the 1878 and early 1879 meetings are included in the proceedings of the October 1, 1879 St. Louis convention, page 2. All NGA conference proceedings are held in the NGAUS Archives, 1 Mass Ave., Washington, DC. See also "The Militia Convention," *St. Louis Globe-Democrat* (St. Louis, MO), Thursday, October 2, 1879 for an excellent summary of events.

citizen soldiery had occurred since the "whole population of the Republic was...about 4,000,000." The proceedings made specific reference to the federal allocation that had not been changed since established in 1792 at \$200,000.¹² The proceedings followed with an admonition that "(T)he wars of this country have all been fought by citizen soldiers, and their histories are all honorable records of the constancy and efficiency of citizen soldiery. The recent War Between the States has facilitated and encouraged the organization of State volunteers."¹³ While the convened body recognized that volunteers had helped win the recent war, there was serious doubt that volunteers alone would be successful in future, international conflicts.

The editor of the convention proceedings included a discussion that reviewed recent events, during which Great Britain had created "her great army of volunteers for home defense, and of the Dominion of Canada, in establishing her militia on such an efficient footing." With this as a scaffold, the editor suggested that those actions "have convinced our people that our

¹² Here the proceedings were in error as the annual allocation was established by Congress on April 23, 1808. See proceedings of the Tenth Congress, Chapter LV, "An Act making provision for arming and equipping the whole body of the Militia of the United States." While some in-kind allocations had been provided, state militia forces did not receive a modification to their annual federal allocation until 1887.

¹³ NGAUS, *Proceedings of the Convention of the National Guards* (St. Louis, MO, October 1, 1879), 1. Hereafter cited as *First Conference Proceedings*. For a discussion of the reference to volunteers as early as the War of 1812, see Jim Dan Hill, *The Minute Man in Peace and War: A History of the National Guard* (Harrisburg, PA: Stackpole, 1964), 15, 45. Hill argues that the states turned to volunteers because there was "no machinery for a Federal Organized Militia" during the nineteenth century. That the recent war had been fought by volunteers is best seen in the calls for service published by President Lincoln's staff. "The Call for Volunteers," *Civil War Harper's Weekly*, April 27, 1861 was published by the Secretary of War: "SIR, - Under the Act of Congress 'for calling forth the militia to execute the laws of the Union, suppress insurrections; repel invasions...I have the honor to request your Excellency to cause to be immediately detached from the militia of your State the quota designated...for the period of three months." That call for volunteers was published nationwide as a circular, to which all northern states responded enthusiastically. In the South, Kentucky responded that "Your dispatch is received. In answer, I say emphatically that Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States." Other southern states followed Kentucky's lead and declined to provide troops. Shortly after the initial call for volunteers the President was "authorized, by each of two concurrent Acts, to call into the field an army of 500,000 men...(which) ought to suffice to crush out treason and rebellion in a far shorter period of time than three years, which is the term of service for most of the volunteers called into the field," *Harpers*, August 17, 1861.

own citizen soldiery can be soon placed in an efficient condition of organization, equipment and discipline.” The editor continued that the “labor strikes of 1877 imparted a fresh impulse to this feeling.”¹⁴ The convention then received a report that had been prepared by the committee that had been assigned the task of writing an Association constitution and by-laws at the earlier New York meeting. Following that report, the fourteen states represented in St. Louis elected a board of officers for the forming National Guard Association.¹⁵

- President – General* George W. Wingate, New York
- First Vice President - General* P.T. Beauregard, Adjutant General, Louisiana.¹⁶
- Second Vice President - General* James W. Denver, Ohio
- Corresponding Secretary - Major* Morris B. Farr, New York
- Recording Secretary - General* William L. Alexander, Adjutant General, Iowa.
- Treasurer - General* A. Hunn Berry, Massachusetts.

*The ranks carried by these officers were all as members of their respective state military organizations.

The proposed constitution established that the organization would be known as the National Guard Association of the United States and that its purpose would be to "promote military efficiency throughout the active militia...and to secure united representation before the Congress for such legislation as it may deem necessary for this purpose."¹⁷ In addition to

¹⁴ NGAUS, *Proceedings of the Convention of the National Guards* (St. Louis, October 1, 1879), 1-2. These proceedings reported the first formal meeting of the National Guard Association.

¹⁵ States listed in the proceedings in attendance were MA, NY, VA, MS, LA, TN, KY, OH, IN, IL, IA, MO, KS and MI, (*First Conference Proceedings*, 3). The labor strike reference was particularly in reference to the railroad strike of 1877 and the need to call out militia forces that were not at all times prepared to respond.

¹⁶ Beauregard was in command of forces at Charleston when he ordered the first shots fired on Ft. Sumter, SC. He served as Adjutant General for the Louisiana state militia for 1879-1888. He was one of many Confederate officers issued a mass pardon by President Andrew Johnson on July 4, 1868. President Grant restored Beauregard's right to run for public office on July 24, 1876.

¹⁷ NGAUS, *Proceedings of the Convention of the National Guards* (St. Louis, MO, October 1, 1879), 3. The NGAUS Archives in Washington, D.C. holds copies of the NGA conference proceedings.

the officers, the proposed constitution recommended that an Executive Committee be appointed with representation from across the country.¹⁸ Though in less than two decades the Association would be accused of favoring the eastern establishment and slighting the western states, the NGA began with the obvious intention of embracing the entire country. That breadth of membership of the NGA would become particularly valuable to the NRA when alliances formed between the two organizations.

The first officers of the NGA included Wingate, who was concurrently the president of the National Rifle Association, and Farr who was a journalist for the *New York Times*. Farr had a long history as a member of the New York Guard and, like Wingate, was a New York City resident. Farr would later serve as an Inspector of Rifle Practice for the New York Guard. In that role he would encourage a relationship between the American and British NRAs.¹⁹

In true journalistic fashion, Farr had already produced the first unofficial National Guard publication, the *National Guardsman*, on August 1, 1877. In its first edition, the *Guardsman's* lead article, "Salutatory," outlined the publication's mission "to promote the highest interests of the citizen soldiery." The same article suggested a series of five cardinal principles of the Guard, two of which addressed the importance of rifle practice - "We Believe in Rifle Practice as an important element of National Guard education" and "We Believe in Emulation in rifle shooting...between members and organizations of the National Guard."²⁰ The leaders of the Guard used this publication to disseminate information pertaining to Guard activities, but **it did**

¹⁸ The first executive committee included General Whitman Blackmur, New England; General Frank Reeder, middle states; General Johnson Jones, southern states; General S.W. Heath, western states; and Colonel W.R. Smedberg, Pacific states (*First Conference Proceedings*, 3).

¹⁹ "International Military Match," *New York Times*, February 11, 1882.

²⁰ *National Guardsman* 1, no. 1 (August 1877): 1. The author uses the word "emulation" in place of competition which he goes on to say should take place between the Guard, the volunteers of Great Britain, and American citizens.

not officially own or control the newsletter.²¹ While this and other Guard publications are addressed elsewhere in this dissertation, here it is worth noting that Volume 1, number 1 of *The Guardsman* carried the admonition that "Rifle shooting will always benefit the man and the organization to which he belongs if he seeks to become expert at it. It teaches and instills nerve, courage and good habits; makes a cool head, quick eye, steady hand and manly qualities, besides giving bodily and mental exercise and pleasure."²² Guardsmen like Wingate and Farr would provide a bridge between the NGA and the NRA for the remainder of the nineteenth century. That bridge would be substantially fortified in the early twentieth century when the two organizations established a relationship of mutual dependency.

The embryonic NGA's first order of business was to determine an appropriate course of action with which to acquire federal support. Toward that end, the conference was made aware of the fact that "An Act to Reorganize and Discipline the Militia of the United States" was before Congress at the time of the convention, which was in many ways similar to the proposal that had been prepared during the January meeting in New York. That Act was read to the attendees, and it was included in the Convention Proceedings.²³ The proposed legislation included the requested appropriation of one million dollars to be distributed throughout the Guard, the provision of equipment, and a plan for enhanced manning and training to be

²¹ General Bruce Jacobs, former historian to the National Guard Association, has compiled a history of Guard publications. He offered the information that the early magazine was not owned or controlled by the National Guard. Suggesting that the National Guard did not officially own or control the magazine implies that there was a National Guard in 1877. In fact there were only state organizations that referred to themselves as National Guard. There was no national organization. The first official National Guard publication was not established until 1947. Emphasis added.

²² "Citizen Soldierly," *The National Guardsman*, August 1877, 1.

²³ During the 45th and 46th Congress, no less than ten petitions were submitted to Congress for the reorganization of the militia. All were referred to the respective Senate and House Committees on the Militia. None became law.

conducted by the U.S. Army. It also included an item not in the original proposal that had the fingerprints of friends of the NRA:

Each state receiving any portion of the appropriation shall be required, within one year after the passage of the act, to equip and maintain at least one rifle range for the instruction of its active militia in rifle practice, and to require the militiamen to be instructed in such practice.

The Secretary of War is authorized to offer annually to the regularly organized and uniformed militia of each State and Territory, provided they number at least 1,000 men, a prize not to exceed \$100 in value, for competition in rifle practice; also to annually offer a prize of \$1,000 to be shot for by a 'team' or detachments from the National Guard of active militia of each State and Territory, from each of the three divisions of the army and from the navy, to be divided among the three teams standing highest in such match.²⁴ The expense of transportation of the teams, not to exceed fifteen men in number, to be paid out of the militia appropriation.²⁵

The legislative bill was referred to an NGA committee that subsequently reported a recommendation to be forwarded to Congress. Their proposal reflected concern for potential loss of local control of the militia and an appreciation for the prospective difficulties that would arise should the Guard become subject to Army equipment and training. Accordingly, they

²⁴ The use of the terms "regularly organized and uniformed militia" began to replace the traditional use of the term "militia" in the 1870s. The purpose was to discriminate between the compulsory militia who served in accordance with the Militia Act of 1792 and those units that had been serving since the early national period as volunteer militia. When referring to the regularly organized and uniformed militia, authors were referring to the volunteer militia.

²⁵ *First Conference Proceedings*, 10-11.

proposed that the “committee insists that the authorities of the States or Territories shall have absolute control over the direction of their own National Guard, except when called into the service of the United States.” The committee also recommended that the militia appropriation be increased from the \$200,000 allotted in 1808 to \$2,000,000, and that a committee be established to carry recommendations to the Congress.²⁶ It is noteworthy that the concluding session of the convention was reported by the local papers under the title "Militia Warriors," not National Guard.²⁷

The National Guard Association of the United States held its third annual convention on March 7 and 8, 1881, in Philadelphia, PA. The Association was struggling, and one way organizational difficulties were shown was reflected in President Wingate's message when he addressed the fact that several states had failed to pay their annual dues of \$50.00.²⁸ Though the new Association was experiencing difficulties, their emphasis on rifle practice remained sacrosanct. Colonel George Sanderson Jr., Division Inspector of Rifle Practice from Pennsylvania reported that rifle practice, to be successful, must be conducted outside of normal annual camp.²⁹ He suggested that “the camp is for duties other than rifle practice, which cannot be taught elsewhere.” His remarks were generated by his belief that “the effort that seems to be underway in some of our States, to confine rifle practice to annual encampment, will prove

²⁶ Ibid., 13-14.

²⁷ "The Militia Warriors," *St. Louis Globe-Democrat* (St. Louis, MO), October 3, 1879.

²⁸ NGAUS, *Third Annual Conference Proceedings* (Philadelphia, PA, March 7-8, 1881), 5. There were fifteen states represented. While several states (including Missouri where the first convention was held) held state conventions, there is no record of a Second Annual Convention. A Missouri National Guard Association meeting held in 1880 has been erroneously referred to as the Second Annual NGA convention as reported in "National Guard Association, A Militia Convention in That Interest to Be Held Here," *St. Louis Globe-Democrat* (St. Louis, MO), Sunday, May 9, 1880. The Missouri convention was not attended by Guardsmen from states other than Missouri.

²⁹ Annual camp was the regular period of active service to which militia men were called each summer.

abortive.”³⁰ He was seconded in his remarks by Colonel Henry M. Boies, of PA 13th Regiment who suggested that “compulsory rifle practice is an impossibility in the National Guard” and that as rifle practice is critically important and must be conducted elsewhere and motivated by “the award of badges and prizes and mention in orders...and especially giving to each organization a credit for excellence in marksmanship.”³¹ Subsequent remarks concluded that the encouragement of rifle practice with modern weapons of precision is an inducement “to the enlistment of the better class of men” and a motivating factor to keep them in the Guard that becomes “an important factor in its (the Guard’s) maintenance in general proficiency.”³² Whether or not these early NGA members were aware of it, their focused attention on rifle practice would evolve to be supporting doctrine for the establishment of rifle clubs within the direct purview of the NRA.

While the issue of rifle practice continued to receive attention, the NGA's concern for support to improve the outdated militia took center stage. General Albert Ordway of Washington, D. C. addressed the NGA's principal objective to "secure legislation to promote the efficiency of the militia" with comments that acknowledged "the many fruitless efforts that have been made...to secure legislation" to support the extant militia. He continued with suggestions that past failures would be overcome in time. Specifically, he pointed out the "absurdity and impracticability" of a "militia law that (it) holds to service the whole population."³³ As a consequence, he continued, the states "began to disregard Federal law and foster

³⁰ *Third Annual Conference Proceedings*, 48.

³¹ *Ibid.*, 48. The term "mention in orders" refers to the military practice of formal notice of awards through the publication of orders or public announcements.

³² *Third Annual Conference Proceedings*, 50.

³³ General Ordway was referring to the Militia Act of 1792 that required compulsory militia service of all men between the ages of 18 to 45. Ordway might also have been alluding to the fact that every president since Washington had unsuccessfully sought enhanced support for the militia from Congress.

volunteer militia organizations." He suggested that rather than continued efforts to acquire federal support for extant militia organizations, the NGA should seek "Federal law to classify the militia into active and inactive portions, to recognize the volunteer militia as the only active militia required, and to increase the annual appropriation to a sufficient amount to sustain it." General Ordway included a proposed "memorial" which he hoped the Association would forward to Congress for their consideration. That document incorporated recommendations that would ultimately become the foundation for the Militia Act of 1903, the legislation that would create a truly national "National Guard."³⁴ Ordway's recommendations received favorable support and a committee was formed to "represent the Association before Congress with their proposal."

Foremost in the missions assumed by the new organization was the promotion of "military efficiency throughout the active militia of the United States, and to secure united representation before Congress for such legislation as it may deem necessary for this purpose."³⁵ Those recommendations were echoed by a motion from Major Hepburn that the "memorial" be adopted and "sent to the Adjutants General and officers of the various States, with the request that they procure signatures and forward them in petitions to Congress." A grassroots organization was being established that would in time become the foundation from which the National Guard and the NRA would draw its political power. In Martha Derthick's words, the NGA would eventually become "one of the most successful pressure groups in a

³⁴ *Third Annual Conference Proceedings*, 53-56. Specific recommendations were to divide the militia into two classes, the active and inactive; to recognize the volunteer militia as the active militia; and to increase the annual appropriation to \$1million. In addition to the report of the *Annual Conference*, these events were reported in the *Boston Daily Advertiser*, March 9, 1881 and *The Daily Inter Ocean* (Chicago), March 10, 1881. The Militia Act of 1903 is addressed elsewhere in this dissertation.

³⁵ This statement is found in Article I of the NGA Constitution as published in the *First Conference Proceedings*, 3.

political system noted for the advantages that it gives pressure groups."³⁶ This beginning, while creating the structure for a future powerful interest group, was marginal in the nineteenth century, and fifteen years later the NGA would be unable to attract the attention of more than eighteen of the forty-five states.

The next NGA convention, held in Cincinnati in March 1884, was reported by the *St. Louis Globe-Democrat* as having a "small number of delegates present." The paper also noted the absence of the Association's president, General Wingate.³⁷ "Though attendance was low the NGA did appoint a committee to lobby congress and taxed each organization \$1 to defray expenses."³⁸ Discussions during the Cincinnati meeting included the mention of the potential value of meeting in the Nation's capital. Accordingly, the next NGA meeting was held in Washington D.C. during December 1885. The convention delegates used the occasion to call on President Grover Cleveland and members of his cabinet. The press reported that the President "said he was much interested in the state militia, and, from his experience while governor, he could appreciate the importance and necessity for such an organization in every state...and he hoped the association would be successful in the objects for which they had convened in this city."³⁹

President Wingate's opening address to the 1885 convention was carried in newspapers from Maine to California. He focused on the concern that the "objects of the association had been thwarted in the past by objections that it was the intention to deprive the States of their authority over the military...or to take money out of the Treasury...for purely State

³⁶ Derthick, 1.

³⁷ "National Guard Meets," *St. Louis Globe-Democrat*, March 27, 1884.

³⁸ Untitled article, *The Cleveland Herald* (Cleveland, OH), Sunday, April 13, 1884.

³⁹ "The State Militia," *Milwaukee Sentinel*, December 17, 1885. Cleveland's experience as the governor of New York had provided him some familiarity with Guard issues.

organizations without permitting proper supervision of the War department." He continued by expressing the belief that those concerns had been superseded by a larger issue, which was that "apathy among the people, the militia and in Congress in regard to the entire question which the association had at heart."⁴⁰

In fact, the Washington convention must be seen as a success. Two years later Congress authorized "that the sum of \$400,000 is hereby annually appropriated to be paid out of any money in the Treasury." Funding was to be distributed based on the size of the congressional delegation. Funds were also to be distributed to the territories and Washington D.C., as directed by the President. This authorization revised the act of April 23, 1808 which had established the original militia appropriation at \$200,000.⁴¹ Although the appropriation was far short of the \$2,000,000 target that had been identified in earlier NGA meetings, it was the first substantial increase since President Jefferson's administration. The fact that the NGA had been able to meet with the president and his cabinet combined with this appropriation increase caused the leadership of the Guard—at least that leadership represented by Wingate and his staff—to begin to think of itself as a reserve force for the Regular Army.⁴²

The creation of a united militia force was hindered by more than organizational and fiscal challenges. In addition to the goals agreed to at the initiating St. Louis conference that the NGA would "promote military efficiency throughout the active militia...secure united

⁴⁰ "National Guards Convention," *Daily Evening Bulletin* (San Francisco, CA), Tuesday, December 15, 1885. This is eerily reminiscent of Justice Joseph Story's admonition that the general population is not inclined to the discipline nor the sacrifice needed to form a well regulated militia. See Joseph Story, *Commentaries on the Constitution of the United States* (Boston: Hilliard, Gray, and Company, 1833), 3: 746-747.

⁴¹ On Feb. 12, 1887 the 50th Congress approved the revised funding level. "Annual Appropriation for Arms and Equipments, Militia," in *Compiled Statutes of the United States, 1913* (St. Paul, MN: West Publishing, 1914), 2:1198.

⁴² Louis Cantor, "The Creation of the Modern National Guard: The Dick Militia Act of 1903" (PhD diss., Duke University, 1963), 87. See also Riker, *Soldiers of the States*, 51-62.

representation before the Congress for such legislation as it may deem necessary for this purpose," there were deep-seated cultural issues to overcome. The lack of participation by rifle clubs from the former confederate states in national competitions and as participants in early NRA activities suggested an unwillingness of southern militia forces to participate with northern militia forces.⁴³ As discussed in chapter 2, rifle clubs that formed in the former confederate states served white supremacist masters. Furthermore, the militia organizations that were established in the "reconstructing" states were controlled by "black republicans" and were comprised of integrated units that had little inclination to participate in the fraternal revelry of rifle competition.⁴⁴ Recognizing this obstacle adds particular significance to the presence of former Confederate General Pierre Gustave Toutant Beaugreard, then Adjutant General of Louisiana, at the earliest meetings of the National Guard Association and his selection in 1879 as its initial First Vice President.⁴⁵ Furthermore, the first meetings of that Association were held in the former Confederate states of Virginia and Missouri. If the National Guard was to become a true national reserve, it would require participation of southern militia as much for the support of the representatives they sent to Congress as for the men who would man the local armories. In addition to issues of turmoil between labor and capital, racial divisiveness

⁴³ The NRA was founded in 1871, five years before the end of Reconstruction.

⁴⁴ "Black Republican Reconstruction" is an expression used to describe those years during the Reconstruction era in which former black slaves, with the aid of northern carpetbaggers and southern scalawags, won election to political offices throughout the former Confederacy.

⁴⁵ Jim Dan Hill notes that Major General Dabney Maury, another Confederate officer, convened the first gathering of Guard officers in Richmond. Interestingly, Hill does not mention that Maury was a Major General in the Confederate Army. Maury does not appear in the proceedings of the first formal meeting in St. Louis or in any notes attached to the proceedings of that meeting. Hill quotes Maury: "We invited the cooperation of all the States in measure promotive of our military efficiency," but does not provide a source. Hill, *The Minute Man in Peace and War*, 129.

provided one more obstacle to the establishment of a united federal force that would be manned by republican militiaman in a liberal democracy.

3.2.1 Militia Codes

The federalization of state militias or National Guard would not be resolved until the early twentieth century. However, the conflicts of the 1870s did provide an impetus for states to review their militia codes and to consider the provision of additional support, more effective organization, and a new focus on rifle practice. In many instances the changes represented "a revision and codification of the entire body of laws relating to the militia."⁴⁶ Between 1880 and 1892, every state revised its militia code to provide for a better equipped and better trained force. Many changed their militia name to National Guard and almost all increased appropriations to better support state military organizations.

The improvements had a considerable impact, and in 1891 Adjutant Generals reported over 100,000 members of the organized militia and an aggregate state appropriation of just under \$2,400,000 compared to a federal appropriation of just under \$440,000.⁴⁷ There were some exceptions. When Maine revised its militia code, it avoided the use of "national guard" but did emphasize that "(A)ll able bodied male citizens enrolled in this state, not exempt by law, and not belonging to the volunteer or reserve militia, shall be known as the enrolled militia of

⁴⁶ "A New Militia Code," *Boston Daily Advertiser* (Boston, MA), Saturday, March 30, 1878. Cooper in *The Rise of the National Guard* includes a chapter of the same title that provides details of revisions. Mahon, *History of the Militia and National Guard*, includes an excellent chapter, "Reconstruction: Birth of the National Guard," covering this period of growth.

⁴⁷ Adjutant Generals' reports compiled September 19, 1891, cited in Mahon, *History of the Militia*, 122-123. Doubler, *I Am the Guard* points out that most of the money was spent on the construction of armories which provided opportunities for politicians to direct state money to patrons who had construction firms, 119-120. See also Fogelson, *America's Armories*, 13-16.

Maine."⁴⁸ In Massachusetts, strong ties to town militia organizations that dated back to the seventeenth century provided some resistance to name changes and the idea of federal control.⁴⁹ However, most states were more likely to follow the example of West Virginia where, "(T)he active militia shall be organized as hereinafter mentioned, and designated as the West Virginia National Guard."⁵⁰ For example, the Iowa National Guard, under the guidance of its state NGA, met in late 1891 to bring "the laws of the I.N.G., which are about ten years behind the surrounding states, up to the present system of army regulations."⁵¹ Along with the revisions in state codes, each formed a state National Guard Association which was very loosely affiliated with the national-level Association. Newspapers across the country regularly reported meetings, sporting events, and encampments of state National Guard Associations.⁵² However, in most instances, the increase in support was insufficient to meet the needs of a viable military organization and few did little more than improve the form of the militia while its function continued to suffer from a lack of resources and military discipline.⁵³

⁴⁸ *Militia Law of the state of Maine, as revised 1880*, art. 1, sec. 2 (Augusta, ME: Spague & Son, Printers to the State, 1882).

⁴⁹ Barry Sentiford, "The Meaning of a Name," *The Journal of Military History* 72, no. 3 (July 2008): 727-754. Sentiford's article is about the Richardson Light Guard, founded in 1851, and the loss of town affiliation that accompanied the transition from militia to National Guard. It is very likely that the New England militia's long history of service may have played a part in their reluctance to accept federal affiliation and control.

⁵⁰ *Acts of Legislation of West Virginia*, ch. XXIV, sec. II (Charleston, WV: Moses W. Donnally, 1889).

⁵¹ "Iowa's National Guard," *Bismarck Daily Tribune* (Bismarck, ND), Saturday, November 14, 1891. Iowa National Guard (I.N.G.)

⁵² For example, Illinois held its ninth annual convention in 1891, Wisconsin its 10th in 1890, and California its fifth in 1888.

⁵³ Derthick, 16-18 provides an excellent discussion of the political growth of the National Guard and the change in militia codes. It is important to remember that this name change in no way changed the role, responsibilities, or controlling authority for the newly labeled force. See "The War Department Strives to Strengthen the Militia," in C. Joseph Bernardo and Eugene H. Bacon, *American Military Policy: Its Development Since 1775*, 2nd ed. (Harrisburg, PA: Military Service Division, Stackpole, 1961), 247-251. Fogelson's *America's Armories* is the best source of information about how funding was directed to structures rather than military proficiency. He does, however, make a good argument that the structures improved morale and made the availability of armory training less dependent on community-owned facilities.

New militia codes also revealed a greater attention to the importance of rifle practice. The California code, like other state code changes, reflected the recommendations of the NRA as offered by Wingate. His *Manual for Rifle Practice* recommended that "(A)n officer upon the General Staff to be known as the General Inspector of Rifle Practice, should be assigned general supervision over the rifle practice of the troops" and that "(A)n officer upon each division, brigade, and regimental staff should be assigned the supervision of the rifle practice of his command, under such regulations as may be prescribed by the General Inspector. They should be known as inspectors of Rifle Practice."⁵⁴

When the California legislature revised that state's codes and statutes, the revision included "(A)n Act to define the duties of inspectors of rifle practice of the national guard of California."⁵⁵ Section 1 of the California code provided that:

"It shall be the duty of the general inspector of rifle practice to exercise general supervision over the rifle practice of the national guard; to inspect, or cause to be inspected, from time to time, all ranges and practice-grounds, and see that the prescribed regulations for rifle practice are carried out by the national guard."⁵⁶

Practice alone was not sufficient, and the results of competitions that were being directed by the fledgling NRA added the requirement that the Brigade inspector of rifle practice "shall make

⁵⁴ George Wood Wingate, *Manual for Rifle Practice*, 7th ed. (New York: W.C. Church, 1879), 19. An expanded discussion of the role of Inspectors of Rifle Practice is included in section 3.7, "Success at Sea Girt."

⁵⁵ *California Codes and Statutes*, 26th sess., 1885. The Code outlined the duties of inspectors of rifle practice at all levels of command from lieutenant to general officer.

⁵⁶ *California Code*, § 2030, sec. 1. The fact that the California Code did not capitalize National Guard is in itself revealing of the lack of attention to the official status of state soldiery.

an annual report to general headquarters, in which he shall state the result of all competitions in marksmanship."

The local perception of the state soldiery as volunteers who possessed the right to control their own destiny marked the most enduring connection between the old uniformed militia and the rising National Guard. Guardsmen resisted centralized control in part because they shared prevailing attitudes toward governmental power of any sort."⁵⁷ That resistance was not exclusive to federal incursion but also extended to national organizations like the NGA. While the NGA tried, through a variety of means, to gain the support of state militia organizations and their leadership, it hardly represented the fearsome interest group some historians contend it was. The 1895 Washington D. C. NGA convention, only the fourth meeting in fifteen years, would be the Association's last before two new National Guard Associations surfaced to challenge Wingate's leadership. One, the Interstate National Guard Association, formed in 1897, was based in the western part of the country and would challenge the very culture of the state militia organizations that were becoming the heart and soul of the NGA. The other, the Military Rifle Association of the National Guard, formed in 1890, sought to connect Guard units through interstate competition. Each of these new associations would play a critical role as the end of the nineteenth century and the beginning of the twentieth heralded a transition from state militia to federal National Guard.

⁵⁷ Cooper, 87-94. Cooper's work builds on Riker, Mahon, and Derthick, all three of whom address the reluctance of state militiamen to accept federal control.

3.3 More Labor Problems

Conflict between labor and the militia did not end with the decade of the 1880s. Furthermore, continued conflicts revealed the persistence of the militiaman's ambivalence about service. In New York, during the summer of 1892, the response to militia actions reached a fevered pitch when the Buffalo Superintendent of Police traveled to New York City to arrest members of the Twenty-second Regiment who were implicated in the shooting of a switchman during strike duty.⁵⁸ As if reaching back to a distant ancestor, "Private George H. Young, of Company K, Forty-seventh Infantry, Brooklyn, who for seventeen years had been a militiaman, having served his latest term of enlistment, (has) decided to withdraw from the National Guard, his reason being that as a trade unionist he cannot do military duty against his fellow workmen, as in the case of the recent Buffalo strike. Captain Hart, of Young's company said...he would not be surprised to hear of an organized labor movement against the National Guard."⁵⁹ At an 1892 meeting of the Federation of Labor proposals were presented "that the Federation refuse, under any circumstances, to allow its members to serve in the National Guard, and that its members now enlisted withdraw." While that proposal was defeated, it was reported that the Federation did adopt a clause that "friends of labor command the militia rather than friends of capital."⁶⁰

Conflicts between labor and capital were in direct opposition to the attraction of men to the fraternalism and camaraderie of the militia. Now, in place of the liberal ideology of the

⁵⁸ "War on the Militia," *The Atchison Daily Globe* (Atchison, KS), September 19, 1892.

⁵⁹ "An Organized Labor Movement against the Militia Not Improbable," *The Daily Picayune* (New Orleans, LA), October 11, 1892. The same article was also published in the *Morning Oregonian* (Portland, OR), October 20, 1892.

⁶⁰ "Labor Would Control Militia," *The Milwaukee Sentinel*, December 17, 1892.

citizen-soldier weighing on the decision of whether or not to serve, there was conflict between the working classes, which comprised the majority of the enlisted forces and the business leaders who made up the officer corps, many of whom were appointed by the state governors. Men had joined the Guard because of a genuine interest in military things while the states provided money in order to create a force which could deal with domestic disorder inflamed by industrial growth and social upheaval.⁶¹ Militiamen or Guardsmen called to control unruly mobs were faced with the a dichotomous question - was it un-American to subdue rightfully enraged citizens who were fellow workers or was it un-American to fail to obey orders as a member of the state military organization? While conflicts continued at the local level, there was little chance that the state forces, militia or guard, would be able to remake themselves into the military reserve envisioned by many of their most farsighted leaders. Furthermore, until the NGA could resolve the question of how officers satisfied the challenge of two masters, divided loyalty would further diminish the possibility of a unified force. Samuel Huntington has suggested that the NGA's political power, based on the dual control by state and federal governments, was a "Frankenstein monster created by the Constitution."⁶² That divided loyalty was affected by law and regulation as well as the aforementioned dichotomous question. Where traditionally the militiaman had served in support of his society, now his service had become a source of divisiveness.

⁶¹ Jerry Cooper, "The Wisconsin National Guard in the Milwaukee Riots of 1886," *Wisconsin Magazine of History* 55, no. 1 (Autumn 1971): 31; Derthick, 16-17; Riker, 47-66.

⁶² Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge: Belknap Press of Harvard University Press, 1985), 177. Huntington was Martha Derthick's advisor for her PhD dissertation, "Citizen Soldier on Capitol Hill: The Political Life of the National Guard" (Harvard University, 1961), which was later published as *The National Guard in Politics*.

3.4 The National Guard and the Regular Army: Lobbying and Progress

The NGA and the NRA, frequently with the same leadership, represented special interest groups with the common purpose of influencing both federal and state governments. The act of influencing government, or lobbying, is not unique to this country, but it has had a storied past. Accordingly, it is important to gain some appreciation for the obstacles before these Associations during the nineteenth century as well as the rising influence of what would later be referred to as the Progressive Era.

"The secret of the Guard's strength seemed to be that its members did not confine themselves to Congressional lobbying on Capitol Hill, but were able, through local units in various states, to bring a personal and direct pressure on the Congressmen from constituents in their home districts, and in this way produce a public opinion in its favor."⁶³ While this conduct would bring federal largess to local districts and became the norm in the twentieth century, it was not without challenge. A pivotal distinction between the state militias and the rising National Guard Association was the eagerness and the ability of the emerging organization's leadership, in the late nineteenth century, to seek and to garner support from the federal government. Federal support too often assumed some level of federal control. That support had been an anathema to eighteenth century militia leaders who retained the historical precedence established by the Second Amendment that guaranteed and protected the retention of state control. By seeking to become a true national force, militiamen would become federal officers and thus would be obligated to the national authority to serve during

⁶³ Cantor, "The Creation of the Modern National Guard," 63. Cantor cited Martha Derthick's Harvard dissertation. Derthick's book, *The National Guard in Politics*, provides additional support and discussion of the power generated by the Guard through local unit lobbying efforts. See also Huntington, *Soldier and the State*, 175.

time of peace as well as during national emergencies. Furthermore, in their federal role, they would be restricted from interfering in political activities. A potential conflict surfaced as it became obvious from the inception of the NGA that the Association intended to "interfere in political activities." The challenge to the NGA would be to determine how to navigate the interstice between public servant and personal advocate as prescribed by governing laws and regulations.

On April 10, 1806, the Ninth Congress of the United States had approved as a component of the *Articles of War*, "An Act for establishing Rules and Articles for the government of the Armies of the United States." That Act addressed the relationships that might exist between elected officials and members of the military. As long as militiamen were governed by Article I, Section 8 of the U.S. Constitution, they would be within the auspices of state control unless called to federal service "to execute the laws of the Union, suppress insurrections or repel invasions." As federal officers, militiamen would be subject to the *Articles of War* and their political activities would be restricted. Article 5 of the *Articles of War* specified that:

Any officer or soldier, who shall use contemptuous or disrespectful words against the President of the United States, against the Vice President thereof, against the Congress of the United States, or against the chief magistrate or legislature of any of the United States, in which he may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished, as a court martial shall direct; if a non-commissioned officer or

soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court martial.

As a general rule, before and during the Civil War, this "Article" did not discourage the political activities of military personnel. As noted in the 1836 *Army and Navy Chronicle*, "(I)f a military officer feels no interest in the important political struggle of the day...he acknowledges himself at once to be...a hireling...who would serve the Russian Autocrat, the British King...provided the pay and rank were sufficient. Were not many of the most distinguished officers of that period (American Revolution) politicians?"⁶⁴ Consistent with this mind-set, there was a great deal of political lobbying among military officers during the antebellum period. Throughout President Andrew Jackson's administration there were numerous examples of officers visiting the Capital to press for promotions, pay increases and select assignments.⁶⁵ However, conditions changed after the Civil War, partially attributable to former General and then Senator John Logan's role as the Chairman of the Senate Military Affairs committee in the 1870s. Logan, who had served during the Civil War as a volunteer, resented the fact that upon General James B. McPherson's death during the battle for Atlanta, he had been passed over by General Sherman. Sherman selected, as McPherson's replacement, regular army officer General O.O. Howard, rather than the more senior General Logan.⁶⁶ Logan started his service as a volunteer during the Mexican War. Afterwards, he had served as a Congressman before reentering service during the Civil War. Following the Civil War, he returned to Congress, this

⁶⁴ "Politics and Officers," *The Army and Navy Chronicle*, January 7, 1836, 13. See also Edward M. Coffman, *The Old Army: A Portrait of the American Army in Peacetime, 1784-1898* (New York: Oxford University Press, 1986), 88.

⁶⁵ Coffman, 90-92.

⁶⁶ Seniority in this instance had to do with the length of time the individual had served in the Army.

time as a Senator, and dedicated a good deal of time, both in and out of Congress, challenging the undue influence of regular army officers.⁶⁷

The end of the Civil War also marked the beginning of a professional turn in American society. That turn impacted the regular Army through efforts to replace political influence with capable performance. Unlike the press of the antebellum period, the *Army and Navy Journal*, under the guidance of William Church, railed against lobbying as "more of the craft of the politician than the manliness of the soldier" after the Civil War.⁶⁸ In the view of contemporary political activists, "no officer or soldier could use contemptuous language toward the president or congress."⁶⁹ Such language placed participants at risk because in the heat of political debate an officer might find himself disparaging the president or a member of congress. Lobbying became such a serious evil that in the spring of 1873, Secretary of War William W. Belknap issued an order which prohibited any officer from approaching members of Congress on military matters without his permission. Interestingly, Belknap was impeached for lobbying to supplement his income so that he might enjoy a lavish lifestyle. Though he was not convicted, his conduct contributed to the growing evidence of President Grant's corrupt administration.⁷⁰ While Belknap and the press might have been creating a wall between the army and Congress, the Guard, through the NGA, was building means through which to bridge just such a wall.⁷¹

⁶⁷ Logan focused particular attention on the military academies and his belief that they were creating an inappropriate elite class of citizens.

⁶⁸ Coffman, 268. See also Donald N. Bigelow, *William Conant Church & the Army and Navy Journal* (New York: Columbia University Press, 1952), 153, 160.

⁶⁹ *Articles of War*, art. 5, chap. 20 in *U.S. Statutes at Large 2* (April 10, 1806): 359-372.

⁷⁰ See the Cong. Rec., 44th Cong., 1st sess., 1876 for the complete record of the impeachment proceedings against Belknap.

⁷¹ The relationship between the military and the Congress was codified in 1950 with the passage of the *Uniform Code of Military Justice*, Title 10 - Armed Forces, Chapter 47. The 1950 text is a condensed version of the original article with equal emphasis on restriction against the use of "contemptuous words against the President, the Vice President, Congress," Section 888. *U.S. Statutes at Large 64* (1950).

Martha Derthick goes to some length to confirm the political power of the NGA, first demonstrated in the 1880s, in its role as a lobby for the Guard. Derthick's focus is on the Guard's use of the NGA and not the limits placed on constitutionally restricted officers. In any event, the obstacles created by nineteenth century law and regulation would be amplified with the passage of Civil Service reform and the introduction of Progressive Era initiatives to improve the effectiveness of the federal bureaucracy with the removal of private interest influence.⁷²

The success of the NRA and the NGA would depend, in large part, on their ability to navigate the shoals of federal regulation and avoid being limited by attempts during the Progressive Era to purify the federal bureaucracy. That success would be supported by a surprising alliance with the regular Army that, despite General Upton's distain for the state militias, had begun to perceive the state militias as a threat.

After the labor riots of 1877, the Army felt threatened by the emergent National Guard that was receiving increasing funds from state legislatures.⁷³ At the same time, the regular Army, which did not have the ability to meet with and lobby state congressional delegations for support, saw their numbers and sustaining appropriations reduced to approximately 25,000 officers and men. That number would not be increased by Congress until the Spanish American War.⁷⁴ In response, the regular Army began to seek avenues through which to connect with the militia or National Guard units in a way that would demonstrate their importance to the

⁷² The Pendleton Act of 1883 restricted government employee interference in the political process as well as removing the influence of patronage in the appointment of civil service employees. Roger Posner addresses the Progressive Era and the military in *The Rise of Militarism* which is addressed elsewhere in this dissertation.

⁷³ Peter Karsten, "Armed Progressives: The Military Reorganizes for the American Century," in *Building the Organizational Society: Essays on Associational Activities in Modern America*, ed. Jerry Israel (New York: Free Press, 1972), 218.

⁷⁴ See also "Thirty Years of Restrained Progress," in C. Joseph Bernardo and Eugene H. Bacon, *American Military Policy: Its Development Since 1775*, 2nd ed. (Harrisburg, PA: Military Service Division, Stackpole, 1961), 234-240 for a discussion of the reduction in the Army's strength between the Civil War and the Spanish American War.

nation's defense. Chief among these avenues was the provision of active duty army officers to state military organizations to provide instruction in military skills. These connections were the beginning of a relationship that would be both favorable and confrontational over the issue of rifle marksmanship, which was facilitated by the NRA, during the last decade of the nineteenth and well into the twentieth century. In the Northwest, those cooperative efforts were exemplified by regular Army Captain Reade who was assigned to duty in Wisconsin. The Wisconsin National Guard offered thanks to Reade for training conducted and for "special instruction to the volunteers of Wisconsin in small arms practice," and for the fact that he was "indefatigable in his labors to educate the citizen soldiers of the Northwest in the use of the rifle."⁷⁵ Though they were few in number, those regular officers who were assigned to support Guard units were welcomed and appreciated.

The enhanced professionalism of state National Guard organizations, through the participation of regular Army officers was more than a stated goal of the NGA.⁷⁶ It was also reflective of the tenor of the times.⁷⁷ Rank and file members of militia units like Ohio's Major Burke wrote, "I am strongly in favor of the General Government extending all possible aid to the National Guard of the different states. They should be instructed in the various drills and exercises...followed in the regular army."⁷⁸ George Wingate, a driving force behind both the NGA and the NRA, continued to seek means by which he might improve the proficiency of his

⁷⁵ "Captain Reade's Service Appreciated," *Shooting and Fishing*, May 28, 1891, 85. .

⁷⁶ Article I of the NGA Constitution cited the Association's purpose "to promote military efficiency throughout the active militia."

⁷⁷ Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1968). Wiebe argued that during the latter half of the nineteenth century the nation looked for ways to improve through the formation of professional associations, the reorganization of skilled trade organizations, and improvement of government performance. This, he argued, contributed to the Progressive Era.

⁷⁸ NGAUS, Edmund Cone Brust, "Our National Guard," published as part of a series of articles in *Our National Military System* (July 1888).

New York National Guardsmen.⁷⁹ In his essay on how to improve the Guard, Wingate recommended that Guard units should be subjected to inspection by regular Army officers and that a regular officer should be assigned as adjutant to each Guard regiment.⁸⁰ H. Richard Uviller showed agreement with his suggestion that the "(F)ormation of the NGA reflected the professional aspirations of many late-nineteenth century militia officers to keep pace with the increasing technical complexity of officership in an industrial age."⁸¹ In the essay, "Armed Progressives: The Military Reorganizes for the American Century," Peter Karsten recognized that numerous soldiers were a part of the progressive movement to improve the Army. Included in his list of their accomplishments were books on improved ordnance, inventions to enhance the effectiveness of munitions, organizational restructuring for greater efficiency, reviews of foreign army organization and structure, the development of war games, and new mapping techniques. Among the examples, he included James A Moss, (United States Military Academy, Class of 1894), who worked to streamline muster rolls, payrolls and inventories.⁸² Captain Moss would later play a part in drawing the Army and the NRA together with his 1915 publication, *Self-Helps for Citizen Soldiers*.⁸³ Moss's book provided detailed instructions for rifle

⁷⁹ "Improving the Militia: General Wingate on the Recent Convention, the Future of the National Guard and Its Relation to the Regular Service Discussed," *New York Times*, February 11, 1890.

⁸⁰ NGAUS, George Wood Wingate, "In What Way Can the National Guard Be Modified So As to Make is An Effective Reserve to the Regular Army," 43. This essay by Wingate is undated. Contextual evidence suggests that it was written between 1899 and 1903. For example, he identifies that there are forty-five states—Utah (1896) was the forty-fifth and Oklahoma (1907) was the forty-sixth. He also makes reference to the recent Spanish War. He does not mention the Militia Act of 1903 which would have been significant as many of his recommendations were implemented in that Act.

⁸¹ H. Richard Uviller, *The Militia and the Right to Arms, or, How the Second Amendment Fell Silent* (Durham, N.C: Duke University Press, 2002), 131.

⁸² Karsten, "Armed Progressives," 222.

⁸³ Captains James A. Moss and Merch B. Stewart, *Self-Helps for the Citizen-Soldier* (Menasha, WI: George Banta Publishing, 1915). Details of *Self-Helps* are addressed in the next chapter of this dissertation.

practice as well as the advantages, requirements and obligations of membership in local rifle clubs. All of these clubs required affiliation with and were controlled by the NRA.

3.5 Spanish American War

While state, congressional, and War Department efforts to improve the militia were marginally successful, they did little more than repeat the calls for an improvement of the militia that had been sounded by every president since George Washington. Interestingly, prior to the 1887 increase in appropriation, President Jefferson's call that "(I)t is, therefore, incumbent on us, at every meeting, to revise the condition of the militia," had been the last to receive a significantly positive response. During his annual message, Jefferson noted that factory output had nearly doubled as the "annual sums appropriated by the latter act, have been directed to the encouragement of private factories of arms."⁸⁴ Without meaningful support, the militia would show itself to be ill prepared for mobilization in response to a national emergency. That lack of preparation would become a plank in the NRA campaign to become the nation's advocate for rifle marksmanship.

At the close of the nineteenth century, the nation approached its first overseas conflict, the Spanish American War. Once war was declared, the War Department began to experience difficulty in mobilizing state troops to complement the 28,000 regular army, highlighting the lack of resources and the absence of a needed national consistency. The absence of a national affiliation for state militia units, the dearth of resources and the lack of national uniformity did

⁸⁴ Yale Law School, The Avalon Project, Thomas Jefferson, *Eighth Annual Message to Congress*, November 8, 1808, http://avalon.law.yale.edu/19th_century/jeffmes8.asp (accessed February 10, 2013). Jefferson was referring to Congressional actions of March 11 and April 23, 1808 that had increased funding for domestic manufacturing.

not necessarily mean that there were no militiamen available to serve. In fact, in 1895, the National Guard reported a combined force of 114,000, of which 100,000 were infantry and the remainder cavalry, artillery and small support units.⁸⁵ New York alone was able to field a larger contingent than the regular Army as pointed out in an 1892 article for *The Century Magazine*. "The centennial celebration of New York of Washington's first inauguration revealed to more than a million astonished spectators a force of over 30,000 soldiers, well armed, equipped, and drilled of whom not more than 2,000 were in the service of the United States."⁸⁶

As mentioned earlier, Federalism scholar Martha Derthick has noted the appeal of manliness that was attached to military service and the growing sense of patriotic national pride that played a part in the growth of militia ranks. Thirty years after Derthick published her work on the National Guard, Gail Bederman wrote about G. Stanley Hall in *Manliness and Civilization*. Hall, a nineteenth century advocate of what Theodore Roosevelt would call the "strenuous life" and one of the country's early students of psychology, espoused that parents should teach our "men and boys to fight," and to recognize the necessity for manliness and aggressive behavior for the good health of young men.⁸⁷ Hall's ideal was echoed by descriptions of the Civil War veteran as the "epitome of honor and the model of manly character."⁸⁸

⁸⁵ Mahon, *History of the Militia*, 125.

⁸⁶ Francis V. Greene, "The New National Guard," *The Century Magazine*, February 1892, 483.

⁸⁷ Gail Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: University of Chicago Press, 1995), 78-79. G. Stanley Hall was America's first PhD in psychology who studied under William James, followed by service as a professor of psychology at Johns Hopkins from 1882 until 1889.

⁸⁸ Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars* (New Haven: Yale University Press, 1998), 24. See also Cooper, *Rise of the National Guard*, 80 for a discussion of Victorian manliness as a component of the Guard's revival.

In *Fighting for American Manhood*, a study of the intersection of gender, politics and foreign policy leading up to and during the Spanish American War, Kristin Hoganson found that post-Civil War politics had a decidedly military cast and that this style of politics "promoted the idea that the state rested ultimately on soldier-citizens."⁸⁹ Hoganson's primary argument was that America went to war with Spain to satisfy concern that "modern young men, lacking their own epic challenges, would not be able to live up to their forefathers" who had sacrificed so much to build America.⁹⁰ Her argument provides evidence that among the reasons for militia attraction was the issue of manliness and the opportunities afforded by military service. Those qualities would be emphasized in campaigns for NRA affiliation and rifle club membership.

Whether "jingoes embraced the prospect of war" as a measure of American manhood, or patriots embraced war as a civic duty as suggested by Rudyard Kipling in his famous poem, "The White Man's Burden," young men were being recruited for service as a confirmation of citizenship, just as their ancestors had been called to serve towns and shires for over one thousand years.⁹¹ Whether solicited for regular Army or local militia service, young men were equally susceptible to a patriotic petition. Herein lays one additional element that would be drawn on by the NRA as it attempted to craft its nineteenth century image in support of patriotic service.

⁸⁹ Hoganson, 25. Interestingly, Hoganson uses soldier-citizen rather than the classical republican citizen-soldier, which would suggest a reversal of primary roles. This may result from the veteran who is being honored rather than the citizen. Furthermore, Hoganson finds the nation resting on the manhood of the veteran rather than the republican service of the citizen-militiaman's English heritage.

⁹⁰ Hoganson, 201.

⁹¹ *Ibid.*, 201. Kipling wrote the poem "The White Man's Burden" as justification for the conquest of uncivilized countries for the purpose of bringing them civilization and modernity in 1898. Part of the "burden" was "to send forth the best ye breed," thus sacrificing young men in battle for modernity. Kipling was a resident of Vermont at the time.

Whether young men accepted or rejected calls for service based on manly appeal or patriotic petition, both efforts ignored the obligatory mandate of the extant 1792 Militia Act that was yet to be substantially modified. As a consequence, the historians who have recognized that the militia reached its nadir following the Civil War were in fact reflecting an appreciation for the fact that years of exemplary volunteer service had been labeled as militia service.⁹² The militia had always been compulsory, not a volunteer organization, but its members frequently declined to serve when called. Those that did serve left the militia to serve in volunteer units, not obligated to remain in their home towns and counties.⁹³

Though frequent refusal to serve was ideologically based, remaining at home offered opportunities to participate in major drill competitions which offered good money for prizes. For example, the Houston Light Guard received special attention by repeated success as the best competitive drill team in the country, winning \$30,000 during the 1880s.⁹⁴ The Houston unit was so successful that they were barred from competition in 1886 after having "defeated in one drill or another all of the crack companies of the United States."⁹⁵ When called to serve in the Spanish American War of 1898, the Houston Guardsmen rejected the call "on the grounds that they were a militia sworn to defend their city, county and state."⁹⁶ By the late nineteenth century Spanish American War little attention was paid to the militia as a potential

⁹² Hill, *The Militiaman in Peace and War* made a strong argument for the viability of the militia during the nineteenth century, 26-31.

⁹³ See Sentiford, "The Meaning of a Name" for a discussion of departure from the militia for volunteer service.

⁹⁴ "The Houston Light Guard Carry off the First Prize," *The Galveston Daily News* (Houston, TX), May 10, 1885. The Galveston paper carried additional articles on July 1, 4 and 7, 1885 as did the *St. Louis Globe-Democrat* on July 13, 1885.

⁹⁵ "Brief History of the Houston Light Guard," *The Galveston Daily News*, July 21, 1897.

⁹⁶ Cooper, *Rise of the National Guard*, 80. For more on the performance of the Guard see Russell Frank Weigley, *Towards an American Army: Military Thought from Washington to Marshall* (New York: Columbia University Press, 1962), 147-148.

complement to the Army. The ultimate example of this was former National Guardsman Teddy Roosevelt's service as a Roughrider in an all-volunteer regiment.⁹⁷

Many guardsmen chose to exercise their republican right as citizens to refuse to volunteer for the Spanish American War; others failed the physical and most had an "appalling lack of camp sanitation."⁹⁸ Of those that did report, as many as forty percent of the militia volunteers had no drill experience and "a surprising number had never fired a gun."⁹⁹ Others had no experience in field hygiene, lacked basic military skills, failed physical examinations, and did not appear with required arms and equipment. Complicating matters further, there was no standard organization, and officers of the militia units who had been elected by their troops or appointed by their respective governors often wanted for requisite leadership skills. One example was Major General William Shafter, appointed by the governor of Michigan, who, when deployed to Cuba, was unable to command because he was sick with gout. Shafter weighed over 300 pounds when he reported to Tampa for deployment. Post-war investigations by newspaper reporters revealed a general lack of proper "planning and outright competence" while a "presidential commission...found that most of the problems were due to poor

⁹⁷ Prior to selection for federal service as the Civil Service Commissioner, Roosevelt served as a member of the New York National Guard.

⁹⁸ Cooper, 104-106.

⁹⁹ Mahon, 128. Cooper and Riker, *Soldiers of the States*, provide extensive examples of the shortcomings of the militia and state guard troops that responded to President McKinley's call for volunteers. Cooper does, however, suggest that mobilization for the Spanish American War "proceeded more effectively than had been the earlier case in the century." Some of this success must be attributed to improved communication and the fact that many of the mobilized forces were from urban areas and did not have to "get the crop in." Conversely, Hill in *The Minute Man in Peace and War*, revealing his bias as a general officer in the Guard and without substantiation, asserts that "the war is also significant for its brilliant success in bringing into Federal service, fully-constituted and with competence fully equal to the professional competence of the Regulars of their day, such an imposing Army of effective citizen-soldiers," 171.

leadership.¹⁰⁰ The failures were not all attributed to the men in arms, as it was not until the beginning of the war that states were permitted to exchange old rifles for the new Army rifles. Riker pointed out "how important rifle practice was for the life of the guard in this era" and that Army support was an instrumental component in the conversion of state soldiery to a federal National Guard.¹⁰¹

To this day, the National Guard Bureau acknowledges that the "the Spanish-American war of 1898 [which] demonstrated weaknesses in the militia."¹⁰² Fifteen years later, the secretary of the National Rifle Association would write that the "activities of the National Rifle Association of America had their origin in the awful experience of the Spanish-American War, where so many of the volunteers lacked the first rudiments and requirements of a soldier, the ability to shoot straight."¹⁰³ That origin was in fact a rebirth necessary because during the last decade of the nineteenth century, the NRA came under withering attacks, spawned both inside and outside of the Association.

¹⁰⁰ Doubler, *I Am the Guard*, 136.

¹⁰¹ Riker, *Soldiers of the States*, 60-61.

¹⁰² Quoted from the National Guard Bureau (NGB), www.nationalguard.com (accessed May 12, 2012). The NGB is the current Department of Defense agency responsible for the National Guard. See also T. Harry Williams, *Americans at War: The Development of the American Military System* (Baton Rouge: Louisiana State University Press, 1960), 96. Contrary to the position of most historians, Michael Doubler suggests that the "catalyst for reform" did not come from the states or the federal government but from the Spanish American War. However, he depends heavily on secondary sources and writes that "the Spanish American War put citizen-soldiers in high standing with the American people," citing Hill's *Minute Man in Peace and War* for this position. Doubler, *I Am the Guard*, 123, 142.

¹⁰³ Albert Sydney Jones, "The Decline of Patriotism," *Infantry Journal*, September-October 1913, 232.

3.6 The Beginning of the End of the NRA

As the nineteenth century drew to a close, the leadership of the NRA was able to look back on almost three decades of successful marksmanship training and competition. For all intents and purposes that record was one for which they might have been particularly proud. However, while creating a nationwide marksmanship program, the Association had not properly assessed potential risks to its future viability. As an association that was overly dependent on a single state—New York—the loss of that state's support posed a considerable risk. When New York was forced to find financial resources to meet pressing needs, the governor withdrew that support. Furthermore, while the competitive marksmanship programs were centered at the Creedmoor Range on Long Island, the New York National Guard appeared to have an unfair competitive advantage. The advantages enjoyed by the New York teams, combined with an Association whose leadership was centered in the Eastern United States, became the source of considerable discontent from both Southern and the Western states. The NRA would not survive the nineteenth century as a New York association or as the Nation's premier proponent for competitive marksmanship.

3.6.1 A Loss of Support and a Challenge from Within

The late nineteenth century obstacles confronting the NRA heralded a difficult future. In 1880, New York's Governor Alonzo B. Cornell withdrew his support as "riflery was (seen as) unnecessary since the world was entering a glorious age of peace."¹⁰⁴ With no war on the

¹⁰⁴ Governor Cornell was not alone in his assessment of the need for a military force. As mentioned earlier, the U.S. Congress limited the size of the regular Army to less than 30,000 from 1874 to 1897.

visible horizon, the Governor saw rifle marksmanship as an excessive cost and therefore cut all funding related to transporting Guardsmen to Creedmoor Range. He also withdrew all tents and other state-owned material being used by the NRA's on the range. Additionally, he cut ammunition allowances to the Guard and replaced the time allotted to marksmanship training with drill and marching exercises. Further economies in the state military budget were recommended by subsequent governors, to include Grover Cleveland, who, as president, "recognized the importance of sustaining the NRA, and in a very practical way, contributed financially as well as by expressing his interest in the success of the object of the Association." In a letter to the Secretary of the NRA, President Cleveland wrote, "I desire to contribute, to the extent you indicated, to the success of the objects of the Association, and enclose herewith my check for twenty-five dollars, the amount of the prize to be offered for the second stage of the President's match."¹⁰⁵ Cleveland's enthusiasm for the NRA as President was appreciated but his ambivalence as the governor of New York was reflective of the environment in which the NRA struggled for legitimacy.

With U.S. Army and New York state support withdrawn, the NRA went looking for a more powerful Association president to plead its case in the legislature and to the public.¹⁰⁶ The Association quickly approached General Winfield Scott Hancock who had been a presidential candidate in 1880 and was known as an avid marksman.¹⁰⁷ Hancock accepted the position while remaining on active duty as the senior general officer in the Army and with the understanding that his active duty obligations would preclude daily involvement with the NRA.

¹⁰⁵ The letter was published as an untitled article in *The Rifle*, July 1887, 351. The same edition of *The Rifle* also included the minutes of the NRA Board of Directors meeting on June 28, 1887, the latter including mention of President Cleveland's letter.

¹⁰⁶ The withdrawal of Army support for the NRA programs is addressed in Chapter 3.

¹⁰⁷ General Hancock had earlier won a major competition at Creedmoor Range.

While Hancock's status was helpful, it was not entirely adequate. The NRA was forced, for the first time, to seek funding from the public to finance forthcoming international matches. In 1884, the NRA solicited the retired President Ulysses S. Grant to lead the Association. Like Hancock, he accepted with reservation and a minimal commitment. Grant was followed in office by General Philip H. Sheridan, Commander and Chief of the U.S. Army who also remained on active duty during his tenure with the NRA. Contrary to all efforts by conservative elements in the Army, under General Sheridan rifle marksmanship training increased and Army teams competed at Creedmoor in 1885. However, following Sheridan's departure from the Army in 1888, there was a reduction in Department of the Army support. With that said, when the Army had little else to do, it took up rifle shooting. Often, soldiers were members of civilian rifle clubs or, in some instances, created army rifle clubs, the high point of which was reached in the early 1890s.¹⁰⁸

During the NRA presidencies of Generals Hancock, Grant, and Sheridan, the Association was adequately served by founder and Vice President Brigadier General George Wingate. In that role, he met almost all of the Association's executive obligations. The support of high profile leadership aided the NRA in drawing contestants to Creedmoor's annual matches which generated income sufficient to meet the Association's needs. However, having a well-recognized name at the fore of the Association was not sufficient, and recognizing the limits of a titular leader, Wingate became the tenth NRA president in 1886. While Wingate's commitment to the NRA was unquestioned, his proximity and loyalty to the New York National Guard created what eventually became the biggest problem for the NRA's national

¹⁰⁸ Gilmore, 113-115.

marksmanship program. The reasons for that problem would be documented in a new publication, targeted at the NRA's principal audience.

In May 1885, Arthur Corbin Gould began publication of *The Rifle* for the express purpose of advancing the "noble sport...rifle shooting."¹⁰⁹ Gould was from Boston, Massachusetts and published *The Rifle* and its successor, *Shooting and Fishing*, in that city.¹¹⁰ In his first edition, Gould invited "gentlemanly discussion upon the subjects" of interest to the community of men engaged in rifle shooting.¹¹¹ Though Gould's publication cannot be considered fully comprehensive, it does provide a general overview of rifle practice as a club activity during the mid-to-late 1880s.¹¹² In the index to the June 1888 edition, the magazine's editor identified 241 rifle clubs in the U.S. That index covered publications of *The Rifle* for a four-year period, and the club entries represented those clubs that had been identified in articles during that period.¹¹³ Information about rifle matches, the results of competitions, the identification of the clubs' best shooters, and various social events had been submitted by 138 of those clubs for publication and perusal by the magazine's subscribers. The listed clubs represented 31 of 38 states and two territories (Hawaii and the District of Columbia).¹¹⁴ This in no way suggests that there were no other rifle clubs. It only suggests that these clubs had made the effort to identify

¹⁰⁹ *The Rifle*, May 1885, 3. The modern NRA traces the lineage of its flagship publication, *American Rifleman*, to Gould's nineteenth century publication.

¹¹⁰ The offices of *Shooting and Fishing* moved to New York in 1894.

¹¹¹ Gould's article went on to explain that "General outdoor recreations...general field sports (already have)... creditable organs of this interest." *The Rifle*, May 1885, 3

¹¹² Other nineteenth-century publications included *Field and Stream*, *Farm Journal*, *Journal of the Military Service Institute*, and the *Army and Navy Journal*. All carried articles on rifle and pistol shooting, but none were dedicated to rifle practice and each had another agenda of greater importance.

¹¹³ *Shooting and Fishing*, an expanded magazine that included a wide array of hunting and shooting articles, followed *The Rifle* and included a regular column titled "The Rifle."

¹¹⁴ The missing states included Oregon and seven former confederate states: AL, AR, MS, LA, NC, FL, and SC.

themselves and report their activities to Gould who then identified each by name in the Massachusetts magazine.¹¹⁵

Gould was well aware of the fact that the importance of rifle practice had not escaped the interest of the federal bureaucracy. His own experience in a state that enthusiastically supported rifle practice gave him an appreciation for its growth in the 1870s for a variety of reasons other than the turmoil that embraced the former confederate states and the labor unrest that caused governors to call for the National Guard. To address the status of training in the Guard, the second edition of *The Rifle*, "proposed to present to the readers of THE RIFLE the condition of the National Guard in the department of military rifle-shooting...as the information is received."¹¹⁶ This column would continue intermittently in *The Rifle* and *Shooting and Fishing* throughout Gould's editorial tenure.

While interest was growing around the country, the NRA began having trouble attracting competitors to Creedmoor.¹¹⁷ With the earlier withdrawal of support from New York, any reduction in competitors would create serious financial difficulties. The minutes of the February 15, 1887 meeting of the Board of Directors included Wingate as President-elect supporting a resolution presented by Vice President John B. Woodward, "(T)hat in view of the difficulty of raising the funds which will be required to properly fit up a new range, it is deemed inexpedient to discuss the matter further at present." It was moved that the matter of a new

¹¹⁵ For example, the Charleston Rifle Club of Charleston, SC advertises its founding as 1855 and some of the extant German *Schuetzenbund* rifle clubs were not mentioned until several years later.

¹¹⁶ *The Rifle*, June 1885, 16. While there was no national "National Guard" the term had been adopted by state militias and Gould, throughout his publications, interchanged it and "militia" indiscriminately. Gould included a regular column about the militia in *The Rifle* and its progeny publication *Shooting and Fishing*.

¹¹⁷ Articles appeared in newspapers across the country about local competitions as well as the growth of the program at Creedmoor and the international competitions it supported. Articles also began to appear that revealed some disappointments as participation at Creedmoor diminished.

range be laid on the table.¹¹⁸ As if to confirm the NRA's problems for the country, a St. Louis journalist visiting the national matches reported that "(F)or a few years rifle shooting was more popular than base-ball." The author noted later in the same article that the "obvious reason for the neglect of Creedmoor by the public is the lack of contestants." He concluded that there "was a time when a man could not get through the gate at Creedmoor without a ticket. Now the gate is left wide open."¹¹⁹ At the NRA's annual meeting, held in early 1888, the treasurer's report showed \$1,606.95 on hand at the end of 1887 which was about \$325 less than the end of 1886.¹²⁰

Additional criticism had addressed the way the annual matches at Creedmoor were run and suggested that "unless a change is made in the management of the NRA of America, its demise is near at hand."¹²¹ Perhaps a harbinger of things to come, the Massachusetts team, which was one of the finest in the country and had earlier travelled to England for competition, did not send a team to the 1890 annual matches at Creedmoor. The Massachusetts Volunteer Militia Inspector of Rifle Practice, Colonel Rockwell, advised the NRA that his team's budget was not sufficient to attend matches without a greater breadth of competition. Writing that he had attended all seven of his state's previous visits to the NRA annual competitions, Rockwell surmised that things might have been different had not "Creedmoor, which was intended to be and might have been practically national in its scope, [has] seriously waned, if it has not entirely

¹¹⁸ *The Rifle*, March 1887, 288.

¹¹⁹ "Creedmoor: The Past and Present of American Rifle Practice," *St. Louis Globe-Democrat*, October 16, 1887, 28.

¹²⁰ *The Rifle*, February 1888, 469.

¹²¹ *The Rifle*, October 1887, 400-401.

vanished."¹²² While Rockwell's letter praised the work New York had done in support of rifle marksmanship, he reflected the attitude of others like Pennsylvania's Inspector of Rifle Practice who published a letter calling for the "establishment of an Interstate Military Rifle Association to compete under the rules of Blunt's Manual."¹²³

A few years later, denigration of the operations at Creedmoor reached a new low when accusations of fraud were leveled at the management of the matches. "In the course of the criticism which is made in the connection there may be no charge of absolute dishonesty against General Robbins or the rest of the management, but there is at least a hint of a very censurable negligence which seems to deserve a strong and public rebuke." "If the vital regulations of Creedmoor cannot be enforced, it would seem necessary for the riflemen of the country to fix upon some other range. Even the markers at Creedmoor are quite pointedly criticised (sic)."¹²⁴

As early as the 1877 NRA Creedmoor meeting, an issue had arisen regarding the weapon to be used in the Military Championship match since states had different weapons and some individuals had actually modified their weapons to improve performance.¹²⁵ The editor of *The Rifle* wrote that "(T)he time has arrived when the National Rifle Association of America should clearly and explicitly define what constitutes a strictly military rifle." The debate over the

¹²² Colonel H.T. Rockwell letter to Captain J.S. Shepherd, Secretary of the NRA, July 29, 1890, published in *Shooting and Fishing*, August 1890.

¹²³ J.J. Mountjoy, letter to the editor, *Shooting and Fishing*, October 10, 1890. Captain Blunt was an Army officer who had been assigned the task of writing a manual for Army rifle practice. His manual was published in 1885 and offered that "General Wingate has had an experience and opportunity for observation hardly equaled by any officer of the regular Army." *Instructions in Rifle and Carbine Firing for the United States Army*, prepared by Captain Stanhope E. Blunt under the command of Brigadier-General S.V. Benet, Chief of Ordnance, U.S. Army (New York: Charles Scribner's Sons, 1885), iii.

¹²⁴ "Fraud at Creedmoor," *Boston Daily Advertiser*, September 9, 1891.

¹²⁵ While the modification of an athlete's equipment is not necessarily prohibited, the issue was pertinent if the competition was to be for the nation's Military Championship, to be contended for with the Nation's military arm.

choice of weapon for the Military Championship continued for several years and came to a head in preparation for the 1892 Creedmoor competitions. With most of the country using the U.S. Army Springfield rifle, the standard issue service weapon for the National Guard, attendees at the NRA meeting discussed the use of that rifle by the New York rifle team. "Gen. Robbins spoke strongly against the motion, saying that the New York militia would never consent to practice with two rifles." New York's Remington rifle could take a "larger charge in its bullet making it heavier and a better target round than the government round for the Springfield."¹²⁶ Robbins, a New York guardsman, was the executive officer in charge of Creedmoor range during the annual competitions. The heart of the problem was in New York's use of modified weapons and heavier-than-normal ammunition, both of which were more accurate than the standard military rifle. This gave New York guardsmen a distinct advantage when firing in those competitions that expressly required the military service rifle. The following week the editor of *Shooting and Fishing* challenged General Robbins writing that the NRA was fighting the rest of the country and that "(T)he NRA of America has driven the volunteers of the United States from it, and now it is the duty of every state to transfer the allegiance from the National Association to the United States Army"¹²⁷ While the volunteers of the United States did not transfer their allegiance to the Army, they did diminish their support for the New York-based NRA.

In a series of articles published in the late 1880s, Gould had highlighted the growing interest in interstate rifle competition while revealing the commensurate failure of New York to adapt to a national program. In addition, he began to illuminate mounting problems internal to

¹²⁶ *Shooting and Fishing*, February 1892. Principal among these matches was, and remains to this day, the service rifle championship, initiated by the NRA in 1878, for which the top one hundred shooters are designated as the President's One Hundred. Today there are both rifle and pistol championships.

¹²⁷ "Future of Rifle Practice for Volunteers," *Shooting and Fishing*, February 11, 1892, 5.

the operation of the range at Creedmoor. In 1885 he had noted that "(l)n New England the expert riflemen, as a rule, are not connected with the military organizations, but a glance at the official register of the National Guard of the State of New York shows that not only are the riflemen who have won distinction as civilian shots, members of the National Guard, but, in many cases occupying the official position of Inspectors of Rifle Practice."¹²⁸ An exception to this was Gould's home state where he identified Massachusetts volunteer militia, led by Inspector of Rifle Practice Colonel H.T. Rockwell, as America's best marksman.¹²⁹ The New England example was applicable to the rest of the country as noted by NRA President Shaler's report at the fourth annual NRA meeting that "In every direction, Associations and Clubs are being formed, and men of all ages and conditions of life are studying the science...of rifle shooting."¹³⁰ These clubs included National Guard units who, by joining en masse paid only one half of the regular rates for membership.

National Guard units across the country built ranges and conducted competitions in accordance with the guidance found in the NRA *Manual for Rifle Practice*. Gould's publications and Major Morris B. Farr's *The National Guardsman* announced those competitions and provided a platform for companies like Remington, Winchester Arms, Aiken Targets, Ideal Ammunition, Sub-target Gun Company, and E. E. duPont de Nemours to advertise everything from new weapons and ammunition, to targets and training devices and rifle range construction. The results were a growing standardization of training tools and procedures as well as the intra- and interstate competitions that proved their worth. A validation of the

¹²⁸ "National Guard," *The Rifle*, July 1885, 28.

¹²⁹ *The Rifle*, October 1886, 219.

¹³⁰ NRA, *Fourth Annual Report*, 6.

National Guard's programs was reflected in the NRA's report of a meeting during which "it was decided to extend an invitation to the NRA of Great Britain, to send a team of eight riflemen to this country, to shoot a match in September against a team of National Guardsmen."¹³¹ The point here is that the NRA invited a foreign team to compete against the National Guard, which in fact, was national in name only, not the U.S. Army or civilian rifle teams. The NRA was embracing what was seen as an international trend. "Slowly but steadily from all parts of the civilized world come reports of attention governments are giving to encouraging military marksmanship. The fact is each day becoming more apparent that the nations possessing the greatest number of skilled riflemen will be recognized as the strongest power and most formidable."¹³²

The NRA influence in Guard units was not only reflected in how they practiced and how they competed but also in the titles they acquired. In Missouri, state forces referred to numerous companies as the National Guard Rifle Association, which included the National Guard Rifle Association baseball team. "The attraction at the game (was) between picked nines from members of the National Guard Rifle Association, Company A, for the benefit of the Centennial fund."¹³³ On September 24, 1877 *The Bismarck Daily Tribune* announced awards to the winners of a recent marksmanship competition in the St. Paul National Guard Rifle Association.¹³⁴ Two years later another paper reported that "The Minnesota National Guard

¹³¹ *Shooting and Fishing*, February 1887, 282. The article also addresses the NRA *Fifth Annual Report* of January 11, 1887, which provides an expanded discussion of that NRA meeting.

¹³² Untitled article, *The Rifle*, May 1886, 149.

¹³³ "National Guard Rifle Association Plays Baseball," *St. Louis Globe-Democrat*, July 31, 1875;

"A Close Shave: The Browns Win Their Second Game in New Haven," *St. Louis Globe-Democrat*, July 31, 1876.

¹³⁴ *Bismarck Daily Tribune* (Bismarck, ND), September 24, 1877.

Rifle Association will hold its fifth annual tournament at Camp Lakeview early next month."¹³⁵

Reports of the St. Paul and Minnesota National Guard Rifle Associations continued throughout the 1880s in these and other mid-west papers.¹³⁶ These titles were also adopted by the national trade press in "Important Work for the NRA," an article about the interstate matches in the late 1880s.¹³⁷

Though national attention to marksmanship and the programs that had been promulgated by the NRA flourished, the need for financial support from New York and the Creedmoor range annual matches was the determining factor in the life of the NRA as a formal association. The Association's inability to seek and garner support from other states, and its failure to value the importance of a level, competitive playing field squandered the nationwide growth in National Guard rifle competitions. Absent that support, there were no other revenue generators to pay the rent.

3.6.2 The Final Battle

In 1890, the financially strapped NRA deeded the Creedmoor range to the state of New York. Wasting no time, the state's new Inspector General of Rifle Practice withdrew all support from the NRA and opened the range for use without the fees that had helped sustain the Association. In 1892, General Wingate would write a letter to the editor of *Shooting and Fishing* that began with "I enclose a formal obituary of the NRA." With that correspondence, he enclosed the letter he had sent to New York Adjutant General filing a last protest against the

¹³⁵ *St. Paul Daily News* (St. Paul, MN), August 21, 1879.

¹³⁶ *The Daily Inter Ocean* (Chicago, IL), August 29, 1881; *The Daily Inter Ocean*, November 8, 1885.

¹³⁷ "Important Work for the NRA," *The Rifle*, November 1887, 420.

actions that will close the NRA “It is with the most profound regret that I learn that the State has taken steps which...may result in its (the NRA) dissolution.” Wingate's letter went on to say that it might be a good thing since the feeling has been that the “N.R.A. was run as an appendix to the New York National Guard.”¹³⁸ Wingate's recognition that the relationship between the NRA and New York's Guard had been questioned went to the heart of the issue that proved to be the eventual downfall of the Association in the nineteenth century. Participation at Creedmoor's annual matches had been diminishing over the previous years, thus reducing income to the association. This reduction, combined with the actions of “Governor Roswell P. Flower (who) drew his official quill through the bill granting the Association an appropriation from the state” and the refusal of General Whitlock, Inspector General of Rifle Practice for the New York National Guard, to allow weekly matches to be shot at Creedmoor suggested that “it was starving time for the NRA.”¹³⁹

At an early 1892 special meeting of the Board of Directors of the NRA to discuss the transfer of trophies to other locations, the treasurer reported that available funds were only adequate for three months of operation. The Board acknowledged that due to the Inspector of Rifle Practice refusing to authorize the use of Creedmoor as a qualifying range for the New York National Guard, there would be a major loss of revenue. A resolution to move trophies and matches to Sea Girt, New Jersey was passed and it was “(R)esolved, that the closing of the office of the association and the settling of its affairs be left to the officers of the association,

¹³⁸ “National Rifle Association,” *Shooting and Fishing*, July 1892, 13.

¹³⁹ “Creedmoor,” *Shooting and Fishing*, May 1892, 8. Gilmore, “Crackshots and Patriots,” also addresses the actions that reflected the withdrawal of support from the NRA, 126. The phrase “starving time for the NRA” has also been used by late-twentieth century authors to describe the demise of the NRA in the late nineteenth century.

with power.”¹⁴⁰ With that move, the NRA deferred responsibility for national matches to New Jersey’s rifle marksmanship clubs, led by Brigadier General Bird W. Spencer. The NRA would never again depend on a single state for support and would meet only one more time before the turn of the century. Highlighting the NRA’s concern in a later (July 1901) article for *Shooting and Fishing*, Albert S. Jones, secretary of the New Jersey Rifle Association and an employee in Bird Spencer's bank, would write that “the remedy for the present deplorable state of marksmanship in this country lies in one direction, only, and that is federal aid.”¹⁴¹ At the next annual meeting of the NRA, Jones would present a program that called for “closer relations between the National Rifle Association and the United States Government.”¹⁴² That report and its implications are addressed in Chapter 5 of this dissertation.

The NRA's secretary advised the public in a letter to the editor of *Shooting and Fishing*, published in December 1892, that due to the actions of General Whitlock "thereby cutting off our only source of income forced to close its (NRA) office and...exist in name only."¹⁴³ The NRA had depended on regular grants from the New York legislature since the initial funding that was used to develop Creedmoor Range. Osha Davidson, in his book, *Under Fire: The NRA and the Battle for Gun Control*, is blunt in his assessment of the impact of these events noting that “cut off from the public trough, the NRA collapsed.”¹⁴⁴ As if laying down a challenge to the leadership of the struggling NRA, the editor of *Shooting and Fishing* wrote about the need to get the national government involved in support, “(B)ut I have not much hope of ever seeing

¹⁴⁰ "National Rifle Association, "Shooting and Fishing, June 1892, 13.

¹⁴¹ "Need of Rifle Practice in United States," *Shooting and Fishing*, July 25, 1901, 288.

¹⁴² NRA, *Annual Report for 1902* (Passaic, NJ: Daily News Printers), 61.

¹⁴³ John S. Shepherd, Secretary of the NRA, letter to the editor, *Shooting and Fishing*, December 29, 1892, 26.

¹⁴⁴ Osha Gray Davidson, *Under Fire: The NRA and the Battle for Gun Control* (Iowa City: University of Iowa Press, 1998), 26.

any appropriation by Congress for a National Range or Ranges. Our average congressmen have not the proper qualifications to enable them to look beyond their immediate constituents."¹⁴⁵

This situation would change in the early twentieth century when the congressional committees on militia matters were chaired by National Guardsmen and the President of the United States would become a life member of the NRA.¹⁴⁶

The greatest hurdle faced by Wingate as he led an NRA dominated by the New York Guard proved to be a challenge from within the marksmanship community itself. That obstacle was impossible to overcome and led to the demise of the organization Wingate and Church had worked so hard to construct. On December 24, 1903, *Shooting and Fishing* published a memorial on the occasion of W.C. Gould's death. The article noted that Gould had started his first magazine, *The Rifle*, in May 1885 as the importance of the rifle competition program at Creedmoor range and the NRA was diminishing.¹⁴⁷ At first, Gould supported New York and in 1886 wrote that "(T)he importance of encouragement to the riflemen of America cannot be over-estimated, and a liberal support to the National Rifle Association is a matter of national importance. Local clubs are important...but Creedmoor is the ground where the excelsiors (sic) of the local clubs should annually meet."¹⁴⁸ Just over a year later, Gould would more clearly define his position in identifying a reason that the Association was having problems. "The NRA should live, but it should be purely a national body, and not controlled, as it now is, by the

¹⁴⁵ "Creedmoor," *Shooting and Fishing*, May 1892, 8.

¹⁴⁶ Congressman Charles Dick, Chairman of the Congressional Committee on the Militia, was the Adjutant General of the State of Ohio and the President of the Interstate National Guard Association. President Theodore Roosevelt became a life member of the NRA while in the White House.

¹⁴⁷ See the section on Rifle Clubs in this Chapter.

¹⁴⁸ "Reward Merit," *The Rifle*, August 1886, 191.

National Guard of the State of New York."¹⁴⁹ Five years later, Gould wrote "we have felt for the past few years the National Association was not what it implied (and) (W)e are opposed to the continuance of the farce" at Creedmoor where New York Guardsmen use different guns and ammunition than other competitors.¹⁵⁰ The obituary continued, "Gould more than any other one man created the revival of interest in the long neglected sport...which made the reorganization of the NRA possible."¹⁵¹ That reorganization was left to General Spencer under whose leadership it thrived, thus setting the stage for a rebirth of the NRA.

3.7 Success at Sea Girt

One month after General Wingate's announcement of the death of the NRA, Gould published the first article that positioned NRA matches at the Sea Girt New Jersey range facility.¹⁵² The first NRA matches at Sea Girt were poorly advertised and poorly attended while the New Jersey Rifle Association's matches were, as they had been for years, well attended and a documented success. NRA matches would continue at Sea Girt for the remainder of the decade but would remain a small part of the New Jersey program that Spencer had established much earlier. For the next several years, the NRA would annually sponsor three of eighteen matches contested at Sea Girt. Over time, these matches would be better advertised and attended, but they would remain subordinate to New Jersey's program until the twentieth century. Gould and others would hold the New Jersey program up as the hope for the future as he noted in writing of the 1894 event that, "(F)rom what we saw of this meeting we believe

¹⁴⁹ *The Rifle*, October 1887, 401.

¹⁵⁰ "National Rifle Association," *Shooting and Fishing*, February 1892, 5.

¹⁵¹ "In Memoriam," *Shooting and Fishing*, December 1903, 223.

¹⁵² "Sea Girt," *Shooting and Fishing*, August 1892, 13. This is the first mention of NRA matches to be held in September at Sea Girt, N.J.

that it was conducted more fairly than any national contest held at Creedmoor for a number of years, and it engendered a spark of hope that the National Rifle Association, is but sleeping."¹⁵³

Through the efforts of General Spencer and the New Jersey Marksmanship Association, marksmanship programs continued to expand countrywide during the remainder of the nineteenth century. As a long time proponent, Spencer had built a noteworthy program and a well deserved reputation for training his Guardsmen. Reporting on his performance, *Shooting and Fishing* noted that General Bird Spencer reported 4,187 New Jersey volunteers qualified in 1891, compared to 10,097 in the entire Army.¹⁵⁴

Though the original NRA was dormant, it had left its mark on the state defense forces. Most continued to conduct some form of marksmanship training to a national standard while firing on ranges and targets that had been designed at Creedmoor. In Delaware, the Inspector of Rifle Practice wrote, that "(T)he time has fully arrived for strongly urging a more general and systematic attention to the duty of rifle practice in the National Guard of this State." He went on to write that current conditions for rifle marksmanship are "deplorable, for a soldier with a rifle in his hands which he does not know how to use, may serve for the ornamental purposes of display, but he is almost worthless for practical purpose of public defense."¹⁵⁵ In addition, the regular Army began to pay greater attention to the Sea Girt programs for rifle practice and the value of competition, though their participation was frequently driven by budget considerations. In 1893, the Army recognized the value of training at the New Jersey facility and "The Secretary of War [has] sanctioned the orders for three troops of regular cavalry to

¹⁵³ "Advance and Decline of Military Rifle Shooting," *Shooting and Fishing*, September 1894, 426.

¹⁵⁴ "Military Rifle Practice in New Jersey," *Shooting and Fishing*, April 1892, 5.

¹⁵⁵ Lt. Colonel Garret J. Hart, "Rifle Practice in the Delaware Guard," *Sunday Morning Star* (Wilmington, DE), July 29, 1888.

come to Sea Girt to take advantage of the regular range."¹⁵⁶ The growing relationship between regular and National Guard organizations would continue to be illustrated by cooperative efforts on the range in New Jersey and elsewhere.

What had begun through the ratification of a constitutional amendment to arm citizen-soldiers to counter the potential tyranny of a centrally-controlled standing army was now a loosely connected affiliation of National Guard units training with that standing Army. The final transition would come when the NRA, unable to maintain fiscal viability as a state-supported organization, looked to the federal government for support. With that support would come the official end to an independent militia. One special group that helped to facilitate that transition was the Inspectors of Rifle Practice.

In his *Manual for Rifle Practice*, General George W. Wingate recommended that "An officer upon the General Staff to be known as the General Inspector of Rifle Practice should be assigned general supervision over the rifle practice of the troops."¹⁵⁷ Wingate had firsthand experience with the need for instructors as he expressed in his *History of the Twenty-Second Regiment*. When troops went into camp in Baltimore in June of 1862 "(T)here was no instruction in position or aiming, and the practice was wretched. Many men missed the mark by fully ten feet. Of course their errors were not corrected, for no one knew how to correct."¹⁵⁸ The manual continues to provide specific instructions for and the responsibilities of the inspector. Throughout the last two decades of the nineteenth century, various inspectors of

¹⁵⁶ "Regulars to Go to Sea Girt: A Detachment of United States Cavalrymen to be at the Summer Camp," *The North American* (Philadelphia, PA), April 27, 1893.

¹⁵⁷ George Wood Wingate, *Manual for Rifle Practice*, 19.

¹⁵⁸ Wingate, *History of the Twenty-Second Regiment of the National Guard of the State of New York: From its Organization to 1895* (New York: Charles Francis, 1896), 46-47. Wingate wrote a history of the Regiment in which he had served during and after the Civil War.

rifle practice were identified as being responsible for the success of their marksmanship programs. Additionally, they became the principal spokesman for improvements in training and facilities. In August 1885, the National Guard listed fourteen of twenty-eight states with rifle clubs as having Inspectors of Rifle Practice. By 1890, there were hundreds of rifle clubs across the country and every state Guard had an Inspector of Rifle Practice, most of which were included in the revised state statutes.¹⁵⁹ In California "the duty of the general inspector of rifle practice (was) to exercise general supervision over the rifle practice of the National Guard,"¹⁶⁰ in New York the "Powers and duties of general inspector of rifle practice (were to) have charge of the rifle practice of the national guard"¹⁶¹ In West Virginia, the 1889 statutes directed the National Guard brigadier general to appoint a brigade inspector of rifle practice.¹⁶² Colonel Frederick L. Hitchcock summarized this movement well in his *History of Scranton and its People* when he wrote that rifle practice was introduced to Pennsylvania Battalion in May 1878 by Major Boies, Battalion Commander, and a director of the National Rifle Association. Boies promoted Private George Sanderson of Company D to first lieutenant and inspector of rifle practice. "This was the commencement of this important and now universal branch of military instruction in the National Guard of Pennsylvania."¹⁶³ The presence of inspectors of rifle practice in every state and at varying levels of command, to include at the general officer level, would provide the NRA a principal point of contact when it was assigned responsibility by the federal government to coordinate national rifle practice efforts.

¹⁵⁹ Data derived from a survey of six months of *Shooting and Fishing* (October 31, 1889 – April 24, 1890) that showed 567 articles about rifle clubs from 37 different states.

¹⁶⁰ *California Codes and Statutes*, sec. 1 (amended 1885), 768.

¹⁶¹ *New York Statutes*, art. XII (revised 1889).

¹⁶² *Statute Establishing the West Virginia National Guard*, chap. 24 (1889).

¹⁶³ Colonel Frederick L. Hitchcock, *History of Scranton* (New York: Lewis Historical Publishing, 1914), 388.

While the New York-based NRA struggled to retain its identity as part of the New Jersey marksmanship program, there were other efforts outside the East Coast that had recognized the value of rifle practice. In addition to the plethora of rifle clubs, state National Guard organizations increased their interest in rifle practice, even as the NRA of America was in decline. *The Milwaukee Daily Journal* reported that a new National Guard Association was formed to encourage rifle competition. "The Military Rifle association of the National Guard is the title of a new association formed at the Chicago meeting of the adjutants general of the north-western states."¹⁶⁴ Subsequent meetings continued to focus on rifle practice. On February 20, 1890, the ninth annual convention of the Wisconsin National Guard listened to "Rifle Ranges, etc." and "Small Arms Practice in the National Guard," which were two papers written by active duty officers.¹⁶⁵ A few years later the editor of *The Atchison Daily Globe* asked, "Why is America so much behind the times in having no national rifle association?" He suggested that it would "stimulate military marksmanship, it would strengthen the power of our volunteers...we could learn positively the true merits of our national arm far better than in any other way."¹⁶⁶

3.8 The Rise of the Interstate National Guard Association

As the decade came to a close, the NRA was not the only national association to lose support. The NGA, unable to create a sustainable nation-wide constituency, was challenged by a new organization that, like the "Military Rifle Association of the National Guard," was founded

¹⁶⁴ "For Rifle Practice," *Milwaukee Daily Journal*, January 17, 1890.

¹⁶⁵ Untitled article, *The Wisconsin State Register* (Portage, WI), February 8, 1890.

¹⁶⁶ "National Rifle Association," *The Atchison Daily Globe* (Atchison, KS), August 17, 1896.

in the north-western states. Horace Kephart, who would play a significant role in the growth of the twentieth century marksmanship community, offered advice to the struggling NGA on how “to devise ways and means for placing the national guard upon a better footing” as they prepared for their 1899 national convention. Kephart suggested that “(I)f the welfare and proficiency of the national guardsmen are to be prominent features in the coming convention, it would be well to ask the inspectors-general of rifle practice to be present.”¹⁶⁷ While Kephart's advice would be important in future conventions, the NGA was faced with a more immediate challenge.

The Interstate National Guard Association (INGA) held its first meeting in St. Louis, Missouri in December 1897 and reported that “(A)fter careful investigation of National Guard affairs existing in many of the Western States, we are deeply impressed with the necessity for closer co-operation of state authorities, thus securing a uniform system of regulations and more liberal support from the general government.”¹⁶⁸ The founding of the INGA was based on more than a need for closer cooperation with the federal government, which the NGA had been seeking for over a decade. That cooperation did not, however, mean any diminution of state control. General Bell, Arkansas' Adjutant General, was very clear in his published letter that stated that when men would be activated from the Guard “let the state authorities immediately organize new regiments to fill vacancies and let the National Guard men be selected as officers

¹⁶⁷ “The National Guard,” *Shooting and Fishing*, November 1898, 53.

¹⁶⁸ NGAUS, Interstate National Guard Association, *Proceedings of the First Annual Convention* (St. Louis, MO: December 7-8, 1897), 1. The INGA was keenly aware of the importance of state control of the militia and any reference to a “uniform system of regulations” was understood to be without the interference of the federal government.

to train and lead their neighbors in conflict."¹⁶⁹ Bell had no problem with volunteer regiments, but he was determined to ensure that they were led by officers appointed to their positions by their respective governors.

In addition to the geographic separation, there was also an ideological divide between the leadership of the Guard in the eastern and the leadership in the western states. The western states were focused on collective state interests and wanted the militia to have a large wartime role, both within and outside of the nation's borders. The INGA convention heard speeches on the role the Guard would play and how that role would help the nation avoid any need to create a large standing army.¹⁷⁰ Conversely, the well financed eastern militia organizations saw the militia as a temporary service to be replaced by volunteers so that militiamen might return to their armories, much like their English ancestors had done. The guardsmen of New York, Pennsylvania and Massachusetts also resisted any consideration of militiamen for service outside of the United States.

In his essay outlining recommended improvements to the National Guard, George Wingate provided a detailed explanation of the debate between the organization he had founded, the NGA, and the newly created INGA.

"One part of the Guard...hold themselves ready at all times to serve anywhere during an emergency or until a force of volunteers can be enlisted...but not in any part of the world...(and not) when no particular emergency exists. Others consider the National Guard of the States to

¹⁶⁹ "The Crisis upon Us," *The Arkansas Gazette* (Little Rock, AR), April 21, 1898. Bell was suggesting that as volunteer units were formed, they should be led by the political appointees that comprised the state military leadership.

¹⁷⁰ *Proceedings of the First Annual Convention*, 14-38.

constitute 'the Second Line of the Army'...bound to serve anywhere and for any period."

The first idea is the one generally entertained by the Guard of the East...the other seems to be the idea generally prevailing throughout the West."¹⁷¹

Martha Derthick makes an excellent argument that the schism might have been created by the marked difference between the leadership of the two groups. The leaders of eastern establishment guardsmen were "professional men of considerable wealth and standing" who saw militia service as a social obligation and "a fashionable way of demonstrating patriotism." In contrast, the leaders of the Guard in southern and western states were "full-time state officers for whom the Guard was the principal source of livelihood."¹⁷² Like their sister organization, the INGA would send committees to Washington D.C. to seek support, and like the NGA, they would have very little success in increasing federal support for the militia. Also, like the NGA, the founders of this new organization remained focused on an increase in federal support and not on militia reform.

The second annual convention of the INGA met in Chicago in December 1898. At that meeting, Minnesota's First Brigade Commander, Brigadier General W.B. Bend reported that he had found during his trip to Washington, D.C. that "Speaker Read of the House was very much opposed to any increase of appropriation."¹⁷³ Then, and again during the third annual convention held in Indianapolis during January 1900, the INGA passed a resolution to seek a \$5

¹⁷¹ Wingate, "In What Way Can the National Guard be Modified So as to Make it an Effective Reserve To the Regular Army," 13.

¹⁷² Derthick, 22-26; Mahon, *History of the Militia*, 119.

¹⁷³ *Proceedings of the Second Annual INGA Convention* (Chicago: December 14-15, 1898), 141. NGAUS Archives.

million appropriation from Congress. At the Indianapolis meeting, the committee that had been assigned the task of soliciting federal support reported that they “had visited Washington in the interest of the national guard, but had met with poor success.”¹⁷⁴ The Speaker of the House would not let the bill be called up; in the Senate it went to the committee on Military Affairs “of which the chairman told me that the National Guard of his State was thoroughly disorganized on account of the war, and he did not believe the guards of any other States were in any other condition.”¹⁷⁵ Comments from Pennsylvania's General John P.S. Gobin summarized the problems facing the National Guard, either represented by the NGA or the INGA. “The National Guard was called a failure in that war (Spanish American War) because it was given no opportunity to show what it could do. We want to go to Congress and say, Gentlemen, if you want a National Guard organization, give us enough money to buy modern arms and equipment.”¹⁷⁶ The Guard was eager to do the job as they defined it, lacking only the resources that the federal government might provide but without any controls that the federal government might demand.

While the western association continued to grow, the older NGA met in Tampa, Florida, almost a full decade after its last meeting. The most significant result of the Florida meeting was the assignment of several officers to meet with the newly created INGA to discuss cooperative efforts going forward. Representatives of both Associations met in August,

¹⁷⁴ *Proceedings of the Third Annual INGA Convention* (Indianapolis: January 1900), 166. NGAUS Archives.

¹⁷⁵ *Ibid.*, 173. As noted earlier, lobbying efforts would become much more effective when Guardsmen became leaders in the House and the Senate. The Militia Act of 1903 was actually drafted by the Chairman of the House Committee on Militia Affairs in his role as a leader of the INGA and as the Adjutant General of Ohio.

¹⁷⁶ *Proceedings of the Second Annual INGA Convention* (Chicago: December 14-15, 1898), 188-90. NGAUS Archives.

October, and November of 1899 to consolidate the two associations.¹⁷⁷ Those discussions were addressed during the January 1900 third annual INGA convention which mentioned "our sister organization, known as the NGA."¹⁷⁸ By 1902 the two organizations had merged and in a joint effort began to realize the need for militia reform as well as federal financial support. As the twentieth century opened, the newly merged organization, under a new generation of leadership would create an environment within which the militias of the states would become a truly national National Guard.

3.9 Conclusion

The twenty-first century National Guard attributes the changes of the late nineteenth and early twentieth centuries to the then-Secretary of War, Elihu Root. "After the Spanish-American war of 1898 which demonstrated weaknesses in the militia," as well as in the entire United States military, the Secretary of War initiated a program of reform and reorganization in the military establishment. The impetus for reform led to the Militia Act of 1903, better known as the Dick Act.¹⁷⁹ However, the efforts of the old organizations, the new leadership, and the importance of rifle practice under the auspices of the NRA must be included in any discussion of the federalization of the National Guard. The old organizations, to include the NRA, included individuals who would demonstrate the value of personal relationships with members of the new president's cabinet, specifically, Secretary Root. The new leadership of the National Guard

¹⁷⁷ NGA representatives were General D. Butterfield, New York; General Charles Anderson, Virginia; and Colonel Winfield Proskey, Florida. INGA representatives were General Reece, Illinois; General W. Henry, Mississippi; and Colonel Bleyer, Illinois.

¹⁷⁸ Les A. Melnyk, "True *National* Guard: The Development of the *National* Guard and Its Influence on Defense Legislation, 1915—1933" (PhD diss., City University of New York, 2004), 38.

¹⁷⁹ NGB, www.nationalguard.com (accessed May 12, 2012).

organization would include an Adjutant General who was also the Chairman of the House Committee on Militia. Consequently, Congressman Dick would give his name to the law that began the federalization of state militias.

Though not recognized as a potentiality that might give state militia units a national visage, the introduction of organized rifle practice through the creation of the National Board for the Promotion of Rifle Practice would eventually prove to be a bonding agent upon which to build a federal force. The success of that National Board would depend heavily on the network of Inspectors of Rifle Practice that was established in Guard units under the guidance of the NRA. Rifle practice was implemented and supported at the direction of state military leaders who were concurrently growing two rejuvenated organizations: the National Guard Association (NGA) to help enhance the role of the future National Guard and the National Rifle Association (NRA) to improve rifle marksmanship for all of the young men of America.

CHAPTER 4: THE GUARD BECOMES NATIONAL

The marriage between the National Guard and the National Rifle Association was consummated when both organizations became official components of the War Department of the federal government. For the Guard this occurred with the passage of the Militia Act of 1903, which mandated a focus on rifle practice.

4.1 Introduction

As the nation's leadership reflected on the events of the last decade of the nineteenth century, it became obvious that some reform was going to be necessary for national defense.

Besides protecting its own borders, the country was establishing itself as a participant in international affairs as political and economic interests demanded an effective means of supporting and defending America and Americans in capitals and commercial centers around the world. The successful defense of the homeland augured the need for more than the small, regular army supported by the unreliable forces that belonged to state governors. The Militia Act of 1792 obligated all men between the ages of eighteen and forty-five to compulsory service. It remained the law of the land, and even though every president since Washington had called for its reform, Congress had made few changes over the years. As discussed in the last chapter, the combination of a very small regular army, the difficulties experienced in mobilizing the militia, and extant Associations looking to improve state forces generated interest in the reform of the Army in general and the 1792 statute in particular.

President McKinley, who was aware of the need for improvement, chose organizational specialist and New York lawyer Elihu Root to lead the War Department through necessary changes. Those changes would include the passage of *The Act to Promote the Efficiency of the Militia* in 1903 which federalized the National Guard.¹ The achievement of militia reform, for the first time since 1792, came about because of "the uneven mobilization and preparedness of the Guard during the Spanish-American War, the energy and political savvy of Secretary Root, the influence of Congressman Dick, and a clear consensus among Guardsmen that reform of some type was necessary."² The implementation of the 1903 Act meant changes in both

¹ This Act is subsequently referred to as the Militia Act of 1903 or the Dick Act, named for Congressman Charles Dick, the author of the bill and the Chairman of the House Militia Committee.

² Les' Andrii Melnyk, "A True National Guard: The Development of the National Guard and its Influence on Defense Legislation, 1915--1933" (PhD diss., City University of New York, 2004), 42. For an excellent summary of militia activities leading to the Dick Act, see Brannon P. Denning, "Palladium of Liberty? Causes and Consequences of the Federalization of State Militias in the Twentieth Century," *Oklahoma City University Law Review* 21 (1996): 191.

practice and ideology. The practical changes included new arms and equipment and an improvement in training. Ideologically, the 1903 Act changed control of the state soldiery from state control during peace and dual control during national emergency to dual control during peace and federal control during national emergency. Dual control during peace would create connectivity between the War Department and the states that would also serve the goals of the National Rifle Association.

The country's marksmanship programs were also changing, and in the 1890s the National Rifle Association lost its position as the leading agent for national rifle competition. While individual state programs flourished, the New Jersey Rifle Association supported national competitions and offered a home for the trophies that had been awarded at the National Rifle Association's Creedmoor range in New York. Leadership shifted from George Wingate of the New York National Guard to Bird Spencer of the New Jersey National Guard. As the significance of rifle practice to state military organizations grew in importance, the need for a national association to coordinate marksmanship programs became more obvious. This need would culminate in the creation of the National Board for the Promotion of Rifle Practice which would empower a rehabilitated National Rifle Association. The renewed National Rifle Association would be the vehicle used to create the countrywide program for marksmanship training and competition.

4.2 Creating a Federal Force: The Man in Charge

In order to understand the organization that was being created in the early twentieth century it is necessary to appreciate the place of the militia, the National Guard and the reserve

in America's military structure. The militia, which was created by the Militia Act of 1792, was a state force unless called to federal service by the President.³ During the nineteenth century, some militia units began to assume the title of National Guard, but that did not change their roles or responsibilities. The militia changed in 1903 and thereafter had a federal role, in addition to its constitutional obligations, as directed by the Secretary of War. The militia officially became the National Guard with the passage of the National Defense Act of 1916. Even with that federal role, the National Guard remained, as it does today, a force that belonged to the states when not called to federal service.⁴ The Army reserve and today the reserve components of all branches of the military - Army, Navy, Marine Corps and Air Force, are federal forces that have no obligation to the states. To put it another way, National Guardsmen on regular, non-federal duty are paid by their respective state treasurers, reservists on regular duty are paid by the federal government.

4.2.1 Elihu Root, Emory Upton, and the Need for a National Reserve Force

The Guard, led by emerging national associations or led by extant state soldiery, entered the twentieth century on the cusp of major changes that were necessitated by the national defense demands of a growing nation. At the end of the Spanish American War, Congress, the President and members of his cabinet anticipated a very real need to correct deficiencies that had surfaced during earlier mobilization. Debates in Congress focused on reorganizational issues as well as increases in funding for state military forces. Congressman James Hay from

³ U.S. Constitution, art. 1, sec. 8.

⁴ The governors of each state have the ability to call forth their National Guard units to support contingencies beyond normal conditions - disaster relief, environmental hazards, or control of civil disturbances.

Virginia wanted to do more to reorganize the National Guard along Army lines. "The experience...in connection with the war with Spain has been such as to lead every man here on the floor of the House...to give careful consideration to the importance of the organization of that force as one of the bulwarks of the Republic."⁵ Congressman George Washington Steele from Indiana suggested that "(D)uring the late war a majority of the States found that a great many of the men who were enlisted before the war were utterly incompetent for service."⁶ The state forces needed help if they were to successfully be "the palladium of our security" envisioned by Congressman's Steele's namesake.⁷

The serving Secretary of War, Russell Alger, was blamed for many of the mobilization problems that occurred during the Spanish American War.⁸ President McKinley felt that the War Department demanded a new leader, familiar with corporate organization and international law who would restructure the Department based on meritocracy rather than patronage. The President did not have to go far to find a long-standing loyal republican with an accomplished record of performance.⁹

Elihu Root, a New York attorney and counselor, was appointed Secretary of War on August 1, 1899 by President McKinley. Root protested that he "knew nothing about war or the Army," but McKinley's message to Root was clear that "he was (is) not looking for any one who

⁵ *Annual Militia Appropriation*, HR 9510, 56th Cong., 1st sess., *Congressional Record* 33 (May 7, 1900): H 5229. Though Melnyk's dissertation is focused on the defense legislation of 1915 and 1933, he provided an excellent overview of the early years of the Guard as a federal force.

⁶ *Annual Militia Appropriation*, HR 9510, 56th Cong., 1st sess., *Congressional Record* 33 (May 7, 1900): H 5230.

⁷ In his appeal for a reform of the Militia, President Washington had referred to the Militia as the nation's palladium of liberty. George Washington, "Washington to John Hancock (Circular), 11 June 1793, *The Papers of George Washington Digital Edition*, ed. Theodore J. Crackel (Charlottesville, VA: University of Virginia Press, Rotunda, 2008), <http://rotunda.upress.virginia.edu/founders/GEWN-05-13-02-0013> (accessed November 1, 2012).

⁸ It did not help his cause to have appointed fellow Michigan native William R. Shafter as a leader of the Cuban expedition. Shafter, debilitated by gout and weighing over 300 pounds, was unable to perform his duty as a commander. Shafter is discussed in a previous chapter.

⁹ Doubler, *I Am The Guard*, 136. Doubler provides background for McKinley's decision.

knows anything about war or for any one who knows anything about the army; he has got to have a lawyer to direct the government of these Spanish islands."¹⁰ At the time of his appointment, Root had over thirty years of experience as an attorney in New York, having served state, private and corporate interests. Additionally, Root had been a long standing member of the New York state Republican Party, an active advocate for Governor Theodore Roosevelt, and was well known for his desire to replace patronage with merit in the government bureaucracy.¹¹

Patronage aside, when Root arrived in Washington, there were past acquaintances there to support his future efforts. Prior to studying law at Columbia University, Root had attended Hamilton College, where one of his undergraduate classmates and fellow Hamilton College trustee was Joseph R. Hawley. When Root assumed the position as Secretary, Hawley was a Senator from Connecticut and Chairman of the Senate Committee on Military Affairs. Hawley would remain in that position during the deliberations that led to the passage of the Militia Act of 1903.¹² Additionally, while an attorney in New York, Root had become a friend and business associate of Bird W. Spencer who was the President of the Peoples Bank of Passaic, New Jersey. Bird was the four-term mayor of Passaic, a senior officer in the New Jersey

¹⁰ Elihu Root, *The Military and Colonial Policy of the United States*, ed. Robert Bacon and James Brown Scott (Cambridge: Harvard University Press, 1916), xiv. See also, Phillip C. Jessup, *Elihu Root* (New York: Dodd, Mead & Co., 1938), 215. It was obvious that McKinley was concerned about America's acquisition of territory from Spain. McKinley had earlier asked Root to be the ambassador to Spain, a post Root declined due to a lack of proficiency in Spanish. See Jessup, 196. See also, Possner, *The Rise of Militarism in the Progressive Era*, 5-7, 11.

¹¹ Jessup dedicates several chapters of Root's biography to his career as a New York attorney.

¹² *Biographical Directory of the United States*, s. v. Hawley, Joseph Roswell, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H000377> (accessed November 1, 2012); Jessup, 255, 266.

Congress Hawley was serving as the Chairman of the Senate Committee on Military Affairs when the Militia Act of 1903 came before the Senate for consideration. Hawley was also a member of the Connecticut Volunteers, reaching the rank of Brevet Major General before the end of the Civil War.

National Guard and a staunch supporter of rifle marksmanship training.¹³ It would be in this last role that Root and Spencer would become involved in the creation of the National Board for the Promotion of Rifle Practice, also in 1903.¹⁴

The new Secretary quickly overcame his initial lack of knowledge through personal study and the assignment of subordinates to review a wide array of alternative organizational structures for the defense establishment. One important source of information for Root's education was the writings of General Emory Upton who, in addition to having been a successful combat leader during the Civil War, had been a highly regarded military strategist. Upton had authored *The Military Policy of the United States* which presented the first systematic examination of the nation's military history.¹⁵ Root read Upton's book in manuscript form, and he was instrumental in having the general's writing posthumously published in 1904. The Secretary brought many of Upton's ideas to the table in his evaluation of the nation's defense needs. Most significant among the reforms that Root would eventually implement was

¹³ Spencer's role in the New Jersey National Guard and the New Jersey Marksmanship program is addressed in the section about Sea Girt at the end of the nineteenth century. Passaic is approximately 10 miles from New York City.

¹⁴ When Spencer met with Secretary of War Root in early 1902, he did so as the president of the NRA, leading a committee to enhance marksmanship training across the country. Documentary support for the Root - Spencer meeting and exchange of information comes from the Archives of the National Board for the Promotion of Rifle Practice, Camp Perry, OH. Further details are provided in Chapter 5 of this dissertation.

¹⁵ Emory Upton, *The Military Policy of the United States* (Memphis: General Books, 2010). This version of Upton's work was scanned from the original manuscript. Upton's work was not published during his lifetime, but his manuscript was accessible to army officers who found particular value in its content. Upton took his own life in 1881, perhaps despondent over a very ill wife. Root had this work published in 1904 by the Government Printing Office. Upton is also addressed in the discussion of the fall and rise of the militia following the Civil War. He is mentioned here as a source of information for Root's reform efforts. Root followed many of Upton's recommendations in his revision of the Army staff. Not surprisingly, Root was unable to follow Upton's recommendations for a national reserve. In his introduction to Upton's published book, Root acknowledged that Upton's work had been done "from a purely military point of view, and in some parts show a failure to appreciate difficulties arising from our form of government and the habits and opinions of our people." See Upton, 4. Here he might well have been making reference to the political opposition that he faced in overruling the desire for state militias to become the Federal Reserve.

the creation of the Army's General Staff, an idea that Upton addressed following his study of the German General Staff.¹⁶

With regard to the militia, Root was particularly concerned about the failure of the state National Guard units to provide adequately prepared leaders and troops for the Spanish American War. In his introduction to General Upton's published work, he addressed the need for officers that would lead volunteer units in the future to be appointed by the President, based on merit, rather than be appointed by governors who were inclined to political appointments. Additionally, Root emphasized the need to maintain a "distinction between volunteers and militia," a point that would surface during debates over the transition of state forces into a federal National Guard.¹⁷ While the Army, generally reluctant to embrace change and certainly reluctant to embrace state National Guard units as a viable reserve force, recognized that mobilization had improved over the efforts undertaken during earlier national emergencies, there remained much to be done.

(T)he mobilization of state military forces for the Spanish-American War in 1898, while much more effective than the mobilizations of 1846 and 1861, did clearly demonstrate that the Guard was not a reserve force fit for modern conditions. Federal service revealed that the training of Guardsmen in all aspects of military operations was, for the most part,

¹⁶ See Upton, 2-3 (editor's note) for a discussion of Upton's overseas travel with then Captain William Carey Sanger in response to request from Commander of the Army, General Sherman. Root is credited with the creation of the Army staff system that remains in effect to this day. Jessup noted that "Root found these points stressed in the writings of General Emory Upton who had prepared a report on *The Armies of Europe and Asia*." Jessup, *Elihu Root*, 1:242. See also, Joseph C. Bernardo, *American Military Policy: Its Development Since 1775*, 2nd ed. (Harrisburg, PA: Military Service Division, Stackpole Co., 1961), 290-307; James A. Huston, *The Sinews of War: Army Logistics, 1775-1953* (Washington: Office of the Chief of Military History, United States Army, 1966), 292-296.

¹⁷ Upton, 4.

grossly inadequate to the demands of active duty and extended field operations.¹⁸

In an article addressing the status of the nation's reserve forces, published shortly after the war began, the *New York Times* reported that there were over ten million militiamen available for service but that only a little over one hundred thousand reported for duty.¹⁹ Alternatively, the ranks were filled with volunteers. With regard to a national reserve force, Root subscribed to Upton's belief that volunteers were unacceptable and that the Army should have a dedicated federal reserve. Upton had also expressed a strong belief that the militia was incapable of fulfilling that role and that "state sovereignty must be exposed since it was at the root of all the weakness in our military system."²⁰ Upton had been a dedicated professional soldier who did not support civilian control of the armed forces. As such, he had been against the use of civilian soldiers as a component of national defense. The civilian control of the military would be an area in which Root would diverge from Upton; however, the Secretary was suspicious of the ability of civilian soldiers and retained those suspicions long after leaving the War Department.

Where Upton had sought a federal reserve, the *New York Times* reported that incumbent Commanding General of the Army, Lieutenant General Nelson A. Miles, recommended turning to the states for additional troops. "So much of Gen. Miles's report as

¹⁸ William M. Donnelly, "The Root Reforms and the National Guard," May 3, 2001, The U.S. Army Center of Military History, www.history.army.mil/documents/1901/Root-NG.htm (accessed November 1, 2012).

¹⁹ "Strength of the Militia," *New York Times*, April 1, 1898.

²⁰ Emory Upton suggested that the problems of America's military were traced to the inability of a citizen militia to meet national needs. He further argued that the militia should be used exclusively to support issues that arise within the state at the direction of the Governor, using the Whiskey Rebellion of 1794 as an example. He also referenced the weakness of our military system due to refusal of governors to call out militia. See *The Military Policy of the United States*, viii, 103-104, 212. Also see Bigelow, *William Conant Church*, 182.

has been given out for publication strongly reinforces the suggestion repeatedly made in these columns that the militia of the States should be converted into a really "National" Guard.²¹

While the President and the Secretary were unwilling to accept a repeat of the failures of the Spanish American War, and there was a general consensus that the need existed to constitute a large reserve force for the Army, how that reserve was to be created was yet to be determined.²²

Early in 1900, at the President's request, Secretary Root tasked Colonel William Cary Sanger, the Inspector General of the New York National Guard and a former Lieutenant Colonel of Volunteers, to conduct a study and "make a report to him in regard to the principles upon which other countries...have organized their reserve and auxiliary forces."²³ Root suggested that the focus of the report be on the English and Swiss military organizations.²⁴

The introduction to Sanger's very detailed report expressed concern that "in the peaceful intervals between wars there is no nation on the globe (America) which gives less thought or attention to the questions which must be wisely settled in advance in order to save the waste of life and treasure when war once begins."²⁵ To substantiate his argument, Sanger provided examples of the past failures of America's state militias to support the nation's conflicts, up to and including the Spanish American War. His focus was on two very distinct issues. One was the lack of preparation for war. The other, and more importantly in reference

²¹ "The National Guard," *New York Times*, June 20, 1898.

²² Cooper, 97-100.

²³ William Cary Sanger, *Report on the Reserve and Auxiliary Forces of England, and the Militia of Switzerland* (Washington D.C.: Government Printing Office, 1903). The title page includes that this report was "prepared in 1900 for President McKinley and The Hon. Elihu Root, Secretary of War. See Sanger, iii.

²⁴ Jessup, *Elihu Root*, 253-55. Before the report was published, Sanger became the Assistant Secretary of War and, as such, was a major participant in NRA efforts to acquire federal support.

²⁵ Sanger, 4.

to the "National Guard or State militia, was that when war was declared, no one could tell what was the legal status of that force or what it could or should be asked to do."²⁶ Sanger appeared to be expressing genuine concern for the two sovereigns—the President and the Governor—to whom the militiaman owed his allegiance. However, his conclusions in no way suggested that he did not believe in the qualities of America's citizen soldiers. Sanger, ever the loyal Guardsman, affirmed the importance of the National Guard by noting that "(W)e always have been and always will be largely dependent on our citizen soldiery to fight our battles, and the splendid qualities shown in all our wars by our citizen soldiers only emphasize what we have always known - that an effective militia is a force of the greatest value."²⁷ Sanger was striking at the heart of the militiaman with an ancestral belief that it was his decision as to whether or not he would respond to a call to arms. What he hoped his report would do, *inter alia*, was ensure that future Guardsmen would not be faced with that decision.

Sanger also understood that the public's historic fear of a large standing army and negative perception of a militaristic society were key factors in the Secretary's consideration of how to constitute a viable reserve force.²⁸ In that regard, his report reflected on the Swiss example. "If proof were needed that a land can train all its citizens for the efficient and intelligent performance of that work which must be done when war comes, and at the same time escape the evils of what is today called militarism, that proof can be found in the Republic of Switzerland. A republic with the strongest democratic tendencies (and)...the best militia in

²⁶ *Ibid.*, 6.

²⁷ *Ibid.*, 9.

²⁸ Possner in *The Rise of Militarism* bases his entire book on the argument that during the Progressive Era America was in favor of a greater militaristic culture. Donald G. Lefave argued that the entire purpose of the NRA was to militarize America through the expansion of marksmanship practice. Lefave, "The Will to Arm," 52-74.

the world."²⁹ The Swiss system included universal military service under Federal control just as prescribed by our Constitution. "It is of the greatest interest to us that in organizing this splendid body of 'citizen soldiers' they (the Swiss government) have worked along the lines laid down by the men who framed the constitution of the United States."³⁰ Here Sanger is referring to "the simple exercise of power vested in the Congress by Article I, Section 8, of the Constitution of the United States, which provides that 'The Congress shall have power to provide for organizing, arming, and disciplining the militia'."³¹

Though his report provided an excellent outline of the English and Swiss militia systems, his conclusion was again focused on what he saw as the most critical issue and one that was apparently singled out by Secretary Root. "Surely the greatest service which could be rendered to the national Guard and which, at the same time, would be service to State and nation, would be to put that force in such a position that every man in it would know what he could be ordered to do in time of war." With that said, and with his obvious interest in support for the National Guard, Sanger's four concluding recommendations were that an efficient general staff be created, that the Army be given a reserve, that volunteers must supplement the Army in time of war and that the militia be organized by Congress to include a clear mission statement, but the Guard is not mentioned by name. While offering details of other country's programs, more than anything else Sanger recommended that a closer relationship between the state forces and the federal government was the most important first step which was a

²⁹ Sanger, 68.

³⁰ Ibid., 68-69.

³¹ Ibid., 94

recommendation that is clearly reflected in Secretary Root's actions as Congress worked toward passage of the Militia Act of 1903.

There was one additional component of Sanger's report that was particularly pertinent, and that was his discussion of rifle practice as a part of the Swiss militia system. He pointed out that "(N)o account of the Swiss military system would be complete without a description of the rifle clubs, which although not a part of the military system, yet contribute so much to the efficiency of the Swiss soldier."³² These rifle clubs were found "(I)n almost every village throughout the country" and in each one of those villages, "there is to be found a rifle range." The rifle clubs were supported by the provision of government ammunition and each was required to meet annual practice and reporting requirements. Every club was required to comply with established by-laws that had to be sanctioned by the musketry officer of the battalion of that district in which the club resided.³³ Additionally, each club had a musketry training officer whose responsibilities were very similar to those of the Inspector of Rifle Practice recommended by George Wingate in the National Rifle Association marksmanship manual. In 1898, Switzerland had 3,477 rifle clubs and 210,504 members which was an aspiration that the National Rifle Association would eventually surpass with the support of the United States government and the War Department.

There were two further benefits to Sanger's study. One profit was the close working relationship that Sanger developed with Congressman Charles Dick, a Major General in the Ohio

³² Sanger, 88.

³³ The battalions Sanger referenced were militia battalions of the respective districts of the country.

National Guard and a close associate of Senator Mark Hanna.³⁴ Congressman Dick would later play two major roles in bringing a bill to Congress that would enhance the Guard's status as part of the Nation's defense: The first role was as president of the Interstate National Guard Association and the second role was as the Chairman of the House Committee on Militia. The second benefit accrued to Sanger after he assumed the role of Assistant Secretary of War.³⁵ In that role, he was designated as the president of the National Board for the Promotion of Rifle Practice.³⁶ Sanger's experience in Switzerland and his appreciation for the value of that nation's network of rifle clubs would serve him well when a similar effort was undertaken by the National Rifle Association, under the guidance of the aforementioned Board. Sanger had originally been tasked by Secretary Root to evaluate alternative solutions for the creation of a reserve force. The resultant product helped Sanger develop an important political relationship with Congressman Dick and it informed his ability to direct the embryonic National Board for the Promotion of Rifle Practice.

4.3 Creating a Federal Force: The Secretary, the Congress, and the Associations

While the Secretary of War was exploring ways to develop an army reserve, the combined Guard Associations, the National Guard Association and the Interstate National Guard Association, continued to look for ways to improve state forces through greater federal support. However, as reported in the *New York Times*, not all Guardsmen were supportive of the Associations' efforts. "Just how the so-called joint committee of the National Guard

³⁴ Mahon, *History of the Militia and the National Guard*, 139. Dick would later be elected to fill the vacancy caused by the death of Senator Hanna.

³⁵ William Sanger was appointed Assistant Secretary of War on March 14, 1901, a position he held until late 1903.

³⁶ The Board is addressed briefly in this section, which is focused on the Militia Act. Its formation and early activities are dealt with in detail in a latter section of this chapter.

Association and the Inter-State National Guard Association can represent the National Guard of the United States, is what is puzzling a good many of us." This quote was attributed to a participant in the ongoing National Guard convention. The source was said to be familiar with the bill introduced in Congress by representatives of the Interstate National Guard Association "prepared under the direction of the above organization, which makes the militia a reserve of the regular army."³⁷ The article went on to complain that the representation on the drafting committee was skewed away from New York and the eastern establishment, noting that there was no New York, Pennsylvania, New Jersey or Connecticut representative on the committee that prepared the proposed legislation.

While added federal support was a constant theme of both National Guard Associations, each also was equally concerned about added federal control. One aspect of federal control stood head and shoulders above all the rest; the constitutional guarantee for militia officer appointments by the respective state governors.³⁸ This guarantee was an issue for every president that called the militia to federal service during the nineteenth century, and it played a pivotal role in negotiations that led to the eventual federalization of the National Guard in the early twentieth century. In 1904, Secretary of War Elihu Root acknowledged this dilemma in his preface to Emory Upton's *Military Policy of the United States*. Root commented that "**officers of the militia** shall continue, as it must under the Constitution, to rest with the States...**officers**

³⁷ "National Guard Notes," *New York Times*, Dec 24, 1899. Chapter 3 of this dissertation discusses the Associations' efforts to lobby Congress for support.

³⁸ See Cooper, *The Rise of the National Guard*, for a discussion of the election of non-commissioned and commissioned officers and the social aspect of the guard. He argues that most men did not join for military purposes but for social activity and connection. See Cooper, 55-58. Derthick, *The National Guard in Politics*, discusses the Congressmen who included many former governors (commanders-in-chief). Those serving Congressmen retained loyalty to the state Guard and also continued to enjoy the prerogatives that accrued to a continued relationship to the Guard through links to state government. See Derthick, 86-87.

of the volunteer forces of the United States shall hold their commissions from the President, who is to command them for the war for which they are called."³⁹ Root was determined to separate the state Guard from an envisioned volunteer force that would become the army's reserve.

The proposed reorganization of the National Guard that was eventually developed by the Guard Associations, and forwarded for Congressional consideration, relied heavily on a plan that had been developed by National Guard Colonel Edward E. Britton. Britton had presented his plan to the annual Interstate National Guard Association meeting on Jan 23-24, 1902.⁴⁰ That plan recommended the establishment of the National Guard as an Organized Militia, supported by the regular army and outfitted with arms and equipment from the War Department. Those young men who did not choose to serve in the Organized Militia would be assigned as members of the Militia Reserve or the Unorganized Militia.⁴¹ The Organized Militia, in return for federal support, would be required to meet army standards for training and readiness. Britton, who was a member of the New York National Guard, had distributed his plan for reorganization to the National Guard leadership in 1901. At the same time, the War Department was preparing a bill that included Britton's ideas plus the addition of a 100,000 man Army reserve.⁴² Britton was the Chairman of the Interstate National Guard Association Executive Committee and, as such provided, along with others, the eastern perspective that had been lacking from the original

³⁹ Upton, *The Military Policy of the United States*, 4. Emphasis added.

⁴⁰ Mahon, "Reorganization, 1900-1903," in *History of Militia and the National the Guard*, 138-145 provides details of Britton's plan and its use. Conference proceedings and correspondence related to the 1902 meeting and discussion of Britton's plans are held in the NGAUS Archives, Box 23.

⁴¹ Only the Organized militia would be subject to federal control and the possibility of deployment away from home.

⁴² The 100,000 man reserve was to be made up of former soldiers who had left active duty but were felt by Root to possess skills that surpassed those of state forces. See Richard William Leopold, *Elihu Root and the Conservative Tradition* (Boston: Little, Brown, 1954), 38-40. Leopold makes a case for Root requesting a 250,000 man reserve.

Interstate National Guard Association.⁴³ In a December 1902 letter to Brigadier Gen. George H. Harries, Commanding the National Guard, Washington D.C., Britton referred to the "Dick bill (which) is on the Senate calendar as unfinished business, comes up first at the January session and will undoubtedly become law without delay."⁴⁴ Obviously, Britton did not anticipate delays in the Senate, but the Dick Bill would undergo one major change prior to transmission to the President for signature.

The bill, as originally presented to the House of Representatives envisioned a three-part military force to support the regular Army; a National Guard, a National Volunteer Reserve and a Militia Reserve.⁴⁵ The National Guard would be the extant state Guard, the National Volunteer Reserve would be comprised of a 100,000-man force for which Root had lobbied, and a Militia Reserve would be similar to the unorganized militia in existence during the nineteenth century. The Militia Reserve would be obligated to local but not federal service. The *Army and Navy Register* of February 1, 1902 included a letter from Root to the House and Senate leaders along with the War Department Militia Bill. The letter from Root acknowledged the endorsement of the Interstate National Guard Association which included that the "secretary of war is authorized to enroll not exceeding 100,000 men who shall have served in the regular or volunteer service."⁴⁶ Root supported this configuration during and long after leaving his position as Secretary of War. However, as a member of the federal bureaucracy, he recognized

⁴³ By 1901 the INGA had assimilated some of the eastern leadership as represented by Britton, another Executive Committee member; Brigadier General Harries, Washington, D.C.; and Colonel C.E. Bleyer, New York, the INGA Secretary-Treasurer.

⁴⁴ Letter from Britton, Chairman, Executive Committee of INGA to Gen. Harries, December 27, 1902, Box 23, NGAUS Archives, Washington, D.C.

⁴⁵ *Bill to Promote the Efficiency of the Militia and for other Purposes*, HR 15345, 57th Cong., 2d sess., *Congressional Record* 123, no. 36 (December 9, 1902): S 125.

⁴⁶ "The Militia Bill," *Army and Navy Register*, February 1, 1902, 15.

that concessions might be prudent and while he was in office he was acutely aware of the political necessity of dealing with Congress and its constituents in the states. In a letter sent during the debates, he wrote "(T)he all important thing was to get into law the few propositions on which general agreement could be reached and thus take a few steps advance." The letter goes on to posit that with time other improvements would be made.⁴⁷ Root was referring to the proposed legislation that had been prepared by Congressman Charles Dick, Chairman of the House Committee on Militia Affairs. He might also have been thinking about the recommendations provided by Sanger in his report. The bill, then working its way through Congress, had been drafted by Dick in his role as president of the Interstate National Guard Association and the head of a committee "created for the very purpose of preparing a draft of a bill" during the Association's Fourth Annual Convention held in Washington D.C. during January 1902.⁴⁸

The bill that Congressman Dick brought to the Committee on Militia Affairs passed the House with minimal debate. However, there were dissenting opinions in the public and in the Senate. As might be expected, Judge Alton B. Parker, the Democrats' Presidential nominee for 1904, opposed any Republican military armaments that might increase the strength of the standing army and "William Jennings Bryan encouraged democrats to 'continue(d) to protest

⁴⁷ Letter from Root to Colonel J.C. Boyd, April 12, 1902, cited in Louis Cantor, "The Creation of the Modern National Guard: The Dick Militia Act of 1903" (PhD diss., Duke University, 1963), 196. The recommendations that appear in Sanger's report of alternative methods of generating a national reserve provide emphasis for the action taken by Root and his choice of words in this letter.

⁴⁸ An excerpt from the *Proceedings of the Fourth Annual Interstate National Guard Association* convention is held in Box 23 of the NGAUS Archives. These notes contain a discussion between Dick and Colonels Bliss and Young. Dick, after being questioned by Bliss about the existence of a draft bill, responded that "this committee was created for the very purpose of preparing a draft of a bill."

against a large army and against a large navy.'"⁴⁹ Additionally, labor unions, represented by Samuel Gompers, opposed the bill based on the belief that "standing armies are always used to exercise tyranny over people."⁵⁰ Though the standing army argument was discussed in public and in the Senate, the issue of a standing army did not retain the resonance it had held when the much younger nation remembered the tyranny of King George. The more important contemporary issue was the potential shift of the federal balance of power or control of the state forces passing from their respective governors to Washington D.C.

Debates in the Senate focused on a concern expressed by states' rights advocates who saw the National Volunteer Reserve as a standing army created from state forces which would result in the loss of the control of the dominant military power that constitutionally belonged to the states.⁵¹ That control was at the heart of James Madison's argument that justified the establishment of a federal force. "Let a regular army, fully equal to the resources of the country, be formed; and let it be entirely at the devotion of the federal government; still it would not be going too far to say, that the State governments, with the people on their side, would be able to repel the danger."⁵² Though Federalist 46 was not cited during Senate debates, Alabama's Senator Edmund Pettus echoed Madison when he moved that "HR 15345 to promote the efficiency of the militia" be amended to strike out Section 24, which addressed the creation of a National Volunteer Reserve. Florida's Senator Stephen Mallory supported the amendment by noting that the portion of the bill "relating to the organization of the militia

⁴⁹ Bryan quoted in Cantor, "The Creation of the Modern National Guard," 233.

⁵⁰ Cantor, 236. Jessup in *Elihu Root* addresses Gompers' expression of concern about standing armies to Secretary Root. See Jessup, 269.

⁵¹ Cantor, 238; Article 1, Section 8 of the Constitution provides the states those guarantees.

⁵² James Madison, Federalist #46, "The Influence of the State and Federal Governments Compared," in *The Federalist* (New York: Barnes and Noble Classics, 2006), 261-267.

is...very desirable."⁵³ However, Section 24 has been included to establish "a reserve army of 100,000 men...which is disingenuous" and misleading because it creates a "body of men to be called National Volunteers" who in fact would be classified as separate and distinct from the National Guard, and in fact, an enlargement of the Army. As noted during the debate, "(I)f we are to have an enlargement of the Regular Army, let us have it; but do not let us have it under the guise of a more efficient militia."⁵⁴ The concerns of Senators Pettus and Mallory were favorably received, and the bill was amended to remove Section 24, leaving the role of army reserve to the state National Guard organizations.

Neither Secretary Root nor the House made any apparent effort to challenge the amendment, and the bill that was forwarded for President Roosevelt's signature did not include a 100,000 man National Volunteer Reserve. The legislation bearing Congressman Dick's name was signed into law on January 21, 1903 as *The Act to Promote the Efficiency of the Militia*.⁵⁵ As a result, Root was given credit for having "breathed new life into the militia."⁵⁶ The law would later be referred to as the First Dick Act to differentiate it from an amended version, the Second Dick Act, passed in 1908.⁵⁷ Had the War Department's preferred version been adopted, Secretary Root would have realized his desired Army Reserve, significantly reducing the future influence of the state National Guard organizations. An Army Reserve would have been a

⁵³ Senator Mallory of Florida speaking for the *Militia Act*, HR 15345 to the Senate in open session, 57th Cong., 2d sess., *Congressional Record* 36 (January 7, 1903): S 557.

⁵⁴ Senator Benjamin Tillman speaking against the *Militia Act*, HR 15345 to the Senate in open session, 57th Cong., 2d sess., *Congressional Record* 36 (January 7, 1903): S 558.

⁵⁵ Derthick, 26-27. Derthick argues that Dick was a political supporter of Senator Hanna and had some influence in Congress and that while he likely facilitated the bill, he and Root had only a formal relationship and the bill was Root's work in its entirety.

⁵⁶ Leopold, *Elihu Root and the Conservative Tradition*, 40.

⁵⁷ The Second Dick Act extended the period of time allowed for the state forces to meet the standards established by the original Militia Act of 1903.

federal force aligned with the U.S. Army, an organization not beholden to the National Rifle Association for marksmanship training or material resources to conduct such training.⁵⁸ At the same time, Colonel Britton, as Chairman of the Interstate National Guard Association, published a long article explaining the new militia law to the public. Britton noted that articles in recent New York papers had misled the public. He wrote that the new law “aims to create a force homogeneous in all respects throughout the country” instead of forty-eight unique armies.⁵⁹

The continued resistance to a large standing Army and the growing need for the nation to have a military force available for contingencies like the Spanish American War meant that the United States needed a reliable military reserve. Without the 100,000-man reserve that Secretary Root had requested, the nation would necessarily come to depend on the National Guard as a reserve force for the Army. The significance for the National Guard was that it would have to be supported by the federal government to ensure that its soldiers were trained and equipped to serve with the regular forces. The significance for the National Rifle Association was equally consequential as the National Rifle Association was able to build a countrywide relationship through state associations of the National Guard. Those grassroots organizations would have been more difficult to build had the nation's reserve been part of the Army establishment, headquartered in Washington, D. C. Alternatively, those organizations were headquartered in each state capital and led by an Adjutant General who was appointed by the respective state governor. The Adjutant in a military organization is traditionally that

⁵⁸ An Army Reserve, as part of the War Department, would have been authorized by federal statute unlike the Guard units which were state entities. As a federal organization, the Reserve would be a part of the War Department's budgetary obligation for all training. Root's National Volunteer Reserve has been realized in what is today the Individual Ready Reserve, comprised of soldiers who have completed the active duty complement, normally two, three or four years, of a conventional six-year term of service.

⁵⁹ "New Militia Law," *Army and Navy Register*, February 21, 1903, 11.

organization's chief administrative officer. The Adjutants General, quickly realizing that they had common interests to "promote and support adequate state and national security," created an official organization.⁶⁰ In future years, the Adjutants General of the United States, all of whom would become *ex officio* members of the National Rifle Association board of directors, would further enhance the influence the National Rifle Association would realize in political issues raised in state capitals.

4.4 Implementing the Militia Act of 1903⁶¹

The National Guard recognized that the events of 1903 signified a critical turning point and represented the most important national legislation in militia history. The law established that the state soldiery had a statutory place in the federal government at all times by prescribing a legal relationship between state and federal forces.⁶² It also gave the National Guard, through the now consolidated National Guard Association, a stronger position from which to lobby for additional support. Just a few months after the bill's passage, Colonel Britton encouraged Washington D.C. National Guard General Harries to "argue with Secretary Root in favor of a Bureau of the Militia in the War Department."⁶³ Britton obviously considered Harries' location in Washington as tantamount to being a lobbying arm for the National Guard.

⁶⁰ The statement of purpose is an excerpt from the Adjutants General Association Constitution and By-Laws.

⁶¹ *An Act to Promote the Efficiency of the Militia, and for Other Purposes*, Public Law 33, 57th Congress, 2d sess., Chapter 196, *U.S. Statutes at Large* 32(1903): 775.

⁶² Cooper, 111. The National Guard continues to believe that the Militia Act of 1903 was the single most important piece of legislation in its history. This information was provided during June 12, 2012 discussions in the NGAUS Archives with the Deputy Director, Anne Armstrong and the Archivist, Amelia Meyer.

⁶³ Letter from Britton, Chairman, Executive Committee of INGA to Gen. Harries, January 20, 1903, Box 23, NGAUS Archives, Washington, D.C.

This Militia Act was the first major change to the Militia Act of 1792 which, when passed, had provided the President with the authority to call out the state militias in time of crisis, but it did not provide those militia units federal support. The new law increased funding for the National Guard and separated it from the state militias, drawing the National Guard closer to the regular Army through uniform and equipment supplies, training with regular Army forces, pay commensurate with the regular Army, and assignment to Army schools.⁶⁴ Today's National Guard Bureau, to further confirm the understanding of the role of the National Guard in accordance with the 1903 Act, documents the organizational changes by noting that they occurred "subsequent to the passage of the Dick Act, making the state militias and national guards (sic) the reserve component of the federal army."⁶⁵ With the increase in federal funding came an increase in paperwork, bureaucracy, and the need to establish an organization that officially recognized the militia as having a presence at the federal level.

With passage of the new law, the Secretary of War established the Militia Division in the Adjutant General's Office (AGO). This new Division replaced a militia section of the Miscellaneous Division in the AGO, headed by Army Major James Parker. Parker was a West Point graduate who would culminate forty-two years of service as a Major General. Prior to assignment to the Secretariat, Parker had served in the Philippine-American War, where he earned the Medal of Honor as well as having developed a keen understanding of the role volunteers played in the nation's military. As head of the Militia Division, now Lieutenant

⁶⁴ Mahon, 139.

⁶⁵ Records of the Militia Division and the Division of Militia Affairs, 1903-1916, Item 168.3, Record Group 168, Records of National Guard Bureau, National Archives, <http://www.archives.gov/research/guide-fed-records/groups/168.html> (accessed April 16, 2013). The Militia Division would become the Division of Militia Affairs in the Office of the Secretary of War with a 1908 amendment to the Dick Act. That Division would be transferred to the Office of the Chief of Staff, July 25, 1910, and renamed the Militia Bureau in 1916. See Item 168.4, Record Group 168 for the laws that enacted these changes.

Colonel Parker assumed the title of Assistant Adjutant General with the responsibility of implementing the new law.⁶⁶ Toward that end, Parker published an article outlining the "provisions of this Act" and explaining that "while the execution of the law has been somewhat delayed...much has been accomplished already in carrying it into effect."⁶⁷ Parker's article outlined the Act and explained why it was so important to the defense of the nation to have a new law in place of the 1902 Act which would provide a well trained regular Army and National Guard.⁶⁸

In addition to explaining the new law, Parker addressed the role of rifle practice in National Guard training and its importance to the nation as a whole. Parker explained that the new law specified that during the encampment of militia troops at military posts in the United States, they would be "furnished such amounts of ammunition for instruction in firing and target practice as may be prescribed by the Secretary of War under the direction of an officer selected for that purpose by the proper military commander."⁶⁹ To address the needs of the nation as a whole, Parker expanded his article beyond the National Guard.

Rifle ranges also are needed, not only for the National Guard, but also for the citizen population. To shoot well is a large part of the education of the soldier; and if the Government can arouse such an interest in shooting, in not only the organized but also the unorganized militia, that our male population shall be familiar with the accurate use of the rifle, we shall have gone far towards evening up the advantage the foreigner gains by his

⁶⁶ *Survey of Laws and Orders Regarding the National Guard Bureau*, catalogue item UA42 .N57 S963, NGAUS Archives.

⁶⁷ James Parker, "The Militia Act of 1903," *The North American Review* 177, no. 561 (August 1903): 279-280.

⁶⁸ *Ibid.*, 287.

⁶⁹ *Public Law* 33, sec. 21. See Parker, 279.

universal conscription. Much can be accomplished in this direction, if the United States will offer free the use of the military rifle on ranges to be established near our large towns. Such ranges would also be available for the instruction of the National Guard. Their cost would be little in comparison with the benefits to be obtained.⁷⁰

In addition to his role as the Assistant Adjutant General for Militia Affairs, Parker was obviously participating in the national dialogue about rifle practice. He had earlier been requested, by Secretary Root, to evaluate a plan to improve the nation's marksmanship program.⁷¹ Parker's visibility as a proponent of rifle marksmanship has incorrectly placed the National Board for the Promotion of Rifle Practice within the auspices of his office by suggesting that "a legislative effort closely related to the Militia Act created the National Board for the Promotion of Rifle Practice."⁷² That Board, discussed below, was created in the office of the Assistant Secretary of War, well removed from the Adjutant General's Office under whose auspices Parker resided. This distinction is highlighted to illuminate the fact that rifle practice in the National Guard and the nation as a whole would have strong proponents in both the military and civilian components of the War Department.⁷³

⁷⁰ Parker, 284.

⁷¹ Parker's report to the Secretary is included in the NRA publication, *Report of the National Rifle Association of America, A Patriotic Association, for the Year Ending December 1902* and is addressed in Chapter 5.

⁷² Lefave, 35. On August 29, 1916, an act was passed that created the office of the Director of Civilian Marksmanship (DCM). From 1916 until 1919 that office was located under the Chief of the Militia Bureau. In 1919 the DCM was ordered to report to the Assistant Secretary of War as the Board had since its inception in 1903. This information comes from a 1930 memorandum from LTC Edwards, Office of the Assistant Secretary of War, summarizing the Board's history, Box 29, CMP Archives, Camp Perry, OH.

⁷³ The Adjutant General reported to the Commanding General of the Army, while the Assistant Secretary reported to the Secretary, the civilian leader.

In the interim, Congress had dictated in the new Militia Law that the National Guard meet the training and equipment standards of the regular Army within five years. The law was amended in 1908 to give the National Guard additional time to meet the enhanced standards. At that time, the Secretariat responded to the need for greater support with another restructuring that gave the National Guard greater visibility. "A division is hereby created in the office of the Secretary of War to be known as the Division of Militia Affairs."⁷⁴ With this reorganization, the state National Guard leadership would be given direct access to the Office of the Secretary of War. Furthermore, the aforementioned Board and the National Guard would both meet under the direct umbrella of the Office of the Secretary of War. The impact of this relationship and how it affected the capability of the National Rifle Association to grow are discussed below.

4.5 The Secretary Endorses the National Guard

Following the signing of *The Act to Promote the Efficiency of the Militia*, Secretary Root accepted an invitation to attend the Fifth Annual Convention of the Interstate National Guard Association in Columbus, Ohio, held May 4th and 5th of 1903.⁷⁵ The Secretary was accompanied by Assistant Secretary of War Sanger and Assistant Adjutant General Parker, who also addressed the convention. While Root's presence was important to the Guard, Sanger's was equally important to the National Rifle Association because two weeks earlier he had

⁷⁴ "Organization of the Division of Militia Affairs," signed by Robert Shaw Oliver, Acting Secretary of War, February 12, 1908 in *Survey of Laws and Orders Regarding the National Guard Bureau*, catalogue item UA42 .N57 S963, NGAUS Archives.

⁷⁵ The announcement and the published proceedings carried the title, INGA, even though the two associations had merged by the end of 1902. Within a few years the INGA nomenclature would disappear and the Association would become the NGA, then, in 1909, the National Guard Association of the United States (NGAUS), as it remains today.

convened the first meeting of the National Board for the Promotion of Rifle Practice and that Board was also meeting in Columbus. Parker's comments would directly support both organizations.

Root was introduced by Association President Dick who offered that "the National Guard never had a better friend." He then suggested that while the passage of the recent legislation was important it "would be useless indeed if not well administered" and that the Secretary's greatest success lay ahead in the implementation and administration of the new Militia Act.⁷⁶ Root's comments to the convention audience are important because they reveal his continued reluctance to label the Guard as the nation's reserve and to show his belief that under the new law the Guard would be within the umbrella of the War Department.

The following comments are excerpted from his remarks that were reprinted in the convention proceedings.⁷⁷ He began by explaining why the bill was needed as the "original idea of the founders of the Republic was that the entire body - the male population of the country should constitute the militia...each one of them should keep in his own home the gun and the powder horn and the bullets ...to enable him to ...defend his country but that as the country grew and conditions changed it became more difficult to depend on a citizen soldiery and yet the nation rejected the constitution of a standing army for national defense." This new law would correct earlier problems and the "National Guard will be the school of the volunteer soldier with national support (money and supplies) and regular army affiliation (schools, regular inspectors and trainers) at Guard training evolutions." Root emphasized the importance of the

⁷⁶ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 10. NGAUS Archives.

⁷⁷ Root's comments are contained in pp. 11-16 of the 5th Annual INGA convention proceedings.

Guard's role and concluded by congratulating the Guard "upon being now, probably for the first time, unquestionably a constitutional force."⁷⁸

Following the Secretary's remarks, President Dick introduced Assistant Secretary of War Colonel Sanger. The Assistant Secretary noted that he had been identified with the National Guard for many years and informed his audience that he would speak "to you today from the stand point of a National Guardsman."⁷⁹ He followed with a discussion of two important points. The first was marksmanship and the second was that when in the Army and the National Guard, individuals remain first and foremost loyal and patriotic citizens, not a class apart. Sanger's comments about marksmanship help explain how the stage was set for the cooperative agreement that was already developing between the Secretariat and the National Rifle Association.

In considering the needs of the National Guard the Secretary of War saw clearly that no matter how well organized the force may be, no matter how well trained its staff may be, it fails in its great task if when the crucial time comes it cannot shoot. Recognizing this fact he has, in co-operation with the National Rifle Association, and after consultation with those officers and civilians who have been studying the question of improving our rifle practice, organized a board, of which you will hear more later, and

⁷⁸ By labeling the Guard as the school of the volunteer soldier, Root was continuing to suggest that it would volunteer forces, not National Guard Battalions that mobilized when the army needed a reserve force.

⁷⁹ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 17. NGAUS Archives.

about which General Spencer is perhaps the best qualified in the country to speak.⁸⁰

General Bird W. Spencer was not at the convention as a member of the Secretary's staff but as a member of the New Jersey National Guard and as a spokesman for the National Board for the Promotion of Rifle Practice.⁸¹ Spencer's remarks are important as they give evidence of his intent as a member of the Board and the President of the National Rifle Association. In these remarks, we see the goals which Spencer was seeking to attain through the nation-wide National Rifle Association organization he built with the help of the Board.

Spencer began his comments immediately after Sanger, but he was forced to continue on the following day because the Convention adjourned prior to his completion. Reverting to his role as New Jersey's Inspector General of Rifle Practice and the President of the National Rifle Association, Spencer spent a good deal of time addressing the history of marksmanship and the shortcomings in American marksmanship programs. "We ought to be ashamed with ourselves when we compare what we do with what other nations of much less consequence than ourselves do for the encouragement of rifle practice."⁸² His remarks continued with a discussion of the Board that the Secretary of War had created and charged with "the management of a national rifle match" and the promotion of "rifle practice by the civilian and in the country-at-large."⁸³

⁸⁰ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 17-18. NGAUS Archives.

⁸¹ Spencer's remarks are important as they give evidence of his intent as a member of the Board and the President of the NRA. In these remarks we see the goals which Spencer was seeking to attain through the nationwide NRA organization he would build with the help of the Board.

⁸² *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 30. NGAUS Archives.

⁸³ *Ibid.*

Spencer spent the next several minutes of his address focused on a comparison of the attention and resources that other countries were providing to support rifle practice. He opened by noting that while the Secretary had created the Board, the Congress had seen fit to appropriate only \$2,500 to support the aforementioned national rifle match. In contrast, England provided approximately \$250,000 annually to the National Rifle Association of Great Britain for operations and prize monies; Canada provided \$40,000 annually; and there were two hundred rifle associations in France. He concluded this portion of his remarks with a discussion of "the little Swiss nation...which requires every one if possible to become a shooter and to that end it encourages the formation of rifle clubs all over the land."⁸⁴ He added that in 1898, Switzerland "had three thousand four hundred and forty-six shooting societies, not one of which had less than twenty members."⁸⁵

Spencer continued with examples of why rifle marksmanship was so important to the nation's future and some of the efforts that were envisioned by the Board toward that end. While he admonished his audience that "we ought to be ashamed of ourselves -- a great nation which must depend on its second line of defense, but which can not raise three, four or five thousand dollars, or more than that, for the encouragement of rifle practice," he did commend Guardsmen for their accomplishments.⁸⁶ In comments directed to the planned competition between the regular Army and Guardsmen, he noted that "as my friend Colonel Parker says,

⁸⁴ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 31. NGAUS Archives.

⁸⁵ Spencer did not mention Sanger's report as reference. Sanger reported that there were 3,477 rifle clubs. See Sanger, *Report of the Reserve and Auxiliary Forces*, 88.

⁸⁶ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 31-32. NGAUS Archives.

the higher grade of marksmanship comes rather from the National Guard than the army."⁸⁷

Spencer closed his presentation with reference to the theme of his remarks, "the man behind the gun." He reminded his listeners that "it was the man behind the gun who knew how to shoot the gun, who knew how to shoot the gun effectively. That is the corner stone of the National Guard...and I appeal to you, gentlemen, representing as you do here, thirty-three states, to take that subject home with you."⁸⁸ With his closing remarks, Spencer opened a line of communication between the nascent Board, the National Guardsmen in the audience, and the Board's National Rifle Association surrogate to build a nation of rifle clubs.

The final speaker to address the convention on the subject of marksmanship was Colonel Parker, the Head of the Militia Division. While the principal substance of Parker's remarks was focused on "matters in connection with the Dick Militia Law," he interspersed his comments with reference to marksmanship programs, beginning with his opening comment; "Before I say anything further, I want to re-enforce, if possible, the remarks of our friend, the president of the Rifle Association of America."⁸⁹ He drew particular attention to better arms and equipment, the training of officers, and the evolution of a "real system of national defense" that would be achieved under the new law. In his closing remarks, he returned to the issue of rifle marksmanship expressing the hope that "the general staff will provide...a quantity of ammunition on hand for target practice."⁹⁰

⁸⁷ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 10, 33. NGAUS Archives. This is the same Lieutenant Colonel Parker who was at that time serving as the Head of the Militia Division. The comments were not without merit. As noted elsewhere in this dissertation, the Guard, particularly George Wingate's New York Regiment, had dominated the Creedmoor competition for years.

⁸⁸ *Ibid.*, 34.

⁸⁹ *Ibid.*, 35. Parker was referring to Spencer, the NRA president. Spencer and the proceedings refer to Lieutenant Colonel Parker as Colonel, an informal convention that remains to this day.

⁹⁰ *Proceedings of the Fifth Annual Interstate National Guard Association Convention* (1903), 38. NGAUS Archives.

The audience to which the aforementioned remarks were addressed was comprised of representatives from thirty-three states. Most of the attendees were the Adjutants General of each of those states who would later form the Adjutant General Association of the United States (AGAUS). The influence that these men had, now abbreviated as TAGs for The Adjutant General, cannot be overemphasized. A recent Army study on the political power resident in the National Guard found that "(T)he AGAUS Executive Secretary can readily access all 54 TAGs if there is an important matter that needs attention [Thus] a critical message can be sent from Washington to the state TAG; the TAG can talk with the governor, and a [coordinated] response can be back to lawmakers or critical decision makers possibly within hours."⁹¹ Though this contemporary assessment is dependent on twenty-first century communication, the structure that underlies its relevance is certainly pertinent to the efforts that were undertaken by the National Board for the Promotion of Rifle Practice and the National Rifle Association to use the National Guard as a source of countrywide influence. A member of the NRA Board of Directors held a political appointment from each governor and was present in every state capital as the administrative head of the state soldiery. So positioned, the NRA was able to access the state's congressional delegation as well as those individuals who would become the grassroots of the NRA.

The fifth annual convention of the Interstate National Guard Association was attended by the Secretary of War and members of his staff to recognize the importance of the legislation recently passed to create a congressionally-supported National Guard. The second meeting of the National Board for the Promotion of Rifle Practice met at the same time in the same place.

⁹¹ David T. Fautua, "How the Guard and Reserve Will Fight in 2025," *Parameters* 29, no. 1 (Spring 1999): 133.

It was no coincidence. Many of the Board members were also members and leaders of the National Guard and it made good sense to minimize travel, particularly when travel was not easy. The Board's meeting, coincident with the Guard and the leadership of the Secretariat, offered an opportunity to further the efforts of those who strove for a federally supported NRA. To understand how the opportunity developed it is necessary to turn to the creation of the National Board for the Promotion of Rifle Practice.

CHAPTER 5: THE NRA BECOMES A NATIONAL ASSOCIATION

The marriage between the National Guard and the National Rifle Association was consummated when both organizations became official components of the War Department of the federal government. For the National Rifle Association, that occurred first with the creation of the National Board for the Promotion of Rifle Practice who directed the National Rifle Association to become the nation's superintendent for rifle clubs and rifle practice, and second with legislative action that implemented an annual appropriation for rifle practice.

5.1 Introduction

While the Militia Act of 1903 ended the Guard's struggles to find a place in the federal military establishment, the Army budget proposed by Secretary Root in March of 1903 helped the National Rifle Association create a national role for itself in militia affairs. Furthermore, with the newly created Division of Militia Affairs, the NRA would have more than a tentative presence in the halls of government. While the National Guard associations were marching toward legislation to improve the citizen soldiery, rifle clubs across the country were creating a

national standard for rifle marksmanship training through nationwide competitions and through the development and publication of a prescriptive model for range construction. To achieve success, the NRA would use the same script that proved to be so successful for the militia-turned-National Guard: "their indestructible connectedness to the people; where all power in America is derived and translated by the power of the vote."¹ For the first time, the marksmanship association would access the legislative process at the federal level, which was facilitated by the selection of New Jersey's Brigadier General Bird W. Spencer as NRA president.² A degree of permanence would be achieved when, through the efforts of state associations, NRA-affiliated clubs received government guns and ammunition. Stability would be further enhanced when the Congress established annual appropriations for rifle practice, range construction, and related resource demands for both the regular Army and the state militia budgets. With access to guns, ammunition, and federal dollars, the NRA would, before the end of the decade, be a surrogate for the Department of War. Part I of this chapter addresses the reorganization of the NRA through affiliation with the states, rifle clubs, and the Association's relationship with the federal government through the creation of the National Board for the Promotion of Rifle Practice. Part II addresses the growth of the National Board and its relationship to the NRA.

¹ Fautua is referring to the National Guard's connectedness to the people at the state level. See David Fautua, "How the Guard and Reserve Will Fight in 2025," *Parameters* 29, no. 1 (Spring 1999): 133.

² New Jersey's role in national matches and support for the Sea Girt range made Spencer an ideal candidate. Spencer was also a friend of Root's. Root had been a New York lawyer before service as Secretary and Spencer was a prominent New Jersey banker. As noted earlier, Spencer and Root were present at the inaugural meeting of the NRA in 1871.

5.2 Creating a Place in the Federal Bureaucracy

Rifle shooting was a growing sport in nineteenth-century America and clubs across the country conducted regular competitions. The NRA sought to use America's interest in shooting to create a nationwide program that would also support an improved citizenry, better able to act as a part of the nation's defense. After several decades of marginal support, the Association's leadership realized that the success of the NRA would be dependent on its ability to connect the disparate organizations and gain support from the federal government. Both of those achievements were realized in the first years of the twentieth century as the NRA reorganized, built a relationship with the National Guard, and created a place for itself in the federal bureaucracy.

5.2.1 Growing Interest in Rifle Shooting Associations

The NRA's failure to sustain itself in the nineteenth century was not due to a lack of interest in rifle shooting or the absence of interest in a national association. Throughout the last decade of the nineteenth century there were numerous calls for a national rifle association and some efforts to create one. During the summer of 1896, the *Atchison Daily Globe* reported that while 19,000 participants were present at the British matches where the Queen's Prize, which honored Queen Victoria was awarded, America's NRA was failing to attract support sufficient to survive.³ To survive, the NRA would have to become a truly national association, and the opportunity to do just that presented itself through affiliation with the emerging

³ "For a National Rifle Association," *The Atchison Daily Globe* (Atchison, KS), August 17, 1896. Susie Cornfield, *The Queen's Prize: The Story of the National Rifle Association* (London: Pelham Books, 1987) provides an excellent overview of the early years of the British NRA.

"national" National Guard. In September of 1896, Major George H. Harris of the District of Columbia National Guard announced that "if it is the intention of the association to be a national affair" it must be located in the nation's capital and that "the old NRA is practically defunct." Harries was correct about the importance of the NRA being a national affair and the need for its presence in the nation's capital to succeed, but accomplishing that end would not be easy, as other marksmanship associations well removed from the nation's capital sought recognition. And survival would, in the end, require more than presence in the nation's capital and support of America's citizen soldiers.

The District of Columbia Guard hosted a series of rifle matches during October of 1896 at the Ordway, MD ranges just outside the city, with the intent of reorganizing the NRA.⁴ Though the matches drew some interest, participation was limited to teams from the District of Columbia Guard. Other competitors remained closer to home. In the Northwest, "(I)t is almost a certainty that all the sharpshooters of Wisconsin will be brought together in one organization which will be called the Wisconsin Sharpshooter's union."⁵ Two years later, the Wisconsin State Rifle League held an organizing convention "to draft a plan of organization."⁶ In Colorado, Colonel Frank D. Bartlett of the state Guard offered the services of the 'Rocky Mountain Sharpshooters' to President McKinley in case of war.⁷ Following the commencement of hostilities in Cuba, Missouri's response to calls for volunteers from President McKinley focused directly on rifle shooting. "Sharpshooters Organize" announced that riflemen of St. Louis

⁴ "National Rifle Association," *Shooting and Fishing*, October 8, 1896, 445.

⁵ "A Rifle Union," *The Milwaukee Journal*, November 5, 1897.

⁶ "State Rifle League," *The Milwaukee Journal*, September 16, 1899.

⁷ "Rifle Experts Organizing," *New York Times*, March 25, 1898.

organized "men who can march hard and shoot straight."⁸ In Massachusetts, the Adjutant General reported that "(W)hen we look at the qualifications of these men it inspires great confidence in them, and we feel that the proficiency they acquired in rifle practice during times of peace will now make them towers of strength in fighting for their country."⁹ All four states were referring to members of state National Guard units that had excelled in rifle competition.

In August of that same year, noted travel writer and librarian, Horace Kephart, called for the country to form a National Military Sharpshooters Union to overcome "the shocking unpreparedness for which this nation has exhibited...we all used to shoot but now we are a nation of shopkeepers"¹⁰ Though not a recognized marksmanship expert, Kephart was an avid outdoorsman who had published several articles and books on camping and outdoor living. His 1917 book, *Camping and Woodcraft*, included a four-part chapter on marksmanship in the woods, which illuminated the many differences between target practice and the practical application of rifle fire for outdoorsmen.¹¹ In the introduction to his marksmanship chapter, Kephart wrote about a rifle match near St. Louis and a backwoodsman acquaintance who, "(A)fter watching the firing for a long time in silence, he turned to me and remarked: 'If it weren't for the noise and the powder smoke, this would be a very ladylike game'." Though he made no direct reference in his book, Kephart's observations were equally relevant to the differences between target practice and combat skills which was an issue that would drive the NRA to insure that its annual matches included moving targets and skirmish line competition.¹²

⁸ "Sharpshooters Organize," *Shooting and Fishing*, May 12, 1898, 65.

⁹ "Rifle Practice in Massachusetts," *Shooting and Fishing*, July 7, 1898, 225.

¹⁰ Horace Kephart, "Let Us Organize," *Shooting and Fishing*, August 11, 1898, 329.

¹¹ Horace Kephart, *Camping And Woodcraft* (New York: The Macmillan Company, 1917).

¹² Skirmish lines consist of several soldiers moving across the battlefield in unison, all engaging targets to their front.

The editor of *Shooting and Fishing* in "A National Military Rifle Association" noted that "(T)hat there should be in the United States a national military rifle association is evident to all," following the poor performance of state soldiers in the Spanish American War.¹³ Subsequent comments, perhaps in direct reference to the failure of the NRA, suggested that "(O)ne thing which should be borne in mind is this: there must be local organization first; then a national organization."¹⁴ In recognition of local organizations, W. C. Gould reached all the way to the west coast, publishing an article commending "a new military organization of Los Angeles, California, organized ...to be a service to the government and the state on the Pacific coast."¹⁵ Rifle clubs were not new to California. As early as 1860, rifle clubs were reported in the California Press.¹⁶ In 1889, "(T)he formation of a California Rifle Association, (was) organized from the membership of the National Guard of the State."¹⁷ Gould's efforts to generate interest would bear fruit during the annual matches held the following year.

Kephart continued his efforts by directing his attention to the National Guard. In November of 1898, he suggested that the next National Guard Association convention "devise ways and means for placing the national guard upon a better footing" by improving its focus on rifle marksmanship. Kephart sought to promote the belief that if a soldier was not a good shot he was a burden rather than an asset to his country. Toward that end, he suggested that at the next meeting, "(I)f the welfare and proficiency of the national guardsmen are to be prominent features in the coming convention, it would be well to ask the inspectors-general of rifle

¹³ "A National Military Rifle Association," *Shooting and Fishing*, August 18, 1898, 345.

¹⁴ Ibid.

¹⁵ "Los Angeles Sharpshooters," *Shooting and Fishing*, August 25, 1898, 385.

¹⁶ *Daily Evening Bulletin* (San Francisco, CA), September 15, 1860.

¹⁷ *Daily Evening Bulletin* (San Francisco, CA), October 09, 1889. The fact that there were state rifle associations did not mean that they were affiliated with the NRA. In fact, the creation of state-affiliated NRA associations did not occur until 1903.

practice to be present."¹⁸ Bringing them to the convention would place emphasis on the importance of rifle practice and offer the inspectors an opportunity to share thoughts on improving their effectiveness.

While the National Guard Associations continued consolidation efforts and the NRA sought greater legitimacy, the New Jersey Rifle Association was realizing considerable success, much of which was directly connected to the National Guard. Confirmation of this was seen in July 1898 when New Jersey's General Spencer and New York's General Wingate jointly announced that there would be no annual rifle competitions "because of the absence from their **homes of a large majority of national guardsmen, who ordinarily participate in the competitions.**"¹⁹ Spencer and Wingate were certainly influenced by those state rifle associations who had already preempted the Sea Girt cancellation by rescinding previously issued orders to attend the annual national competitions.

Following the cessation of hostilities, the Sea Girt association met with the intention of keeping the idea of a national association alive.²⁰ Major Lauchheimer, the Marine Corps' Inspector of Rifle Practice who was responsible for coordinating the Marine Corps' annual competition, praised the Sea Girt efforts by suggesting that the New Jersey association, "might properly be called the NRA of New Jersey."²¹ Further validation of New Jersey's efforts to raise the importance of rifle competitions was seen during the annual matches held in the fall of

¹⁸ "The National Guard," *Shooting and Fishing*, November 3, 1898, 53. The meeting to which Kephart was referring was the February 1899 National Guard Association meeting held in Tampa, FL.

¹⁹ "No Sea Girt This Year," *Shooting and Fishing*, July 21, 1898, 266 [emphasis in the original]. Though ineffective, state troops had been mobilized and many were in or on their way to deployment centers to await transport to Cuba.

²⁰ "Sea Girt to be Held This Year," *Shooting and Fishing*, April 20, 1899, 99; "Sea Girt," *Boston Daily Advertiser*, May 25, 1898.

²¹ "Sea Girt Meeting," *Shooting and Fishing*, May 25, 1899, 105.

1899. It was reported during that event that "the New Hampshire state team being the first in the history of the New Jersey State Rifle Association to visit Sea Girt by state authority and have its expenses paid by the state." Though state support was an important initiative, in fact, Pennsylvania had been providing support for its National Guard rifle teams to attend national matches since 1889.²² State support for teams to travel to Sea Girt reflected a local commitment to the team and a commensurate expectation of performance. If states were expecting their teams to do well, those teams would need resources for practice and those resources would have to come, in part, from state coffers.

5.2.2 Forming a New NRA

Efforts to create a national rifle association gained additional momentum in early 1900 with a call to form a League of Military Riflemen "to promote and encourage proficiency with military weapons." The idea received a significant boost when New York governor Theodore Roosevelt's annual message included that "(I)t is very much to be wished that means could be taken to provide the most ample facilities for rifle practice. The United States must depend upon its citizenry soldiery in the event of a great war. It would be a good thing if there were a rifle range in every village in this state."²³ This was the same message that the original National Rifle Association had been sending to the country at large for more than two decades. It was also a message from citizens unconnected to the Guard or the NRA. Noted nineteenth century agriculturist and inventor, Charles Cristadoro called for the government to authorize a national

²² "State Teams at Sea Girt," *Shooting and Fishing*, October 19, 1899, 12.

²³ "League of Military Riflemen" and "Governor Roosevelt's Message," *Shooting and Fishing*, January 11, 1900, 264, 268.

rifle competition and to appropriate a large sum of money toward that end. He suggested that one hundred thousand dollars would motivate more people to become involved in rifle practice and that "it would be a wise governmental policy" so that "when a war occurs, as was the case not long ago...marksmanship developed by governmental prizes might win battles."²⁴

Though the NRA had lost much of its luster while a tenant in New Jersey, George Wingate remained determined to bring it back to life with the help of General Spencer and the Sea Girt Range. With the continuity of the New Jersey Rifle Association, the NRA's residency at Sea Girt had helped to retain an ember of the original Association's heritage. Recognizing the threat that a new organization posed to the original NRA's future, Wingate offered that "(I)t would be a great mistake to do anything which would militate against these efforts of the New Jersey Rifle Association to promote military rifle shooting." In a long article, Wingate explained that the NRA had failed from a lack of financial support and that the Association had tried many solutions one of which included having the president of every rifle club, every Adjutant General, and the leading officers of the Army as honorary directors. He pointed out that clubs joined the Association but did not remain, their departure leaving membership insufficient to support operations at Creedmoor range.²⁵ He noted that the NRA did, however, retain some national presence, and he encouraged those present at the Sea Girt meeting to find a way to rejuvenate the original Association rather than suffering the exigencies of starting a new one.

The following month, New Jersey guardsman Lieutenant Albert S. Jones, an employee of General Spencer's bank and the secretary of the New Jersey Rifle Association, offered a very specific response to Wingate that included a long list of potential charter members for the

²⁴ "National Marksmanship," *Field and Stream*, November 29, 1902, 421.

²⁵ George Wood Wingate, "League of American Riflemen," *Shooting and Fishing*, January 11, 1900, 308.

emerging League of American Riflemen. In addition to claiming support from Governor Roosevelt, Jones suggested that “(C)ontrol will be centered in a board of directors composed of men prominent in rifle shooting in different states.” Jones pointed out that “It is not the intention of the league to own a range, but to exercise controlling influence over rifle shooting with the national arm.”²⁶ In noting the failures of the original association to improve the nation's rifle marksmanship, he wrote that “(M)any states do not instruct their soldiers in this all important branch of a soldier’s duty.” He drew attention to the fact that in thirteen states there was no organized rifle practice, that twenty-nine states had no rifle ranges, and that thirty-one states did not hold state competitions. Prescient of events that would elevate a new NRA to national prominence, he suggested that “(I)f they themselves will not or cannot do this, it is time that the national government took cognizance.” To achieve that goal, the league must be central and national and must make an “application to congress for a charter.”²⁷

During the spring and summer of 1900, Jones wrote that “(T)he cooperation of every patriotic citizen, as well as every shooter is needed to put this sport on the plane commensurate with its importance as a factor in making a world power of the United States.” Governor Roosevelt, in the midst of a presidential campaign, took the time to advise Jones that “I have the heartiest sympathy with your proposed organization, and will help you in any way I can.”²⁸ Jones continued his efforts by leading a campaign to generate interest in “(A) convention of riflemen that will be held at the clubhouse of the New Jersey State Rifle

²⁶ In using the term, “the national arm,” Jones is referring to the rifle chosen by the country's War Department with which to arm its soldiers.

²⁷ A.S. Jones, “Governor Theodore Roosevelt Supports League of American Riflemen for New York,” *Shooting and Fishing*, February 8, 1900, 345-6.

²⁸ “To the Riflemen of the United States,” *Shooting and Fishing*, July 19, 1900, 263.

Association on September 5, 1900 to organize a national league of riflemen."²⁹ Participants at the meeting on September 5, 1900, which convened with Wingate as temporary chairman and Jones as temporary secretary, quickly agreed that the renewal of the old Association would be the most effective way forward. A committee was appointed to write a new set of bylaws and perfect plans for the new organization.³⁰

The NRA next met in New York City at the law offices of General Wingate who presided over the meeting and called for the election of a new Board of Directors as "the term of office of the present Directors long ago had expired." In an affirmation of his belief in the importance of the connection between the National Guard and the NRA, Wingate offered his resignation saying that "as he had ceased to hold a commission in the National Guard, he wished to retire from the Presidency." Remaining true to his belief in the importance of rifle marksmanship, he recommended General Spencer, New Jersey's Inspector of Rifle Practice, as his successor.³¹ The make-up of the new Board of Directors was heavily weighted to the Guard, corroborating Wingate's belief in the connection between the two organizations.³² Subsequent to the close of the meeting's business session, NRA secretary Jones issued the following statement;

We propose to be aggressively active from now on in the interest of rifle shooting and to make this sport one of the popular pastimes of the people. To do this will require state and federal support. With this end in view it is proposed to have drawn up and introduced in Congress and in State

²⁹ "The Sea Girt Meeting," *Shooting and Fishing*, August 9, 1900, 323. The time and place of the meeting corresponded with the annual matches held at Sea Girt.

³⁰ "Sea Girt New Jersey Rifle Meeting," *Army and Navy Journal*, September 18, 1900, 66-67.

³¹ Spencer would remain the NRA president until January 1907 when he was replaced by General James Drain, who would refocus the NRA on a political agenda. See Chapter 6.

³² Membership of the new Board included twenty-five guardsmen, six active duty service members, and seven civilian rifle club executives.

Legislatures bills in support of ranges and a more comprehensive course of instruction for the organized militia.³³

The aforementioned legislative actions would provide funding for rifle practice, range construction and training for the state militias who were in transition to becoming a truly "national" National Guard. As new programs were developed, they would be sponsored and managed by a resurgent NRA. Additionally, efforts over the next six years would culminate in the passage of NRA-friendly federal budgets for fiscal years 1906 and 1907.

The renewed NRA executive board met on December 20, 1900 and elected New Jersey's Brigadier General Bird W. Spencer as its president.³⁴ At the same meeting, the Board of Directors was expanded to extend *ex officio* membership to the Secretary of War and all General Officers of the Army which included the Chief of Ordnance and the Adjutant General of the United States.³⁵ During subsequent meetings, the renewed association affirmed that "we hope that clubs and individuals will respond to the invitation to become members of the NRA...whose...sole object is to extend rifle practice, systematize it and increase a fraternity among those interested in rifle practice, which will be of incalculable benefit to the country."³⁶ To further affirm their support for future rifle clubs, the Association published a list of ten reasons why every rifle club should affiliate with the NRA. While most of the ten were

³³ "Will Encourage Marksmen," *New York Times*, December 18, 1900.

³⁴ New Jersey's role in earlier national matches and support for the Sea Girt range made Spencer an ideal candidate.

³⁵ "National Rifle Association," *Shooting and Fishing*, December 20, 1900, 203; Trefethen, 115. This expansion was a classic lobbying technique. By expanding the base of ownership in a program, the program gains greater breadth of support. This is not unlike today's major Department of Defense contractors who strive to have every state in the Union a part of large programs, thereby creating a sense of "buy-in" from the citizens of those states. Membership would be extended to all state National Guard Adjutants General in 1909

³⁶ "National Rifle Association," *Shooting and Fishing*, December 20, 1900, 203.

administrative in nature, to include the proposal that the NRA's executive committee act as an arbiter between rifle clubs, the last item was most prophetic by offering that "(I)n union there is strength."³⁷ It would be the ability of the NRA to call on its membership and that membership's response as a united organization that would give the Association its remarkable power in the twentieth century.

The new association was faced with two major challenges; first, how to gain the legitimacy needed to be recognized as the nation's preeminent rifle association, and second, how to draw together the disparate rifle clubs that existed across the country. In 1901 there were thousands of rifle clubs as far afield as the Bridgton Maine Ladies' Rifle Club to the Columbia Pistol and Rifle Club of San Francisco, from the Harvard University Rifle and Revolver Club (part of the Intercollegiate Rifle League), to the St. Augustine Florida Rifles and the San Diego Police club, to name only a few. As pointed out by the Association's secretary, "(F)ive different localities, one in the east, two in the south and two in the west, have endeavored at different times in the last decade to establish a national association to foster and encourage rifle shooting. All attempts were dismal failures."³⁸

While the dual challenges loomed large, the Association soon realized that most of the clubs were social in nature and that "we...now lag way in the rear of all progressive nations in the training of our citizens in marksmanship." In the summer of 1901, Jones wrote to the editor of *Shooting and Fishing* that "the remedy for the present deplorable state of marksmanship in this country lies in one direction only, and that is federal aid." To gain that access, one of the

³⁷ "National Rifle Association," *Shooting and Fishing*, December 27, 1900, 230.

³⁸ A.S. Jones, "Need of Rifle Practice in United States," *Shooting and Fishing*, July 25, 1901, 288.

first objectives of the renewed NRA was the creation of a "Law Committee" to draft legislation that would seek dedicated funding for the promotion of rifle practice. Jones continued with what would soon become the cornerstone of a legislative action plan he would propose during the forthcoming annual meeting by suggesting "that what should be done now is for all hands, irrespective of locality, to unite in making the NRA of America so strong and representative that when its law committee goes before congress next winter with a bill calling for federal aid and recognition, it will receive due consideration." Once again reaffirming the NRA's connection with the National Guard, Jones posited that "(P)robably no outlay by the government could be more judiciously expended or tend to improve the efficiency of the national guard as a generous appropriation for rifle practice."³⁹ Once the NRA became the nation's proponent for marksmanship, any additional funding for National Guard rifle practice would by default become a resource allocation for the Association.

The next annual meeting of the NRA was held in January 1902 and marked the beginning of the organization's growth from a struggling proponent for marksmanship to a place of national prominence with a marked federal presence and a nationwide network of affiliates. The new beginning was spawned by the formal presentation of a comprehensive plan for the Association and a proposal to call on the Secretary of War.

³⁹ A. S. Jones, "Need of Rifle Practice in United States," *Shooting and Fishing*, July 25, 1901, 288.

5.3 The NRA Finds a Place in the Federal Bureaucracy

At the NRA's January 11, 1902 Board of Directors meeting, Lieutenant Jones outlined his vision "containing suggestion for the future policy of the association."⁴⁰ Jones's report provided extensive details that included many recommendations for rifle clubs that Colonel Sanger had provided to Secretary Root. His focus, however, was the list of subjects that the Board would discuss and act upon during their meeting. From that list, which had been provided to the members earlier, he chose three items that he believed to be of "paramount importance" to the NRA.⁴¹

1. Foster closer relations between the NRA and the United States Government, and develop details of a bill to be presented to congress.
2. Develop a line of action looking to enlist the co-operation and support of the National Guard organizations throughout the country.
3. Establish affiliated branches in every state.⁴²

As a means to implement his ideas, Jones offered that,

I would further recommend that we encourage the organizing of rifle clubs within the national guard regiments throughout the country by issuing from the NRA office blank forms of incorporation, copies of by-laws and rules and regulations, thereby minimizing the amount of work incidental to

⁴⁰ NRA, *Report of the National Rifle Association of America for the Year 1902* (Passaic, NJ: Daily News Printers, 1902), 61. Henceforth abbreviated as *NRA Annual Report for 1902*.

⁴¹ Colonel Sanger's report on the reorganization of the nation's reserve included significant recommendations regarding rifle practice taken from his experience evaluating the Swiss militia system. Sanger's report is addressed in Chapter 4.

⁴² *NRA Annual Report for 1902*, 62-66. The meeting was also reported in "Rifle Team for Canada," *New York Times*, January 12, 1902; "National Rifle Association," *Shooting and Fishing*, January 16, 1902, 290; and "National Rifle Association Meeting," *Army and Navy Register*, January 18, 1902.

such organization. To do this successfully would require some assistance at least from the national government. If we could induce the war department or pass a bill in Congress authorizing the war department to issue the national arm and ammunition to such state associations along similar lines to that being done in England, I have no doubt many of the states would take it up at once.⁴³

These recommendations were unanimously endorsed by the board with the proposal that those applicable be referred to a committee on legislative action with instructions to have them presented before the "National Guard Convention which meets in Washington January 22 and 23, with the object of having the convention endorse the recommendations contained therein."⁴⁴ The Interstate National Guard Convention that was held in 1902 was focused on preparing legislation that would become the Militia Act of 1903 as discussed in Chapter 4. The conference proceedings do include the introduction of Major Ball "representing the National Rifle Association...in place of General Spencer." The proceedings noted that "Major Ball spoke upon the necessity of bringing the attention of this meeting to the importance of encouraging rifle practice."⁴⁵ Future discussions of cooperation between the two organizations would yield a harvest of affiliated organizations and rifle clubs for the NRA.

Discussions that followed Jones' presentation generated the second salient event of the annual meeting which was the creation of a committee to communicate the NRA's concerns to

⁴³ *NRA Annual Report for 1902*, 65.

⁴⁴ *NRA Annual Report for 1902*, 61. While it may appear that there is an apparent page discrepancy, such is not the case. The annual report for 1902 contained the meeting minutes from the board of directors meeting as well as Jones's report. The annual report was compiled with board meeting minutes placed before Jones's report.

⁴⁵ *Proceedings of the Fourth Annual Interstate National Guard Association Convention* (Washington, D.C.; January 22-23, 1902), 249. NGAUS Archives.

the Secretary of War. Those concerns were driven by the need to improve the training of young men coupled with an appreciation for recent advances in rifle technology and the need to embrace those advances for the nation's defense. Most advances in military capability occur as the result of efforts to overcome new threats to the nation's safety or as the result of advances in technology or training methods that offer a more efficient or more effective manner to meet old threats. In the case of marksmanship, the proven effectiveness of long range shooters during the Boer War was understood to create a potential new threat.⁴⁶ Additionally, new capabilities included both improvements in rifle performance and advancements in how they were used.⁴⁷ The possibility of improved rifle accuracy stirred interest throughout the rifle shooting community and caught the attention of Secretary of War Root. With the successful evaluation of a new rifle in 1901, the Secretary became receptive to suggestions for the improvement of rifle practice that might help leverage the capability of this new weapon.⁴⁸ It is also worth noting that President Roosevelt, frequently the author and the subject of articles on rifle shooting and rifle technology, encouraged improved marksmanship training. The NRA, among others, was eager to offer recommendations to take advantage of the new technologies.

⁴⁶ "Canada Preparing for War," *New York Times*, September 7, 1902 explains that "Canada is rapidly becoming a nation of sharpshooters. This is one of the results of the Boer War." Though later, Colonel Frank Ely would hold the performance of the Boers up as an established standard in "The Battle Control for the Rifle," *Scientific American*, December 22, 1917, 474. The Boers' rifle expertise was also addressed in Congress and is discussed at the end of this chapter.

⁴⁷ During the last decade of the nineteenth century improvements in rifle technology resulted in the production of a new weapon for U.S. military forces. The Model 1901 prototype of the Springfield rifle was rumored to achieve remarkable accuracy which was soon confirmed by the final Springfield Model 1903.

⁴⁸ "Promotion of Rifle Practice," *Army and Navy Register*, December 31, 1938 . Reprint found in Box 16 at CMP Archives. "NRA and the Improvement of Weapons," *Shooting and Fishing*, July 10, 1902, 194.

The NRA's suggestions were provided to Secretary Root by the self-identified group, the NRA Committee for the Promotion of Rifle Practice, who were members of the executive board of the NRA. Led by President Spencer, the group met with the Secretary a few days after the Association's annual meeting for the purpose of discussing a reorganization of the "Association (to make it) more national in scope, and other suggestions looking to the advancement of rifle shooting among the citizens of the country."⁴⁹ Spencer's committee had four National Guardsmen and one civilian. The civilian, Mr. J.A. Haskell, was the president of E.I. du Pont de Nemours Powder Company, and would be a prominent member of the NRA leadership and the only civilian member for the following decade. During that meeting, the Secretary requested that the committee's suggestions be provided to him in writing.⁵⁰

NRA President Spencer's response of January 25, 1902 "regarding the enlargement and scope of the National Rifle Association and its influence upon rifle practice generally in the country" opened by requesting that President Roosevelt and the Secretary of War "stamp the proposed plan" to bring the NRA "more prominently before the country." Following that introduction, Spencer's proposal recommended a legislative course of action through which resources for rifle practice - ranges, weapons, equipment, and ammunition - would be provided to the country at large, for the NRA and for its affiliated organizations.⁵¹ Spencer continued

⁴⁹ From the Secretary's report to the NRA in the *NRA Annual Report for 1902*, 19. Attendees in addition to Spencer were General Harries, DC AG; General Lawrason Riggs, MD National Guard; Major Jas. Bell, DC National Guard; and Mr. J.A. Haskell, NY. Spencer's successor, General Drain, would become the topic of some controversy as a lobbyist for the Powder Trust, of which du Pont was the principal member.

⁵⁰ Spencer's letter was reprinted in the *NRA Annual Report for 1902*, 19-20. In a letter to Colonel B. Frank Cheatham, Office of the Assistant Secretary of War, dated February 18, 1925, General Spencer addressed the 1902 meeting with Root and enclosed copies of his original response to the Secretary's request as well as Major Parker's response to Secretary Root's request for an assessment of Spencer's proposal. See Box 29, CMP Archives.

⁵¹ Affiliated organizations in this regard were rifle clubs across the country. The end of this chapter includes a discussion of the affiliates and their growth from 1902 through 1907.

with the need for "an earnest endeavor to make more uniform the method of rifle practice to be carried on hereafter." Toward that end, he recommended the "appointment of a Board of officers" to conduct an assessment of extant facilities, recommend the types of ranges and targets needed for modern warfare, prescribe a uniform system for qualification, and to recommend where ranges should be established for "the use of the National Guard and authorized rifle clubs." In his summary of recommendations, Spencer suggested the appointment of an "Advisory Committee of fifteen, of whom seven are to be appointed by the President of the United States." He closed his letter with a request for an appropriation of "ten thousand dollars for the encouragement of rifle competition between military organizations to be expended under the direction of the Secretary of War."⁵²

Following receipt of Spencer's letter, the Secretary forwarded it to the Adjutant General of the Army who subsequently referred the communication to his assistant, Army Major James Parker who was head of the militia section of the Miscellaneous Division in the Adjutant General's office (AGO). Parker, who is discussed in the previous chapter, was a well-respected officer with considerable combat marksmanship experience. The Major evaluated Spencer's proposal and suggested that the requested ten thousand dollars was consistent with "several countries, notably Switzerland and Great Britain, in which, as in the United States" military conscription of the entire population was not possible.⁵³ He followed with a discussion of the importance of rifle practice and the need for "much time, labor and expenditure" for success. Parker's recommendations were reinforced by his personal experience during combat in the Philippines. Parker went on to address the "Constitution of the United States and of the laws

⁵² Spencer's letter was published first in the *NRA Annual Report for 1902*.

⁵³ Parker's evaluation is included in the *NRA Annual Report for 1902*.

enacted under it in 1799, which made a citizen liable for service in the militia."⁵⁴ As he would later stress in an August 1903 article about the need for improved marksmanship, Parker made a strong case for the importance of rifle practice to the National Guard, for whom he was responsible to the Secretary of War in his duties in the AGO.⁵⁵ He argued that "(N)o more useful expenditure of money for our national defense could be made than the establishment in places near our centres of population, of target ranges, to be maintained by the Government." Parker was clearly in support of Spencer's recommendations as he wrote:

It is assumed that the proposal of General Spencer for Government aid to the National Rifle Association is with a view of inaugurating in this country an interest in target practice, which will eventually produce a system of voluntary firing similar or equivalent to that which now exists in Switzerland. The appropriation of \$10,000 will enable competitions to be held, which will claim the attention of the country, and by awakening the popular interest make the development of this military sport, which is really military instruction, more general. It will be entirely in accordance with the traditions of our country, which first showed what the rifle was capable of, and which gained its independence largely by the familiarity of our citizens with its use.⁵⁶

⁵⁴ Parker was apparently referring to the Militia Act of 1792 which required service of all men between the ages of 18 and 45. In 1902 that law was yet to be amended by the Militia Act of 1903.

⁵⁵ James Parker, "The Militia Act of 1903," *The North American Review* 177, no. 561 (August 1903): 279-280. The importance of rifle practice to the militia and the National Guard is also discussed in Chapter 4 of this dissertation.

⁵⁶ Parker's report is found in the *NRA Annual Report for 1902*, 21-22.

Parker's report continued with an endorsement of Spencer's plan to have a "Board of officers, made up partly from the United States Army and partly from the National Guard" as the course of action that would produce the best results.

The implementation of all of the aforementioned recommendations by the soon to be established Board would require both administrative and legislative action over a period of years. However, there are two areas that illuminate the measures that were taken to create that Board that deserve particular attention: the Board's composition and its funding.

Historians have generally suggested that "Congress by an act of 1903 set up the National Board for the Promotion of Rifle Practice, charged with making rules for the newly inaugurated National Matches, settling disputes that arose from them, and attempting generally what its name indicated," but that was not the case.⁵⁷ Congress appropriated funds for a national marksmanship trophy, and the Board was created by Secretary Root following that appropriation of funds for the encouragement of rifle competition between military organizations **"to be expended under such regulations as may be prescribed by the Secretary of War."** The emphasis is added to point out verbiage that the Secretary would later cite to create the Board.⁵⁸

⁵⁷ Gilmore, "Crackshots and Patriots," wrote that "Congress by an act of 1903 set up the National Board for the Promotion of Rifle Practice," 155; Lefave, in "The Will to Arm," wrote that "a legislative effort, closely related to the Militia Act created the Board," 35; Riker, *Soldiers of the States*, wrote in a note that the Board "was created by the Act of 3 March 1905," 122n34; Kennett and Anderson in *The Gun in America* wrote that "Congressman Frank Mondell...introduced a bill in Congress...to create the National Board for the Promotion of Rifle Practice," 140.

⁵⁸ The Secretary pointed this out before a congressional committee in early 1904. That meeting is addressed below in footnote 60. Emphasis added.

Parker's support of Spencer's plan satisfied Secretary Root who subsequently endorsed legislation "(P)roviding for national trophy and prizes for rifle competition."⁵⁹ Language in the original bill specified that the national trophy and other prizes would be contested annually "under such regulations as may be prescribed by the Secretary of War." The bill also authorized funding in the amount of ten thousand dollars for the expenses of competing teams. The language that granted regulatory authority to the Secretary of War remained in the bill. However, the amount of the appropriation was eventually reduced, after much discussion, to two thousand five hundred dollars. It was included in legislation that was not passed until early 1903 and then as part of the Army Appropriation for the fiscal year ending June 30, 1904. The Board's initial funding is found within the Army budget section,

"Ordnance, Ordnance Stores, and Supplies": That for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, and the National Guard organized militia of the several states, Territories, and of the District of Columbia, and for the cost of the trophy, prizes, and medals herein provided for, the sum of two thousand five hundred dollars be and the same is hereby, annually appropriated, out of any money in the Treasury.⁶⁰

⁵⁹ Congressman Mondell from Wyoming submitted HR 14280 providing for a national trophy and prizes, subsequently forwarded to the committee on the militia, 57th Cong., 1st sess. (May 8, 1902): H 5199.

⁶⁰ *Army Appropriations Act of 1904*, 57th Cong., 2d sess., *Congressional Record* 36 (March 2, 1903): H 2943. This act includes an appropriation for the "Ordnance Department." Also found in Box 29, CMP Archives.

This appropriation line would remain in the Army budget throughout the twentieth century, subject to increases as early as the following year. The Board would also receive funding from other sources within the Army budget, as well as from the militia or National Guard.

During the next NRA Board meeting, President Spencer reviewed the history of the legislation that authorized the Secretary to create the Board as a way to acknowledge Senator Dryden, who Spencer referred to as "the best friend we have had in Congress."⁶¹ Spencer recognized that the 1902 legislation had been introduced by Congressman Mondell, and its subsequent favorable endorsement by the Adjutant General of the Army and the support of the Military Committee of the House Representatives. Spencer also pointed out that the bill languished in committee and was destined to fail. "In utter desperation Congressman Dick, Mr. Mondell, Col. Dimmick and myself went over to see Senator Dryden." Senator Dryden suggested that he would add the request to the Army Appropriation Bill, and he immediately solicited Senator Redfield Proctor's support, gaining an annual appropriation of two thousand, five hundred dollars.⁶² Furthermore, Spencer noted that Senator Dryden had provided the NRA with funds for an annual trophy "that will perpetuate this rifle shoot on your Sea Girt range."⁶³

The funding appropriated by Congress and the legislative language that accompanied it gave the Secretary the latitude needed to facilitate its use. Toward that end, the Secretary created a board, similar to the advisory committee that had been recommended by Spencer.

The very great importance of this subject led the Secretary of War to
exercise the authority vested in him by this provision to make regulations

⁶¹ NRA, *Report of the National Rifle Association of America for the Year 1903* (Passaic, NJ: Daily News Printers), 133. Hereafter abbreviated as *NRA Annual Report for 1903*.

⁶² Senator Proctor, VT, was a veteran of the Civil War and a member of the Senate committee on military affairs.

⁶³ *NRA Annual Report for 1903*, 133. The trophy initiated by Senator Dryden is now the National Trophy, awarded first to a National Guard team from New York.

for the government of this annual contest in such form as to promote the purpose of the statute by securing a comprehensive and progressive treatment of the whole subject of improving the marksmanship of the army and the militia. For that purpose a board was established composed of 5 members from the regular establishment, including the Assistant Secretary of War, 2 officers of the Army, an officer of the Navy, and an officer of the Marine Corps...the trustees of the National Rifle Association, 8 in number; and 8 citizens who had shown special interest in the subject, appointed from the country at large. Nearly all of the members of the last two classes are prominent officers of the National Guard, representing 13 different States and Territories.⁶⁴

The Secretary of War's annual report included the recommendation that "an additional sum be appropriated for the promotion of rifle practice by the formation of rifle clubs and contests to which citizens generally shall be admitted; to be expended upon the recommendation of the board."⁶⁵

The actual creation of the Board was instantiated by a War Department Order that was published on March 31, 1903, "(U)nder authority of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1904'...the following regulations are hereby prescribed for the tests for a national trophy and medals and

⁶⁴ U.S. Department of War, *Annual Report of the Secretary of War*, "The Beginning of the Militia System, Promotion of Rifle Practice," (Washington, D.C.: 1903), 25. Reprinted in Elihu Root, *The Military and Colonial Policy of the United States* (New York: AMS Press, 1970), 468-469.

⁶⁵ *Ibid.*, 26. Reprinted in Root, 469.

other prizes for marksmanship provided for by the said act."⁶⁶ That order included the composition of the Board by name, to be led by the Assistant Secretary of War, the Honorable William Cary Sanger, supported by four active duty officers. The Board also included NRA President, General Spencer, and the Association's seven trustees.⁶⁷ The remainder of the Board was comprised of members from the country at large, eight representatives from various state National Guards, all of whom were Adjutant Generals or inspectors of rifle practice. The Board was also assigned a recorder, Colonel Dimmick, who was the assistant secretary of the National Guard Association. The order closed with the direction that "the board will have its first meeting at the War Department in this city on April 16, 1903."⁶⁸ On April 3, 1903, *Shooting and Fishing* reported that the board, in order to approve tests for a national trophy and other prizes, would meet on April 15 and "will frame and report for approval such regulations that may be necessary to successfully carry into effect the provisions of law above cited."⁶⁹

5.4 The National Board for the Promotion of Rifle Practice

The creation of the National Board for the Promotion of Rifle Practice was a small event for the War Department, now struggling to organize a military that could meet the needs of a rapidly growing nation in the new century. As America began to take its place among the family of nations, the President and his staff sought ways to build a military that would effectively and

⁶⁶ The March 31, 1903 order was published as part of Headquarters of the Army General Order No. 61, dated April 27, 1903. It was reprinted earlier in the *Army and Navy Register*, April 4, 1903, and on the same date in the *Army and Navy Journal*. General Order 61 is recognized by the Army as the Board's founding document. It has been cited as recently as 1973 in a "Memorandum for Record" from the Army Assistant General Counsel William C. Wooldridge, titled "Origin of National Board for the Promotion of Rifle Practice." Box 29, CMP Archives.

⁶⁷ The use of the term "NRA trustees" appears in the *NRA Annual Report for 1902*, published in March 1902. Subsequent NRA Annual Reports refer to a Board of Directors, not trustees.

⁶⁸ The order was signed by Secretary Root. The name of each of the assigned members was included in the order.

⁶⁹ Untitled article, *Shooting and Fishing*, April 9, 1903, 3.

efficiently defend the homeland and protect American interests abroad. Toward that end, Secretary Root began to reorganize the War Department. Root's creation of the General Staff to oversee the Army has been referred to as the most outstanding contribution any Secretary of War has made to America at that time.⁷⁰ While the impact of the creation of the Board on the War Department and the nation's defensive posture was minimal, it was tremendously significant for the NRA. The Board was a War Department agency assigned the responsibility to monitor and manage the nation's marksmanship programs. The Board would need help meeting that obligation. The NRA stood ready, willing and able to meet the needs of the Board and in the process the Association would establish itself as a quasi-government agency.

5.4.1 The Board Goes to Work

The first meeting of the Board was led by Assistant Secretary Sanger and seventeen of the twenty-two members appointed by Secretary Root were present.⁷¹ On April 27, 1903, War Department General Order No. 61 was published to promulgate the report of that first meeting. In addition to the current NRA president, the Board also included General James A. Drain, the Adjutant General of the State of Washington. In 1907, Drain would assume the NRA presidency and would own and publish the NRA's unofficial magazine, *Arms and the Man*. Drain's leadership and his efforts to refocus the NRA are addressed in Chapter 6.

The Board's first report, acknowledging its embryonic state, set in motion an agenda that would allow it to fulfill the objectives stated in Spencer's letter of January 25, 1902 to

⁷⁰ Jessup, *Elihu Root*, 1:240. Jessup quoted Newton D. Baker who credited Root during an address he made in 1937 as the "Secretary of the Century."

⁷¹ Root appointed a board of twenty-one plus a recorder.

Secretary Root "regarding the enlargement and scope of the National Rifle Association and its influence upon rifle practice generally in the country."⁷² The report also included what it had implied from Root's directions. "Attention is invited to the fact that the board having received verbal instructions from you that it was your desire that it should consider any questions relating to the development of rifle shooting throughout the country, the board has submitted certain general recommendations which do not bear directly upon the contest for the national trophy, but which are believed to be in line with your instructions."⁷³

As might be expected, the Board elected Assistant Secretary Sanger and NRA President Spencer as president and vice president respectively. In addition, the Board appointed an executive committee "to have all the powers of the board when the board is not in session." The nine members of the executive committee are provided below to elucidate the influence the National Guard would have in future deliberations.⁷⁴

- Assistant Secretary of War, William Cary Sanger, former New York National Guardsman
- NRA President Bird W. Spencer, NG, Inspector of Rifle Practice, New Jersey
- General George H. Harries, NG, Commanding, National Guard, District of Columbia
- General James A. Drain, NG, Adjutant General, Washington
- Colonel William P. Hall, U.S. Army, Assistant Adjutant General
- Lieutenant Colonel Lauchheimer, U.S. Marine Corps, Inspector of Rifle Practice
- Colonel Henry M. Taylor, NG, Assistant Adjutant General, Ohio

⁷² Letter from Spencer to Root mentioned on pp. 191-93 of this dissertation and in footnote 50 of this chapter.

⁷³ U.S. War Department General Order No. 61, April 23, 1903.

⁷⁴ The NG following six of the nine members denotes member of the National Guard. Spencer, Harries, and Taylor were also trustees of the National Rifle Association. Drain would serve first as the NRA secretary and then from 1907-1916 as the Association's President.

- Colonel James A. Frye, NG, Massachusetts National Guard
- Colonel A.R. Lawton, NG, Georgia National Guard

Interestingly, U.S. Army records suggest that the Board had been established to support civilian rifle practice: "Established by General Order 61, War Department, April 27, 1903, pursuant to the 1904 Army Appropriations Act (32 Stat. 941), March 2, 1903, providing for annual rifle matches for civilians. Duties have included instruction of citizens in small arms marksmanship; issuance of weapons and ammunition to organizations offering small arms training to civilians; and construction, equipment, and maintenance of rifle ranges."⁷⁵

The report from the Board's first meeting recommended when and where the first national matches would be held and the details necessary for the conduct of those matches. Its recommendations also included the active participation at the national and regional levels of "National Guard or uniformed militia from the several states and territories."⁷⁶ The committee as well requested that the National Guard of the various states be permitted to train on U.S. government rifle ranges and that the Ordnance Department ensure that all competitors, for practice and competition, be provided with "the same uniform ammunition." The development of and access to rifle ranges would become a major issue for the board and the NRA as would the provision of arms and ammunition.⁷⁷ Finally, and perhaps of greatest significance, the Board recommended that "the board be charged with the encouragement of rifle practice throughout

⁷⁵ Records of the Office of the Secretary of the Army, "Records of the National Board for the Promotion of Rifle Practice," Item No. 335.11.1, National Archives, <http://www.archives.gov/research/guide-fed-records/groups/335.html#335.11.1> (accessed November 29, 2012).

⁷⁶ The original bill only addressed competition for the Army and the militia. "National Trophy," *Army and Navy Journal*, April 25, 1903, 838 reported the meeting and reprinted much of G.O. 61. The article referred to the board as the "National Trophy Board," which would have been appropriate had the board not assumed a much larger role than the award of the national trophy and other prizes for marksmanship.

⁷⁷ Congressional action over the next few years would provide funding for ranges, arms, and ammunition for rifle practice to be managed by the NRA.

the United States, particularly in the direction of qualifying as finished marksmen those individuals who may be called upon to serve in time of war."⁷⁸

In an article titled, "National Trophy," the April 25, 1903 *Army and Navy Journal* reported the events of the meeting by reprinting the recommendations in General Order No. 61. The article referred to the board as the "National Trophy Board" which would have been appropriate had the board not assumed a much larger role than the award of the national trophy and other prizes for marksmanship. The meeting of the Board was also reported in the *Army and Navy Register* and in the *New York Times*.⁷⁹ Both articles summarized the General Order No. 61 and advised readers that the next meeting would be held in Columbus, Ohio on May 4, 1903, coincident with the National Guard Association (NGA) meeting. A May 9, 1903 *Army and Navy Register* untitled article about the NGA meeting in Columbus mentioned a speech given by Lieutenant Hill, U.S. Navy, who attended the NGA meeting "as a member of the board for the promotion of rifle practice."⁸⁰ The same newspaper also mentioned, under "Militia News," that Secretary Root, Assistant Secretary Sanger, and General Spencer had addressed the NGA convention.⁸¹ The *Register* continued to cover the NGA convention, providing coverage of Parker's speech in its May 16, 1903 edition. Attention is drawn to the closing pages of Chapter 4 of this dissertation that discussed the focus on marksmanship

⁷⁸ Department of War General Order No. 61, April 27, 1903, recommendation 5.

⁷⁹ Untitled article, *Army and Navy Register*, April 18, 1903; "National Marksman," *New York Times*, April 23, 1903. In both articles the board is referred to as the National Trophy Board.

⁸⁰ Untitled article, *Army and Navy Register*, May 9, 1903, 3. Hill was the chairman of the subcommittee assigned to select a design for the national trophy. The June 13, 1903 *Army and Navy Journal* published an article "National Shooting Trophy" that described the final trophy design and the proposed plan for prizes to be awarded to the members of the winning team. The Register referred to the Guard organization as the NGA not the correct title INGA. This is a reflection of the fact that the press was as confused about the name changes as the Associations were. It would not be until 1909 that the Associations would officially adopt National Guard Association as their formal name.

⁸¹ "National Militia News," *Army and Navy Register*, May 9, 1903.

present in the speeches to the NGA convention of Root, Sanger, Spencer, and Parker. It is also worth noting that during his remarks, Assistant Secretary Sanger was very specific in his comments about the Board and Spencer's relationship to it.

The *Register*, the *New York Times*, the *Army and Navy Journal*, and *Shooting and Fishing* continued to publish articles about the Board during the summer of 1903. The *Army and Navy Journal* and *Shooting and Fishing* frequently took the lead by relaying that "The board ...recommends the encouragement by the War department of the organization of rifle clubs," so that civilians can learn to shoot.⁸² Later in the summer, the same publication offered in "New Rifle Shooting Rules," that modifications of *Small Arms Firing Regulations* of the U.S. Army have been agreed upon by the board...appointed by the Secretary of War under authority of an act of Congress." The article continued that "(I)n national contests an appeal may be taken from the executive committee of the NRA to the Board" whose decision is final.⁸³ With these articles, the Board was being instantiated in both civilian and military marksmanship programs and was tacitly acknowledging that the NRA would have a role at the highest levels. That role would be solidified during a joint meeting between the Board and the NRA that was held in January 1904.

With the establishment of the Board and the growing presence of the NRA, it would be easy to overlook the importance of the extant relationship between those organizations and the National Guard. While Sanger, Spencer and Parker had emphasized the importance of rifle practice for the individual guardsman, the Guard's competitive teams continued the tradition of excellence that had been earlier established by George Wingate. The first annual matches under the auspices of the Board, for which the newly designed National Trophy was to be

⁸² "The National Match," *Shooting and Fishing*, May 7, 1903, 78.

⁸³ "The National Match," *Shooting and Fishing*, June 25, 1903, 208.

awarded, were held at Sea Girt, New Jersey September 8 and 9, 1903 and were dominated by teams from the National Guard as reported by the *Army and Navy Journal*. "(W)hat is the matter with the Army, the Navy and the Marine Corps that they should permit the Militia to get away with them in small arms target practice?"⁸⁴ In reviewing Marine Corps history, Major Robert E. Barde wrote of the pending first national matches that "before they (the Marine Corps) could become serious contenders in the match the experience and skill of the National Guard teams had to be overcome."⁸⁵ The Marine Corps was not able to overcome, compiling 227 fewer points than the winning team and finishing sixth behind the National Guard teams from New York, New Jersey, Massachusetts, the District of Columbia, and Ohio. The best the U.S. Army teams could do was to finish in the last two places, thirty-fourth and thirty-fifth.⁸⁶ The active service teams would fare better in 1904, but New York Guardsmen again won the coveted National Trophy. In a validation of the efforts of Spencer and Wingate, Marine Lieutenant Frank Evans wrote about the importance of practice. "(R)ifle matches, in contradistinction to others sports, are almost invariably won by the best teams, for luck does not play the same important role as in baseball or football."⁸⁷

Following the first National Trophy matches, the Board met to arrange for the inspection of rifle ranges around the country for their possible use in future national matches. If ranges could not be found, the Board intended to ask Congress for funds for a model range, "which shall be accessible to regulars and the national militia and the rifle organizations which

⁸⁴ "Army Small Arms Practice," *Army and Navy Journal*, September 12, 1903.

⁸⁵ "The History of Marine Corps Competitive Marksmanship," Major Robert E. Barde, USMC, Marksmanship Division, G-3 Division, Headquarters (Washington, D. C.: U.S. Marine Corps, 1961), 14. Accessed from Marine Corps Archives, Quantico, VA.

⁸⁶ *NRA Annual Report for 1903*, 63-65 has team results. Total possible score was 3000.

⁸⁷ Lieutenant Frank Evans, USMC, "Marking Marksmen of Militia and Regulars," *Outing* 45, no. 2 (May 1905): 136.

are eligible to compete for the various prizes." The intention of the Board suggested that this effort would be in the spirit of the new militia law "which contemplates closer alliance of the regulars and the national guardsmen, especially in the matter of marksmanship."⁸⁸ The Board met subsequently to introduce the new Assistant Secretary of War, Robert Shaw Oliver.⁸⁹ The Board's meeting addressed a variety of competition issues and "a motion was made that there be appointed a committee for the promotion of rifle practice."⁹⁰ General Spencer, Colonel Hall and Mr. Haskell, all members of the group that had visited Secretary Root in January 1902 to recommend a greater role for the NRA in the nation's marksmanship programs, made up the committee's membership.⁹¹ As had occurred during previous meetings of the Board, the role assumed by the NRA continued to expand.

In early January 1904, the House Committee on Military Affairs entertained Secretary Root for hearings into his plans for the Department for the coming year. His remarks included a discussion of the previous year's events that were related to marksmanship competition, beginning with a mention of the two thousand five hundred dollar appropriation for a national trophy and his decision to make, "the regulations to provide for a board for the promotion of rifle practice."⁹² Without reference to his decision-making process, the Secretary added that "I made the board consist of ...the president and trustees of the National Rifle Association." He followed by noting that the Board served at their own expense and suggested that it would be

⁸⁸ Untitled article, *Army and Navy Register*, September 19, 1903, 3.

⁸⁹ Sanger had earlier resigned to return to New York to support his wife because she had numerous health concerns.

⁹⁰ The title National Board for the Promotion of Rifle Practice was one step closer to realization.

⁹¹ Untitled article, *Army and Navy Register*, October 10, 1903.

⁹² Excerpts from a hearing before the House Committee on Military Affairs in January 1904. Reprinted in *Military and Colonial Policy*, 482.

appropriate for the House Committee "to justify a small appropriation to pay their expenses."⁹³

The Secretary commented on his desire to improve the nation's marksmanship and sought support from the House. "I wish very much that you would make a moderate appropriation which the board can use under the direction, under the approval, of the Secretary of War, for the promotion of rifle practice generally, so that rifle practice can have some stimulus to it."⁹⁴

Using language similar to what would become a plank in the NRA platform for a national network of rifle clubs, the Secretary pointed out that "the change in small arms, (and) the greatly increased range makes practice much more necessary," particularly since young men are moving to the city and don't shoot like they did "when I was a boy."⁹⁵ Placing emphasis on the importance of competition, just as General Spencer's committee had done in his office two years earlier, the Secretary pointed out that if "young men choose to get together and form a rifle club, there can be some objective point to work for in the way of some simple competition...that can readily be arranged so that competitions can be put about in different parts of the country."⁹⁶ The Secretary's words and his intentions would become component parts of legislation to fund rifle practice for the militia and support for the Board during deliberations leading to the passage of a budget for fiscal year 1907.⁹⁷

⁹³ Ibid. Reprinted in *Military and Colonial Policy*, 483.

⁹⁴ Ibid. Reprinted in *Military and Colonial Policy*, 484. Congress responded to the Secretary's request in budgetary actions implemented in March 1905 and June 1906. Those actions are discussed below.

⁹⁵ Extracts from a hearing before the House Committee on Military Affairs in January, 1904. Reprinted in *Military and Colonial Policy*, 484.

⁹⁶ Ibid. Reprinted in *Military and Colonial Policy*, 484.

⁹⁷ These deliberations are discussed at the end of this chapter.

5.4.2 The NRA Moves Up

January 1904 would prove to be a momentous month for the Board, and more importantly, for the NRA in its pursuit of dominance as the nation's marksmanship champion, beginning with remarks by the president of the Board, Assistant Secretary of War Oliver. Oliver was an outspoken advocate for the NRA, and in a speech explaining the proposed "Dick law," he pointed out that "another plan is to encourage the training of expert riflemen, by the offer of government prizes in properly supervised matches, and by the organization of state rifle associations."⁹⁸ During the same month, Colonel Parker was replaced as the head of the Militia Affairs Section in the AGO by Major John F. Guilfoyle who was "one of the Army experts in rifle practice." Perhaps it was coincidence, but the installation of a marksmanship expert as the head of the Militia Affairs Section would cause some historians to suggest that the Board was a part of that Section.⁹⁹ Finally, the Board for Promotion of Rifle Practice and the NRA Board of Directors met during January to discuss a variety of topics, including expanding the marksmanship program to schools and colleges, the formation of civilian rifle clubs and the transfer of rifle club responsibility to the NRA.¹⁰⁰ At the very beginning of 1904, the National Board set in motion the NRA's future role as the superintendent of the nation's civilian rifle clubs. As the Secretary of the NRA wrote in his annual report, "(T)his year's campaign was

⁹⁸ Untitled article, *Army and Navy Register*, January 2, 1904, 6. This "Dick law" should not be confused with the Militia Act of 1903, also referred to as the Dick Act and sponsored by the same congressman from Ohio. Congressman Charles Dick was a proponent of funding for rifle practice as well as the advancement of the militia. Congressman Dick was also president of the National Guard Association, a position he held from 1902 until 1909.

⁹⁹ See 166n71.

¹⁰⁰ "National Militia News," *Army and Navy Register*, January 16, 1904. The subject of the development of marksmanship programs for high schools and colleges by the Board and the NRA is addressed in Chapter 6.

inaugurated by well attended meetings of both the National Association and the National Board, in Washington on January 18."¹⁰¹

The impetus given to rifle shooting in this country through the work of the National Rifle Association and the National Board for the Promotion of Rifle Practice during the past year marks an epoch in the history of rifle shooting. It is almost impossible to separate the work of the National Association and the National Board, the leading spirits in both bodies being practically the same. The National Board has devised and laid out plans which have been turned over to the National Association to be carried out. This is made necessary, owing to the fact that the Board has no clerical force and no funds on hand to carry on the comprehensive plans which it has adopted.¹⁰²

The following resolutions were adopted by the Board and subsequently approved by the Secretary of War and published in War Department General Order No. 53, of March 23, 1904.

Resolved, That in the opinion of the National Board for the Promotion of Rifle Practice, rifle practice will be greatly promoted by the formation in each state of state rifle associations, to be affiliated with the National Rifle Association: and that copies of this resolution be transmitted to the Adjutants General of the States and Territories and of the District of

¹⁰¹ NRA, *Report of the National Rifle Association of America for the Year 1904* (Passaic, NJ: Daily News Printers), 11. Hereafter abbreviated as *NRA Annual Report for 1904*. By "campaign," Secretary of the NRA Jones is referring to the annual plan for marksmanship competition.

¹⁰² *NRA Annual Report for 1904*, 11; "Progress of Rifle Shooting in America for Year 1904," *Shooting and Fishing*, December 8, 1904, 193.

Columbia, with the request that they take steps for the organization of such associations.

Resolved, That the National Rifle Association be requested to prepare suitable by-laws for affiliated clubs, and when the by-laws have been approved and the clubs become affiliated, the results of practice shall be collected by the National Rifle Association and forwarded to the Adjutant General of the Army annually.¹⁰³

Shooting and Fishing reported the January Board meeting by framing it in terms of potential legislative action and the pending recognition of a new program, The National Marksman's Reserve. "At the special meeting of the sub-committee for the promotion of rifle practice, which was held at Arlington Hotel, District of Columbia, it was decided to put the matter of organizing civilian rifle clubs throughout the United States in the hands of the NRA." The Board agreed that the NRA would provide blank application forms and by-laws, both approved by the War Department, to those interested in forming clubs and that the Government would provide buttons to be given to each club member. The paper went on to report that "(I)t is too late to secure an appropriation for this year for an allowance of ammunition to be issued to such clubs by the Government free, but this will be done next year."¹⁰⁴ As discussed in Chapter 3, pages 44-46 of this dissertation, the NRA's source of income had been the New York legislature and receipts for the use of Creedmoor Range. Both

¹⁰³ U.S. War Department, Adjutant General's Office, "General Order 53," in *General Orders and Circulars* (Washington: Government Printing Office, 1904), 4-5. "Militia News," *Army and Navy Register*, February 13, 1904 reported that Adjutant Generals were being notified to "form in each state rifle associations."

¹⁰⁴ "The National Marksman's Code," *Shooting and Fishing*, February 4, 1904, 343. The buttons would be used to designate the wearer as a member of the National Marksman's Reserve, discussed below.

of those avenues of support had disappeared at the end of the nineteenth century and the Association was left without resources to support a nationwide network of rifle clubs. The NRA was not a wealthy organization and would need financial support to organize those civilian rifle clubs. Recognizing this, the Board recommended that "(A) special appropriation will be made to cover the expenses in carrying out this work, which will be looked after by Lieutenant Jones, Secretary of the NRA."¹⁰⁵ That funding would not arrive immediately, but when it arrived in the fiscal year 1907 budget, it would be more than adequate to support the expanding rifle club programs.

To support the Association's goals and to aid those who were charged with approaching Congressmen and Senators for support, the NRA Annual Report for 1904 included the draft of proposed legislation, "To Encourage Rifle Practice and Excellence in Marksmanship Amongst Citizens of the United States, so as to Render Them Quickly Available for Efficient Service in Time of War." The proposed legislation requested an annual one million dollar appropriation for a variety of materials, ranges, rifles and ammunition and, "(F)or training in rifle practice such citizens, belonging to the clubs hereinafter referred to, as desiring to become efficient marksmen; and (F)or official badges for qualified marksmen and for necessary supervision, printing, clerical work, stationery and incidental expenses."¹⁰⁶

Shortly after the Board completed its business, General Spencer, the Board's vice president, convened a meeting of the NRA Board of Directors. Spencer was obviously very familiar with the recent Board for Promotion of Rifle Practice decision to use the NRA in support of civilian rifle clubs and the aforementioned General Order No. 53. In his comments,

¹⁰⁵ Ibid.

¹⁰⁶ *NRA Annual Report for 1904*, 20. The legislation is discussed in the next section of this dissertation.

"General Spencer spoke about the NRA as the medium of the War Department reaching the affiliated clubs, and thought that some regulations should be devised to cover the subject. He thought the NRA should provide some form of by-laws, and that dealings of the Government and War Department should be through the medium of the NRA. General Harries offered a motion to this effect and it was adopted."¹⁰⁷

With the completion of the January meetings of the Board and the NRA, committees assigned to initiate legislative action went to work, but federal legislation to support rifle practice remained a challenge. In early 1904, Congressman Dick submitted a bill to the militia committee of the House to provide funding for rifle practice, but as the 58th Congress drew to a close a full year later, the bill had yet to be approved and signed into law.¹⁰⁸ A discussion of the steps to passage is included in the section on legislation later in this chapter.

5.5 Building a Marksmanship Program for America

While Congress debated the question of appropriations for rifle practice, the Board and the NRA continued to build a national program to improve marksmanship. In keeping with the nation's determination to be dependent on citizen-soldiers "(T)he National Board for the Promotion of Rifle Practice, under the authority of the War Department, has announced plans for the formation of a National reserve of qualified riflemen. Those who qualify under the rules

¹⁰⁷ "National Rifle Association of America," *Shooting and Fishing*, January 28, 1904, 336. Colonel Sue Ann Sandusky, U.S. Army, found similar language in the NRA meeting minute book for January 1904 during research she conducted in the 1980s. Her working papers are held by the author. In the early 1980s, Col. Sandusky was given access to the NRA archives. Her working papers have guided this author to pursue the work of Albert S. Jones as important to the NRA's history. There are numerous points of information in this dissertation that were first found in Sandusky's work and later found in primary source material. Access to the NRA archive was requested of the NRA by the author, but the Executive Director of the NRA refused the request without comment.

¹⁰⁸ Untitled article, *Shooting and Fishing*, March 10, 1904, 423. March 1905 editions of *Shooting and Fishing* carried numerous articles about the debates in Congress over this bill. Those articles include letters from NRA secretary A.S. Jones encouraging local participation in the congressional debates.

adopted will receive a national marksman's button." The proposed plan envisioned "that the United States will within a few years have more than 1,000,000 (men) who will have on the line of battle nearly all the requirements for the most efficient soldiers in the world."¹⁰⁹ In August 1904, *Shooting and Fishing* reported that the plan for a National Marksman's Reserve had been submitted by Spencer to the Board and approved and forwarded to the Secretary of War, now Howard Taft.¹¹⁰

The Board's plan for the National Marksman's Reserve was published in War Department Circular 29 by order of the Acting Secretary of War on July 15, 1904. That plan was subsequently released "for the information of the public" with eight recommendations of which three, items numbered four, five and eight, had particular bearing on the NRA.

Item number four - Ammunition: Your committee recommends that the National Rifle Association be permitted to purchase at cost such amount of field ammunition as may be required for resale to its affiliated organizations at the same price, and that each year there shall be issued to each affiliated organization free of cost through the National Rifle Association, fifty rounds of field ammunition for each qualification as a marksman made during the preceding year; in lieu of the above the organization to be given authority to draw component parts suitable for

¹⁰⁹ "National Rifle Reserve, War Department Adopts Plans to Develop Expert Marksman," *New York Times*, July 31, 1904 .

¹¹⁰ Untitled article, *Shooting and Fishing*, August 4, 1904, 328. Taft took over from Elihu Root on February 1, 1904.

armory practice, powder, primers, bullets, etc., in case they do not desire to take the whole amount in field ammunition.¹¹¹

Item number five - Supervision: The supervision of issue of arms and ammunition to the organizations and various clubs, etc. by the National Rifle Association will naturally entail considerable clerical expense. Your committee recommends that the National Rifle Association be authorized by law to use the mails under the usual franking privilege in the conduct of its business, later when it can be seen what measure of the work the National Rifle Association will be called upon to perform, it should receive some financial support.

Item number eight - Publicity: The National Rifle Association should, it would seem, establish a corresponding secretary in each State, with whom and through whom matters can be taken up and assistance rendered in the matter of enlisting the public press in disseminating information regarding the aims of the Government and the National Rifle Association.¹¹²

The National Marksman's Reserve would never reach the numbers that had been projected by the *New York Times* and others, but it did offer the NRA one more prerogative in the Association's growing influence. In addition to the development of the rules by the NRA and their dissemination by the Association, the plan specified that "(A)ll sheets will be forwarded to Lieutenant Albert S. Jones, Secretary of the National Rifle Association of America,

¹¹¹ An alternative to field ammunition would be to distribute bullets, primers, casks of gun powder, and empty shell casings to soldiers. The soldiers would then be responsible for loading their own shell cases with lead bullets and an appropriate amount of gun powder.

¹¹² "National Marksman Reserve," *Field and Stream: A Journal of Outdoor Life*, September 4, 1904.

Washington, D.C., not later than December 1st in each year, who will tabulate them and forward to the Adjutant General of the United States Army."¹¹³

It is important to note a distinction between the NRA-affiliated rifle clubs that were being developed with the support of the Board and those that the National Marksman's Reserve developed. The former would be supported through collective activity much like the nineteenth century social milieu of the state militia. The Reserve, in contrast, was an individual activity, granting recognition to those marksmen who achieved a designated level of expertise. Undoubtedly, most of the men who chose to participate in the Reserve program were also members of rifle clubs. However, with the recognition of each as an individual connected to the NRA, the Association's grassroots movement moved beyond the collective entity of the clubs to individual connectivity and recognition. This differentiation between individual and collective membership is also seen in the fortunes of the NRA. NRA membership at the end of the nineteenth century was not as large as the Association had hoped. At the beginning of the twentieth century there were almost one hundred life members and hundreds of annual members whose numbers continued to grow, albeit slowly. Conversely, at the same time, there were less than forty rifle clubs affiliated with the NRA, and that number continued to shrink until 1904. If anything, the apparently dwindling fortunes of the Association only generated more interest in finding means of support.

The NRA received a considerable endorsement in a long article about the Board promoting rifle practice and offering that "the NRA should, it would seem, establish a

¹¹³ *War Department Circular No. 20, "National Marksman's Reserve," in Compilation of General Orders, Circulars and Bulletins of the War Department (Washington, D.C.: Government Printing Office, 1904). An appendix containing changes nos. 1 to 9 was issued between February 15, 1881 and December 31, 1915. In this instance "sheets" referred to the targets and score sheets used during competitions.*

corresponding secretary in each state with whom and through whom matters can be taken up and assistance rendered in the matter of enlisting the public press in disseminating information regarding the aims of the Government and the NRA."¹¹⁴ The Association had already begun to realize some success at the state level as reported in its 1905 annual report covering the year ending on December 31, 1904. The Association secretary reported under "Affiliated Organizations" that the "past year had been the most successful in this regard." His report included twenty new organizations, two of which were state associations, twelve military and six civilian. In conclusion, he noted that there were now fifty organizations that were "within the jurisdiction of the National Association. There are at least a dozen civilian clubs which stand ready to affiliate as soon as the rifle clubs bill passes Congress."¹¹⁵ The importance of the state associations as a critical link in the power that would later be wielded by the National Association was understood by the secretary who wrote that "(T)here is nothing that stimulates rifle shooting in a State more than an active State association."¹¹⁶

Though temporarily distracted during the successful completion of the second National Trophy match in September of 1904, "(A) National Board meeting has been called for Oct 22, 1904 to be held at the War Department, Washington D.C." At the previous meeting, the Board had "adopted a plan for the formation of a National Marksman's Reserve, including the encouragement of rifle practice in the National Guard."¹¹⁷ The *Journal* reported that the Board's agenda for the coming meeting included following up on the previous efforts and that a desired

¹¹⁴ "National Rifle Association," *Shooting and Fishing*, August 11, 1904, 347-348.

¹¹⁵ NRA, *Report of the National Rifle Association of America for the Year 1905* (Passaic, NJ: Daily News Printers), 15. Hereafter abbreviated as *NRA Annual Report for 1905*. The bill referenced here is Public Law 58-149 of 1905 which would, when passed, authorize the sale of government rifles and the provision of ammunition to NRA-affiliated clubs. This law is addressed later in this chapter in the section on legislation.

¹¹⁶ *NRA Annual Report for 1905*, 16.

¹¹⁷ Untitled article, *Army and Navy Journal*, October 8, 1904.

"first step in this direction" would be to request an "appropriation of one million dollars per annum for five years to be expended under the direction of the Secretary of War for the providing of ranges, their equipment and maintenance."¹¹⁸ The *New York Times* was more direct. In an article that included "\$5,000,000 for Ranges" in its title, the paper suggested that "what will probably be the most important meeting of the National Board for the Promotion of Rifle Practice since that body was organized will be held at the War Department on Saturday next." The article went on to repeat an earlier prediction that "if the plans of the National Board are followed out this country will in a few years possess an army of from 500,000 to 1,000,000 qualified marksmen."¹¹⁹

The National Board for the Promotion of Rifle Practice held its next meeting in the District of Columbia. "(A)s the National Board and the National Rifle Association are jointly interested in the subject of promoting rifle practice, the Board of Directors of the National Rifle Association held a meeting the same evening at the Arlington Hotel."¹²⁰ The NRA Board of Directors discussed and decided "to recommend to the National Board that in all military matches, the conditions which call for 'any' military rifle, rifles that have been viewed and stamped by the National Rifle Association may be used."¹²¹ The National Board subsequently adopted a resolution "so that in all matches where 'all military rifles' are permitted, the rifle viewed and stamped by the N.R.A. may be used unless otherwise specified in the conditions of

¹¹⁸ Ibid.

¹¹⁹ "Plans a Great Army of Expert Marksmen," *New York Times*, October 17, 1904. A July 31, 1904 *Times* article had projected that the Marksman's Reserve would generate "1,000,000 efficient soldiers."

¹²⁰ "Promotion of Rifle Practice," *Army and Navy Journal*, October 29, 1904.

¹²¹ *NRA Annual Report for 1904*, 14.

the match."¹²² Stamping of the rifles occurred after an inspection confirmed that the rifle met the standards prescribed for the U.S. service rifle. This precluded a repeat of the advantage that had accrued to the New York National Guard when, during matches in the 1890's, they chose to use a weapon with greater accuracy than the standard service rifle. Granting the NRA this "certifying" authority was one more step in the ever-increasing authority of the Association.

5.6 Permanence through Legislation

In October 1904, the *New York Times* projected that Congress would make provision at its next annual session for a large annual appropriation to be devoted to the purchase of ranges, the equipment of ranges, and ammunition in accordance with plans drafted by the National Board.¹²³ The editor of the *Times* was aware of the growing strength of the nation's marksmanship program and while the projection of a large appropriation was accurate, the timing was off as Congress would provide only limited support for the 1906 fiscal year. However, while 1903 and 1904 had been building years that saw the Board and its relationship with the NRA develop and mature, 1905 and 1906 would begin to initiate permanence through legislation that promised financial security. The NRA had been assigning various individuals responsibility to lobby Congress since Secretary Jones had published his legislative action plan in early 1902. The first success, the appropriation for a national trophy, was part of the Army's

¹²² "Promotion of Rifle Practice," *Army and Navy Journal*, October 29, 1904. The *NRA Annual Report for 1905* includes an extended discussion of this issue, to include the assignment of the Sea Girt armorer as "inspector for the National Rifle Association, to view and stamp rifles covered by the new regulations," 14.

¹²³ "Money for Riflemen: Congress Probably will Make Appropriations for Ranges and Equipment," *New York Times*, October 17, 1904.

fiscal year 1904 Ordnance Department budget.¹²⁴ The next effort began in early 1904 when the NRA sought an appropriation of "\$50,000 for the expenses of rifle teams attending the National match, \$20,000 for the building of a rifle range at Fort Riley (Kansas) and \$3,000 for the expenses of the National Board." Success remained elusive and "(I)n committee the amount was cut down to \$10,000 and tacked on to the appropriation for rifle ranges and practice of the regular army."¹²⁵ In 1904, Congress also considered the provision of government arms and ammunition for rifle clubs. NRA and congressional activity increased in 1905 as Congress considered increases to the Army budget for marksmanship as well as an increase in the annual militia appropriation for the purpose of improved rifle practice. Success would be recognized when the 1907 fiscal year budget that was signed by President Roosevelt included a large appropriation for rifle practice.

At the close of 1903, the first year of its existence, the National Board—and the NRA—sought access to military arms and ammunition for rifle practice and the direct appropriation of funds for range construction, the expense of competition, and the management of rifle clubs. The first success, the sale of rifles and the provision of ammunition to NRA-affiliated rifle clubs, was included in the Army's fiscal year 1906 budget. As discussed earlier, this effort was initiated by Congressman Dick in early 1904 but delayed with the adjournment of Congress. On March 15, 1904, Congressman Dick, General Spencer, and General Harries "called on President Roosevelt...to secure his approval to the proposed legislation. He not only most heartily gave

¹²⁴ Appropriations for the National Board would remain a part of the Army budget until 1996 when it was dissolved by Congress and replaced by the *Corporation for the Promotion of Rifle Practice & Firearms Safety* (CPRPFS). That organization is today located at National Guard Base, Camp Perry, Ohio, the home of the annually conducted national rifle and pistol matches.

¹²⁵ *NRA Annual Report for 1905*, 20. This appropriation was authorized as part of the FY1905 budget, which would run from July 1, 1904 through June 30, 1905. October 1 did not become the first day of the government's fiscal year until 1976.

his endorsement to the same but said he 'hoped to see the day when there would be a prosperous rifle club in every county and hamlet in the country; that if he had any fault to find, it was that it did not go far enough."¹²⁶ Even with the President's endorsement, Congressman Dick's bill remained stalled in committee at the close of the legislative session.

The bill lingered in committee for almost an entire year but on the day before the House was to adjourn on March 3, 1905, Congressman Morrell of Pennsylvania requested that the bill, which had yet to be reported out of committee, be given "unanimous consent (by the House) and that the Committee on the Militia be discharged from further consideration."¹²⁷ Had the bill not been considered by the House before adjournment, it would have been too late to secure an appropriation for the coming fiscal year which began July 1, 1905.

The bill "to promote the efficiency of the reserve militia and to encourage rifle practice among the members thereof," was read to the House for their consideration. Section 1 of the bill authorized the Secretary of War to sell rifles "not necessary for the Army and the organized militia, for the use of rifle clubs formed under regulations prepared by the national board for the promotion of rifle practice." Section 2 authorized the sale of "ammunition, ordnance stores and equipments of the Government standard at the prices at which they are listed for the Army." The proposed legislation went on to assign approval of the regulations under which each club would be controlled to the Secretary of War and the requirement that the results of rifle practice to "be filed in the office of the Military Secretary of the Army." Though the 58th Congress was scheduled to adjourn the following day, the submission of a bill without a committee report was challenged by Congressman Livingston of Georgia who requested an

¹²⁶ *NRA Annual Report for 1905*, 23.

¹²⁷ *Cong. Rec.*, 58th Cong., 3d sess., 1905, 39: 3975.

explanation of the bill asking, "why it was not reported from the committee?" Congressman Morrell explained that an "objection raised by the chairman of the Committee on Military Affairs" had been disposed of in an interview with the Chief of Ordnance" and that the bill was "very strongly recommended by the Senate Committee, the Assistant Secretary of War, the governors of several states and the national board for the promotion of rifle practice." Subsequent debate noted that the rifle clubs were voluntary organizations and that they were "authorized by the governors of the different States."¹²⁸ There were no further objections, and after a final reading of the bill, it was passed by the House.

The NRA had recognized that if they could find a way to support grassroots organizations across the country then they would be able to create a national constituency. To do that, the Association sought to realize the sale, at cost, of surplus arms, ammunition and related equipment to rifle clubs that met the requirements specified by the Board and approved by the Secretary of War.¹²⁹ This goal was met when President Theodore Roosevelt signed Public Law 58-149 of 1905, "An Act: To promote the efficiency of the reserve militia and to encourage rifle practice among the members thereof" which authorized the "Secretary of War ...to sell...rifles belonging to the United States for the use of rifle clubs formed under regulations prepared by the national board for the promotion of rifle practice."¹³⁰ With one-third of the Board's members being trustees of the NRA, it was as noted by Osha Davidson, "not

¹²⁸ *Cong. Rec.*, 58th Cong., 3d sess., 1905: 3976. Rifle Clubs here refers to private organizations that practiced their skill but were not members who participated in parades as Presser had attempted in Illinois. See *Presser v. State of Illinois*, 116 U.S. 252 (1886) which decided the issue of marching in public with a rifle club without the authority of the governor.

¹²⁹ Here again we see an echo of the original recommendations from the NRA to Secretary Root.

¹³⁰ *Militia Act of 1905*, Public Law 149, 58th Cong., 3d sess., *Congressional Record* (1897-1905): 986-987. Reference to this Act found in William C. Wooldridge, Assistant to the General Counsel, Secretary of War, "Memorandum for the Record," January 29, 1973, Box 29, CMP Archives.

hard to see the NRA's invisible hand at work behind the 1905 passage of the Public Law."¹³¹ Actually, the hand was not invisible at all. Department of the Army General Order No. 53, signed March 23, 1904, directed that the "National Rifle Association be requested to prepare suitable by-laws for affiliated clubs" and to manage rifle practice throughout the country and what better way to do that than to offer military arms and ammunition to the nation's rifle clubs?¹³² Furthermore as discussed on pages 36 and 37 of this chapter, War Department Circular 29 of July 15, 1904, directed that the National Rifle Association be permitted to purchase at cost such amount of field ammunition as may be required for resale to its affiliated organizations; that the National Rifle Association should, it would seem, establish a corresponding secretary in each State, with whom and through whom matters can be taken up and assistance rendered in the matter of enlisting the public press in disseminating information regarding the aims of the Government and the National Rifle Association; and that the National Rifle Association be authorized by law to use the mails under the usual franking privilege.¹³³

Davidson was not alone in his assessment of the NRA during the early decades of the twentieth century as noted in Chapter 1 of this dissertation. Historians Kennett, Anderson, and Gilmore and political scientist Spitzer identified the NRA as a spokesman for other groups rather than its own small organization.¹³⁴ Leddy, through his social science lens, saw the NRA as a small, but effective advocate based on legal and technical expertise.¹³⁵ Possner and Lefave suggested that the NRA grew as a part of America's desire to embrace the structure and culture

¹³¹ Osha Gray Davidson, *Under Fire: The NRA and the Battle for Gun Control* (Iowa City: University of Iowa Press, 1998), 27.

¹³² Army General Order 53 is outlined on pages 33 and 34 of this chapter.

¹³³ See 214n112.

¹³⁴ See 26n60, 29n67, and 30n71 of this dissertation.

¹³⁵ See 27n64 and 28n66 of this dissertation.

of a more militant society.¹³⁶ Each of these and other scholars made excellent points about the early NRA, but none fully acknowledged that the Association was small and seeking a means through which it would grow. The NRA remained in New York until the end of the first decade of the twentieth century. It did not have an official organizational publication until 1916 and until 1925 the NRA secretary also served as the recorder for the National Board for the Promotion of Rifle Practice.

The discussions of this legislation on the floor of Congress included that the “practice of the rifle clubs herein provided shall be carried on in conformity to regulations prescribed by the national board for the promotion of rifle practice.”¹³⁷ This, of course, meant participation as members of NRA-affiliated rifle clubs. One year later, *Shooting and Fishing* would report that “The passage of the Dick Act entitled, 'An Act to increase the efficiency of the militia and promote rifle practice,' marks the end of a campaign which has been carried on for the past two or three years to obtain a suitable appropriation from Congress for the promotion of rifle practice.”¹³⁸ This 1905 reference to the National Board for the Promotion of Rifle Practice appears to be the first time the Board was referred to on the floor of Congress with the title that would recognize a formal institution that had been established by precedent rather than statute. In that position the Board was a political rather than a legal organization and would remain so until its responsibilities were transferred out of the Government by Congress in 1996. Though the Congress would continue to control the Army budgets, the money that was spent

¹³⁶ See 31n73 of this dissertation.

¹³⁷ *Cong. Rec.*, 58th Cong., 3d sess., 1905, 39: 3975.

¹³⁸ “The Promotion of Rifle Practice,” *Shooting and Fishing*, July 5, 1906, 1. This “Dick Act” to promote rifle practice, should not be confused with the Dick Act of 1903 that federalized the militia and is discussed in Chapter 4.

by the NRA in the name of the Board for the Promotion of Rifle Practice was clearly politically motivated.

In keeping with the plans that had been developed by NRA Secretary Jones, the Association's annual report, published in January 1905, included the draft of proposed legislation in addition to the request for arms and ammunition.¹³⁹ The congressional friends of the NRA were not easily deterred even though other bills remained stalled in committee and were not achieving hoped-for success. Accordingly, a new bill was "introduced simultaneously in the House of Representatives by General Dick and in the Senate by Senator Proctor."¹⁴⁰ This bill "To Encourage Rifle Practice and Excellence in Marksmanship Amongst Citizens of the United States, so as to Render Them Quickly Available for Efficient Service in Time of War" proposed the appropriation of \$1,000,000 for a wide array of support for rifle practice "in conformity with the regulations to be prescribed by the National Board for the Promotion of Rifle Practice, and approved by the Secretary of War." Just as it had taken a full year for Congressman Dick to gain passage of Public Law 58-149, it would take another year for this latest effort. The bill "to encourage rifle practice" was moved to committee in both houses as the legislative sessions for the 58th Congress came to a close in the spring of 1905.

During the opening session of the 59th Congress, Senator George S. Nixon from Nevada presented a petition from the legislature of Nevada praying for the enactment of legislation to encourage rifle practice and marksmanship. "Congress has under consideration bills appropriating \$1,000,000 annually as proposed by the national board for the promotion of rifle

¹³⁹ This is a repeat of earlier comments that discussed the annual report in more detail in the section "The NRA Moves Up," 33-38.

¹⁴⁰ *NRA Annual Report for 1905*, 20.

practice, such proposed appropriation being intended for use in the encouraging of rifle practice and excellence in marksmanship among the citizens of the United States, so as to render them quickly available as efficient soldiers in time of war."¹⁴¹ Nixon's proposal was referred to the Committee on Military Affairs. It is significant to note that the reintroduction of the subject of rifle practice came from a western state that was far removed from the National Guard and the NRA eastern establishment. Nixon's introduction would begin a series of debates that would culminate with the passage of legislation vital to the NRA. Furthermore, as the debates came to a close, Congress would become clearly aware of the breadth to which the influence of the NRA had expanded in its efforts to become the nation's chief proponent for marksmanship.

On December 12, 1905, now Senator Dick from Ohio introduced Senate Bill 1442 (S. 1442) "to increase the efficiency of the militia and promote rifle practice," which was referred to the Committee on Military Affairs.¹⁴² The following day, Congressman Edward de Veaux Morrell from Pennsylvania introduced the same bill in the House of Representatives, (HR 7136).¹⁴³ One week later, Congressman Henry Allen from New Jersey used the same language to introduce a bill (HR 9724) which recommended the organization of a "national reserve of marksman to encourage rifle practice and excellence in marksmanship among citizens of the United States so as to render them quickly available for efficient service in time of war."¹⁴⁴

The debate over rifle practice continued at the beginning of the New Year.

Congressman Lucius Littauer, a member of the House Committee on Appropriations from New

¹⁴¹ *Cong. Rec., Senate*, 59th Cong., 1st sess., 1905, 40: 268.

¹⁴² *Cong. Rec., Senate*, 59th Cong., 1st sess., 1905, 40: 326. Dick had been appointed to the seat formally held by the recently deceased Senator Mark Hanna.

¹⁴³ *Cong. Rec., Senate*, 59th Cong., 1st sess., 1905, 40: 364.

¹⁴⁴ *Cong. Rec., House*, 59th Cong., 1st sess., 1905, 40: 662.

York, reminded his contemporaries that "the Army Act of 1903 carried an appropriation for national trophy prizes...but did not provide for expenses contingent to carrying on competition." He went on to explain that since that time the War Department has completed a range of its own, and all contingent expenses are now cared for out of various Army appropriations."¹⁴⁵ The debate, beginning with Senator Dick's bill, S. 1442, was about an increase in the efficiency of the militia and should not be confused or conflated with requested Army appropriations. While both fell within the purview of the Secretary of War, Dick's bill supported state forces, referred to as militia or National Guard, and Littauer was referring to the regular Army, a purely federal force with no state affiliation. Appropriations for both are discussed to illuminate the difference sources of funding, the focus placed on rifle practice by the Congress, and the results of the NRA's lobbying campaign.

As a means of providing context to the ongoing debate, Congressman John A. Hull from Iowa, who was the Chairman of the House Committee on Military Affairs, reminded the House that parties interested in marksmanship had come to the Military Committee in 1903 and had only asked for an appropriation for medals to be competed at a regular annual rifle meet.¹⁴⁶ Considerable debate about the government providing ranges was eventually summarized by Congressman Hull. His comments noted the lack of government ranges and the use of the range at Sea Girt, which was supported by the New Jersey National Guard Association, not the federal government. He also pointed out that the original \$2,500 appropriation was not intended to pay for ranges. Addressing the pending appropriation for ranges, he posited that

¹⁴⁵ *Cong. Rec., House*, 59th Cong., 1st sess., 1906, 40: 1381.

¹⁴⁶ Hull held the Chairmanship of the House Committee on Military Affairs from the 54th to the 61st Congress, 1896- 1911.

"(I)f you pass this appropriation it will be an entering wedge for other appropriations for the last two years to pay the expenses of conducting the shoot. I do not know that I would object to doing that, but I want to do it openly and aboveboard, knowing what we are doing."¹⁴⁷ After minor interruptions, Hull continued, "(L)et them come before Congress and give the reasons why we should pay those expenses, and let congress determine whether to do it or not." There is certainly justification to speculate as to whether or not the NRA might have survived the exposure that would have occurred should they have been required to come before Congress and request funds to support rifle clubs, but that did not occur, and the NRA continued to receive support as a War Department surrogate. In this way the NRA was able to leverage its position as what William Kennett would refer to as a "quasi-government" agency in order to build a nationwide network of rifle clubs. Funding for that effort would come from Congressmen who, in response to constituents and with the help of words crafted by men like General Milton Reckord, passed budgets that continued to increase support to improve the marksmanship skills of America's young men and women.¹⁴⁸

Congressman J. Swager Sherley, a member of the opposition party from Kentucky, did what he could to derail the rifle practice initiative, which was soon to become an important component of President Roosevelt's agenda. Likely to the chagrin of his Republican colleagues, Sherley called "the committee's attention to the fact that such an amendment was offered last session and objected to (at that time) on the grounds that it should go before the Committee on Claims. It seems to me this is the same character of a claim and ought to go there, as the

¹⁴⁷ *Cong. Rec., House*, 59th Cong., 1st sess., 1906, 40: 1381.

¹⁴⁸ General Reckord's role is addressed in Chapter 7 of this dissertation.

other did."¹⁴⁹ Sherley and his Democratic allies from New York were challenged by Littauer and Congressman James R. Mann, Republican from Illinois, who successfully kept the pending request from being sent to another committee.¹⁵⁰ Three days later, another state entered the fray when Congressman Knute Nelson, a Republican Senator from Minnesota, submitted a petition "praying for the enactment of legislation to increase the efficiency of the militia and promote rifle practice," which was also referred to the Committee on Military Affairs.¹⁵¹ During the last week in January and the first two weeks in February, the House continued to address the issue of rifle practice and proper compensation for the National Board. In support of his Republican allies in Congress, the Secretary of War entered the debate with correspondence recommending favorable consideration of both initiatives.¹⁵²

While Representatives and Senators debated compensation for the National Board and the construction of ranges, the specter of an old issue resurfaced in a new costume. That issue was the size of the nation's standing army and the steps that would be necessary to avoid the maintenance of a large force when the country was at peace. Much of the debate encompassed discussions of the nation's young men moving from the country to the city, where the use of a rifle was foreign. Congressman James L. Slayden, Democrat from Texas suggested that "an army of 50,000 men, all of whom know how to handle their weapons and to fire with accuracy, are more useful to the country in a crisis than twice that many men would be who are unfamiliar with the use of a gun."¹⁵³ Slayden then requested that the clerk read an article written by Major General L.M. Openheimer of the Texas National Guard that had

¹⁴⁹ *Cong. Rec., House, 59th Cong., 1st sess., 1906, 40: 1382.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Cong. Rec., House, 59th Cong., 1st sess., 1906, 40: 1585.*

¹⁵² *Cong. Rec., House, 59th Cong., 1st sess., 1906, 40: 1657, 2271, 2412.*

¹⁵³ *Cong. Rec., House, 59th Cong., 1st sess., 1906, 40: 3090.*

recently appeared in the *Army and Navy Journal*. Openheimer's article explained that the weakness of National Guard reserve was a lack of target practice and that "(W)e must learn to discriminate between the essential and nonessential in training...the essential is target practice...the nonessential is everything else." He used the strength of Southerners in the Civil War as an example by pointing out that "the proficiency of the average Confederate in rifle practice was naturally greater than that of the average soldier in the Federal Army." To further support his argument, he suggested that the "Boer War demonstrated the results of efficiency in rifle practice....hence it required many times their number to subdue them, because the Boers were better shots than their enemy."¹⁵⁴ The debate continued, stressing the need to prepare marksmen before they were called to service, again using the country background of the Confederate soldier and the marksmanship skills of the Boers.

In March and April, the pace of Congressional debate began to accelerate. The new fiscal year began on July 1st, and a failure to enact legislation before that time meant that funding would be delayed a full year. Congressmen from Ohio and Alabama pressed for compensation for members of the National Board and petitions to "increase the efficiency of the militia and to promote rifle practice" were submitted by Congressmen from Colorado, Indiana, and North Dakota.¹⁵⁵ As with similar earlier initiatives, funding for the National Board

¹⁵⁴ "The National Guard as a Reserve," *The Army and Navy Journal*, December 6, 1905 inserted in the *Cong. Rec., House*, 59th Cong., 1st sess., 1905, 40: 390-91.

¹⁵⁵ Congressman Madden of Illinois speaking to the Committee on Military Affairs on March 1, 1906, 59th Cong., 1st sess., *Cong. Rec., House* 40: 3239; Congressman Keifer of Ohio and Congressman Underwood of Alabama speaking to the Committee on Military Affairs on March 16, 1906, 59th Cong., 1st sess., *Cong. Rec., House* 40: 4350; Congressman Teller of Colorado speaking to the Committee on Military Affairs on March 29, 1906, 59th Cong., 1st sess., *Cong. Rec., House* 40: 4428; Congressman Hemenway of Indiana speaking to the Committee on Military Affairs on April 6, 1906, 59th Cong., 1st sess., *Cong. Rec., Senate* 40: 4831; Congressman McCumber of North Dakota speaking to the Committee on Military Affairs on April 13, 1906, 59th Cong., 1st sess., *Cong. Rec., Senate* 40: 5206.

and the three militia petitions were referred to their respective military committees for consideration.

In the Senate, the Ordnance Bill in the Army's budget was used to compensate the National Board as it had been used to provide the funds for the original national trophy. "That the following sum be, and the same is hereby, appropriated...to pay under the direction of the Secretary of War the actual expenses of members of the National Board for the Promotion of Rifle Practice incident to attending official meetings of said board" during the fiscal year ending June 30, 1903, 1904, and 1905 the sum of \$2,162.¹⁵⁶ This action had been taken, partially in response to Secretary of War Root's earlier request; "I wish very much that you would make a moderate appropriation which the board can use under the direction, under the approval, of the Secretary of War, for the promotion of rifle practice generally, so that rifle practice can have some stimulus to it."¹⁵⁷

On Tuesday, May 22, Senator Hemenway from Indiana announced that "on Thursday...I shall move that the Senate proceed to consideration of the bill S. 1442 to increase the efficiency of the militia and promote rifle practice."¹⁵⁸ A full week later, he finally requested that the Senate consider S. 1442, but the Senate moved on to other business without action on his request. A short six weeks from the end of the fiscal year, funding had yet to be approved. On June 14, Hemenway rose and addressed the Vice President, "I ask unanimous consent for the consideration of the bill to increase the efficiency of the militia and promote rifle practice. It is a

¹⁵⁶ *Cong. Rec., House*, 59th Cong., 1st sess., 1906, 40: 6263. Passage occurred on May 29 in the Senate (*Cong. Rec.*, 7663) and June 5 in the House (*Cong. Rec.*, 7878).

¹⁵⁷ Excerpts from a hearing before the House Committee on Military Affairs in January 1904. Reprinted in Root, *Military and Colonial Policy*, 484. Congress responded to the Secretary's request in budgetary action implemented in June 1906. Those actions are discussed below.

¹⁵⁸ *Cong. Rec., Senate*, 59th Cong., 1st sess., 1906, 40: 7234.

bill that comes by unanimous report from the Committee on Military Affairs. It is a short bill, and, I think, will give rise to no discussion."¹⁵⁹ After second and third readings, the bill was passed without amendment.

The requested appropriation did not pass so easily in the House where it was challenged by Congressman Sereno Payne, a Republican from New York, who questioned the inclusion of an annual two million dollar appropriation, which was twice the extant appropriation. While Payne supported the militia, his concern was for the financial growth, asking "what necessity is there for doubling this appropriation?" In response, Congressman Morrell asked the clerk to read a January 18, 1906 letter from the War Department. The letter noted the distinction between the budgets for the Army and the militia and pointed out that "this measure removes limitations upon the use of the appropriation which have proved unreasonably restrictive, and provides for its use in the promotion of rifle practice, which is a most important feature in promoting the efficiency of the militia." The letter from Secretary of War, William H. Taft continued, "(T)his measure has the unqualified endorsement of the Interstate National Guard Association." Though Taft's letter had not addressed Payne's concern directly, Morrell pressed the issue by adding to the record that "I have letters... from the adjutant-generals of all the States directed to different members of Congress of the different State delegations calling attention to the importance of this bill, particularly as far as promotion of rifle practice is concerned."¹⁶⁰

The debate continued with Congressman James A. Tawney, Republican from Minnesota asking why the militia bill was not a part of the Army appropriation. Morrell deferred to

¹⁵⁹ *Cong. Rec., House*, 59th Cong., 1st sess., 1906, 40: 8453.

¹⁶⁰ *Cong. Rec., House*, 59th Cong., 1st sess., 1906, 40: 8714.

Congressman Hull, Chairman of the House Militia Committee, who responded that the "reason for it is to my mind very plain...the Army is created by Federal law and maintained by the War Department. The militia is primarily a State force...primarily the police force of the State." Hull pointed out that the federal government had provided support to the militia since the early nineteenth century, but with the country's growth it "would be impossible...for the War Department to submit estimates to Congress (for each state) in time for action each year." Recalling earlier debates on the size of the military force, Hull pointed out that America had a small Army and that "by having a well-trained militia force the expense of the regular military establishment will be decreased and the necessity for increasing the number except in time of war will be obviated."¹⁶¹ Whether or not Congressmen Payne and Tawney were satisfied, the bill was approved by the House and on June 25, 1906 President Roosevelt signed "An Act to increase the efficiency of the militia and promote rifle practice," which included a two million dollar appropriation.

During the debate of the militia bill, no less than ten states had submitted petitions in its support. The growth of rifle clubs and state associations along with the emphasis NRA secretary Jones had placed on contacting respective congressional delegations had proven to be successful. The first real test of the grassroots organization that was being built by the NRA had helped to double the appropriation for the militia, and more importantly, had placed the importance of rifle practice at the very forefront of the approved funding. Rifle practice was a nationwide issue and it was so, in part, because the NRA had been able to mobilize nationwide support.

¹⁶¹ *Cong. Rec., House, 59th Cong., 1st sess., 1906, 40: 8714.*

Rifle practice and the support of rifle clubs were also issues for the regular Army, and the budget that was passed by the 59th Congress reflected such. Approved on June 12, 1906, almost two weeks before the President signed the militia bill, the Army budget for "Shooting Galleries and Ranges" included one hundred thousand dollars "for small arms target practice...to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War."¹⁶² Another one million dollars was appropriated to purchase ammunition, targets, and other accessories for small-arms target practice and instruction, marksmen's medals, prize arms, and insignia for all arms of the service. Consistent with the precedent that had been set with the Army's 1904 budget, this budget included funding for the National Trophy and Medals for Rifle Contests. The new budget authorized five thousand dollars for the trophy matches and the promotion of rifle practice to be expended under direction of the Secretary as well as the aforementioned authorization for the reimbursement of the National Board's actual expenses.

5.7 Conclusion

The leadership of the new NRA, in consonance with the leadership of the National Board, reaped the benefits of federal dollars and legislative support to continue improving the nation's growing marksmanship programs. At the same, those legislative efforts helped increase the size and scope of the organizations that were affiliated with the NRA. While increases of over fifty percent can be seen in all categories, attention is drawn to "First Class" or

¹⁶² U.S. War Department, Adjutant General's Office, "General Order 115," in *General Orders and Circulars* (Washington: Government Printing Office, 1907), 23-30. General Order 115 was the Army budget of fiscal year 1907, beginning July 1, 1906 through June 30, 1907.

state associations. Because of the connectivity between the NRA and the National Guard, state NRA associations were invariably led by leaders of the state National Guard - the Adjutant General or members of his staff. The Adjutant General was a political appointee of the governor who had obvious ties to the state political machinery. There are no better examples of this than the numerous members of the NRA Board of Directors, who were also members of the National Board for the Promotion of Rifle Practice while holding the office of Adjutant General in their respective states. Furthermore, the tradition begun by General Spencer, who also served as the NRA President, would be carried on by his successor, General James Drain, the Adjutant General from Washington and again after World War I when General Milton Reckford, the Adjutant General from Maryland served as the President of the NRA. The first four years of the existence of the National Board left the NRA well-funded at the federal level and well-established in the state capitals. Those positions also helped grow the affiliated organizations that provided grassroots support beyond the state capitals. That growth and the NRA's transitional focus from marksmanship to politics is discussed in Chapter 6.

The growth of the NRA through the multiplication of its affiliated organizations, which were so important to its future, is provided in the following chart.

Table 5.1 Growth of the National Rifle Association Affiliated Organizations

Year	Civilian	Military (All NG)	First Class	Second Class	Third Class/Rifle Clubs	Fourth Class	Fifth Class
1902	9	15					
1903	17	21					
1904			5	16	14/12		
1905			7	25	15/28		
1906			12	35	23/47		
1907			21	56	28/60	6	15

- All data is from NRA Annual Reports based on December 31 of the year cited.
- Civilian - Rifle clubs without military affiliation
- Military - Rifle clubs with National Guard affiliation
- The NRA created three classes of affiliated membership for the 1904 report. *First class* were state associations, *second class* were regimental size affiliations, and *third class* were battalion and lower, independent companies and unaffiliated rifle clubs (formally civilian clubs).
- The NRA created two additional classes for the 1907 report. *Fourth class* members were colleges and universities and *fifth class* members were high schools.¹⁶³

Donald Lefave, in his 1971 doctoral dissertation, wrote that in “1903 a legislative effort closely related to the Militia Act (of 1903) created the National Board for the Promotion of Rifle Practice, established annual National Rifle and Pistol Matches and provided transportation funds for competing teams.”¹⁶⁴ More accurately, legislative action had funded “national trophy and medals and other prizes to be provided and contested for annually,” but had created nothing. The creation of the Board was an effect of the 1904 appropriation that was

¹⁶³ The data in these tables was extracted from NRA *Annual Reports*, 1902-1907.

¹⁶⁴ Lefave, “The Will to Arm,” 35.

developed and implemented by the Secretary of War with the recommendations of NRA President General Bird Spencer. Accordingly, both the Board and the matches bore the fingerprints of the NRA. The construction of the Board, in accordance with the War Department Circular of March 31, 1903, led General Spencer to speak of the NRA as a “medium of the War Department” in the January 16, 1904 executive board meeting. That meeting concluded with plans to submit a request for a Congressional Charter for the NRA, which was an action that was subsequently endorsed by the NRA Executive Board, but it was never submitted to the government for consideration.¹⁶⁵ There would be no need for the Association to hold a Congressional Charter once the Board for the Promotion of Rifle Practice assigned the responsibility for creating and maintaining the nation's marksmanship programs to the NRA.

¹⁶⁵ Sandusky, “Working Papers,” 11.

Certificate Issued with Viewed Military Rifles by the
National Rifle Association of America.

*This is to Certify
that*

Rifle No. _____ Manufactured by _____
and presented for inspection by _____
has been viewed and stamped as it was found to comply with the requirements
and conditions as prescribed by the

National Board for the Promotion of Rifle Practice

and approved by the Secretary of War, October 22, 1904.
This rifle may be used in all matches where the conditions call for
"Any" military rifle and also for qualifying as a National Marksman

David W. Greener

President, N.R.A. of A.

Albert S. Jones

Secretary, N.R.A. of A.



Date _____
Inspector, N.R.A. of A.

Figure 5.1 Board Certification for Stamped Rifles

Washington, D. C., January 25, 1902.

Honorable Elihu Root,
Secretary of War,
War Department, Washington, D. C.

Sir—Referring to conversation had in your office by our Committee regarding the enlargement and scope of the National Rifle Association and its influence upon rifle practice generally in the country, we would wish to enlist the support of the United States Government in a movement that will bring the National Rifle Association more prominently before the country and stamp the proposed plan with the approval of the President and Secretary of War; and to that end the Association would wish that the President should appoint seven members of an Advisory Committee on Plan and Scope, said Committee to consist of fifteen members, including the President of the National Rifle Association, and seven other members to be appointed by him.

The duty of this committee would be to recommend plans for the enlargement of the influence of the National Rifle Association, bringing it more closely in touch with the country, to the end that we may arrive somewhere near the high standard of marksmanship achieved by some other nations.

As large a committee as this is suggested because of the advisability, if practicable, of having representation from different parts of the country, and it would seem that no more patriotic duty could be performed than through this opportunity offered to the members of this committee.

As the most important function to be performed by the National Rifle Association is the encouragement of rifle practice, and as some measure of expense must be incurred in connection with work of this kind, if results of any importance are to be obtained, exceptional facilities should be provided for the National Rifle Association, and its affiliated organizations, and to that end, if legislation does not already exist, it should be had, in order that the National Rifle Association may purchase arms and ammunition at cost.

Later, if circumstances seem to warrant it, legislation can be sought to permit of the issue of arms or ammunition on a more liberal basis.

Our committee are furthermore of the opinion that information should be sought, in case the department is not already in possession of such information, regarding the existing facilities for rifle practice possessed by the several states.

Figure 5.2 NRA President Spencer's Letter to Secretary Root, p. 1

There should be an earnest endeavor to make more uniform the method of rifle practice to be carried on hereafter, and to that end we would recommend the appointment of a Board of Officers, who should:

First—Ascertain what facilities exist.

Second—Make recommendation as to the kind of range target, etc., that would seem to be advisable, in view of the conditions of modern warfare.

Third—This Board should prescribe a uniform system for the qualifications of experts, marksmen, sharpshooters, etc.

Fourth—This Board should also report as to the points where ranges should be established, for the use of the National Guard and authorized rifle clubs, say during the next five years, with or without the assistance of the United States Government.

The Association will later urge assistance by the United States Government in the establishment of ranges, where proper facilities do not already exist.

We would also recommend that steps be taken to obtain accurate information as to the measure of assistance and encouragement given by foreign governments to individuals and organizations existing for the promotion of general rifle practice, to this end if necessary, the assistance of the military attaches to be enlisted.

We submit herewith a proposed addition to your appropriation bill of \$5,000, in accordance with our conversation of today.

We would summarize our recommendations as follows:

First—An Advisory Committee of fifteen, of whom seven are to be appointed by the President of the United States.

Second—Legislation to aid, if it does not already exist, to permit the purchase by the association of arms and ammunition at cost.

Third—Investigation and report by a Board of Officers on existing range facilities, conditions under which qualifications as marksmen, etc., shall be had, the kind of range target, etc., desirable, and where range facilities not now existing should be provided.

Fourth—That steps be taken to ascertain what the foreign governments do in the way of encouragement of rifle practice.

Fifth—An appropriation of ten thousand (10,000) dollars to be made for the encouragement of rifle competition between military organizations, to be expended under the direction of the Secretary of War.

Very respectfully,

(Signed) BIRD W. SPENCER,
President N. R. A. of America,
Chairman.

General Bird W. Spencer, N. J.,
General Geo. H. Harries, D. C.,
General Lawrason Riggs, Md.,
Mr. J. A. Haskell, N. Y.,
Major Jas. E. Bell, D. C.,
Committee.

Figure 5.3 NRA President Spencer's Letter to Secretary Root, p. 2

National Marksman's Reserve



(The third line of defense for the U. S. Army)

THE National Board for the Promotion of Rifle Practice having approved, by resolution, of the N. R. A. plan for a National Reserve of qualified riflemen, and the Secretary of War having also approved, the following conditions are hereby announced governing the qualifications:

1. All members of the National Rifle Association and of Affiliated Organizations are eligible to compete.
2. They must be citizens between the ages of 18 and 45.
3. The course will consist of twenty-one shots; five shots for record at 200, 300 and 500 yards; two sighting shots allowed at each range, which must be taken.
4. ~~ARM~~—The U. S. Magazine Rifle, caliber .30, or a rifle that has been viewed and stamped by the N. R. A. (See conditions page 5, paragraph 4, General Orders No. 53, War Department, March 23, 1904) on page 140 must be used. Ammunition, U. S. Service or private makes that come within the rules.
5. Entrance fee .25. Official score sheets can be secured from the Secretary of a local Affiliated Organization, or, if not a member of any local organization, direct from the Secretary of the N. R. A.
6. The score sheets of those who make a total score of 50 points at all ranges will be forwarded to the Secretary of the N. R. A., who will tabulate them and forward to the War Department. All those who qualify will receive a NATIONAL MARKSMAN'S BUTTON.

Figure 5.4 National Marksman's Reserve Circular No. 20

CHAPTER 6: SMALL CHALLENGES BUT SOLID GROWTH

The establishment of the NRA as an agency of the War Department with access to the federal budget made 1906 a banner year. For the NRA, 1907 brought new leadership that changed the Association's direction. The new path embraced educational institutions, thereby increasing the association's membership. New leadership and the ability to overcome challenges to the importance of rifle practice helped the NRA grow to become an integral part of the federal bureaucracy.

6.1 Introduction

Both the Board for the Promotion of Rifle Practice and the NRA would experience growing pains between 1907 and the end of World War I. From its inception in 1871, to include its renewal in 1900, the NRA's leadership had been centered between New York and New Jersey, first with George Wingate and then Bird Spencer. While civilian and National Guard clubs sprung up around the country, Wingate's success in suppressing efforts to start a new national organization had ensured that the leadership remained in the Northeast. The growing number of state associations and the increasing strength of the National Guard under the Militia Act of 1903 brought about a challenge to that leadership.

A change in leadership shifted some of the Association's focus, but it did not hamper efforts to expand the growth of rifle competition into educational institutions. Rifle clubs became a part of colleges and high schools across the country. An old problem, the value of individual aimed fire on the battlefield, briefly threatened the NRA's future but by the end of

World War I, the NRA was well established nationwide, anchored in the nation's capital, and ready to impact issues unrelated to the national trophy and marksmanship medals.

Congressional support, reflected in material and financial support for the NRA's rifle clubs, was encouraged by leaders in the federal government. Among those endorsing the NRA were the President and other government officials who offered public support through speeches, financial gifts, and lifetime membership. Thus encouraged, the NRA's role in the National Board became greater and the role of government officials in the leadership of the NRA increased. By the end of the second decade in the twentieth century, actions by the Secretary of War, through the Board, warranted the NRA's self-identification as a quasi-governmental agency.

6.2 New Leadership

The accomplishments of the NRA between General Spencer's meeting in Secretary Root's office in January 1902 and the close of 1906 had significantly raised the importance of rifle practice for many Americans.¹ Additionally, the federal budget for Fiscal Year 1907 included a large increase for rifle practice which suggested more interest from Congress. When the NRA met in January 1907, Association President Spencer presided over the Board of Directors meeting to discuss various business matters and to elect leadership for the coming year. The previous year had been a landmark year for the NRA's growth and though Spencer had no apparent desire to step down, there was some discord in the ranks. "The cause of the dissension in the association was primarily a feeling on the part of the Western and Southern

¹ Spencer's meeting with Root to ask for federal government support of a nationwide marksmanship program is discussed early in Chapter 5. The accomplishments referred to are those discussed in Chapter 5 that brought the NRA to national prominence.

members that the New York and New Jersey contingent, of which General Spencer was the recognized head, had failed to accord the members elsewhere in the country over a sufficient amount of consideration."² The leader of the western and southern members was Brigadier General James A. Drain, Adjutant General of the State of Washington and editor of *Arms and the Man*, which was the magazine that was destined to become the NRA's publication.

That destiny was set in motion with the death of W.C. Gould, the editor of *Shooting and Fishing*. Gould's death left the magazine without the leadership that had made that periodical the voice of the shooting world.³ There had been no official connection between the NRA and the magazine, but Gould's prominence in marksmanship circles had helped establish and lend credibility to the organization as it strove to gain a national footing. In 1906, General James A. Drain purchased *Shooting and Fishing* and changed the magazine's name to *Arms and the Man*. Drain was a lawyer and lobbyist and had been the leader of Washington's National Guard for several years. He remained the owner and editor of *Arms and the Man* until 1916 when he sold the magazine to the NRA for one dollar. "Seven years later, with the issue of June 1923, the magazine's name...was changed to *The American Rifleman*, the name it retains today."⁴ Former Secretary of War and now Secretary of State, Elihu Root, was familiar with what Drain had accomplished as reflected by the Secretary's consideration of the General for a South American consular position the previous year.⁵ Drain would be elected president of the NRA in 1907.

² "Spencer Loses Control of Rifle Association," *New York Times*, January 10, 1907.

³ *Shooting and Fishing*, first published in 1891, was the descendent of *The Rifle*, started in 1881. Both magazines were edited by Gould. Gould and the origin of the magazines are discussed in Chapters 4 and 5. Gould died in 1903.

⁴ James E. Serven, *Americans and Their Guns* (Harrisburg, PA: Stackpole Books, 1967), 180.

⁵ "Political Pot-Pie," *The Seattle Republican*, September 29, 1905.

General Spencer had served as the NRA's president since 1902 and had been present at its founding in the New York offices of the *Army and Navy Journal* in 1871. However, even his remarkable record of accomplishments was inadequate to avoid a change in leadership, brought on by the aforementioned dissension. At the Association's annual meeting in 1907, Ohio Adjutant General Critchfield offered this motion: "on behalf of numerous members of this organization, I wish to present the name of General Spencer for President and ask his unanimous election."⁶ The motion was seconded and then unanimously approved. Spencer thanked those present for their vote and "respectfully asked the board to accept his resignation." The board accepted Spencer's resignation, and moved on to nominate General George Harries and General James Drain for President.⁷ The election followed, and with the active support of NRA Secretary A. S. Jones, Drain was elected by a two to one margin, subsequently made unanimous. The Association's by-laws do not specify any term limits for its officers. Quite obviously, as mentioned earlier in this section, the growth of the western and southern components of the NRA engendered a desire to move the leadership positions away from the long-standing "Eastern establishment."

The election of the three vice-presidents followed, with Generals Critchfield, Riggs, and Mr. J. Amory Haskell, a senior executive at the DuPont Powder Company, being reelected to additional terms of office.⁸ It is worth noting that all three vice-presidents had been in office for several years, both Critchfield and Haskell dating back to the reorganization of the NRA in

⁶ NRA, *Report of the National Rifle Association of America for the Year 1907* (Passaic, NJ: Daily News Printers), 41.

⁷ General Harries was the commander of the National Guard for the District of Columbia.

⁸ Haskell continued to serve while also a senior executive in the Du Pont Powder Company, a conflict of interest that was not hidden from the NRA membership or the government. Du Pont was the leading company of those identified as members of the Powder Trust and Senator Du Pont served on several military committees in the Senate that had oversight over military spending. See William S. Stevens, "The Dissolution of the Powder Trust," *The Quarterly Journal of Economics* 27, no. 1 (November 1912): 202-207.

1902 when Spencer had assumed the Association's presidency. Drain made no obvious effort to remove the other members of the executive leadership team. Drain's assumption of the presidency was relatively smooth, but it brought with it more than a geographic shift. There would be a significant change in focus and purpose, partially underscored by the fact that Spencer had been New Jersey's Inspector of Rifle Practice, a position focused on marksmanship and training while Drain had been Washington's Adjutant General, a position connected with the political life of the Guard. Under Spencer's leadership, the NRA had grown through the enhancement of rifle practice, while under Drain's leadership politics and the Guard would become more important to the Association's expansion.

While Spencer's connections to the Secretary of War had helped create the National Board, he focused on rifle practice and avoided contentious political issues. His successor brought greater political acumen to the position as seen by his affiliation with the ammunition industry. With experience as the Chief of Ordnance for the National Guard for the State of Washington, Drain had also acted as a lobbying agent for companies who sold ammunition to the government. The Powder Trust, one trust that President Roosevelt did not attempt to disband, had a genuine interest in the decisions of the National Board for the Promotion of Rifle Practice, particularly as they might apply to the provision of government ammunition to the growing number of NRA-affiliated rifle clubs.⁹ This position was consistent with the President's belief that corporations that were engaged in interstate business would be controlled "not by judicial but by executive action, to prevent or put a stop to every form of improper favoritism

⁹ The Powder Trust was a collection of companies that provided ammunition and ammunition components to the U.S. foreign armed forces. They were led by the most powerful in their group, the Du Pont de Nemours Powder Company, one of the many components of the Du Pont chemical empire, originally founded in 1802 as a gunpowder mill.

or other wrongdoing."¹⁰ Undoubtedly, the President's interest in big game hunting also influenced his opinion of those companies that dealt in guns and ammunition. These opinions likely played a part in planning as the incumbent party prepared for the elections of 1908. Accordingly, an executive of a company involved in the ammunition industry was chosen for an important role in preparation for the coming election. "It was no doubt a source of surprise to every citizen of the county interested in the enforcement of what have come to be called the 'Roosevelt policies' against trust and predatory corporation that Generable T. Coleman du Pont of Delaware was appointed by Mr. Hitchcock chairman of the committee on speakers of the Republican national committee."¹¹

Though the Powder Trust would later be subject to considerable scrutiny and court decisions that impacted their future business practices, during the first decades of the twentieth century, those business practices were acceptable to many. J.A. Haskell, who in 1903 was a charter member of the National Board for the Promotion of Rifle Practice and a Vice President of the NRA, would in 1912 be enjoined by a federal court to dissolve his connections to the powder industry.¹² "In the preliminary discussion over the (NRA) Presidency talk was heard that Gen. Drain had certain affiliations with the DuPont powder interests, which are represented on the Board of officers by J. A. Haskell, President of the company, and General Drain was said to be by some members to be the candidate of the powder trust. His friends on the other hand declared that he was free from any affiliations which might possibly stand in his

¹⁰ President Theodore Roosevelt's Eighth Annual Message to Congress, December 8, 1908. University of Virginia Miller Center, <http://millercenter.org/president/speeches/detail/3780> (accessed March 30, 2013).

¹¹ "Roosevelt Retains Malefactor Despite Republican's Alarm," *Los Angeles Herald*, September 25, 1908. The speakers being selected were in preparation for Taft's campaign for the presidency in 1908.

¹² Stevens, "The Dissolution of the Powder Trust," 202-207 cites a case in the Delaware District Court, the United States of America v. E. I. du Pont de Nemours and Company decision of June 13, 1912.

way as President."¹³ Not surprisingly, Drain's magazine, *Arms and the Man*, did not report on the general's relationship with the Powder Trust. Drain's friends had apparently missed the article published five days earlier in a Salt Lake City newspaper which reported that "(T)he powder trust protected by a prohibitive tariff and rolling up millions in profits in its supply to the United States government alone, will on Jan. 9 employ every possible means to gain control of the National Rifle Association and if successful can dictate the character of the ammunition for every state military organization in the Union."¹⁴ The article mentioned that Spencer was the incumbent and that "James A. Drain of Olympia, who is his opponent, is the candidate of the trust. Spencer's election means the throttling of what has been pronounced as an infamous conspiracy."¹⁵ By default, if Spencer failed to be elected, the author was assuming that the trust would gain control. "Control" may be too strong a term; however, when Drain was elected and Haskell retained his position as an executive vice-president, the trust was well positioned to be aware of and to influence the ammunition needs of the NRA and its affiliated organizations. The aforementioned discussion is not meant to suggest a comprehensive treatment of issues related to the relationship between the NRA and the industry that supplied it with ammunition. It simply offers evidence sufficient to recognize that General Drain had a relationship with that industry and he retained that relationship in his position as the Association's president.

The same charges would be leveled against Drain during his reelection in January 1909 when "An army officer suggested... I have nothing against this man Drain, but if he is a

¹³ Spencer Loses Control of Rifle Association," *New York Times*, January 10, 1907.

¹⁴ "Powder Trust Reaching Out," *The Salt Lake Herald*, January 5, 1907.

¹⁵ Ibid.

representative or lobbyist for powder and ammunition interests it should be disclosed. It is not seemly or right that a paid agent of ammunition or powder makers should sit as the member of two governmental bodies." Here the officer was referring to the National Board for the Promotion of Rifle Practice and the Militia Board.¹⁶ The article went on to note that Haskell, an executive at DuPont Powder, was also a member of the National Board as well as being an officer in the NRA.¹⁷ Though challenged, Haskell's presence on the Board was considered positive by some as relayed in a contemporaneous account provided by Charles Rideal and Albert Atwood. In their book about the powder trust, they pointed out that "(T)he navy was a source of particular interest to the Chief Executive because of his former incumbency of the Assistant Secretaryship (sic) and his full knowledge of its most intimate details."¹⁸ They quoted a knowledgeable naval officer who explained that "our relations with the du Pont's are very satisfactory. They have not got the department in a position like the armor-plate people, where they can squeeze us." The officer went on to explain that the Navy had the ability to make their own powder at the Indian Head, Maryland arsenal and thereby keep the du Pont's honest.¹⁹

The new president of the NRA was, like Spencer, a National Guard general, a shooting enthusiast, and "one of the most enthusiastic of the advocates of the extension of practice in rifle shooting among the citizens of the United States."²⁰ But, unlike Spencer, his concerns were

¹⁶ Drain sat on the militia board as a state Adjutant General.

¹⁷ Untitled article, *New York Evening Post*, January 13, 1909.

¹⁸ Theodore Roosevelt served as the Assistant Secretary of the Navy in 1897 and served in that position for one year before leaving for the Spanish American War. Roosevelt's qualifications included his authorship of the leading book on the naval battles of the War of 1812.

¹⁹ Charles Frederick Rideal and Albert William Atwood, *History of the E.I. du Pont de Nemours Powder Company* (New York: Business America, 1912), 64.

²⁰ "General James A. Drain," *Palestine Daily Herald* (Palestine, TX), February 4, 1910.

more for the political growth of the Association than the development of expert marksmen. In his Annual Adjutant General Report of 1903 through 1904, Drain wrote of the experience of Washington Guardsmen at the National Matches held at Ft. Riley, Kansas.²¹ His report reflected his appreciation for shooting and his disinclination toward the development of competitive marksmen.

A great deal of knowledge of the finer points of competitive rifle shooting was acquired by the members of the team. The expense of the journey was borne by subscriptions made by public-spirited citizens of the state. It still continues to be the policy of this department to train the largest possible number of men to a reasonable degree of efficiency, rather than to develop a few individuals to the highest point of excellence.²²

During the January 1907 NRA Board of Directors meeting, his first as president, Drain focused on politics rather than rifle practice in his announcement that he was determined to have members from every state by the next annual meeting. He remarked that "if there are not affiliated organizations in every state, I shall be very much disappointed." He then challenged every member of the Board of Directors to "work in his own territory toward the purposes of the organization."²³ At the next meeting of the NRA Board of Directors, held at Camp Perry, Ohio on August 21, 1907, Drain pointed out that "(S)ince the first of the year, the affairs of the National Rifle Association have been going along a way which would lead us to

²¹ The Adjutants General were required to annually submit a report to the Secretary of War on the status of their state militia. William Riker, in *Soldiers of the State*, provides an excellent discussion of these reports and their infrequent submission.

²² General James A. Drain, *Report of the Adjutant General of the State of Washington for the Years 1903 and 1904* (Spokane, WA: Inland Printing, 1904), 15.

²³ NRA, *Report of the National Rifle Association of America for the Year 1908* (Passaic, NJ: Daily News Printers), 44. Hereafter abbreviated as *NRA Annual Report for 1908*.

believe that possibly, at least, it has come into its own, and that it is about to become a National Association in fact."²⁴ He went on to propose legislation that supported the free issue of rifles from the government to NRA clubs and then "I only want to ask you at this time to remember that you are going to ask this of Congress, and when I write to you and request you to see, or write to your Congressmen, I wish you to do it."²⁵ Much more direct than earlier efforts, which for the most part had been handled by the NRA's secretary, Drain pressed to create a political lobby that would one hundred years later be considered one of the nation's most powerful.²⁶ "I now believe it possible, without being at all too sanguine, I imagine, to make the National Rifle Association of America what we all hope it shall become: namely, the greatest agency in the country to prepare the nation for any emergency which may arise."²⁷ One measure of his success toward that end was seen in the Utah report that the Eureka Rifle Club had received a shipment of rifles from the government for use in rifle practice. "The rifle club now has about thirty-five members and will be affiliated with the National Rifle association, which was organized by a special act of congress for the promotion of rifle practice by citizens of this country, but is not connected with the Army."²⁸ Whether affiliated with the Army or not, reports like this suggested that the NRA's leadership self-consciously identified itself as a congressionally-approved and citizen-supported organization in places a long way from the nation's capital.

²⁴ *NRA Annual Report for 1908*, 48.

²⁵ *NRA Annual Report for 1908*, 49.

²⁶ "AARP Ranked No. 1 for 3rd Consecutive Year in Fortune Survey: NRA Deemed Most Powerful Lobbyist by Lawmakers and Their Staffers," *Fortune*, November 15, 1999.

²⁷ *NRA Annual Report for 1908*, 49.

²⁸ "Rifle Club Receives Shipment of Firearms," *Salt Lake City Tribune*, January 8, 1911.

Drain's efforts in his first year proved fruitful. He visited twenty state capitals, some of which already had state associations. During his travels, he met with the Adjutants General of each state and the governors of most. More importantly, he met with the "principal offices of the national guard and citizens interested in rifle practice...(and) (H)e organized new state associations in South Dakota, Utah, Montana, Oregon, California, Texas, Kansas, and Missouri and secured the definite promise for the organization of three more."²⁹ At the next NRA Board of Directors meeting, Secretary Jones reported that,

to show how the business of the association has increased I have only to call your attention to the fact that within the past year there have been added to the rolls of organizations affiliated with us seventy-one new State associations, twenty-two regiments, twenty-two Government rifle clubs, five separate military organizations, two college clubs and eleven schoolboy clubs. The total number of organizations under the jurisdiction of the association is now 185. Thirty-eight States now have State Secretaries, and through their efforts we are kept in close contact.³⁰

Though the number of State associations would fall the following year, the total number of organizations would increase from 185 to 327. The Association, with Drain at its head, was growing a large grassroots organization, and he was reelected as an affirmation of his efforts.

NRA President Drain did not ignore his roots in the National Guard, and he wasted little time in finding the right place to advance his agenda through that association as a complement

²⁹ Casper Whitney, "The View-Point: Let the Bird Scream a Little National Rifle Association Civilian Rifle Clubs," *Outing Magazine*, August 1908, 636.

³⁰ "National Riflemen," *New York Times*, January 9, 1908.

to his new position in the NRA. During the National Guard Association's 1907 annual convention, Drain served as the chairman of the Executive Committee which was responsible for developing and executing the Association's legislative agenda.³¹ His report to the National Guard convention closed with "an appeal to the association to endorse the work of the National Rifle Association and co-operate with it in the promotion of rifle practice."³² In support of the new NRA president and his magazine, the Guard convention published Resolution #3, "(T)hat the National Guard Association of the United States hereby approve and endorse the magazine entitled 'Arms and the Man' published at New York by Gen. J.A. Drain, which magazine in connection with its other aims is largely devoted to the interests of the National Guard of the United States and the secretary is authorized to furnish 'Arms and the Man' with a copy of the proceedings of the convention for publication."³³ The epitome of the political operative, Drain was the president of his association, the owner and editor of the publication which served as its voice to the public, and the director of legislative action for the NRA's most important supporting association.

At the Association's twelfth convention in October 1910, Drain proposed that a legislative committee be developed that consisted of one officer from each state, thus creating a point of contact for each state's congressional contingent. That officer would likely be the Adjutant General or a member of his staff. With the Adjutant General being an appointee of the governor, the political party in power in each state would be well connected to the state

³¹ The tenth annual convention was held in 1907. The association remained the Interstate National Guard, thus giving privilege to the western parts of the country.

³² *Proceedings of the Tenth Annual National Guard Convention* (Boston, 1907), 16. NGAUS Archives. Also reported in the *National Guard Magazine*, May 1907, 195.

³³ The tenth NGA convention was reported in the *National Guard Magazine*, May 1907, 196. NGAUS Archives.

National Guard as would the state's congressional delegation.³⁴ The following year he proposed legislation "To Promote a Patriotic Spirit Among the Citizens and Youth of the United States and for the Encouragement of Rifle Practice." Drain argued for his proposal suggesting that "(I)ts effect upon the military establishment of the country is beyond estimate. Its operation would not alone produce thousands of capable marksmen. It should stimulate a patriotic spirit and furnish a constantly increasing number of recruits for the Army and National Guard."³⁵ Further affirming the important connection between the NRA and the Guard, the *National Guard Magazine* published the "Progress of Rifle Practice in the United States," an article by General Spencer, the Guard Association's Chairman of the special committee on Small Arms Practice. The article reviewed the efforts of Secretary Root to transition the militia to the National Guard, giving special emphasis to how he had focused on rifle practice. "As soon as the government made sufficient appropriation for the maintenance of the national guard, states which heretofore had taken no interest in rifle practice...began to sit up and take notice."³⁶ The efforts to connect the Guard to the NRA through the medium of rifle practice, having been successful during the nineteenth century, were now being embraced for the twentieth century.

General Drain realized that the Guard alone would not provide all of the support needed for the future NRA so he turned his attention elsewhere. In his address at the close of the first schoolboy tournament of greater New York, held at the Sportsmen's Show in the Grand Central Palace, he accentuated his agenda for the Association. The NRA president opened his

³⁴ *Proceedings of the Twelfth Annual National Guard Convention* (St. Louis, 1910), 16. NGAUS Archives.

³⁵ *Proceedings of the Thirteenth Annual National Guard Convention* (1911), 23. NGAUS Archives.

³⁶ Untitled article, *National Guard Magazine*, July 1907, NGAUS Archives.

comments with a twist on a familiar cliché, "(W)e come not here to talk, but to give prizes to the victorious marksmen," but he could not "refrain from saying a few words about the deep purpose which lies behind these events." After a review of the NRA's history, Drain celebrated the tremendous success of the recently completed 1907 national matches at which "over twelve hundred men competed...representing...the army...the navy...the marine corps, the Naval Academy and forty-three states and territories." Drain followed with a discussion of the Association's membership practices by describing the various classifications and the newly joined life members, "Theodore Roosevelt, Elihu Root, William H. Taft, members of the Cabinet, United States Senators, governors of states and others prominent in the life of the nation."³⁷ Drain did not limit his presentation to the NRA. After stressing the relationship between marksmanship and patriotism, he pointed out that "(Y)ou can get more chance to shoot, you can make yourself more valuable in every way as a citizen of your state and nation, by becoming a member of the national guard." Offering a view of his future plans, Drain continued that the NRA "initiated work this year, and intends to forward college and schoolboy shooting all over the country as rapidly as the funds at its disposal will allow."³⁸ The NRA's program for colleges and schoolboy shooting is discussed later in this chapter.

Drain understood that the government was only one source of funding and that others would have to be pursued if the Association was going to be successful. Following his re-election on January 13, 1909, he reported to the Board of Directors that "(I)n the past year 150 new life members have been enrolled." New life members included, in addition to those

³⁷ "Good Work with Rifle," *New-York Tribune*, January 5, 1908. Actually, Roosevelt, Taft, and Root had become life members in early 1907 as reported in *New York Times*.

³⁸ "Good Work with Rifle," *New-York Tribune*, January 5, 1908.

mentioned above, Assistant Secretary of State Robert Bacon, the Secretaries of the Navy and War and the Postmaster General. Furthermore, Drain pointed out that the Postmaster General had become a patron of the NRA by giving five hundred dollars and that the "Assistant Secretary of State had offered five thousand dollars to be one of twenty contributors to create a one-hundred thousand dollar endowment "to enable the association to carry on its work in a proper manner."³⁹ The one hundred thousand dollar endowment as an investment would be worth over fifteen million dollars in 2012.⁴⁰ The NRA by-laws gave patron status to any individual who donated five hundred dollars and benefactor status for one thousand dollars. The Assistant Secretary's donation qualified him as a very generous benefactor.

General Drain stepped down from the NRA presidency in 1910, leaving the Association much stronger than when he first assumed that role. He was replaced by Lieutenant General John Bates who was the first regular Army officer to hold the position since George Wingate had replaced General Sheridan in the late 1870s. Though no longer the NRA president, Drain retained NRA, National Guard, and National Board leadership roles in Washington D.C., where he had moved the Association's headquarters and the offices of his magazine, *Arms and the Man*. Though not yet an official publication of the NRA, the magazine played a large role in the life of the Association, reaching actual and potential members around the world. The following year, an article in *The Washington Herald* mentioned that *Arms and the Man* was much more than a local publication, that it was devoted to the various branches of the military service, and that "it numbers among its subscribers the citizen soldiers in every state in the Union, and a

³⁹ "Rifle Association Demands Good Aim, Membership Looking Toward Better Marksmanship Era," *Washington Herald*, January 14, 1909; "Come to Help of Rifle Association," *Washington Times*, January 14, 1909.

⁴⁰ The value in 2012 is based on the increase in the Dow Industrial Average since 1913, when it was 79, and a value of 12,500 today. This approach was provided by Matthew Marlin, PhD, Professor of Economics and Chair, Department of Economics and Quantitative Science, Duquesne University, Pittsburg, PA.

huge weekly consignment is shipped to the Philippines and other possessions of the United States beyond the sea." More importantly for the NRA, its secretary, A.S. Jones, advised that he considered the publication "his strong right arm."⁴¹ His comment was not surprising considering the numerous articles that Jones had published in support of the NRA in this and its predecessor publication, *Shooting and Fishing*. As an affirmation to the many earlier Jones' articles, *The Herald* included the magazine's motto "That a man shall serve his country in time of war is noble, brave and patriotic, but that a man shall properly prepare himself in time of peace to serve in war is of all these things and more."⁴² Obviously, preparation in time of peace required marksmanship training.

Drain would later serve with distinction in the American Expeditionary Force during World War I, where he was awarded a Distinguished Service Medal "for meritorious and distinguished service...as an Ordnance Officer of the 1st Division during its early months in France."⁴³ That service, which included a period of time on General Pershing's staff, would offer him an opportunity to participate in the debate over the importance of aimed fire during combat, discussed later in this chapter. Any diminution of the value of aimed fire would severely impact the very foundation of the NRA's purpose: to teach rifle marksmanship to better prepare young men for possible combat.

⁴¹ "Washington Home of Many Widely Read Journals, Magazines, and Trade Papers," Literary Supplement, *Washington Herald*, May 28, 1911, <http://chroniclingamerica.loc.gov/lccn/sn83045433/1911-05-28/ed-1/seq-35/> (accessed April 14, 2013).

⁴² Ibid.

⁴³ Drain's citation was published in War Department General Orders 31 (1922), <http://militarytimes.com/citations-medals-awards/recipient.php?recipientid=17485> (accessed April 14, 2013). To access Drain's citation, replace "recipient" with "Drain." Accessed November 8, 2012. ⁴³

6.3 College and Schoolboy Programs

In addition to his efforts to further the NRA-National Guard relationship and expand the nationwide presence of the Association, Drain also built on the schoolboy and college programs that had been initiated by his predecessor. The general understood the importance of encouraging young men to develop a relationship with the NRA for its future viability. Concurrently, the Progressive Era, from 1900-1914, was realizing a considerable growth in America's interest in military discipline and military events. That interest included an expansion of military education and activities in the nation's high schools and colleges.⁴⁴ By the time Drain had assumed the presidency of the Association, several colleges had already begun to participate in rifle competition, and George Wingate had already developed a marksmanship program in New York City's high schools.⁴⁵ Wingate's program was the subject of a study that had been completed at the request of the National Board for the Promotion of Rifle Practice.

At the annual meeting of the National Board for the Promotion of Rifle Practice, held at Washington, D. C., January 24, 1906, the question of building up an interest in target practice throughout the schools of the country was discussed, and a special committee consisting of Gen. L. M. Oppenheimer, of Texas, Gen. George W Wingate, of New York, and Gen. Ammon B. Critchfield, of Ohio, was appointed to inquire into and report at the next annual meeting of the board upon the feasibility and advisability

⁴⁴ This growth was well documented by Roger Possner in *The Rise of Militarism in the Progressive Era, 1900-1914* (Jefferson, N.C: McFarland, 2009).

⁴⁵ See Table 5.1, which shows six colleges and fifteen high school programs at the end of 1906.

of some policy to inaugurate a system of rifle practice throughout the public schools of the country.⁴⁶

The New York program had begun in 1903 with the establishment of the New York City Public School Athletic League (PSAL). In November of that year, George Wingate had presented a plan to the city that anticipated over 100,000 members in a schoolboy athletic league for high school and elementary school boys.⁴⁷ In the league, young men and boys would compete against one another and against established standards in order to demonstrate physical excellence in a variety of athletic endeavors which included rifle marksmanship. While the PSAL embraced all schoolboys, primary and secondary, rifle marksmanship was limited to high school students and, initially, just boys. Wingate recognized the need for the city to take ownership of the program and offered that "(T)he entire credit of the plan of the athletic league is credited to Dr. Luther Halsey Gulick, Director of Physical Training in the Public Schools of New York City, and Dr. William Maxwell, the Superintendent of Schools."⁴⁸ General Wingate drew on his personal experience, offering that like the military marksmanship program there would be "the awarding of medals to all boys who attain a fair standard of excellence." The *Times* article suggested that Dr. Gulick had a plan under consideration that "was suggested to him by Gen. Wingate, who found that it had worked with remarkable success when he was the Inspector of Rifle Practice for the National Guard of this state."⁴⁹ Wingate's plan was based, in large part, on his experience in motivating and training Guardsmen and was detailed in his report to the

⁴⁶ Department of War, George W. Wingate and Ammon B. Crichfield, *A Report on the Feasibility and Advisability of Some Policy to Inaugurate a System of Rifle Practice Throughout the Public Schools of the Country* (Washington D.C.: Government Printing Office, 1907). Oppenheimer passed away before the study was published. The National Board's request for the study is found on page 2 of the published document.

⁴⁷ "School Athletics on a Big Scale," *New York Times*, November 29, 1903.

⁴⁸ Ibid.

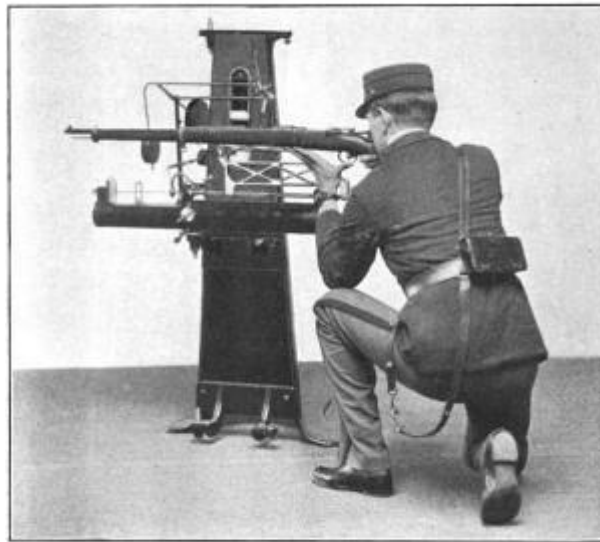
⁴⁹ Ibid.

National Board. That report, published in 1907, was introduced by a letter from the Assistant Secretary of War and National Board President, Robert Shaw Oliver. Oliver's letter closed with an advisement that "(T)his report is earnestly commended to the superintendents of public instruction throughout the country."⁵⁰ Cities across the country would eventually implement all or part of Wingate's plan and high school marksmanship programs would spring up nationwide.

Wingate's report, with the Assistant Secretary's endorsement, provided a template for the National Board and its surrogate, the NRA. The report pointed out that many previous efforts to initiate military training programs at the secondary school level, though marginally successful in a few private military schools, had failed in public schools. Conversely, Wingate's program had been so successful in New York City that he recommended it for adoption. The credibility of Wingate's recommendations was enhanced by the size of his audience, which included over 10,000 high school boys in nineteen high schools.⁵¹ While the PSAL initiated athletic programs in 1903, rifle practice was not introduced until 1905 and then using subtarget gun machines that only simulated the firing of actual weapons. The simulator used an actual rifle, but rather than firing real ammunition, the firing mechanism was electrically attached to a rod that struck a paper target at the point where the rifle was aimed when the trigger was pulled.

⁵⁰ Wingate, *Report on Feasibility*, 3. Oliver's letter was published as an introduction to the report.

⁵¹ *Ibid.*, 4.



SUB-TARGET GUN.

Figure 6.1 Sub-target Gun

"The league succeeded in interesting a number of prominent gentlemen with the importance of teaching the youth of the country the use of the military rifle, so that they presented a sufficient number of these machines to enable the league to install one of them in each of ten of the high schools at a cost of \$265 each," almost ten thousand dollars in 2009.⁵² In 1906, Wingate employed a National Guard inspector of rifle practice to act as a senior instructor for those high school teachers that were working with interested students in the ten participating high schools, a practice that would later be encouraged by Secretary Oliver.⁵³ By the end of 1906, 197 boys had qualified and earned marksman badges and over 7,000 young men had been instructed "in shooting with a military rifle, the gun used being the regular Krag army rifle as issued by the War Department," mounted on a subtarget machine.⁵⁴ The following year, the

⁵² Wingate, 5.

⁵³ Oliver's encouragement is addressed below.

⁵⁴ Wingate, 7, 10.

program introduced a live fire segment which was fired at Creedmoor range followed by a program at the Sea Girt, New Jersey facility.

In the closing paragraphs of his report, Wingate repeated the often heard refrain that if "the young men who are graduating from our high schools in the different States should be skilled riflemen the country can rest content with a small standing army....the system is, therefore, a great factor for national peace." The Feasibility Report offered three recommendations to the National Board; 1) that New York's methods be given the widest possible publicity, 2) that rifle instruction be introduced nationwide in educational institutions for boys over thirteen and 3) that a PSAL-type organization be promoted in each education center.⁵⁵ The National Board's report provided justification for rifle practice in schools and a set of recommendations to achieve that goal. Rifle practice in schools in turn added those interested in the sport to the rolls of the National Guard and the NRA.

The efforts of the National Board and the NRA to bring rifle practice to the colleges and high schools of America could not have received any greater endorsement than they did in President Theodore Roosevelt's December 8, 1908 Annual Message to Congress.

There should be legislation to provide a complete plan for organizing the great body of volunteers behind the Regular Army and National Guard when war has come. Congressional assistance should be given those who are endeavoring to promote rifle practice so that our men, in the services or out of them, may know how to use the rifle. While teams representing the United States won the rifle and revolver championships of the world

⁵⁵ Ibid., 10.

against all comers in England this year, it is unfortunately true that the great body of our citizens shoot less and less as time goes on. **To meet this we should encourage rifle practice among schoolboys,** and indeed among all classes, as well as in the military services, by every means in our power. Thus, and not otherwise, may we be able to assist in preserving the peace of the world. Fit to hold our own against the strong nations of the earth, our voice for peace will carry to the ends of the earth. Unprepared, and therefore unfit, we must sit dumb and helpless to defend ourselves, protect others, or preserve peace. **The first step**--in the direction of preparation to avert war if possible and to be fit for war if it should come-- **is to teach our men to shoot.**⁵⁶

The growth of rifle practice and competition, spurred on by Roosevelt's message was affirmed by "the many inquiries as to the lines on which schoolboy rifle clubs should be organized."⁵⁷ A *New York Times* article on the subject reported that the issue of how to create a rifle club had been addressed by the National Board for the Promotion of Rifle Practice and that the NRA had been handed the responsibility to draft instructions for forming clubs and by-laws by which they would operate. Chief among the implemented instructions was the War Department's designation of the NRA as the guiding hand for all club activities. In return, clubs would have access to government rifles, ammunition, and equipment. Some of the government items were to be purchased at the government's cost and others, to include an

⁵⁶ Theodore Roosevelt, "Annual Report to the Congress," December 8, 1908. University of Virginia Miller Center, <http://millercenter.org/president/speeches/detail/3780> (accessed March 30, 2013). Emphasis added.

⁵⁷ "Schoolboy Rifle Club," *New York Times*, December 20, 1908.

annual ammunition allowance, would be provided to club members at no cost.⁵⁸ The college and schoolboy programs grew considerably, increasing from twenty-one at the end of 1906 to over seventy at the end of 1910.⁵⁹ By 1920, Congress was appropriating one hundred thousand dollars for civilian range construction and eighty thousand dollars for civilian rifle clubs to "be used for travel and expenses from their homes to national matches."⁶⁰

The leadership of the NRA was determined to continue that growth, and in addition to the direct political campaign at the local level, the Association Secretary continued to author pleas to the American public. In 1913, NRA Secretary Jones authored "Decline of Patriotism," an appeal to the American people to support military training, specifically rifle practice. In addressing the situation in schools, he pointed out that there were fifty land-grant colleges in the United States that "under the provisions of the act of Congress on July 2, 1862, receive annually funds from the government in return for maintaining military tactics in their curriculum."⁶¹ Jones wrote that the fifty colleges received \$3,359,767 annually and "in return, the great majority of them do as little military training as they can." Addressing rifle practice specifically, he noted that "(R)ifle shooting is seldom compulsory." He pointed out that of the over eighty thousand male students enrolled in these fifty colleges, less than twenty-five thousand received rifle practice in 1913.⁶² Reminiscent of the speech General Drain had given after the first New York City schoolboy marksmanship competition, Jones argued for rifle practice in every school. "Military drill and rifle practice should be maintained in every public

⁵⁸ Ibid.

⁵⁹ "Riflemen Meet," *New York Times*, January 13, 1910; "Junior Marksmen," *New York Times*, November 7, 1910.

⁶⁰ "An Act: Making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes," Public Law 66-251, U.S. *Statutes at Large* 41 (1920): 966.

⁶¹ A.S. Jones, "The Decline of Patriotism," *Infantry Journal*, September-October 1913, 233.

⁶² Ibid., 234.

high school. In connection with playgrounds, there should be rifle ranges under proper supervision. There can be no question but that military training in our public schools would be of inestimable value to the nation."⁶³ As the long-standing secretary of the NRA, Jones's interests lay in the growth of that Association's membership. While his patriotism is not questioned, there is no question that more rifle practice in America's colleges would very likely lead to more rifle clubs, each affiliated with the NRA by the direction of the War Department.

As the civilian rifle programs grew, the bureaucracy that supported those programs also grew and it became further embedded in the federal government. One example of this occurred with a significant change in rifle club support that emerged during Congressional deliberations regarding the 1914 fiscal year budget. "The ancient and honorable bill for the promotion of rifle practice which has been before every Congress for the last ten years will not be reintroduced at this session. A paragraph has been inserted in the Army Appropriation Bill authorizing the Chief of Ordnance to issue free arms and ammunition to rifle clubs. This has been one of the principal features of the NRA Rifle Practice Bill."⁶⁴ The change may have appeared superficial, but that was not the case. As an initiative that stood apart from the Army budget, the appropriation's champion for the promotion of rifle practice resided in the Office of the Secretary War. Any request for congressional budgetary support would have to be initiated by the National Board that was in fact an advisory board to the Secretary, with no statutory authority. Realistically speaking, the Secretary of War and his staff had no need to conduct rifle practice. As a part of the Army budget, the appropriation would have numerous champions, less visibility, and be a part of the government with statutory authority to claim access to the

⁶³ Ibid.

⁶⁴ "National Rifle Association Notes," *Arms and the Man*, December 25, 1913, 246.

nation's resources. Support for national matches and related rifle practice remained in the Army budget for most of the twentieth century. The transfer of funding to the Army budget was accompanied by the creation of an individual advocate for rifle practice. On August 29, 1916 Public Law 64-242 authorized the President "to appoint, as Director of Civilian Marksmanship (DCM), under the direction of the Secretary of War, an officer of the Army or of the Marine Corps."⁶⁵ From 1916 until 1996, when the National Board for the Promotion of Rifle Practice was discontinued as a military organization, civilian rifle clubs, under the auspices of the NRA would have a single point of contact within the War Department who was a military officer with marksmanship expertise rather than a committee of political appointees. That individual would also be the advocate within the government for the NRA. Some of the implications of this are addressed in the next chapter. In addition to an annual appropriation of three hundred thousand dollars, Public Law 64-242 also authorized "the Secretary of War to provide standard military arms and ammunition for the use of "all able bodied males capable of bearing arms" under regulations prescribed by the National Board.

The provision of arms and ammunition and the creation of a Director of Civilian Marksmanship were not the only aid that the War Department offered to rifle clubs. On September 24, 1912, Assistant Secretary of War Robert Oliver signed a letter that was directed to every state governor and every Adjutant General in the National Guard. That letter was sent in "pursuance of a policy looking to the strengthening and upbuilding (sic.) of land forces for

⁶⁵ "An Act: Making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," Public Law 64-242, *U.S. Statutes at Large* 39 (1916): 648. Army Colonel Samuel Miller was the first appointed DCM, a position that existed in the War Department, then the Department of the Army until 1996.

National Defense."⁶⁶ After briefly explaining the history of the Board for the Promotion of Rifle Practice, the Secretary's letter explained that the Board, with the help of the NRA, would be promoting rifle practice among colleges and schools. The letter also suggested that the work of the NRA had "been found to be of great assistance in securing desirable youthful recruits for the National Guard." The Secretary explained that "boys become interested in the rifle practice and after leaving school joined the National Guard." Secretary Oliver pointed out that one of the great hindrances to such a program was the "lack of organizers, instructors and ranges." He requested that, in the interest of national defense, the Guard consider offering the services of Inspectors of Rifle Practice to "cooperate with the War Department in the development of the proposed practice and competition." Oliver's concern and the importance he placed on this initiative was reflected by his closing comment that "(I)f your State is willing to take this work up in cooperation with this board, receipt of such advice will be appreciated at your earliest convenience."⁶⁷ The next edition of *Rifle Shooting in Educational Institutions*, published by the National Board, noted that "with very few exceptions, the Governors of all the States replied favorably."⁶⁸ In addition to National Guard support, the Board's publication listed the names and contact information for forty-one NRA state secretaries "prepared to offer their services in connection with the organization and instruction of school and college rifle clubs."⁶⁹

The growth of these programs from 1910 to the 1930s was considerable. However, that expansion also attracted critics who were not as inclined to classical republican ideals as the

⁶⁶ Department of War, Letter from Acting Secretary of War Robert Shaw Oliver to the State Adjutants General, in the *Proceedings of the Fourteenth Annual National Guard Convention* (December 2-4, 1912), 79. NGAUS Archives.

⁶⁷ Ibid.

⁶⁸ Department of War, National Board for the Promotion of Rifle Practice, *Rifle Shooting in Educational Institutions*, 4th ed. (Washington, D.C.: Government Printing Office, 1914), 3.

⁶⁹ Ibid., 99.

leadership of the NRA. In his article about declining patriotism, NRA secretary Albert Jones had reminded the American public that Greek and Roman "civilizations went down to decay and dissolution under the eroding influence of their inert and luxurious peace, signalized by the disappearance of the military virtues from the body politic."⁷⁰ These and other comments in Jones's article would strike a nerve that raised a challenge to military training in educational institutions, particularly Reserve Officer Training Corps (ROTC) programs in land-grant colleges.

Land-grant colleges, established by the Morrill Act that was approved on July 2, 1862, donated land from the federal government for the establishment of public colleges where military tactics would be one of the required subjects. Some community organizations questioned whether or not college students should be required to attend military classes and participate in military training. While Jones's article was not directly related to the case for which a challenge was eventually raised to the Supreme Court, the Court's ruling certainly favored the NRA's avowed position. *Hamilton v. Regents of the University of California* was brought on the grounds that students should not have to undergo training that was in opposition to their religious views. To the disappointment of the petitioners, the Court ruled that it was reasonable for the state to expect students to undergo training to benefit the state in return for a college education. Moreover, the Court noted that education at the expense of the government was not the only education available and that no student was required to attend a land-grant college; therefore, no student was required to participate in ROTC against his wishes.⁷¹

⁷⁰ Jones, "The Decline of Patriotism," 238.

⁷¹ *Hamilton v. Regents of the University of California*, 293 U.S. 245 (1934).

In an article that addressed the 1934 Supreme Court decision that land-grant colleges could include military training as part of the required curriculum, the *New York Times* reviewed the various programs for ROTC, which included activities administered by the National Board for the Promotion of Rifle Practice and noted that "the (number of) students taking the military courses...has varied but little in the last eight or nine years. In 1930-1931 there were some 114,000 students enrolled in 321 Reserve Officer training corps units in 228 civilian institutions."⁷² Further confirming the growth in college and schoolboy rifle programs, the committee on Militarism in Education "estimated that in the fifteen-year period from 1910 to 1926 Federal expenditure on military training in civilian schools increased from \$725, 168 to \$10, 696, 504," while the number of schools increased from fifty-seven to two hundred and twenty-three and the number of army personnel involved increased from eighty-five to one thousand and nine.⁷³

It is difficult to ascertain the number of students involved in any one year at the high school level, though the number of schoolboy clubs did grow from fifty to sixty-seven during 1912.⁷⁴ However, the breadth of the schoolboy rifle program is clearly reflected by the "results of the first rifle shooting contest ever held under the auspices of the Government between the rifle teams of high schools in the various cities of the country."⁷⁵ In addition to four teams

⁷² "Over 100,000 Students Drill in Colleges," *New York Times*, December 9, 1934.

⁷³ Ibid. The programs administered by the Board fell under Section 113 of the Army Regulations covering ROTC. Section 113 programs covered the cost of equipment and supplies. Other programs included funding for instructor personnel, uniforms, and courses of study. The Committee on Militarism in Education was established in 1925 to oppose military training requirements in public schools and universities. The Committee ceased to function at the beginning of WWII. Records are held at Swarthmore College Peace Collection. A finding aid is available at <http://www.swarthmore.edu/library/peace/DG001-025/dg009cme.html> (accessed March 30, 2013).

⁷⁴ Untitled article, *Arms and the Man*, January 16, 1913, 318.

⁷⁵ "National High School Shooting Competition," *Arms and the Man*, April 24, 1913; "High Schools Shooting," *New York Times*, January 18, 1913.

from New York City, three teams from Washington D.C., and two teams from Portland, Maine, there was a high school team from each of the following: Iowa City, Iowa; Baltimore, Maryland; Brookline, Massachusetts; Philadelphia, Pennsylvania; Springfield, Massachusetts; Tucson, Arizona; Susquehanna, Pennsylvania; Sault Saint Marie, Michigan; Utica, New York; and St. Louis, Missouri.⁷⁶ Three years later, the annual rifle competition would draw thirty-nine colleges from twenty-nine different states and thirty-two high school teams from seventeen states. It is worth noting that rifle competition was not limited to land grant-colleges as participating teams at the 1916 matches included Harvard, Massachusetts Institute of Technology, University of Pennsylvania, Johns Hopkins, Notre Dame, Princeton, Columbia, Cornell, and other distinguished, non-land grant institutions.⁷⁷ The participation of the large number of schools was recognized in 1915 when the National Board opened the annual national matches to teams from military colleges and high schools. To assist in representation at these and other matches, Congress approved funding up to fifty thousand dollars to college and high school teams for travel to the national event.⁷⁸

As discussed above, the Department of War had approved General Wingate's plan for marksmanship training in secondary schools and the National Board was responsible for the oversight of those clubs. Additionally, rifle clubs were forming in colleges across the country, again within the purview of the National Board.⁷⁹ The common thread among these civilian and military rifle clubs was that all required the approval of their by-laws by the NRA before they might enjoy the benefits of the distribution of government-subsidized arms and ammunition.

⁷⁶ Ibid.

⁷⁷ "College Rifle Shoot," *New York Times*, January 15, 1916.

⁷⁸ "Rifle Ranges Open to Student Teams," *New York Times*, May 24, 1915.

⁷⁹ See Table 5.1 of this dissertation for the early years of rifle club development in secondary schools and colleges.

By placing the responsibility for the administration and supervision of civilian rifle clubs, now in colleges and high schools, in the arms of the NRA, that Association's grassroots footprint was able to expand and grow in new directions that would later add political support when needed. The growth of rifle club membership was also motivated by federal material and financial support that required NRA affiliation. Those benefits were accentuated by news from the NRA that an "act of Congress recently signed by the President [which] allows the distribution of the U.S. Army Rifle, model 1898, (Krag)" to NRA affiliated rifle clubs. Distribution was initially set at one rifle for each five members and one hundred and twenty rounds of ammunition each year for each club member.⁸⁰ The Krag was the standard Army rifle in 1914 and was designated for use during all NRA match competitions. The Krag, or U.S. Army Magazine Rifle, Model 1892, was generally referred to as the .30 Caliber Springfield rifle, modeled after the Norwegian Krag-Jorgensen Pattern. During June of 1914 the National Board met to develop plans to distribute the guns and ammunition that had recently been authorized by Congress to NRA affiliated rifle clubs.

While the National Board held discussions about the distribution of federal government material, General Drain's magazine developed recommendations that might leverage the government's largess to support the goals of the NRA. "Now that the Secretary of War has in his hands recommendations of the National Board for the promotion of Rifle Practice for rules to govern the issue of Krags to rifle clubs and schools, the question of how to bring a large number of men together in successful rifle clubs becomes more pressing."⁸¹ In an era of written rather than broadcast communication, Drain's magazine, along with many other publications,

⁸⁰ "NRA News," *Arms and the Man*, May 28, 1914, 165.

⁸¹ "The Making of a Rifle Club," *Arms and the Man*, June 25, 1914, 249.

was the primary means of soliciting membership. By the magazine's estimates "(O)f the sixteen million odd men in the United States between the ages of 18 and 45 there are a goodly number who would welcome the chance to become members of civilian rifle clubs if the thought were suggested and the opportunity offered."⁸² To reach a substantial percent of those eligible individuals Drain projected that "successful organization of a satisfactory number of clubs can only come through sending a representative of the NRA to the various localities."⁸³ By having made every Adjutant General an honorary Director of the NRA, the Association anticipated that it would "be able by co-operation with the Adjutant General of the states to create enthusiasm and actually organize a great many rifle clubs." As a suggestion to National Guard leaders who were always eager to enlist new members, *Arms and the Man* wrote that "as the schools are concerned ...many of these boys grown to be young men will naturally enter the National Guard and in the last analysis a nation such as ours which depends on the strength of its citizens must come to realize that compulsory instruction is as essential...as fresh air."⁸⁴ Editor Drain was reiterating that National Guard support for rifle clubs would vouchsafe greater National Guard enlistment success.

The growth of high school and college rifle teams, by itself strengthened the NRA, but those programs were one of many supporters. As school rifle team numbers expanded and as the relationship between rifle practice and patriotism—as expressed by President Roosevelt, the Secretary of the NRA, and others—was strengthened, the Association could not help but benefit. "The hold which this clean and manly sport has taken upon the school authorities in

⁸² Ibid.

⁸³ Ibid.

⁸⁴ "The Making of a Rifle Club," *Arms and the Man*, June 25, 1914, 249.

different cities is shown by the fact that many of the new schools under construction are being provided with gallery ranges."⁸⁵ The press reported that the sport was being taken up by girls as well as boys and that every school in Washington, D.C. had a rifle range on its campus.⁸⁶ NRA membership that was being encouraged by state association secretaries and National Guard leadership received one more source of support: the members and families of those involved in college and high school rifle clubs. During a discussion in late 2007, my father Joe Marlin fondly recalled that the National Board was the organization that had provided ammunition to his New York City Abraham Lincoln High School rifle team for the 1935-1936 season, which was the season his high school won the city championship. Absent the National Board's support, his immigrant father, who worked three jobs during the Depression, would not have been able to provide the money needed for his son's rifle practice.⁸⁷

6.4 New Questions about Rifle Marksmanship Raise a New Threat to the NRA

The National Guard and the NRA both benefitted from the efforts of the National Board to promote rifle practice. In many instances those benefits were well defined and clearly visible to the public at large, particularly in the execution of numerous rifle competitions held across the country. However, not all of the support was as well defined as the creation of new clubs or the distribution of ammunition for competition. Legislation in 1906, previously discussed, increased the annual appropriation "to increase the efficiency of the militia and promote rifle

⁸⁵ "High School League Shooting," *Arms and the Man*, January 1, 1914, 300.

⁸⁶ *Ibid.*, 301.

⁸⁷ "Lincoln Conquers P.S.A.L. Shooters," *New York Times*, January 12, 1936. Personal conversation with my father, Joe Marlin, Largo, FL, September 8, 2007. His sister, Muriel Marlin Lewis, later added that he joined the high school rifle team so that he might learn to shoot well enough to get a job on the Coney Island Amusement Park midway as a competitive marksman.

practice" from one to two million dollars.⁸⁸ The War Department regulations clearly stated that "at least 25 per cent of the allotment must be used for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment for shooting galleries and suitable target ranges."⁸⁹ An editorial comment in the April 1907 edition of *The National Guard Magazine* addressed the twenty-five per cent allowance by relaying a conversation that a National Guard disbursing officer had with the Assistant Secretary of War during the annual meeting of the Interstate National Guard Association. When asked "for what purposes could the fund be expended, the Assistant Secretary replied 'for the purpose of rifle practice.' The writer asked what that included; the reply he received was 'It is sometimes well not to ask too many questions'."⁹⁰ The Secretary's response suggests that he would have been amenable to expenditures that might not have directly supported rifle practice, for example, travel and related expenses. While some support may have been ambiguous, what were clearly defined were the mutually supportive efforts of the NRA, the National Board, and the National Guard to promote rifle practice across the country as a way to diminish the need for a large standing army, as a way to enhance the patriotism of young men, and as a way to better prepare those young men should a call to arms again be necessary. In the end it was also a way to strengthen the National Rifle Association.

⁸⁸ "New Military Law Now in Operation, Two Millions Available," *Deseret Evening News* (Great Salt Lake City, UT), June 13, 1908; Public Law 59-268, 59th Cong., 1st sess., *Congressional Record* 40 (June 15, 1906): H 8714. This legislation is addressed in Chapter 5 of this dissertation.

⁸⁹ U.S. Department of War, Division of Militia Affairs, *Regulations for the Organized Militia* (Washington, D.C.: Government Printing Office, 1911), 49.

⁹⁰ "Editorial Comment," *The National Guard Magazine*, April 1907, 177. There was an earlier *National Guard Magazine*, published in the 1970s. This is a new magazine and, like its predecessor, is not an official publication of the National Guard.

In 1915, Army Captains James A. Moss and Merch B. Stewart published *Self-Helps for the Citizen Soldier*.⁹¹ The first page of this book offered a quote from President Wilson's December 1914 Message to Congress. "We must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms."⁹² That message was repeated in the book's introduction, written by Major General Leonard Wood, Chief of Staff of the U.S. Army. Chapter XIII of the captains' book was titled "Rifle Clubs for Citizen-Soldiers," and noted that "(T)he National Rifle Association of America is an organization whose purpose is to develop rifle shooting."⁹³ The authors went further and pointed out that the by-laws of affiliated rifle clubs stated the objective of the Association to be "to encourage marksmanship throughout the United States, particularly in the direction of qualifying as finished marksmen, those individuals who may be called upon to serve in time of war."⁹⁴ This had been the mantra of the NRA at its inception in 1871 and that mantra was revisited and reaffirmed during the Association's renewal in the first years of the twentieth century.

The captains' book was about preparing for the future based on the experience of the past. However, the wars of the twentieth century might be different than those of the nineteenth century. What would happen to those clearly defined efforts if rifle marksmanship was found to be of insignificant value on the modern battlefield? What would happen to the NRA if rifle sights were determined to be unimportant? With the advent of modern weapons

⁹¹ James A. Moss and Merch B. Stewart, *Self-Helps for the Citizen Soldier, Being a Popular Explanation of Things Military* (Menasha, WI: George Banta Publishing Company, 1915).

⁹² *Ibid.*, inside front cover.

⁹³ *Ibid.*, 202.

⁹⁴ Moss and Stewart, *Self-Helps*, 203. This quote is drawn from Article II "Object" of the By-Laws of the National Rifle Association of America as published in the *NRA Annual Report for 1904*, 142.

that could be loaded rapidly, field firing—the delivery of a large volume of fire—was receiving considerable attention. Some members of the Army suggested that field firing rather than individual, well-aimed fire would be more effective on the modern battlefield. Field firing was accomplished by having a large number of soldiers firing in the direction of the enemy without taking careful aim. In fact, some proponents went so far as to suggest that sights would no longer be necessary for military rifles.⁹⁵ Their argument was that in the heat of battle, men would not be able to fire accurately.

During the late nineteenth century, a small component of the U.S. Army suggested that if the principle focus of combat training was on the performance of the individual soldier, the importance of the coherent unit would be undermined. In an article on the fire delivered by infantrymen, Lieutenant George Davis argued that "the era of an Army of marksmen is over. The era of mutual support and cooperation is with us."⁹⁶ Backing for mutual support versus individual aimed fire "came in 1907 when Lt. Gen. Arthur MacArthur established a School of Musketry for the Department of the Pacific."⁹⁷ That school, the first Army infantry school, would remain in California for three years then move to Fort Sill, Oklahoma and in 1918 to Georgia, first as Camp Benning and then as Fort Benning. Benning remains the Army's Center of Excellence for Infantry Doctrine and Training, which is responsible for developing combat methods and training practices to this day. Infantry training would necessarily include standards for performance with the rifle, the methods used to measure the attainment of

⁹⁵ Capt. James Chester, "Modern Bobadilism, or the Marksman's Method of Defeating an Army," *Journal of the Military Institute of the United States*, January 1881, 39. Cited in Russell Gilmore, "'The New Courage': Rifles and Soldier Individualism, 1876-1918," *Military Affairs* 40, no. 3 (1976): 98.

⁹⁶ George B. Davis, "Infantry Fire," *Journal of the Military Institute of the United States*, March 1892, 217. Cited in Gilmore, "The New Courage," 99n22.

⁹⁷ Russell Gilmore, 99.

standards, and the prescribed approach for rifle practice. The earliest text used at MacArthur's school, *The Rifle in War*, was prepared by Captain Henry E. Eames, who was one of the first theoreticians of field fire and its superiority over individual aimed fire.⁹⁸ Colonel Eames would later be selected to help find a permanent location for the school, and when it moved to Columbus, Georgia, he would be designated as its first commanding officer. Chapter III of Eames book explained that "all instruction in firing should have for its ultimate aim the fitting of the army to attain superiority of fire in battle, and any fire instruction which does not contribute to this end to a commensurate degree is wasted."⁹⁹ In making a comparison of field fire to those events supported by the NRA, Eames noted that "the comparison from a military point of view of the results attained by men or organizations where target practice is conducted along the lines of civilian shooting club is as false and misleading as are the expectations as to its war value which such shooting too often raises in the minds of the uninitiated." As if to make sure that his readers understood his position, Eames emphasized that "(T)he idea of the importance of target practice [which] unfortunately has blinded many of our best soldiers to the truth."¹⁰⁰ Returning to his focus on the importance of field fire over aimed fire, Eames argued that "(V)ictory in battle depends almost entirely upon the ability to attain a superiority of fire."¹⁰¹ While Eames and his supporters did not call for the elimination of marksmanship practice, the focus of his text was decidedly shifted away from attention on the individual performance that was expected on an NRA rifle range. He pointed out in his closing chapter that, "(G)iven fire, however powerful, that is erratic and independent, representing thousands

⁹⁸ Ibid.; Henry E. Eames, *The Rifle In War* (Leavenworth, KS: Ketcheson Printing, 1908).

⁹⁹ Eames, 109.

¹⁰⁰ Ibid., 121.

¹⁰¹ Ibid., 196.

of individual wills and impulses rather than a fire that is the expression of a single commanding will, the efficacy of the former will be so materially less than the latter that superiority of fire will be attained, if at all, only at a tremendous cost in ammunition, time and lives."¹⁰² Neither Eames nor the School of Musketry's founder, General MacArthur, subscribed to the NRA's seminal belief that an effective national defense required that every man should become an expert marksman.

During World War I, *Scientific American* published an editorial, "The Battle Control for the Rifle," addressing the issue raised by the School of Musketry.¹⁰³ The magazine's editor sided with the position espoused by Eames in addressing the tendency of soldiers to aim too high when in combat. The article went on to argue that the control of rifle fire must remain with the officers in charge for that fire to be effective. As examples, the article cited records of ineffective fire during the Franco-Prussian War, the Crimean campaigns, and the Russo-Japan conflict. In what appeared to be a rather strong endorsement, the magazine discussed a device that had been invented by Colonel Frank D. Ely, U.S. Army "that makes it impossible for the rifle to be discharged when held higher than a given angle." The reasons for firing high varied, but the smoke and noise of the battlefield were considered to be important factors. Accordingly, to prove the effectiveness of his device, Colonel Ely blindfolded riflemen and asked them to fire from a kneeling position at silhouette targets. They scored "four per cent hits which was 24 times as good as that of the Boers of Colenso which was the best previous record for fire under

¹⁰² Ibid., 236.

¹⁰³ "The Battle Control of the Rifle," *Scientific American*, December 22, 1917, 474.

battle conditions."¹⁰⁴ The effectiveness of Boer rifle marksman in overcoming much larger numbers of British troops, who were not as accomplished with their rifles, was an important factor in the creation of the British NRA. If marksmen performed in a superior manner when they were blindfolded, the National Board for the Promotion of Rifle Practice would certainly be discredited and the NRA would lose its sponsor. Though the device was not adopted, it did represent one more effort to diminish the value of individually aimed fire, a major plank in the NRA's platform.

The efforts to shift to field fire were not limited to a few soldiers and a couple of magazines. In 1911, the Army published regulations prescribing standards for field firing which included a proficiency test that minimized expert marksmanship.¹⁰⁵ The standards for field firing, as prescribed in the new Army manual, scored performance based on relative comparisons between soldiers and expected outcomes. Most of the performance measures were based on collective outcomes and there was no numerical scoring system akin to that upon which the NRA had based its competition in marksmanship programs. Where the NRA had traditional targets with higher scores earned for being closer to the center of the target, the Army required only that the soldier hit a man-sized target and that the more targets hit, the higher the score the unit received. The Army posited that "in order to be of instruction value every firing exercise should be followed by a critique delivered by a superior officer based upon the conduct of the exercise and the results obtained in accuracy, distribution, and time."¹⁰⁶

Rather than accuracy obtained being based on comparing one man's score against an

¹⁰⁴ The Boers of Colenso was a reference to a battle during the Boer War during which Boer marksmanship had been particularly effective.

¹⁰⁵ U.S. War Department, United States Army, Office of the Chief of Staff, *Regulations Prescribing Standard for Field Firing and the Proficiency Test*, Document No. 389 (Washington D.C.: Government Printing Office, 1911).

¹⁰⁶ *Ibid.*, 13.

established standard, "the accuracy obtained as shown in the actual number of hits made in the exercise should be compared with that to be expected from average and good shots under favorable conditions."¹⁰⁷ Again, the importance that the NRA had placed on aimed fire was under attack.

The NRA continued to be challenged by the Army's "field firing" approach until 1916, when General Pershing, the Commanding General of the American Expeditionary Force during World War I weighed in on the discussion in favor of aimed fire and the rifle practice that was being conducted in America's schools. A *New York Times* article connected General Pershing's comments with an earlier war in reflecting on the need for martial preparedness and comments by the Duke of Wellington that the battle of Waterloo had been won on the cricket fields of England. In anticipation of the next war, the *Times* suggested that "(T)here is one form of recreation which is carving for itself a constantly growing niche in the United States, and which leads with more directness than any other to the upbuilding (sic) of a huge national resource for time of trouble. This is marksmanship." The article continued that,

As revealing the extent to which the sport of shooting at a target has developed in the United States, consider first the National Rifle Association of America and its ramifications. There are now 1,300 rifle clubs organized and affiliated with association, the membership of which is comprised almost entirely of civilians. There are also 80 college and university clubs, 140 high, preparatory and military school clubs, and eight boys' clubs, the latter class having only recently become a part of the association's

¹⁰⁷ *Ibid.*, 14.

activities. This total of well over 1,500 organized rifle clubs, owning allegiance to the National Rifle Association of America is being constantly increased through the formation of new bodies in every section.¹⁰⁸

The article in the *Times* was validated by General Pershing's emphasis on marksmanship for soldiers already in Europe, but more importantly, for those who had not yet deployed.¹⁰⁹ A 1917 cable from General Pershing read: "Longer experience with conditions in France confirm my opinion that it is highly important that infantry soldiers should be excellent shots."¹¹⁰ On multiple occasions, General Pershing encouraged the American public and the War Department to recognize the importance of marksmanship training for troops prior to their deployment to France. "The extreme importance of training American soldiers to be superior marksmen has again been brought to the attention of the War Department in a second report on the subject from General Pershing in which he again sought to impress upon the War Department the value of giving all soldiers thorough training in the use of small arms."¹¹¹ The support of the highly respected General Pershing, who was leading American soldiers in combat, for the NRA's belief in the importance of rifle practice provided the Association with an endorsement from the U.S. Army that was second to none. It would serve to place the NRA's goals and objectives in a respected position within the War Department well into the twentieth century.

The issue of Army regulations about marksmanship was resolved when reserve Army officer, Lieutenant Colonel Smith Brookhart, who would later serve as the president of the NRA, published a new manual that embraced the NRA marksmanship program. Lieutenant Colonel

¹⁰⁸ "Shooting Gains Vastly in the U.S.," *New York Times*, March 19, 1916.

¹⁰⁹ "Stiff Rifle Drill for Army in France," *New York Times*, August 26, 1917.

¹¹⁰ "(Pershing) Urges More Practice at Camp Wadsworth," *New York Times*, October 5, 1917.

¹¹¹ "Pershing Insisting on Rifle Practice," *New York Times*, October 14, 1917.

Brookhart connected the Army's support of aimed fire and those supporting marksmanship training in his book, *Rifle Training for War*, published by the NRA for the National Board shortly after the end of hostilities in Europe.¹¹² In the book's early pages, Brookhart acknowledged that "(B)efore the war there grew up a theory, based largely upon German precept if not propaganda to the effect that individual rifle fire training is unimportant if not a military detriment."¹¹³ Brookhart then outlined a series of arguments that the Germans had presented against aimed fire and for each he provided an alternative, more effective approach. He then concluded that "from the foregoing discussion it is deduced that individual training in rifle fire is of greatest importance in war."¹¹⁴ The remainder of his book laid out a plan for individual rifle training, practice, and competition that largely discounted the earlier positions of Davies, Eames, and Ely.

¹¹² Smith W. Brookhart, *Rifle Training for War* (Washington, D.C.: Government Printing Office, 1919).

¹¹³ Brookhart, 5. See also Gilmore, "The New Courage," for a discussion of the German approach to marksmanship and its impact on American training, 98-99.

¹¹⁴ Brookhart, 10.

RIFLE TRAINING FOR WAR

By

Lt. Col. S. W. BROOKHART
Infantry, U. S. A.



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Figure 6.2 Rifle Training for War

6.5 The NRA Strengthens Ties with the War Department

There is one other subject that also had a lasting impact on the NRA and its relationship with the War Department and warrants attention before leaving the second decade of the twentieth century. In 1911, the annual rifle matches were held for the fifth consecutive year at Camp Perry, Ohio. However, participation was less than had been expected due to funding limitations and competing schedules. Units of both the Army and the National Guard had been called to duty in light of the ongoing Mexican Civil War that was impinging on the safety of Americans living on or near the border. The War Department cancelled the following year's competition and briefly considered biannual competitions for the future. With the exception of the outbreak of World Wars I and II, the annual matches would not again be cancelled during the twentieth century. However, changes did occur in the National Board that was responsible for the execution of those matches. In 1913, the Secretary of War reduced the National Board's membership from twenty-one to nine. The Board that met in 1913 and for the subsequent years included a representative from the War Department, three active duty members, (Army, Navy and Marine Corps), the president of the NRA, and four members from the country at-large. For the 1913 Board, Brigadier General Charles D. Gaither, Maryland National Guard, was the NRA president and the at-large members were Generals Spencer, Organized Militia of New Jersey and Drain, Organized Militia of Washington; Lieutenant Colonel S.W. Brookhart, Organized Militia of Iowa; and Major General Clifford R. Foster, Organized Militia of Florida.¹¹⁵ Spencer and Drain had already served as NRA presidents and Brookhart would hold that office

¹¹⁵ "New National Board for the Promotion of Rifle Practice," *Arms and the Man*, November 27, 1913, 168. The Organized Militia was in fact the National Guard since the passage of the Militia Act of 1903.

from 1921 to 1925. Additionally, Drain continued to own and edit *Arms and the Man*. With four of the nine members current or past presidents of the NRA, the NRA was extremely well represented on this important War Department Board and would remain so for most of the twentieth century.

At the same time, the NRA continued to maintain a strong organization. The nineteenth century Association had named all of the Adjutants General as honorary directors and the Board of Directors that had been elected to the renewed Association was heavily weighted to the National Guard.¹¹⁶ At the same time, the Board of Directors was expanded to extend *ex officio* membership to the Secretary of War and all General Officers of the Army, which included the Chief of Ordnance and the Adjutant General of the United States.¹¹⁷ The addition of these individuals to the NRA Board of Directors, in an honorary status, had been a political move to both broaden (across the country) and deepen (within the federal bureaucracy) the reach of the Association. However, the NRA's Board did include participating membership from the War Department as the "Assistant Secretary of War or his representative appointed by him shall be an ex-officio director of the Association and entitled to a vote in the Board."¹¹⁸ In 1913, the Secretary of War appointed Captain Henry C. Smither, General Staff, as a member of the Board of Directors. The following year it was reported that "Lieutenant Colonel William M. Wright, one of the Adjutants General of the Army, takes the place of Colonel John T. Thomson, Ordnance Department, retired, as a member of the board of directors of the National Rifle

¹¹⁶ Membership of the new Board included twenty-five guardsmen, six active duty service members, and seven civilian rifle club executives. This is discussed on page 183 of this dissertation.

¹¹⁷ "National Rifle Association," *Shooting and Fishing*, December 20, 1900, 203; Trefethen, 115.

¹¹⁸ 1903 NRA By-Laws, Article IV "Management, No. 4," published in the *NRA Annual Report for 1903*, 143.

Association."¹¹⁹ Just three weeks later, "Colonel George W. McIver of the Infantry of the Army, (was) [has been] appointed as director of the National Rifle Association, by the Secretary of War, in accordance with the by-laws of that organization."¹²⁰ In addition to the Board of Directors, executive positions were also filled by War Department personnel. In 1916, Major William Harlee, U.S. Marine Corps, was elected third vice president, the position which was previously held by DuPont executive J.A. Haskell. While the NRA was gaining greater control of the National Board, many of its leaders divided their time between NRA responsibility and responsibility as members of the War Department. In both cases, the NRA's presence within the federal bureaucracy was increasing.

6.6 Conclusion

Once the NRA had been given the role as the nation's champion for rifle practice and rifle clubs, it fell to the Association's leadership to determine what future growth would entail. By choosing a lobbyist, General James Drain, the Association had selected an individual focused on a political approach to growth rather than an expansion of rifle practice, as had his predecessor. For Drain, growth would be accomplished by energizing the Adjutants General in every state, the creation of state associations, and the expansion of rifle clubs into colleges and high schools.

During the years before World War I, the NRA was faced with the possibility that the U.S. Army might embrace a doctrine that would severely undermine the Association's premise that the need for young men to be trained marksmen was tantamount to avoiding the need for

¹¹⁹ "A New Director for the N.R.A.," *Arms and the Man*, December 3, 1914, 180.

¹²⁰ "Director of the N.R.A.," *Arms and the Man*, December 31, 1914, 268.

a large standing army. To the great benefit of the NRA, General John Pershing, the Commander of the American Expeditionary Forces in Europe, emphasized the importance of good marksmanship, and in so doing, endorsed the Association's goals and objectives.

By the end of the second decade of the twentieth century, the NRA had established itself as an integral component of the War Department. While NRA officers served on the National Board for the Promotion of Rifle Practice, members of the War Department Secretariat, as well as officers of the active military and the National Guard served on the NRA's board of directors and as members of the NRA's executive staff.

As William Kennett and James LaVerne Anderson so aptly suggested, the NRA "was virtually a quasi-governmental organism" and would remain in that position until 1968 when it was required to register with the House of Representatives acknowledging its position as a member of the family of lobbyists.¹²¹ What the NRA did during the next two decades furthered its strength and added its presence to the federal bureaucracy in areas beyond rifle practice, which included a role in the establishment of legal precedents that would remain in place for almost seventy year

¹²¹ Kennett and Anderson, 241. The requirement to register as a lobby was generated by a FBI investigation into whether or not the NRA should register as a lobby. The investigation was closed when executive Director Frank Orth submitted a letter to the House of Representatives requesting registration. This was confirmed by Gary Anderson, the last Director of Civilian Marksmanship on October 9, 2009. Anderson provided this author with a memorandum he wrote following a 1968 meeting with Orth. The investigation, from the Washington Field Office, no. 119-49, was closed on December 10, 1968. It had been requested by Assistant Attorney General Fred M. Vinson, Jr., on October 14, 1968. The investigation was initiated by the Director of the FBI in a letter from J. Edgar Hoover to the Washington D.C. field office dated October 16, 1968. The information about the investigation is held in the CMP archives at Camp Perry, Ohio.

CHAPTER 7: THE NATIONAL RIFLE ASSOCIATION ON CAPITOL HILL

The NRA had pursued support for rifle practice for years. With the establishment of an office in Washington, D.C., that pursuit became more assertive. The Association was successful in countering the Justice Department, public pressure, and Congressional efforts to implement federal gun control legislation. The NRA also overcame challenges to the importance of national rifle matches.

7.1 Introduction

When the National Rifle Association (NRA) is mentioned today, it is not usually about rifle practice or competing for any kind of national trophy. It is about the federal regulation of gun ownership or the protections offered by the Second Amendment. This is a phenomenon of the latter part of the twentieth century. In the nineteenth century, the federal government did not address gun control, and the Supreme Court only addressed the Second Amendment three times.

Although state regulations regarding the ownership and carrying of guns were passed in every state during the nineteenth century, there were no federal laws impacting the ownership of guns until 1919 and that law was passed as a belated World War I revenue measure. The federal government again addressed gun control in the 1920s and 1930s in an effort to control the distribution of firearms through the mail and as a way to reduce their use by the nation's growing criminal element. The expanding use of firearms, particularly during Prohibition, placed those who defended their ownership in the difficult position of appearing to shield

criminals. Ideally, crime was generally considered an issue for local authorities and did not need the attention of the national government. This ideal was challenged by the rise in crime that accompanied the illegal manufacture, import and distribution of alcohol during Prohibition and the growth of the federal government during the Great Depression. "(T)he assertion of federal power over guns and crime fit perfectly with Franklin D. Roosevelt's philosophy of using the government to protect ordinary Americans from the hazards of modern society."¹

In the late nineteenth century, special interest groups replaced patronage as the principal motivating factor behind political influence.² An examination of Congressional debates in the 1920s and 1930s reveals that the NRA, a special interest group that was relatively unknown outside the shooting and hunting sports community, was able to influence national legislative actions to ensure the Association's continued viability.³ Historians and political scientists alike have acknowledged, with limited explanation, that the NRA played a role in the development and passage of the subject legislation. The NRA's ability to influence actions at the national level was realized through a combination of the Association's leadership, its strength within the federal system, and its participation as a part of the bureaucracy in a democratic republic.⁴

¹ Adam Winkler, *Gunfight: The Battle Over the Right to Bear Arms in America*, 1st ed. (New York, London: W.W. Norton, 2011), 196. Prohibition was implemented following the passage of the Volstead Act in 1919 and remained in place until it was reversed in 1933.

² Allan J. Cigler and Burdett A. Loomis, eds. *Interest Group Politics, Politics and Public Policy* (Washington, D.C: CQ Press, 1983), 2-3.

³ The American public recognized the National Recovery Administration as the NRA of the 1930s.

⁴ The reference to "strength within the federal system" refers to the Association's ability to mobilize support at the state level for an item on the national agenda.

The NRA was also able to influence budget decisions that impacted the conduct of the critically important "National Matches." This aspect of the Association's growing strength has not received the attention given to issues of federal gun control, but was equally important in establishing the NRA as a national organization with power and reach well beyond what might be expected of a relatively small organization with limited resources. Budget issues will be addressed in section 7.8, while section 7.2 of this chapter addresses the battle over federal firearms control.

7.2 A New Need for Gun Control

America's federal system clearly defines law enforcement as a local issue, which often included crimes that involved the use of firearms. However, in the late nineteenth century, the nation's transportation and communication systems improved and so did the ability of criminals to cross state lines which generated the need for improved interstate cooperation. That cooperation included a greater need for the uniformity of laws to control the criminal element that might attempt to cross state lines to avoid prosecution or to acquire items—in this case guns—prohibited in their home-state. This requirement for legal cooperation led to the creation of the National Conference of Commissioners on Uniform State Laws, a late nineteenth century organization that played an important role in the development of federal firearms regulations.⁵ The need for Congressional action was obvious to those who believed that "(O)nly through legislation national in scope can there be effected a uniform and successful regulation

⁵ The National Conference of Commissioners on Uniform State Laws remains a not-for-profit organization that originated in the early 1890s as an adjunct to the American Bar Association, also founded in the early 1890s. Its stated purpose was to promote uniformity in state law on all subjects where uniformity was desirable and practicable. The University of Pennsylvania retains archives of the Commission, <https://www.law.upenn.edu/library/archives/ulc/> (accessed March 30, 2013).

of dealers and manufacturers in firearms and of the disposal of such weapons."⁶ A similar conclusion was reached by the Wickersham Commission, named for President Hoover's Attorney General, that was charged with "studying exhaustively the entire problem of the enforcement of our laws and the improvement of our judicial system, including the special problem and abuses growing out of the prohibition laws." Though their charge was directed to the violation of Prohibition laws and they did not directly address gun control, one of their conclusions was "that the cooperation of the states is an essential element in the enforcement of the Eighteenth Amendment and the National Prohibition Act throughout the territory of the United States; that the support of public opinion in the several states is necessary in order to insure such cooperation." The Wickersham Commission also concluded "that the federal appropriations for enforcement...should be substantially increased."⁷ As the National Commission had found, Prohibition, like gun control required interstate cooperation for effective enforcement, an increase in federal appropriations, and greater federal involvement. Both organizations had concluded that national legislation would be necessary to control the manufacture and misuse of alcohol and guns.

The public sector was not alone in its concern for the growing use of firearms for intra- and interstate criminal activities. However, a blanket restriction on firearms ownership would impact those law-abiding citizens who enjoyed the use of their weapons for personal protection, the protection of agricultural endeavors from wild animals, and recreational purposes. A number of those law-abiding citizens were represented by the United States

⁶ John Brabner-Smith, "Extending Federal Power over Crime," *Law and Contemporary Problems* 1, no. 4 (October 1934): 401.

⁷ The Wickersham Commission included leading experts on criminal justice as well as Roscoe Pound, dean of Harvard Law School; Newton D. Baker, former Secretary of War; and Ada Comstock, president of Radcliffe College, <http://www.druglibrary.org/schaffer/library/studies/wick/wick10.html> (accessed March 30, 2013).

Revolver Association, a non-commercial organization of amateur experts that was aware that the need for some regulation was "evident from the daily newspaper records of crimes of violence committed with the revolver."⁸ Harvard Law professor Sam Bass Warner explained that:

The first model pistol act was drafted for the United States Revolver Association between 1919 and 1922. This act became law in several states and served as the basis for the uniform act approved by the National Conference of Commissioners on Uniform State Laws in 1926. The Commissioners called their act the Uniform Firearms Act, though it deals only with pistols, including in that term revolvers. This act has been approved by the American Bar Association and enacted wholly or partly in a number of states.⁹

New York, with the 1911 passage of the Sullivan Act, had been the first state to implement a law that controlled the purchase of "concealable guns."¹⁰ In 1930, as part of his efforts to enhance interstate cooperation, Charles V. Imlay, Chairman of the Committee on a Uniform Firearms Act, Conference of Commissioners on Uniform State Laws, reviewed the Sullivan Act, other state laws, and a recommendation of the Revolver Association. Imlay concurred with a conclusion earlier reached by the Revolver Association regarding the

⁸ Charles V. Imlay, "Uniform Firearms Act," *American Bar Association Journal* 12 (1926): 767.

⁹ Sam Warner, "The Uniform Pistol Act," *Journal of Criminal Law and Criminology* 29, no. 4 (1938): 532. See, also, John Brabner-Smith, "Extending Federal Power over Crime," 403.

¹⁰ The Sullivan Law, passed in 1911, required licenses for New Yorkers to possess firearms small enough to be concealed. Possession of such firearms without a license was a misdemeanor and carrying them was a felony. For the failure of the Sullivan Act, see Calvin Goddard, "This Pistol Bogey," *The American Journal of Police Science* 1, no. 2 (March-April 1930): 178-192.

ineffectiveness of the Sullivan Act. "In adopting the principle of the Revolver Association Act of a license to carry a concealed pistol as against the requirement of a license to purchase or possess, the Uniform Act follows the almost universal system of regulation which has prevailed in the various states." Imlay continued by suggesting that "(l)it is doubtful whether or not a license to purchase or possess could ever be enforced. Legislation to that end would no doubt be followed by an era of pistol bootlegging similar to the liquor bootlegging which followed Prohibition. The criminal records in New York amply demonstrate that the Sullivan Law has not kept weapons out of the hands of criminals."¹¹

Identifying the need for uniform laws, the States' Attorneys General, arms makers, and the War Department met at the call of F. Trubee Davison, Chairman of the National Crime Commission. Davison announced that the purpose of their meeting was to "attempt to outline legislation regulating the possession and use of pistols which can be adopted by the various States and that would avoid the pitfalls into which much of such legislation previously had fallen."¹² Six months later, Imlay's "sub-committee of the National Crime Commission (met) at the Union League Club [today] and discussed plans for disarming criminals." At this meeting, in an effort to reduce, if not eliminate, the ownership of concealable weapons, police chiefs from sixteen cities publically announced "that citizens gain nothing by going armed."¹³ The attendees at this meeting considered a restriction on the manufacture and importation of concealable weapons which was a solution that ran contrary to Commissioner Imlay's position, and one that would severely impact the freedoms enjoyed by the Revolver Association. That

¹¹ Charles Imlay, "Uniform Firearms Act," 768.

¹² "Proposal That All States Could Adopt," *New York Times*, July 12, 1926.

¹³ "Plan to Bar Arms to All Criminals," *New York Times*, January 29, 1927.

same recommendation would surface during Congressional hearings preparatory to the passage of the National Firearms Act of 1934.

Prior to those Congressional hearings, a prominent member of the Revolver Association stepped forward to challenge restrictions on gun ownership. In his article on the Uniform Pistol Act, Professor Warner gave voice to that prominent member, who noted that,

Both the Uniform Firearms Act and the Uniform Pistol Act seek to encourage target shooting with pistols. The provision in the former act is in section 6 and exempts from the requirement of a license to carry pistols 'the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this state, provided such members are at or are going to or from their places of assembly or 'target practice.' The only such organization at present authorized to purchase or receive pistols from the United States is the National Rifle Association. Thus the act discriminates against members of the United States Revolver Association. It is for this reason undesirable.¹⁴

Professor Warner was quoting the President of the U.S. Revolver Association, Karl Frederick, who had spent a considerable amount of time and effort to improve the status of pistol shooting in America.

¹⁴ Sam B. Warner, "The Uniform Pistol Act," 543.

7.3 The NRA, Its Leaders, and Its Membership

While Professor Warner was acknowledging the role of Frederick in the national debate, he also was suggesting a level of authority that had been attained in 1938 by the NRA, an association that had slightly more than 50,000 members nationwide in a country of over 128 million.¹⁵ Any examination of the events that led to the passage of the National Firearms Act (NFA) must include the role played by the NRA and its leaders. To properly appreciate that Association's function and ability, it is necessary to look, not only at Karl Frederick, but also at the part played by General Milton Reckord, and at the strength of the Association's membership.

From its inception in 1903, the National Board for the Promotion of Rifle Practice had employed the Secretary of the NRA as its Recorder, a position first held by Lieutenant Albert Sidney Jones. In 1925, that position was held by Brigadier General Fred H. Phillips. However, allegations surfaced that "Phillips, who draws a \$600 salary was also accepting income from manufacturers of arms and ammunition."¹⁶ Those allegations led to the resignation of several of the NRA's Executive board members and an internal investigation of the Association's practices. That investigation resulted in the termination of Phillips' connection with the NRA. In his place, the NRA Board of Directors established the position of a "secretary that reported

¹⁵ The membership of the NRA is addressed in a subsequent section of this chapter. In the twenty-first century it is easy, yet incorrect, to assume that the NRA has always been a strong, influential organization with power to influence the national legislative agenda.

¹⁶ "Rifle Association Torn by Dissension," *New York Times*, May 17, 1925.

directly to the Executive Board" of the NRA. That position was initially filled by Maryland's Adjutant General, Brigadier General Milton A. Reckord.¹⁷

Milton Reckord had joined the Maryland National Guard on February 15, 1901 to play on the local unit's baseball team. His leadership talents were recognized early and in three years he was promoted to Captain. Following duty on the Mexican border and in preparation for World War I, President Wilson ordered Reckord's National Guard unit to federal service. Reckord saw extensive combat in Europe, as a member of the American Expeditionary Force, after which he returned to Maryland as a National Guard Colonel. Early in 1920, Maryland's Governor Albert C. Ritchie asked Reckord to serve as the state's Adjutant General, a post he would hold for almost forty-five years. At this time, he was promoted to Brigadier General and, in March 1924, Reckord was federally recognized as Brigadier General.¹⁸ Martha Derthick wrote that "(I)n 1916 the NGA (National Guard Association) had no Washington Headquarters or paid staff. The adjutant General of Maryland, Major General Milton A. Reckord was their able lobbyist but spent only part of his time in Washington dedicated to the guard with the rest devoted to the NRA."¹⁹ As a life member of the National Guard Association (NGA) and the Association's president in 1923 and 1924, Reckord became the primary point of contact in the capital for guardsmen from all over the country. "By the middle of the 1920's, Reckord's (lobbying efforts for the guard) operations in Washington had become more or less formal."²⁰

¹⁷ Trefethen, 212-213; Derthick, 94.

¹⁸ Milton Reckord Papers, Special Collections, University of Maryland Libraries, Hornbake Library, College Park, MD, <http://hdl.handle.net/1903.1/1281> (accessed March 30, 2013). Information on Reckord is also drawn from the NGAUS Archives, Milton Reckord File.

¹⁹ Derthick, 49. Based on documentation in the NGAUS Archives, Derthick's dates are off by a few years as Reckord was not selected to be Adjutant General until after WWI and was not promoted to Major General until 1934.

²⁰ Derthick, 94.

With more than two decades of National Guard service, which included combat in Europe, and several years as an active leader and lobbyist in the NGA, Reckord brought recognized stature and solid experience to his role as secretary of the NRA. That stature and experience were clearly demonstrated when during 1937 hearings before the House Interstate and Foreign Commerce Committee on revision of the National Firearms Act, "it was the NRA's Executive Vice-President Milton Reckord who introduced each witness to the committee, marshaling support from the American Legion, the American Wild Life Institute, and major arms manufacturers."²¹ The NRA may not have been a well recognized national organization, but it did have a well recognized spokesman in the halls of Congress.

The American public was keenly aware of the Congressional debates regarding the regulation of guns.²² If the NRA was going to have any influence in the ongoing debate, it would have to mobilize its membership. In his dissertation on the early years of the NRA, Russell Gilmore noted that in the mid-1920s the NRA "increased its membership twenty-fold. The greater part of the expansion may be put to the threat of restrictive legislation and the wholesale enrollment of bank vigilantes. The NRA also began to take over pressure group's function from manufacturers."²³ Gilmore's argument, that the arms and ammunition manufacturers were willing to allow the NRA to lobby on their behalf has some merit, particularly in light of the dissolution of the Powder Trust, discussed in Chapter 6 of this dissertation. The twenty-fold increase in membership was based on membership information

²¹ Carol Skalnik Leff and Mark H. Leff, "The Politics of Ineffectiveness: Federal Firearms Legislation, 1919-38," *Annals of the American Academy of Political and Social Science* 455, no. 1 (May 1981): 61.

²² Between 1932 and 1934 there were over five hundred *New York Times* articles that addressed Congressional interest in guns.

²³ Gilmore, "Crackshots and Patriots," 257. A lack of access to NRA archives makes verification of membership rolls difficult.

from the Association's 1929 annual report, which is discussed below.²⁴ Interestingly, during Congressional debates over the 1928 budget, which included funding for annual rifle competition, Congressman Barbour mentioned the numerous letters that had been received from rifle clubs whose members numbered "about 100,000."²⁵

Taking a slightly different position, historians William Kennett and James Anderson argued that "(I)n 1925 the National Rifle Association was a modest organization of a few thousand members, and was just beginning to take an active interest in the controversy (gun ownership)." Suggesting that the NRA was not well known, Kennett and Anderson wrote that the most outspoken opponents of firearms legislation were the sporting magazines of the day, whose arguments did not go far beyond their own readership. Horace Kephart was one of the foremost leaders of the sports shooting community and "writing in *Outing* and speaking for the 'seven million sportsmen' in the country, warned that their legitimate interests would be harmed."²⁶ Kephart was writing in response to a June 9, 1921 advertisement that had appeared in the *New York Times* offering to "pay \$1,000 to anyone who will give me good reason why the revolver manufacturing industry should be allowed to exist in America." In addition to providing several reasons for the ownership of revolvers, among them personal self-defense, Kephart added that "the next step, then, would be to prohibit the manufacture of all firearms."²⁷ This "slippery slope" argument would be adopted by Frederick and other members

²⁴ Ibid. Gilmore is citing "Summary Report of the Executive VP for the Year 1929," *American Rifleman*, January 15, 1926.

²⁵ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: 2379.

²⁶ Kennett and Anderson, *The Gun in America*, 195.

²⁷ "Arms for Defense of Honest Citizens," *Outing*, September 1924, 259.

of the NRA; however, Keport did not mention the Association in his response to the *Times* advertisement.

Though the NRA did not represent all of the nation's sportsmen, it did represent a vocal segment and on the strength of that membership would depend future legislative success. General Reckord, as the Association's secretary, was responsible for membership records and his first report to the NRA Executive Committee showed a sharp upswing in membership. In early 1928 he reported that "(A)nnual membership had risen from 15,173 to 22,054, and Life Members had increased from 245 to more than 1,500."²⁸ While club membership guaranteed access to government arms and ammunition, the NRA required individual members who would be able to petition their representatives in the event that political pressure was required. Toward that end, at the January 30, 1930 NRA Board of Directors meeting, the Association approved the offer of charters without charge to all clubs with 100% individual membership; "one year later there were one hundred, '100 per cent' clubs."²⁹ In 1932, the NRA reported that 361 new clubs had been formed during the previous year and 2,807 individuals had paid for life membership.³⁰ Looking at the Association's strength as it mounted campaigns to oppose the federal regulation of firearms presents a somewhat confusing membership picture. In a July 1937 article for *The American Rifleman*, the editor celebrated that in the past fifteen years the Association had grown from 400 to more than 3,000 clubs, from two to forty-two state associations, and from less than 4,000 to more than 54,000 individual members.³¹ Eight

²⁸ Trefethan, *Americans and Their Guns*, 215.

²⁹ Trefethan, *Americans and Their Guns*, 224.

³⁰ *Ibid.*, 229.

³¹ "Take Pride in Your Job," *American Rifleman*, July 1937, 4.

months later, the same magazine reported that the following information had been published at the recent annual meeting.³²

Table 7.1 MEMBERSHIP DATA: 1936-1937

Year	1936	1937
Annual members	34,017	36,100
Life members	8,755	9,702
*Total	42,872	45,802
Clubs	2,519	2,964

* In a June 1938 article about pending summer fun and the opportunity for school children to learn about marksmanship programs, the editor wrote that "there are 60,000 adult members of the NRA."³³

Whether the NRA had 45,000, 54,000, 60,000, or 100,000 members while Congress debated federal firearms control, it was not a very large national organization. Perhaps, as Horace Kephart had pointed out some fifteen years earlier, the NRA did represent "some 7 million sportsmen" and in so doing was able to exert an inordinate level of influence.³⁴

However, those opposing the NRA's position also had large memberships. For example, during the administration's 1934 campaign to support federal firearms legislation, the Assistant

³² "President Commends Association," *American Rifleman*, March 1938, 23. The title of the article comes from a letter from President Roosevelt to the NRA that was read to the annual meeting.

³³ "Editor's Column," *American Rifleman*, June 15, 1938, 4.

³⁴ See 298n27.

Attorney General would reportedly speak to a national association of women's clubs that represented two million members.³⁵

In addition to membership numbers, the NRA-published report also included the following financial data for the Association:

1937 annual income	\$258,526
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1937 annual expenses	\$242,919
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While this was a considerable amount of money in 1938, the annual Congressional appropriation for the National Matches alone was \$500,000. The NRA was neither a large nor a wealthy Association as they entered 1938 in opposition to the registration of firearms by the federal government.

In comparison, the 135,000-member American Medical Association lobbied against the Pure Food Bill in 1906 and the U.S. Chamber of Commerce reported total revenue of \$2,311,089 in 1928. Also, in 1928 the American Farm Bureau Federation claimed a membership of between 1 and 1.5 million families and the American Federation of Labor reported revenue of over \$500,000.³⁶ In a more direct comparison to the NRA's efforts to defeat firearms control,

³⁵ "Clubwomen Insist on Anti-pistol Bill," *New York Times*, May 25, 1934.

³⁶ Edward B. Logan and Simon N. Patten, "Lobbying," *Annals of the American Academy of Political and Social Science* 144 (July 1929): 7-8, 35, 41, 44. Logan and Patten list dozens of large, active lobbies representing nationwide interests in Washington, D.C. during the early decades of the twentieth century.

the Association of Gas and Electric Companies admitted before Congress to having spent \$900,000 in 1935 to defeat a utilities regulation bill.³⁷

While authorities like Kennett and Gilmore have argued that the Association had grown exponentially during the previous decade, it remained relatively small with a membership less than five one-hundredths of a percent of the nation's population and a commensurate budget. Membership campaigns had certainly energized the Association; however, the renewed relationship between the NRA and National Guard was likely more important to success. That relationship was empowered by the advice of Karl Frederick and the presence of General Reckord as the principal representative of both organizations in the nation's capital. With Frederick's arguments and Reckord's guiding hand, the NRA's influence would be felt on Capitol Hill during the gun control debates leading to the passage of the National Firearms Act in 1934 and subsequently on the successful defeat of Attorney General Cummings' efforts to implement federal firearms registration in 1938.

7.4 Karl T. Frederick and a Studied Rejection of "Blanket" Gun Control

The editor of the *American Journal of Police Science* introduced a 1931 article by Karl T. Frederick that included the history of firearms legislation. The introduction noted that the regulation of small arms ownership had been the topic of legislators for several years and that numerous, dissimilar laws had been enacted in the recent past that had made interstate

³⁷ Edgar Lane, "Some Lessons From Past Congressional Investigations of Lobbying," *The Public Opinion Quarterly* 14, no. 1 (Spring 1950): 27. See, also, Belle Zeller, "Regulation of Pressure Groups and Lobbyists," *Annals of the American Academy of Political and Social Science* 319, no. 1 (September 1958): 94-103.

cooperation difficult.³⁸ The lack of beneficial results from the myriad of state laws had caused the National Conference of Commissioners on Uniform State Laws to meet in August 1930 and approve the “Uniform Firearms Act which had been before it for consideration over a period of several years. This Act was subsequently accepted as satisfactory by the American Bar Association.”³⁹ The editor pointed out that Frederick was a “distinguished member of the New York Bar,” and that he was “extremely well qualified” to address the subject of pistol regulation. The editor might have added that in addition to degrees from Princeton and Harvard's Law School, Frederick had won three gold medals in pistol shooting at the 1920 Olympics in Antwerp, Belgium. At the time the article was written, Frederick was the president of the U.S. Revolver Association, and he would later serve as the president of the NRA. During his 1934-1936 tenure at the head of the NRA, Frederick would testify before Congressional Committees preliminary to the passage of the National Firearms Act of 1934 and the Federal Firearms Act of 1938.

A review of Frederick's article is helpful to understand his position as the NRA's president and to contextualize his testimony before Congress. First and foremost, Frederick was aware of the extant public outcry for the abolition of firearms and he suggested that opposition to restrictions on firearms ownership would necessarily come from "organizations such as the National Rifle Association and the United States Revolver Association and from other bodies such as surety companies, organizations of sportsmen, reserve officers,

³⁸ Karl Frederick, "Pistol Regulation: Its Principals and History," pt. I, *American Journal of Police Science* 2, no. 3 (September/October 1931): 440-451; Karl Frederick, pt. II, *American Journal of Police Science* 3, no. 1 (January/February 1932): 72-82; Karl Frederick, pt. III, *American Journal of Police Science* 3, no. 3 (September/October 1932): 531-542. (The 15,000 word article appeared in three parts.) Frederick would be recognized as having spent over fifteen years studying the issue of gun control in the United States.

³⁹ *Ibid.*, 440.

legionnaires, and other similar bodies." Frederick's concern that firearm ownership might be restricted led him to write what was published as a three-part article. He "hoped that the present articles will aid the members of this large and public-spirited group to offer effective opposition to the drastic proposals which are so often encountered and to assist them in obtaining reasonable, sensible, and fair legislation affecting firearms."⁴⁰ In a plea to the patriotic heart of America, Part I of his article argued that "(W)hile agitation has been chiefly directed at pistols and revolvers, it must be apparent to every thoughtful person that this is but a first step toward the restriction or destruction of all firearms." Unquestionably reminiscent of the NRA's nineteenth century message, he added that the "safety, indeed the very existence of the nation may depend in the future, as it has at times depended in the past, upon the familiarity and efficiency of the whole people in the use of firearms."⁴¹ Aware that a recent Crime Commission argument "that citizens gain nothing by going armed" justified calls to eliminate handguns in America, Frederick offered six uses for pistols:

1. The use of pistols by the police, secret service, and other law-enforcement officers.
2. The use of pistols by the Army, Navy, Marine Corps, National Guard, and Organized Reserves.
3. The use of pistols by bank guards and bank employees, express and mail agents, watchmen, and messengers. "New York instructs 1,200 of its employees who are armed with pistols."
4. The use of pistols by target-shooters and sportsmen, 7,000,000 in number.
6. The use of pistols by criminals.

⁴⁰ Frederick, "Pistol Regulation: Its Principals and History," 441.

⁴¹ Ibid., 441-42.

He concluded that "(U)nless this final group is more numerous than any of us imagine, it must constitute but a small percentage of the entire number. Nevertheless, it alone is the group which makes all of the trouble and which, from the misuse of firearms, inspires the well-meaning reformer to urge the abolition, first of pistols, and then of all other guns."⁴²

Part II of Frederick's article focused on the issue of the value of pistols and the position espoused by Chief Magistrate McAdoo of New York who was quoted as saying: "We will never get anywhere in fighting the pistol until we convert public opinion to the belief that the revolver has no value as a weapon of defense."⁴³ McAdoo's comments were an affirmation of New York City Police Commissioner Enright's earlier comment that, "(H)aving a gun in the house is no protection. A man is awakened in the middle of the night, and even though he had a gun, it is probably in a closet or drawer. Even if he had it by his side, the crook has got the drop on him and he has no chance to use it. If he could use it, he probably couldn't shoot straight enough to hit the side of a barn door."⁴⁴ Frederick rebutted McAdoo and Enright with several documented cases in which pistols had been used successfully to defend innocent citizens. He concluded his argument by relating the success that the State of Indiana had realized in their efforts to combat a rash of bank robberies.

The State Banking Association, consequently formed organizations known as "Vigilantes," had them deputized as peace officers, made them members of the National Rifle Association, armed them with Krag rifles and .45 revolvers, and commenced a serious course of training. The result

⁴² Frederick, 447.

⁴³ Ibid., 77, quotes *New York Evening Sun*, May 22, 1925.

⁴⁴ Ibid., 77, quotes *New York Times*, May 19, 1922.

was immediate and startling. In one year the monetary loss from bank robberies in Indiana was reduced 84 per cent and the number of attacks upon banks was reduced 79 per cent. Of the seven attacks that took place in the first year of the organization, five occurred in counties which had not completed their organization.⁴⁵

Part III of Frederick's article continued with the same theme. He used a recent court case as a way to employ the rationale of British Common law, and he projected as to what would become a twentieth century position espoused by the NRA, which was that personal self-protection warranted the right to carry a firearm. In ruling on the constitutionality of New York's law that firearms be registered, the court upheld the Sullivan Law as a valid exercise of the police power.⁴⁶ Frederick wrote that the "dissenting opinion of Justice Scott, however, was singularly prophetic and clear." He said:

The practical result of the construction now sought to be given to the act will be that the professional criminal will generally violate the act and take his chances of discovery and punishment while the law-abiding citizen will be obliged to disarm himself of his only effective protection against the predatory classes. The best police force in the world cannot always or even usually anticipate and prevent crimes of violence. They can and usually do preserve peace and order and sometimes discover the perpetrators of

⁴⁵ Frederick, 82.

⁴⁶ Frederick was referring to *People ex rel. Darling v. Warden*, 154 App. Div. 413 (N.Y. 1st Dept. 1913) in which the Sullivan Law was upheld. The reference to English Common Law is to William Blackstone's 1765 *Commentaries on the Laws of England* in which he included the fifth and final auxiliary right that individuals have the right to defend themselves with whatever means that they feel necessary.

crimes, but they can seldom prevent. A law-abiding citizen in his walks abroad can usually avoid dangerous localities, and if he is compelled to traverse can obtain a license to carry a defensive weapon, but in his own house, wherever it may be situated, he can never be entirely against the midnight marauder. For protection there, he is compelled to rely upon himself and upon such means of defense as he may have at hand. The construction now sought to be given to the Act would deprive him of such protection.⁴⁷

The last paragraphs of Frederick's article provided one other very important point about the NRA, and in so doing offered a validation of the years of effort by the Association's earlier leaders. In addressing "the hopeful indication...to be found in the increasing irritability of 'pistol prohibitionists'," Frederick commented about the activities of rich and powerful lobbies that represented arms and ammunition manufacturers. He pointed out that they were "not credited by anyone who has any knowledge of the facts, but they doubtless impress a certain class who are prepared to believe any statement if only it is sensational. One may safely assert that no evidence can be produced by any extensive or organized lobbies in connection with pistol legislation other than those which have been organized by the 'pistol prohibitionists' themselves." Those words of Frederick set the stage for the more important point offered in response to Chief Magistrate McAdoo who, "appearing before the New York State Crime Commission in October, 1926, stated, 'We can't make any headway in preventing the use of pistols because of the lobbies in Albany and Washington.'" He was interrupted by Assemblyman

⁴⁷ Frederick, 540-541.

Esmond, the vice chairman, with the remark: 'It wasn't entirely because of the lobby that the pistol bill failed to pass. I handled the bill, and if it had passed, I would not have had a chance to be re-elected from my district.'⁴⁸ Assemblyman Esmond could not have provided a more positive endorsement for the successful grassroots campaign that had been started two decades earlier by then NRA President James A. Drain. Quite obviously, the NRA had been able to energize and to mobilize their membership to support those politicians who favored the Association's chosen position and to threaten the reelection hopes of those in opposition.

Frederick concluded his three part article with a prescient comment regarding the NRA's ability to access a large grassroots constituency and that constituency's contemporary influence on Congressional dialogue. "(E)ncouraging, indeed is such evidence of the force of public sentiment aroused to action. Upon such force of public sentiment and good sense must we depend for our protection against the folly of the anti-pistol agitation?"⁴⁹

7.5 FDR's Administration Becomes More Involved

Federal control of firearms was not an entirely new topic in Washington, D.C. In 1927, the Post Master General had been successful in removing his agency from the business of mailing firearms by convincing local authorities that if the post office remained in the business of shipping guns, then federal agents would have the authority to intervene in local matters. Though the 1927 statute barred handguns from the U.S. postal system, it did not close any of the alternative means of shipping firearms, and it played a minimal role in the control or

⁴⁸ Frederick, 542.

⁴⁹ Ibid.

ownership of firearms.⁵⁰ While the public and private sectors struggled to reach a consensus on how to reduce the criminal use of firearms while avoiding unacceptable restrictions on their legal use, the incoming administration moved to increase the federal government's involvement. President Franklin D. Roosevelt was motivated by more than just his desire to reduce criminal activity. As New York's governor, he had expressed the need for the cooperation of neighboring states, noting that the "Sullivan law has proved ineffective to meet present conditions."⁵¹ In addition to curbing criminal activity, the Governor was concerned about the misuse of weapons by law-abiding citizens. While discussing his "campaign to outlaw the machine gun and curb the sale of pistols" then Governor Roosevelt relayed a personal event that had occurred at his Hyde Park home. The Governor had been alerted by a report that homes had been broken into in his neighborhood. He explained that "(O)ne night he sat in a darkened room, a shotgun across his lap. A man stepped around the corner of the stable. When he called out, the man failed to reply immediately. Mr. Roosevelt was about to fire when the suspected burglar spoke up. He was the coachman."⁵²

The issue of firearms control also received heightened interest following the attempted assassination of President-elect Roosevelt by Giuseppe Zangara. On February 15, 1933, Zangara fired five rounds from a pistol at the Presidential car, missing Roosevelt but striking five others, one of them, Mayor Anton Cermak of Chicago, who died of his wounds. At Zangara's trial, "Judge Thompson of the Eleventh Judicial Circuit Court of Florida declared his firm conviction

⁵⁰ The law that was implemented was "Firearms as Nonmailable" (18 U.S. 1715). For a discussion of the 1927 law, see Leff and Leff, 50-52; William Graebner, "Federalism in the Progressive Era," *Journal of American History* 64, no. 2 (September 1977): 349.

⁵¹ "The Governor's Message," *New York Times*, September 2, 1931.

⁵² "Roosevelt Cites Own Case to Show Gun-Permit Dangers," *New York Times*, September 3, 1931.

that Congress should pass an act providing for confiscation of all firearms that may be carried or concealed about the person."⁵³ As the new administration assumed its mantle, it did so with the knowledge that on the issue of federal gun control, it had the support of interstate law enforcement associations, the public at large, and the courts.

Upon entering office, President Roosevelt's principal booster for controlling firearms was his Attorney General, Homer Cummings. A few short months after taking office, the *New York Times* reported that the new Attorney General "said in an interview that legislation would be submitted to the next Congress with regard to the administration's program for fighting crime." Quoting the Attorney General, the paper added a reservation from Cummings who was quoted as saying that, "I have no predictions to make about what the legislation will be except that there probably will be laws to restrict the sale of firearms and deadly weapons."⁵⁴ In January 1934, in his annual report to Congress, Cummings included the administration's plan to submit proposed legislation to Congress for "regulation of traffic in machine guns and other firearms."⁵⁵ That plan included the early 1934 submission of twelve bills to the 73rd Congress for their consideration. The *New York Times* reported the first item on the list "to tax

⁵³ Carl Bakal, *The Right to Bear Arms* (New York: McGraw Hill, 1966), 167. In the description of the assassination attempt and court actions, Bakal cites Arthur M. Schlesinger, Jr., *The Age of Roosevelt: The Crisis of the Old Order, 1919-1933* (New York: Houghton Mifflin, 1957), 465.

⁵⁴ "Cummings Bars Federal Police," *New York Times*, September 1, 1933. Cummings' request for legislation had been reported earlier in "Cummings Asks Law to Aid Fight on Gangs, Says Federal Government Must Act," *New York Times*, July 2, 1933. Cummings served as Attorney General from 1933 to 1939.

⁵⁵ "Asks Federal Aid in Drive on Crime," *New York Times*, January 6, 1934.

importers, manufacturers and dealers in firearms and machine guns and to regulate the sale thereof."⁵⁶

The Second Session of the 73rd Congress met from January through June 1934, during which time both the Senate and the House considered legislation that would lead to the passage of the nation's first federal firearms legislation: The National Firearms Act of 1934, 48 Statute 1236. The bill was submitted by Attorney General Cummings, and it had the backing of the American Bar Association, the International Association of the Chiefs of Police, the General Federation of Women's Clubs representing over two million women throughout the country, and the public at large.⁵⁷ "The newly formed American Institute of Public Opinion indicated that more than five-sixths of the nation's population favored (gun) registration."⁵⁸ In a 1970 report, Zimring found that 79% of Americans felt that owners of revolvers and pistols should be required to register them.⁵⁹ With support from a popular President, the backing of several national organizations, and an apparent populist fervor for gun registration, Attorney General Cummings had every right to believe that national gun control legislation, as he had outlined it, was imminent. However, that was not to be the case as the opposition was able to exert unexpected pressure from a small segment of the American polity, who were members and friends of the NRA.

⁵⁶ "Wide Power Asked in Drive on Crime," *New York Times*, February 20, 1934. In a presentation before the Daughters of the American Revolution, Cummings listed this item as number eleven of twelve. Homer S. Cummings, *Selected Papers of Homer Cummings, Attorney General of the United States, 1933-1939*, Franklin D. Roosevelt and the Era of the New Deal (New York: Da Capo Press, 1972), 38. See also Franklin Zimring, "Federal Firearms Law," *Journal of Legal Studies* 4, no. 1 (1975): 138.

⁵⁷ Bakal, 176.

⁵⁸ Ibid.

⁵⁹ Zimring, "Firearms and Violence," 104. This citation appears in Kennett and Anderson, *The Gun in America*, 213, 300nn.

Though reporters would occasionally suggest that the nation had millions of gun owners, the idea that America had a "gun culture" was not developed until the latter half of the twentieth century.⁶⁰ Similarly, the NRA was not a well recognized, national association until the latter half of the twentieth century. In 1934 the American public recognized the acronym NRA as standing for the National Recovery Act or Administration, the implementing arm of the National Industrial Recovery Act, signed into law by President Roosevelt on June 16, 1933. In fact, *Time Magazine* selected retired Army General Hugh Samuel Johnson, the Director of the National Recovery Administration as Man of the Year for 1933. A review of the acronym "NRA" in the *New York Times* reveals that between January and June of 1934, the acronym was used over 2,000 times, almost exclusively in reference to the National Recovery Administration and manufacturing issues that were related to the nation's economic troubles. During that same six month period, the *Times* published only three articles about the National Rifle Association. The first was a very short article about Harold J. Papernik's qualification as an expert rifleman in the junior division of the National Rifle Association.⁶¹ The second announced Karl Frederick's assumption of the Association presidency in March and the third was a short article announcing the award of distinguished marksman badge to John Davidson of New York. In January 1934, *The Times* used the acronym, NRA, 422 times, and only one of those times applied to the Rifle Association. (It did appear in the aforementioned Papernik article.) Even when *The Times* did report on the lobbying efforts of the Rifle Association, it did not always use the NRA acronym. In the report of a speech by Assistant Attorney General Joseph Keenan, in which he appealed

⁶⁰ Hofstadter, "America as a Gun Culture," 4.

⁶¹ "Papernik Wins Rifle Honors," *New York Times*, January 24, 1934.

for support for the administration's position on gun control, *The Times* referred to the opposition as the American Rifleman's Association.⁶²

It was not only the press that reflected a limited recognition of the National Rifle Association as the NRA. In *Selected Papers of Homer Cummings*, the editor includes over thirty private and public organizations and associations that had neither state nor federal government affiliation.⁶³ A review of the book's index reveals entries for the National Association of Credit Men, the Associated Grocery Manufacturers, the American Bar Association, the International Association of the Chiefs of Police, the Ford Motor Company, and many others. There are neither index entries for the National Rifle Association nor is the NRA as this Association's acronym mentioned in any of the papers or speeches published in this collection of Cummings' works.

7.6 The National Firearms Act (NFA) Debate⁶⁴

On January 11, 1934, "Senate bill (S. 2258) to regulate the commerce in firearms was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the record." The published bill defined a firearm as "a pistol, revolver, or any other firearm capable of being concealed on the person, a sawed-off shotgun, a muffler or silencer, a blackjack or any weapon of similar nature, brass knuckles, by whatever name known, a tear-gas

⁶² "Club Women Insist on Anti-pistol Bill," *New York Times*, May 25, 1934.

⁶³ Cummings, index for *Selected Papers of Homer Cummings*, 307-316, passim.

⁶⁴ *Cong. Rec.*, 73rd Congress, 2d sess., 1934, vols. 1-155 (1873-2009) and *U.S. Statutes at Large* 1-123 (1789-2009). House Committee on Ways and Means, *National Firearms Act: Hearings on H.R. 9066*, "NRA President's Testimony during Congressional Debate of the National Firearms Act of 1934," 73rd Cong., 2d sess., 1934 (Washington, D.C.: Government Printing Office, 1934).

pistol or pencil or ammunition for any of said weapons."⁶⁵ The proposed legislation provided comprehensive regulation of the importation, manufacture, sale, purchase, possession, transfer, and shipment of all items defined as firearms. Though not mentioned in the section that defined firearms, Section 4 added restrictions on the importation of machine guns. Section 5 provided that the bill's restrictions did not apply to departments, agencies, or agents of the United States. And finally, in an apparent effort to ensure that previous legislation would not be impacted, Section 10 added that nothing in this act would "amend or repeal any provision of the act entitled 'An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable (sic) and providing penalty, approved February 8, 1927.'" Before closing the debate on S. 2258, Senator Robinson of Arkansas commended Senator Copeland and the other members of the select committee for "the diligence shown in the study that is being made...(I)f public sentiment shall be sufficiently aroused, we will witness the termination of gang rule where it exists in the United States."⁶⁶ There was obviously great hope that the proposed bill would solve the problems related to criminal access to firearms.

In early February, several Senators brought forth letters from constituents that challenged the pending firearms regulation. Edward Weil's letter from Pittsburg, PA wrote that "the real purpose of all anti-firearms law is to disarm people and make them helpless." The

⁶⁵ *Cong. Rec.*, 73rd Cong., 2nd sess., 1934, 78: 459. The bill was sponsored by Senators Copeland, Vandenburg, and Murphy. A muffler is a type of silencer for a firearm.

⁶⁶ *Cong. Rec.*, 73rd Cong., 2nd sess., 1934, 78: 460.

members of the Milroy Gun club in Mifflin County, PA submitted a petition to Senator Focht challenging the value of Senate Bill 2258.⁶⁷

On April 16, 1934, Karl Frederick was invited to testify before the Ways and Means Committee of the House of Representatives regarding the proposed National Firearms Act. Hearings were held on April 16, 18 and May 14, 15, and 16, 1934. The specific subject to be addressed was H.R. 9066 of the 73rd Congress, Second Session which was:

A BILL To provide for the taxation of manufacturers, importers, and dealers in small arms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate Transportation thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this act the term "firearm" means a pistol, revolver, shotgun having a barrel less than sixteen inches in length, or any other firearm capable of being concealed on the person, a muffler or silencer therefore, or a machine gun.⁶⁸

Frederick was introduced to the Committee by General Reckord as "the President of the National Rifle Association of America. He is the vice president of the United States Revolver

⁶⁷ *Cong. Rec.*, 73rd Cong., 2nd sess., 1934, 78: 2338. Letter to Senator Davis inserted in the *Congressional Record*, 2338.

⁶⁸ The Krag-Jorgensen Rifle, manufactured in the U.S. as the Springfield Model 1892, was the weapon issued by the government to the NRA. It had a thirty-inch barrel. In 1912, Springfield produced a short barrel version of this weapon. That barrel was twenty-two inches long. A rifle with a sixteen-inch barrel would not have been considered adequate for the purpose of hunting or target shooting.

Association. He is a member of the Campfire Club. He is also a member of the New York Fish, Game, and Forest League and is vice president of the New York Conservation Council, Inc.; a former member of the Commission on Fire Arms Legislation of the National Crime Commission."⁶⁹ Frederick opened his testimony by supplementing the qualifications provided in Reckord's introduction, with "I have been giving this subject of firearms regulations study and consideration over a period of 15 years, and the suggestions resulting from that study of mine and the people with whom I have been associated, such as the National Conference of Commissioners on Uniform Laws, have resulted in the adoption in many States of regulatory provisions suggested by us."⁷⁰

Frederick objected to several items in the proposed bill, beginning with the definition that "machine gun" means any weapon designed to shoot automatically or semi-automatically twelve or more shots without reloading. After much debate, Frederick was able to convince the committee that a machine gun was any weapon that fired multiple times with one operation of the weapon's trigger.⁷¹ Frederick's next objection to H.R. 9066 was the proposed licensing fee of \$200 a year for individual dealers. He suggested that "an annual fee of \$200 a year will eliminate 95 percent of the dealers in pistols."⁷² In the subsequent debate, Frederick argued that many small dealers sold four or five pistols a year and that an annual fee of \$200 would

⁶⁹ General Reckord's introduction of NRA president Karl Frederick, "NRA President's Testimony," 38. The NRA's president's testimony was published on the internet by the gun owners association Keep and Bear Arms, <http://www.keepandbeararms.com/> (accessed April 1, 2013). Frederick's testimony is found in the site's archives at <http://www.keepandbeararms.com/nra/nfa.asp> (accessed April 14, 2013). Page numbers referenced come from that site. The site also includes PDF presentations of the Government Printing Office publication of the National Firearms Act hearings, including Frederick's testimony. The actual testimony in the PDF files has been verified against the published transcript. The published transcript is referenced here as the pagination is much easier to follow.

⁷⁰ "NRA President's Testimony," 38.

⁷¹ *Ibid.*, 42.

⁷² *Ibid.*, 43.

"eliminate all but the largest and the wealthiest and the strongest individual dealers."

Throughout the debate, Frederick questioned whether the bill's purpose was to control criminal access to guns or to act as a revenue-producing measure. He suggested to Representative James Frear, Wisconsin, that "the result of this provision here will be to deprive the rural inhabitant, the inhabitant of the small town, the inhabitant of the farm, of any opportunity to secure a weapon which he perhaps more than anyone else needs for his self-defense and protection. I think that it would be distinctly harmful to destroy the opportunity for self-defense of the ordinary man in the small community, where police forces are not adequate."⁷³ When questioned regarding the basis for his opinion, Frederick remarked that the burden of filling out and submitting numerous federal documents, restriction to federally authorized dealers, and the cost of licensing were among the "many impediments put in his way." Pressed to suggest an appropriate fee for licensing, Frederick offered that

I think if it were a negligible fee - and as I see it, inasmuch as I believe the main purpose behind this bill is a police purpose and not a revenue purpose, it seems to me that that charge should be made quite nominal; it should be made so small that you get actually the police result that you want, namely, the registration of the dealer and the issuance of a license to him, but that should not be made a burden to him in point of dollars and cents.⁷⁴

⁷³ Ibid.

⁷⁴ "NRA President's Testimony," 44.

Following frequent reference to the Uniform Firearms Law that had been adopted by Washington, D.C., Representative John Cochran, Missouri, requested that Frederick include in his remarks, through insertion in the record, "a copy of the uniform firearms bill which his association has sponsored and which has been adopted in various States?"⁷⁵ That law focused on the licensing of dealers, restricting criminals' access to guns, and limiting the carrying of concealed weapons. Section 5 of the Uniform Firearms Law stated that it,

shall not apply to marshals, sheriffs, prison or jail wardens, or their deputies, policemen or other duly appointed law enforcement officers, or to members of the Army, Navy, or Marine Corps of the United States or of the National Guard of Organized Reserves when on duty **or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States**, provided such members are at or are going to or from their places of assembly or target practice.⁷⁶

Rifle Club by-laws published by the NRA, in accordance with the direction that they had received from the National Board for the Promotion of Rifle Practice, granted members of civilian rifle clubs, who were officially affiliated with the NRA, authorization to purchase weapons from the United States. Public Law 58-149 of 1905, "An Act: To promote the efficiency of the reserve militia and to encourage rifle practice among the members thereof" authorized the "Secretary of War ...to sell...rifles belonging to the United States for the use of

⁷⁵ Ibid., 44-47.

⁷⁶ Ibid., 46-47. Emphasis added.

rifle clubs formed under regulations prepared by the national board for the promotion of rifle practice."⁷⁷

In addition to the minor details of the pending bill raised by members of the Committee, the Chairman asked Frederick, "how long would it take you, if it were feasible, to prepare a bill better than you think the pending bill is, and one that would accomplish the purpose we have in mind, for the protection of society, to reach the end the Department of Justice has in mind, and submit it to the committee? That would be constructive, that would be practical, that would be helpful."⁷⁸ In response, Frederick positioned himself in support of local firearms regulation and suggested that "(I)n my opinion, the useful results which can be accomplished by firearms legislation are extremely limited."⁷⁹ When pressed further, Frederick did agree "to submit a written memorandum containing some concrete suggestions."⁸⁰

Though the constitutionality of the pending bill did not receive a great deal of attention, Representative Clement Dickinson from Missouri did ask "whether or not this bill interferes in any way with the right of a person to keep and bear arms or his right to be secure in his person against unreasonable search; in other words, do you believe this bill is unconstitutional or that it violates any constitutional provision?"⁸¹ Frederick responded that he had not "given study form that point of view...but I do think it is a subject which deserves serious thought." Pressing Frederick to commit to a position on the issue of constitutionality, Representative John

⁷⁷ *Militia Act of 1905*, Public Law 149, 58th Cong., 3d sess. (March 3, 1905). See Senate Bill 5094 for congressional debate. A discussion of the 1905 law is found in chapter 5 of this dissertation.

⁷⁸ "NRA President's Testimony," 50.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, 51.

⁸¹ "NRA President's Testimony," 53.

McCormack from Massachusetts suggested that "(T)he fact that you have not considered the constitutional aspect would be pretty powerful evidence, so far as I am concerned, that you did not think that question was involved."⁸² By responding in the negative to McCormack, Frederick again revealed his preference for local rather than federal controls.

No; I would not say that, because my view has been that the United States has no jurisdiction to attack this problem directly. I think that under the Constitution the United States has no jurisdiction to legislate in a police sense with respect to firearms. I think that is exclusively a matter for State regulation and I think that the only possible way in which the United States can legislate is through its taxing power, which is an indirect method of approach, through its control over interstate commerce, which was perfectly proper, and through control over importations.⁸³

Following considerable debate, Frederick was asked to provide his remaining specific objections to the bill before the Committee. After further discussion Frederick asked "to have the privilege of submitting some suggestions in writing." The Chairman responded to Frederick in the affirmative and was followed by Representative Dickinson. The transcript of the Dickinson-Frederick exchange is enlightening.

Mr. DICKINSON. Let me say that I have received numerous telegrams asking me to support legislation along the lines of the recommendations of

⁸² Ibid.

⁸³ Ibid.

the National Rifle Association. Your line of thought is in accord with the things advocated by the National Rifle Association?

Mr. FREDERICK. I am president of the National Rifle Association and I think I correctly voice its views.

Mr. DICKINSON. Your purpose is to submit to this committee recommendations desired by the National Rifle Association in connection with this bill?

Mr. FREDERICK. Among the other organizations whose views I voice.

The CHAIRMAN. When may we have your written suggestions?

Mr. FREDERICK. I will get at it this afternoon and try and let you have it as quickly as I can. As a lawyer, I know that the drafting of legislation is an extremely difficult job. You have to do a lot of checking, and it is a difficult piece of work.⁸⁴

The Committee Chairman made reference to the telegrams that had been received by Representative Dickinson that had urged him to support the NRA. The Chairman then asked Frederick about the NRA's intentions regarding legislation, and specifically, when the NRA had decided "to call on Congress for legislation dealing with this subject?"⁸⁵ Frederick responded that the Association had no interest in sponsoring a bill in Congress and that "little of value can

⁸⁴ "NRA President's Testimony," 58.

⁸⁵ Ibid., 59.

be accomplished by Federal legislation on this point."⁸⁶ This exchange expanded to other members and continued with Frederick repeatedly affirming his position that "based upon a rather extensive experience with this subject and study of it, very little of practical value can be accomplished by Federal legislation on the point."⁸⁷ Some concern was raised by Representative James Frear from Wisconsin regarding a possible connection between the NRA and companies involved in the manufacture of firearms and ammunition.⁸⁸ Frederick did affirm that he represented the NRA and other conservation and sportsmen's associations, that his expenses were paid by the NRA, and that in his profession as an attorney he had no clients engaged in ammunition or arms manufacture.⁸⁹ In response to a question from Representative John McCormack, Massachusetts, Frederick offered that,

The National Rifle Association is an incorporated body organized, I think, in 1871. It comprises amateur rifle shooting in the United States and it is organized for the purpose of promoting small-arms practice; it works with the War Department, and, in conjunction with the War Department, until the depression, it conducted national matches for which the National Congress appropriated \$500,000. It is composed of individual members

⁸⁶ "NRA President's Testimony," 59.

⁸⁷ *Ibid.*, 60.

⁸⁸ Gilmore, "Crackshots and Patriots," 257. Gilmore has argued that the NRA's membership expanded because of its affiliation with arms manufacturers and that the NRA gained its strength by assuming the role of arms and ammunition lobby in place of the manufacturing sector.

⁸⁹ "NRA President's Testimony," 62.

and affiliate groups, that is, shooting clubs, etc. Our membership runs into the hundreds of thousands all over the country.⁹⁰

The Committee's hearings then moved directly to the issue of grassroots support. Representative Knute Hill from Washington offered that he had received a telegram from the Pacific coast signed by a number of persons urging "all possible consideration to recommendations proposed by the National Rifle Association in connection with H.R. 9066." Hill added that "(E)vidently they know that this hearing is taking place this morning."⁹¹ General Reckord responded that he had been responsible for the distribution of information about the hearings and that he had "advised a number of people by wire that a hearing would be held on this bill."⁹² The discussion continued with Reckord advising the Committee that the NRA's membership was quite familiar with the bills currently being considered in Congress. Representative Frank Crowther from New York added that "(F)or 2 months or more I have been receiving some telegrams, and a great many letters from rifle associations and gun clubs. One comes from a large association connected with the General Electric Co.....all relate to this general subject and refer to the McLeod bill, the Copeland bill, the Hartley bill."⁹³

⁹⁰ "NRA President's Testimony," 62. It is worth repeating that in 1934 the most recognized use of the acronym "NRA" was in reference to the National Recovery Administration, which was formed in June 1933 as the implementing agency for the National Industrial Recovery Act. Frederick's comment that NRA "membership runs into the hundreds of thousands all over the country" has no basis in fact as discussed in the section that addresses NRA membership on pages 296-298 of this dissertation. Whether Frederick had been misinformed or was purposely exaggerating cannot be determined at this time. In either case, the NRA president was clearly making a point that the Association was much larger than its rolls would indicate.

⁹¹ Ibid.

⁹² Ibid., 63.

⁹³ Ibid. The McLeod, Copeland, and Hartley Bills had been offered during the 73rd Congress and referred to various committees for consideration. The Copeland Bill had been the subject of Judiciary Committee hearings during which the Justice Department had presented the administration's proposal for federal regulation of firearms. Senator Copeland would play the principal role in the debates over the subsequent Federal Firearms Act, discussed below.

The following exchange between Representative McCormack and Reckord has been referred to by historians as exemplary of the NRA's grassroots support.

The CHAIRMAN. That does not account for this stream of telegrams in the last day or two.

General RECKORD. The only person who could possibly be responsible would be myself and after you told me you were giving us a hearing today—

Mr. McCORMACK (interposing). You have contacted such as you could and wired the members of the association?

General RECKORD. In each State, or practically every State, we have a State rifle association, and we advised a number of those people that the hearing would be held today. Nothing was said about Mr. Frederick or any particular individual being present.

Mr. MCCORMACK. Did you ask them to wire in here?

General RECKORD. I do not recall the exact language of the telegram; I would say yes, probably we did, or intimated that a wire to Mr. Lewis - I wrote Mr. Lewis myself, because he is from the Sixth District and I particularly requested him to be present.

Mr. McCORMACK. Did you wire the people telling them what the recommendations were going to be to the committee?

General RECKORD. No, except that the legislation is bad.

Mr. McCORMACK. And they blindly followed it?

General RECKORD. I would not say blindly.

Mr. McCORMACK. They certainly had no information as to what the recommendations were to be.

General RECKORD. They could not possibly have the information.

Mr. McCORMACK. They did not know when they sent the wires in what the association was going to recommend?

General RECKORD. Except that we were going to recommend legislation.⁹⁴

At the conclusion of the Hearings, Assistant Attorney General Joseph Keenan requested an opportunity to be heard. Keenan offered that "the view of the Department, briefly, was "(T)hat the Department represented all of the people of the country, in response to demands that came in for a long period of time requesting that some effort be made to form some type of Federal legislation to curb the sale of firearms." Keenan continued that, contrary to comments by Reckord and Frederick, that they were not familiar with the proposed legislation, he had "discussed pretty generally the basic principles behind this legislation more than 2 1/2 months ago with General Reckord and Mr. Frederick." In an effort to counter the letter writing campaign that had been inspired by Reckord, Keenan continued that,

We feel in the Department of Justice that we represent the people of the country who demand that some effort be made to reach the firearms evil.

We have a tremendous amount of data and correspondence coming into our office. We have had meetings with the International Chiefs of Police Association of America, that represents the chiefs of police of practically every city in the United States of any size, and they have approved of this

⁹⁴ "NRA President's Testimony," 63. Reference to Reckord's testimony by others is addressed below.

legislation. They have asked us for it. We have conferred with an executive committee that came from all parts of the United States to call upon the Attorney General and discuss it. Approximately 2 or 3 weeks ago General Reckord came into the Department and I was occupied, and Mr. Smith, my assistant, discussed with him the firearms legislation. At that time, it is my understanding that General Reckord said that he would work with us if pistols and revolvers were excluded and that Mr. Frederick would work with us if we eliminated the registration feature. We did not see the problem eye to eye. We think every possible opportunity has been given to them.⁹⁵

Whether or not the NRA was recognized by Congress and President Roosevelt's administration as a national organization with representative constituency, their presence was obviously felt in Washington, both in the halls of Congress and the Department of Justice. The legislative exchange that led to passage of the National Firearms Act has drawn the attention of a variety of scholars. Historian William Kennett introduced this exchange with a comment that both the Ways and Means and the Judicial Committees "were visibly angry at the flood of letters and telegrams they received, and for this they blamed the NRA."⁹⁶ Historian Alexander

⁹⁵ "Joseph E. Keenan, Assistant Attorney General's Testimony," 64-65, <http://www.keepandbeararms.com/nra/nfa.asp> (accessed April 16, 2013).

⁹⁶ Kennett and Anderson, 208. This brief exchange has been used by historians to explain the NRA's role in the NFA deliberations. For an additional discussion of the legislative exchange that led to the passage of the NFA, see Kennett and Anderson, 209; DeConde, *Gun Violence in America*, 143; William J. Vizzard, "The Impact of Agenda Conflict on Policy Formulation and Implementation: The Case of Gun Control," *University of Wisconsin Public Administration* 55, no. 4 (July/August 1995): 342; Josh Sugarmann, *NRA: Money, Firepower & Fear* (Washington, D.C.: National Press Books, 1992), 30; Adam Winkler, *Gunfight: The Battle Over the Right to Bear Arms in America*, 1st ed. (New York and London: W.W. Norton, 2011), 211.

DeConde wrote that the NRA had "mobilized constituents who flooded Congress with letters and telegrams denouncing the proposed legislation." DeConde added that following the debates the Attorney General attempted "to rescue the legislation by drumming up public support and...that in emasculating his bill, the rifle association had shown itself more powerful than the Justice Department."⁹⁷ Carl Bakal, the author of *The Right to Bear Arms*, a 1966 examination of firearms ownership in the United States, followed an in-depth discussion of the debates between various representatives and Reckord with the observation that "strong gun law that had been deemed 'inevitable' in February 1933 had been hacked down to a basket case."⁹⁸ Adam Winkler, a constitutional law professor, cited Kennett and Anderson in his book about gun control and added that the "organization (NRA) successfully fought to have the most 'drastic' provisions of Cummings' original proposals stripped from the National Firearms Act of 1934."⁹⁹ Gun control advocate Josh Sugarmann followed his discussion of Reckord's testimony with a reference to the reaction of a national women's club convention to remarks by the Assistant Attorney General on May 24, 1934 that "Congress pass the proposed Firearms Bill, with regulations against pistols and revolvers included in its provisions."¹⁰⁰ As reported in the *New York Times*, the association representing more than two million women reacted following "last night's address by Assistant Attorney General Joseph B. Keenan that deletion of the pistol and revolver provision from the Firearms Bill had made the measure a 'joke.' 'Women rose to their feet, angrily denouncing the American Riflemen's Association for its alleged interference with the measure, which Mr. Keenan had said proved greater than the influence of the

⁹⁷ DeConde, 143.

⁹⁸ Bakal, 174.

⁹⁹ Winkler, 211.

¹⁰⁰ "Keenan's Testimony," 64-65.

Department of Justice and had resulted in pistols and revolvers being removed from the bill's provisions."¹⁰¹ Without question, the debate that preceded the passage of the NFA was a high-water mark for the presence of the National Rifle Association on Capitol Hill.

Firearms legislation was addressed several times during the remainder of the Second Session of the 73rd Congress, to include the insertion into the federal record of speeches made by Attorney General Cummings in support of the bill.¹⁰² On June 13, 1934 the bill, as agreed to by the Justice Department, was read to the House of Representatives for what became the final debate. Representative Allen Treadway, Massachusetts, commented that the original bill had been subject to considerable opposition because it had included pistols and revolvers, which had subsequently been removed following hearings before the Ways and Means Committee. Representative Robert Doughton, North Carolina, Chairman of the Ways and Means Committee that had received that testimony added that "those who opposed the bill as originally submitted...by the Justice Department, have withdrawn their opposition." Doughton later acknowledged that "protests came to the committee from some ladies' organizations throughout the country objecting to the elimination of pistols and revolvers. The majority of the committee were of the opinion, however, that ordinary, law-abiding citizens...should not be compelled to register his firearms."¹⁰³

¹⁰¹ "Clubwomen Insist on Anti-pistol Bill," *New York Times*, May 25, 1934.

¹⁰² *Cong. Rec.*, 73rd Cong., 2d sess., 1934, 77: S 7187, 9317.

¹⁰³ *Cong. Rec.*, 73rd Cong., 2d sess., 1934, 77: H 11400.

The House of Representatives recorded its first real support for the NRA in the following comments: "Mr. Christianson: Have we the gentleman's assurance that sportsmen's organizations have withdrawn the opposition they formerly expressed to the measure? Mr. Doughton: They have; and they heartily support the pending bill. The Department of Justice has agreed to an amendment which makes the bill acceptable to sportsmen and sportsmen's organizations."¹⁰⁴

The Committee's Chairman had thereby acknowledged that the Justice Department had accepted the recommendations of the NRA over the objections of "ladies' organizations throughout the country" along with others who opposed the Association's position. Before the session closed, the House passed the pending bill and it was forwarded to the Senate where amendments were added and it was returned for further consideration. After continued debate in both houses a final bill, HR 9741, came before the House and on June 18, 1934 Representative George Blanchard from Wisconsin raised one final question to the now amended legislation. Did the bill have the approval of "the people who are interested in sport and sporting arms?" Representative Hill, a member of the Ways and Means Committee responded, "The National Rifle Association approves the bill."¹⁰⁵

As he would later testify before the House Subcommittee on Interstate and Foreign Commerce, General Reckord explained, "We withdrew our objections when they met our position and deleted pistols and revolvers."¹⁰⁶ There were no further objections and following

¹⁰⁴ *Cong. Rec.*, 73rd Cong., 2d sess., 1934, 77: H 11400.

¹⁰⁵ *Cong. Rec.*, 73rd Cong., 2d sess., 1934, 77: H 12555.

¹⁰⁶ Vizzard, *Shots in the Dark*, 54.

an affirmative vote by the House the bill was forwarded to President Roosevelt for his signature on June 26, 1934.¹⁰⁷ The National Firearms Act, the first federal firearms legislation that attempted to restrict gun ownership, was the law of the land. That law had the full support of the NRA because it allowed the NRA to claim support for the fight against crime; it exempted pistols, revolvers, and rifles with barrels over 18 inches in length; and, more importantly, it did not require NRA members to register their firearms.

7.7 Federal Firearms Act of 1938

Although President Roosevelt did not become involved in firearms legislation after passage of the 1934 law, Attorney General Cummings continued to press for federal legislation. Additionally, in light of the growing interstate nature of criminal activity, the Senate directed its Committee of Commerce to investigate "kidnapping, racketeering and other forms of crime and to recommend the necessary remedial legislation." Accordingly, and following debates that extended over a three year period, the Federal Firearms Act became law with the approval of President Roosevelt on June 30, 1938. Its purpose was to regulate interstate commerce in firearms and thereby curb the possession of such weapons by criminals. The Act required the licensing of all manufacturers and dealers involved in the interstate commerce of firearms. Like its predecessor, the National Firearms Act (NFA), the Federal Firearms Act (FFA) met with the approval of the NRA whose members had again avoided impact by the law's implementation.¹⁰⁸

The debate over federal firearms control regained attention in early 1937 when in May Attorney General Cummings proposed legislation to the Speaker of the House that added

¹⁰⁷ *Cong. Rec.*, 73rd Cong., 2d sess., 1934, 77: H 12661.

¹⁰⁸ "Federal Firearms Act," *St. John's Law Review* 13, no. 1 (1939): 438.

pistols and revolvers to the previously passed NFA. Cummings explained that while the controls contained in the extant law had proved to be effective, the small weapons not included in NFA were "a greater menace than machine guns, since they can be concealed with greater facility."¹⁰⁹ In speaking of the effort that had been necessary to pass NFA, Cummings said that "(W)hen the bill was introduced in the Congress, interested groups began their opposition with the result that pistols and revolvers were not included in the measure as it finally passed. With the ordinary hunting rifle and shotgun excluded, and with pistols and revolvers eliminated, the act for all intents and purposes became a federal machine gun act."¹¹⁰ In outlining his plans for the coming legislative session, Cummings stressed that "any practical measure for the control of firearms must at least contain provisions for the registration of all firearms. I submitted such a bill to the present Congress. So far I have not been able to secure an open hearing upon the measure. But I propose to fight this thing through to a finish despite the pistol manufacturers who have so far blocked every honest attempt to deal with the subject."¹¹¹ It is worth noting that Cummings did not include the NRA in those who "have so far blocked" his efforts. The NRA had anticipated that the Attorney General would pursue greater control of firearms than had been provided in the previously implemented NFA. An editorial in *The American Rifleman* had suggested that "under the probable leadership of AAG Keenan, another effort is to be made to put into effect the same FFA as that which was turned down by Congress during the

¹⁰⁹ "Urges Firearms Act to Include All Kinds; Attorney General Sends Bill to Speaker, Holding Small Types are Greater Menace," *New York Times*, May 5, 1937.

¹¹⁰ Cummings, *Selected Papers*, 87-88. These comments were offered in a presentation to the Annual Convention of International Association of Chiefs of Police (IACP), Baltimore, MD, October 5, 1937.

¹¹¹ Cummings, 88. Address before the IACP, Baltimore, MD, October 5, 1937.

winter of 1933-4."¹¹² The same edition of the NRA's magazine carried an editorial explaining legislation proposed by Senator Royal Copland, Senate bill S.3, that "deals only with the known criminal and fugitive from justice, requiring a very small licensing fee of manufacturers and dealers...it does not in any way impinge upon the legal activities of the man who wishes to own, shoot, and transport a pistol and revolver for target shooting, hunting, or personal protection."¹¹³

Senator Copland, a republican from New York, had originally submitted legislation to regulate firearms on July 29, 1935, during the first session of the 74th Congress. During his introduction of the proposed legislation, Copland had assured his fellow Senators that "the bill was worked out by a committee consisting of the Rifle Association, the Pistol Association, members of the so-called 'Crime Committee', and our own experts." In response to a question from Senator Charles McNary, Oregon, Copland offered that "I may assure the Senator that, so far as those forces are concerned which were in bitter opposition to the previous bill - and every Senator here last year, no doubt, received innumerable letters indicating such opposition - that opposition has entirely evaporated, and on the contrary, it has developed into support of the bill."¹¹⁴ The first section of the proposed legislation included a series of definitions similar to those in NFA, but without exemption for pistols, revolvers, or rifles with barrels over eighteen inches. Section 2(a) of the bill established the need for a license from the Treasury Department for a manufacturer or dealer to ship firearms. Section 2 (b) included the important addition that "(I)t shall be unlawful for any person to receive any firearm or ammunition

¹¹² "Problems as Well as Progress Expected in 1937," *American Rifleman*, January 1937, 6.

¹¹³ "Problems as Well as Progress Expected in 1937," *American Rifleman*, January 1937, 7.

¹¹⁴ *Cong. Rec.*, 74th Cong., 1st sess., 1935, 79: S 11973.

transported or shipped in interstate or foreign commerce in violation of subdivision (a) of this section, **knowing or having reasonable cause to believe such firearms or ammunition to have been transported or shipped in violation of subdivision (a)** of this section."¹¹⁵ This exclusion compelled the law enforcement authorities to prove that a purchaser had reasonable knowledge that a manufacturer or dealer was in violation of the law before the purchase could be found in violation of the law. The NRA had been particularly adamant about the inclusion of the "knowing" clause in the bill and though Justice Department officials recognized the challenges this would raise during prosecution, that clause was included in the law as it was finally approved.

The next four years were replete with efforts on both sides of the debate. Senate bill S.3, House bill H.R. 9610, and an array of companion bills spent the remainder of the 74th Congress in a variety of committees. General Reckord was frequently present during those hearings as noted when, during hearings in the House Interstate and Foreign Commerce Committee, "it was the NRA's Executive Vice-President Milton Reckord who introduced each witness to the committee, marshaling support from the American Legion, the American Wild Life Institute, and major arms manufacturers."¹¹⁶ When S.3 did reach the floor of the Senate, Copeland reminded his fellow senators that though "there had been violent opposition to bills on this subject from the American Rifle Association and the American Pistol Association and other organized groups, (but) his bill has met their approval and was formulated with their

¹¹⁵ *Cong. Rec.*, 74th Cong., 1st sess., 1935, 79: S 11974. Emphasis added.

¹¹⁶ Leff and Leff, 61.

assistance."¹¹⁷ During the first session of the 75th Congress, the senate was again assured that S.3 "has the full approval of the National Rifle Association and the National Pistol Association."¹¹⁸ Copeland's legislation spent the first and second sessions of the 75th Congress as the subject of a variety of committee hearings, resurfacing during the early days of third session with petitions from Representative Thomas Jenkins from Ohio and Senator Arthur Capper from Kansas. Jenkins' petition protested "against the passage of the Cummings firearms bill; [and was referred] to the committee on Interstate and Foreign Commerce."¹¹⁹ Capper presented a "memorial of sundry citizens...against the enactment of legislation requiring registration and imposing taxes or otherwise restricting law-abiding citizens in the possession or carrying of firearms,...referred to the Senate Committee on Interstate Commerce."¹²⁰ Senators and Representatives from several states submitted similar petitions during the next three months.¹²¹

The debate over firearms control was not limited to Capitol Hill. Women's organizations continued their earlier campaign for the control of firearms and in support of the Administration. A *New York Times* article reported, that "(M)embers of Long Island women's clubs were urged yesterday to take action now and ask for hearing on a Federal bill to regulate and control firearms." The article went on to mention that the "general Federation of Women's Clubs had urged inserting control of pistols and revolvers in the Act of 1934, but that a 'lobby of

¹¹⁷ *Cong. Rec.*, 74th Cong., 2d sess., 1936, 80: S 2426.

¹¹⁸ *Cong. Rec.*, 75th Cong., 1st sess., 1937, 81: S 1527.

¹¹⁹ *Cong. Rec.*, 75th Cong., 3rd sess., 1938, 83: H 1093.

¹²⁰ *Cong. Rec.*, 75th Cong., 3rd sess., 1938, 83: H 1094.

¹²¹ Petitions were reported from Iowa, Michigan, Pennsylvania, New York, and Texas. Each was referred to Committee.

manufacturers of small firearms had them removed by a last-minute amendment."¹²² On the other side of the debate, the NRA publication, *The American Rifleman* reported that,

Because of the great number of letters that have been received by the House Ways and Means Committee during recent months in protest against the original Cummings anti-gun proposal which was submitted to the Committee a year ago but was never formally introduced in Congress, the former proposal has been altered to make it apply only to pistols and revolvers and not to rifles and shotguns which were originally regulated under the proposed measure. In all other respects, however, the new bill retains all of the objectionable features of the old one. Shooters of America should continue their relentless opposition to the passage of this measure because even its theoretical value as a crime preventive would not offset the continued annoyance it would give to persons who wanted to use such guns in a legitimate manner.¹²³

On May 24, 1938, Representative John Dingell, Sr., Michigan, brought a report of H.R. 9610 to the floor of the House for consideration while assuring his colleagues that his proposal had no impact on sportsmen's associations. Similar reports were received in the House from the committees on Finance and Commerce.¹²⁴ During the next two weeks the Senate and the House considered S.3 and H.R. 9610 and a series of minor amendments that had been

¹²² "Clubwomen Urge Firearms Control: Long Island Group Asked to Seek Hearing on Federal Bill," *New York Times*, April 19, 1938.

¹²³ F.M. Hakenyos, "Firearms Legislation," *American Rifleman*, May 1938, 30.

¹²⁴ *Cong. Rec.*, 75th Cong., 3rd sess., 1938, 83: H 7588.

proposed during conference sessions. During the final House debates of S.3, Representative James Wadsworth, New York, confirmed the position that had been presented by Senator Copeland three years earlier. In response to questions from Representatives Francis Case, South Dakota, and Fred Crawford, Michigan, about firearms registration, Wadsworth explained that "this bill is supported by the National Rifle Association...it does not contain that very-much-objected-to provision for registration of individual firearms in the hands of the possessors."¹²⁵ Finally, Representative Earl Michener, also from Michigan, asked whether or not this was the bill that had been requested by the Department of Justice and Wadsworth responded that it was not. A final amendment was added on June 16, that "nothing in the bill restricts shipment to those engaged in military training or in competitions," and following concurrence by the Senate the bill was signed by the Speaker of the House and forwarded to the President for signature. Public Law 785, "An Act to Regulate Commerce in Firearms," became law on June 30, 1938.

7.8 The NRA Enters Budget Battles

Historians and political scientists alike have given a great deal of credit to the NRA for its legislative accomplishments during the debates that led to passage of the federal firearms laws in 1934 and 1938. While those accomplishments were significant, they were not alone in ensuring the continued presence and power of the NRA. As a special interest group, the NRA also needed a way to guarantee permanence on the national scene as well as continued presence as part of the federal bureaucracy. National presence had been accomplished

¹²⁵ *Cong. Rec.*, 75th Cong., 3rd sess., 1938, 83: H 9658.

through the NRA's very visible role as the sponsor and supporter of national and international rifle and pistol marksmanship competitions, most significantly the annual National Rifle and Pistol Matches. Those matches were developed by the National Board for the Promotion of Rifle Practice after the Army budget for 1904 included \$2,500 "for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War."¹²⁶ The National Board in turn had authorized the NRA to help develop programs for rifle practice through a countrywide network of rifle clubs. Playing a principal role in the National Matches and the development of rifle practice programs was equally as important to the NRA as was the Association's ability to influence firearms regulation.

While the National Matches were, at the federal level, the responsibility of the National Board, the execution of the matches and its attendant publicity was generally left to the NRA. Without this annual event, the Board would continue to promote rifle practice and the NRA would continue to represent its club members. While the absence of the national event would have minimal impact on the National Board, it would severely impact the NRA's ability to present itself on the national stage. Furthermore, the absence of national matches would impact the interest of local clubs and individual marksmen who, as members of the Association, strove to participate in the annual festivities. For example, one of the earliest matches established by the NRA was the Military Championship of American, which was fired for the first time in 1878. In 1894, this match was renamed the President's Match and future

¹²⁶ Excerpt is from the 1904 Army Ordnance Budget, discussed in Chapter 5. Pertinent to this discussion is the absence of specific language requiring annual contests for a national trophy. That issue would surface during debates over the 1928 defense budget. During those debates, the Army recommended biannual competition and supporters of the NRA encouraged annual competition.

Presidents recognized individual winners with a personal letter of congratulations. In 1919, the top 100 shooters in the President's Match were officially named the "President's One Hundred." The President's Match, open to military and civilian shooters competing with both rifle and pistol, remains a highlight of the National Matches to this day. As recognition of its significance, the U.S. Army and the U.S. Coast Guard authorize the display of a distinctive "tab" on the military uniform, designating the wearer as a member of the President's One Hundred.¹²⁷



Figure 7.1 President's One Hundred Tab

The publicity offered by the National Matches and the importance of their role in motivating a large and diverse membership made continuation of that event a critical element in the NRA's ongoing campaign. However, it was not until 1928 that there was assurance that the matches would continue on an annual basis. The National Matches were held for the first time in 1903 and then continually until 1912, when the Secretary of War cancelled the matches due to a lack of available troops. His decision was based on the Army's training and deployment schedules, which were established to meet national security needs related to events on the Mexican border. At the 1912 annual meeting of the National Board for the Promotion of Rifle Practice, consideration was given to holding all future National Matches on a

¹²⁷ The tab is worn on the top of the left sleeve of the uniform jacket. The Navy and Marine Corps recognize the award but do not authorize it as a uniform item. Karen Davey, *The National Matches, 1903 - 2003: The First One Hundred Years* (Fairfax, VA: NRA, 2010), 468.

biannual basis. Accordingly, national matches were held at Camp Perry in 1913, but in 1914 they were replaced by five regional competitions.¹²⁸ National matches were again held in 1915 and 1916. In 1917, World War I interrupted national competition as well as the distribution of arms and ammunition to the NRA's rifle clubs.¹²⁹ Following the war, national competition continued, as did the free issue of arms and ammunition to NRA clubs. The next disruption to national competition occurred in 1922 and 1923, when Congressional budget actions reduced funding necessary to support the matches resulting, during both years, in reduced participation by National Guard and civilian teams. In an effort to influence future Congressional action, the secretary of the NRA, Fred Phillips, appealed directly to the National Guard writing in *The New York National Guardsman* that "(T)he National Rifle Association...has been instrumental each year since the inception of the (national rifle) Matches in obtaining the passage of the necessary legislation to assure the continuation of the Matches."¹³⁰ He continued discussing the role of the NRA in developing the Springfield rifle and improving ammunition, introducing rifle shooting in colleges and high schools, and in working with police departments across the country. "The active support of the Guard Officers of your State would have a double result. In the first place, it would give the National Rifle Association a much greater weight in its arguments before Congress and it would give it considerably greater prestige locally." He directed his readers' attention to the importance of the extant situation in congress with "(A)s you know, the situation relative to the National Matches and the general promotion of rifle

¹²⁸ The matches were held at Army and National Guard ranges in Oregon, Wisconsin, New Jersey, Florida, and Kansas.

¹²⁹ "Untitled article, *Army and Navy Journal*, March 4, 1916, 855. The disruption of arms and ammunition distribution had more to do with concern over the potential acquisition of arms and ammunition by European forces than the NRA's rifle clubs programs.

¹³⁰ "The National Rifle Association," *The New York National Guardsman*, November 1924, 6.

practice in this country is rather acute."¹³¹ By Phillips' efforts, along with others, funding was reinstated for the 1924 and 1925 national competitions, but in 1926 Congress again eliminated all funding for the National Matches. In response to the 1926 Congressional action, NRA President Fred Waterbury and NRA Executive Vice President General Reckord called on President Coolidge in an unsuccessful effort to get funding reinstated.¹³² Congressional actions over the following year would result in a veto by President Coolidge that, in and of itself, revealed the strength of the NRA as well as the limits of that strength. Accordingly, 1928 became a pivotal year for the NRA and the National Match program.

Early 1928 saw the opening days of a campaign that would pit the NRA, supported by some members of Congress and the National Guard, against other members of Congress, supported by the War Department. In January, General Reckord, the Washington, D. C. representative of both the National Guard and National Rifle Associations, published a call to action in *The American Rifleman* that began by pointing out that "(T)he War Department Budget has now been sent to Congress. As anticipated by us, the Budget does not include the National Matches for the next year." He continued by exhorting his readers to action. "To that end, you are requested to immediately write your own Senators and Representatives urging them to go, in person, to the members of the Appropriations Committee of the House, and indicate to those members your interest and their interest in the National Matches." Reckord's article listed all of the members of the Appropriations Committee with special attention to the subcommittee on military matters. That committee included Congressman Barbour of

¹³¹ Ibid.

¹³² Davey, 127.

California who would play a principal role in the coming debates.¹³³ Reckord then offered ten suggestions that his readers might include in letters that he recommended be sent to respective congressmen. Reckord's suggestions were that the National Match program:

1. Qualifies instructors at the Small Arms School which is a part of the National matches.
2. Helps improve the quality of service rifles.
3. Improves the quality of service ammunition.
4. Improves the proficiency of National Guard members in the use of the national service rifle.
5. Helps enhance civilian interest in the Army and national defense.
6. Improves the general proficiency in marksmanship because "Our reliance, in case of an emergency, is not upon our small Regular Army but upon the great body of civilians...and in the practical work upon the ranges, the National Matches produce each year not less than 2,000 competent instructors, the value of whom to this nation, in case of emergency, is many times the cost of the National Matches."
7. The program provides incentives for civilian rifle clubs.
8. Supports Reserve Officer Training Corps and Citizens Military Training Corps programs.
9. Supports the Junior Rifle Corps that has over 100,000 boys and girls.
10. Supports work with police departments nationwide.¹³⁴

¹³³ The committee members were Congressmen Madden of IL, Anthony of KS, Barbour of CA, Clagues of MN, Dickson of IA, and Harrison of VA.

¹³⁴ "To the Members of the National Rifle Association," *The American Rifleman*, January 1928, 8.

It is worth noting that none of the recommendations solicited direct support for the NRA. What they did offer was support for the nation's defensive posture, improvement to the National Guard, reinforcement of the small vice large regular Army argument, and support for local law enforcement. The General's recommendations offered ample opportunity to tailor requests so that they might address those issues of special interest to local Congressional delegations.

As the first session of the 70th Congress began its debate of the coming fiscal year budget, consideration was given to the issue of rifle practice and the National Matches. Reporting for the Committee on Appropriations, specifically to proposals for funding the War Department, Congressman Barbour offered that,

A good deal has been said about the fact that the bill does not make any provision for the national rifle matches this year. In the 1927 bill no provision was made for the national rifle matches. The War Department at that time recommended that the matches should be held biennially instead of annually and the War Department advised the committee that such arrangement would be... satisfactory. No matches were held during the fiscal year ended June 30, 1927, which would have been provided for in the appropriation bill for the fiscal year 1927. We provided for national matches in the 1928 bill, and those matches were held during September, 1927, at Camp Perry, Ohio. Carrying out the program of the War

Department, the committee has not provided in this bill for national matches to be held at Camp Perry this year.¹³⁵

Before concluding his remarks, Congressman Barbour continued that there was a "rather decided difference of opinion as to the value of these national matches."¹³⁶ The Congressman did not elaborate or suggest any source for the differing opinions, but those sources would become evident during the subsequent debate.

The debate that ensued, in both the House and the Senate, revolved around two issues: whether or not money should be transferred from the Army's ammunition budget to fund the National Matches and whether or not the Matches should be held on an annual basis. Complicating the issue, one side desired to recognize rifle practice as a regular part of Army training with the National Matches being a distinct validating event, while the other side sought to conflate rifle practice and competition as a singular, continuing event. If the latter position was adopted, there would be no discrete, identifiable budget item for National Matches, a position against which the NRA remained adamantly opposed.¹³⁷

The level of attention given to the Matches was reflected by a comment from Representative Ross Collins, Mississippi, in his attention to the growth of the Army of recent years. Collins offered that during earlier years the Army may have been a skeleton organization upon which to build "in the time of national stress...(I)n fact, it has become rather corpulent. The Army can be well divided into six parts-the Regular Army, the federalized National Guard,

¹³⁵ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: S 2379.

¹³⁶ *Ibid.*

¹³⁷ Discussion of this issue between Congressman Beedy and Congressman Barbour is documented in *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2380, 2444-2446.

the Organized Reserves, the Reserve Officers' Training Corps, the citizens' military training corps, and **national rifles matches**.¹³⁸ By including the national rifle matches as part of the Army organization, Collins was offering unprecedented weight to the NRA's signature program. The debate that followed included Collins' support for biannual matches at the national level and an oppositional response from Representative Speaks. Speaks went on record with "I propose to offer an amendment reducing that sum by \$550,000 (Army Ordnance Budget), and if successful in the effort, I will then propose that the \$550,000 be utilized for the national matches authorized by law and which are compulsory."¹³⁹ Now, I do not care to make my preliminary statement relative to the matches until the Members especially interested are present.¹⁴⁰ Speaks was given permission by the Speaker to delay the remainder of his comments.

Representative Speaks again took the floor on February 8, offering an amendment to the Army budget for ammunition: "The purpose of this amendment is to insure that the national matches...which have been a part of the national-defense program for the past quarter century, shall continue annually as originally intended by existing law which has recently been restated and emphasized in a bill which passed the House January 16, 1928."¹⁴¹ Representative John C. Linthicum, Maryland, added support for the amendment in the form of a letter from Marine Corps Major General John A. Lejeune that "(T)his rifle-shooting program is an annual

¹³⁸ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2445. Emphasis added.

¹³⁹ Compulsory did not necessarily mean "annually" compulsory, an issue that Representative Speaks would bring up in later debate.

¹⁴⁰ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2445.

¹⁴¹ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2742. This refers to a restatement of earlier law and application of a \$7,500 budget line for trophies and Board expenses found on page 1567 of the Record of the 70th Congress under "Amending the National Defense Act."

program and, as I have stated, the national match in September of each year is the incentive and the goal toward which all these men are working. It would be, in my opinion, a calamity to discontinue these matches; that is, to discontinue holding them each year."¹⁴² Lejeune's comments were not the only support recorded. A letter from Army General R.H. Allen, Chief of Infantry, supporting annual matches, was entered into the record offering,

I consider that a movement is necessary that will foster rifle shooting that will stir up enthusiasm among the civilians not in the Army. It is a fine thing for the Army, of course, and it adds an incentive, but if it was simply for the army that it was wanted, if it was simply the Infantry of the Army that wanted it, I would not be for it. It is for the civilian public, in the reserve, and the civilian rifle teams, instruction of the Reserve Officers' Training Corps and of the citizen's military training camps and the civilian rifle clubs.¹⁴³

The NRA was also entered into the debate by a letter from Colonel Macnab who stressed that the value of the NRA is in the support of its over 2,000 rifle clubs and the Association's "many more than 100,000 members." Macnab continued that "our present arms and ammunition are due to our present training methods which are due to the national matches...(I)f we give up these matches, 10 years from now we may not have the rifle and the ammunition and the training methods that we ought to have 10 years from now."¹⁴⁴

¹⁴² *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2743.

¹⁴³ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2743.

¹⁴⁴ *Ibid.*

Representative Linthicum also offered a letter from General Reckord, who as well as being the NRA and NGA representative on Capitol Hill, was Maryland's Adjutant General.¹⁴⁵ Linthicum introduced that letter with "I have a letter from General Reckord, the executive vice president of the National Rifle Association...a man of expert rifle practice and a wonderful executive officer. He is renowned for his splendid record on the battle fields of France. Knowing him and his record as well as I do, and his support of this amendment, there can be no doubt that it is meritorious, necessary, of great benefit to our country and its national defense." Reckord's letter offered that "(T)he (Ordnance) Budget has left out entirely an appropriation for these matches and yet they have asked additional appropriations for 1929 of \$29,000,000, and all we are asking for is that \$500,000 of that money be allocated to these national rifle matches." Representative Florence Kahn, California, added words that echoed Reckord's letter to readers of *The American Rifleman*, "Our reliance, in case of an emergency, is not upon our small Regular Army but upon the great body of civilians. A large standing army is not compatible with our form of government...when we as a nation, are forced to back up our rights with something more than words, it is a great citizen army that we must depend upon. For that reason I want to state right here that I am for anything that will increase the efficiency of that citizen army."¹⁴⁶

The debate continued between several Representatives, with Barbour arguing against annual matches and noting that the legislation that had passed the House to fund annual

¹⁴⁵ General Reckord was the Adjutant General of the National Guard from Maryland, Representative Linthicum's home state.

¹⁴⁶ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2744. This is item 6 of the recommendations from Reckord's letter published in the January 1928 edition of *The American Rifleman*, that encouraged readers to contact their congressman and encouraged the use of his recommendations.

matches did not specifically require that they be held.¹⁴⁷ Barbour then asked the Clerk of the House to read parts of a letter that had been sent to the Honorable David Reed, Chairman of the Committee on Military Affairs from the Secretary of War. "The Clerk read as follows: I do not favor the passage of the act for the following reasons: The law should not be such that the War Department will be required to hold the national matches annually." The letter then provided a rather comprehensive address of the financial and personnel costs of annual matches. Secretary Davis concluded his letter with "(T)herefore the passage of any legislation making it obligatory to hold the matches annually is not favored."¹⁴⁸ With continuing debate, Barbour added that "(T)he evidence before our committee shows that the matches held in 1927, after passing 1926 without holding matches, were the best matches that have been held. I was not there. I am taking the testimony of the men who were there."¹⁴⁹

Barbour received additional support from New York's Representative John Taber who challenged Representative Kahn by pointing out that "a great many members of these civilian teams are said to be between 60 and 70 years of age and absolutely unfit to serve in cases of emergency." He continued that annual competitions could be held in local districts and that a failure to pass the annual match bill would in no way curtail rifle practice. "I submit that all together, taking the whole situation together, we should not touch this ordnance appropriation, and we should not under the circumstances have need for rifle matches next year."¹⁵⁰ The Congressional record notes that Taber received applause for his comments.

¹⁴⁷ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2745.

¹⁴⁸ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2746.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 2747.

As the debate continued, letters in support of national matches were introduced into the record from several states, various rifle clubs, and the Adjutant Generals of Texas and New York. All petitions and letters were forwarded to appropriate committees for their attention. At the same time, Senator Smith Brookhart from Iowa led a similar effort in the other wing of the capitol. Senator Brookhart had just recently stepped down from his position as president of the NRA.¹⁵¹ Brookhart requested consideration of an amendment to the national defense act, which had been recently passed by the House as H.R. 8550. Brookhart's amendment specifically addressed the component of the national defense act titled "(A)n act for the promotion of rifle practice throughout the United States," which had been approved February 14, 1927 (44 U. S. Stat. 1095). Brookhart requested that a paragraph be added to section 113 of that Act to read:

"That **there shall be held an annual competition**, known as the national matches, for the purpose of competing for a national trophy, medals, and other prizes to be provided, together with a small arms firing school, which competition and school shall be held annually under such regulations as may be prescribed by the national board for the promotion of rifle practice, which regulations shall be subject to the approval of the Secretary of War."¹⁵²

Brookhart's amendment did more than add a requirement that national matches be held on an annual basis. The proposed amendment also changed the make-up of the National Board for

¹⁵¹ Brookhart served as the NRA president from 1921 through 1925.

¹⁵² *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: S 6513. Emphasis added.

the Promotion of Rifle Practice by adding a member from each state, appointed by the respective Governor, and one member for Washington, D.C., appointed by the District's National Guard General. These additions would increase the size of the National Board from 21 to 51, diluting the power of the War Department by shifting responsibility from the Executive Branch to the states. Additionally, the appointed members would serve at the "pleasure of the appointing power," thus further diminishing the power of the Secretary of War. The proposed amendment was passed by the Senate on April 16, 1928.¹⁵³

Senator Brookhart was a staunch advocate of rifle practice, the National Matches, and the NRA, and did not miss an opportunity to promote all three. In the middle of an extensive tribute to President Andrew Jackson, that lasted almost two hours, the Senator rose to add his tribute focusing on Jackson's dealings with the national bank, but he began with:

Mr. President, Andrew Jackson was great in two great fields -- in that of military and in that of statesmanship. The spirit of Andrew Jackson rose all unaware in the Senate today. Without thinking of this as a day of memorial to his name, the last act of the Senate before entering into this service was to pass a bill making permanent the national rifle matches of the United States. The report on that bill gives as one of the reasons for the passage of the bill the great victory of Jackson's riflemen at New Orleans.¹⁵⁴

On the following day, the House took up H.R. 8550 as amended by the Senate and passed it without objection. In accordance with accepted procedure, the proposed legislation

¹⁵³ Ibid.

¹⁵⁴ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: S 6533.

was forwarded to President Coolidge for his signature. Most unexpectedly, the President vetoed the proposed legislation and returned it to the House with a veto message that included:

To the House of Representatives: Herewith is, returned, without approval, H. R. 8550, a bill to amend section 113 of the national defense act, specifying the members of the National Board for the Promotion of Rifle Practice and directing that there shall be held an annual competition to be known as the national matches. The bill provides a board to perform Federal functions at Federal expense, to be constituted of 5 officials of the Government and 51 members to be appointed by officers and agencies which are not a part of the Federal Government.¹⁵⁵

The veto message continued by citing Article II, Sections 1 and 2 of the Constitution of the United States and pointing out that the proposed legislation "takes away from the executive branch of the Government and vests in persons not in any branch of the Federal service the power and duty to make appointments to and removal from posts in the Federal service."¹⁵⁶ The President expressed concern that a large Board would entail a great deal of expense and it would be difficult to determine the level of that expense. As proposed, the legislation "charges the War Department with the expense of certain activities over which the War Department will have little control and takes from the War Department control it now exercises over certain matters affecting national defense; and because it authorizes an

¹⁵⁵ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 7410.

¹⁵⁶ The reference is to appointees to the National Board for the Promotion of Rifle Practice.

appropriation of an indefinite sum." Interestingly, the veto focused only on the Board makeup and raised no challenge to the proposed requirement for annual matches.¹⁵⁷

On May 16, 1928, the House considered the additions to H.R. 13466, the 1927 "act for the promotion of rifle practice throughout the United States" that had included a modification to the make-up of the National Board. The House then eliminated those elements related to a modification to the Board and forwarded the amended bill to the Senate.¹⁵⁸ In the Senate, Brookhart, from the Committee on Military Affairs, rose and asked "unanimous consent to report back favorably, in a modified form, the bill (H. R. 13446) to amend the national defense act, the national rifle match bill, and I submit a report (No. 1291) thereon. It passed the Senate and House, but was vetoed by the President for other reasons. I think this modified bill meets the President's objections." The revised bill, now absent any reference to the restructuring of the National Board, but retaining the requirement for annual matches, passed the Senate without objection. It was returned to the House and then forwarded to President Coolidge, where on May 28, 1928 it was signed into law as "As Act to Amend the National Defense Act."¹⁵⁹

The law replaced the ambivalent language of the 1904 Army budget "that for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War," with "that there shall be held an annual competition, known as the national matches." The

¹⁵⁷ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 7410.

¹⁵⁸ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: H 8895. HR 13466 predated 8550 as the National Defense Act.

¹⁵⁹ *Cong. Rec.*, 70th Cong., 1st sess., 1928, 69: S 9885.

NRA had achieved its objective, and it remained only to ensure that annual funding was provided to support the now Congressionally-mandated national matches.

7.9 Conclusion

In the conclusion to his book on Roosevelt and the New Deal, William Leuchtenburg summarized some of the expanded presidential powers. "By the end of the Roosevelt years, few questioned the right of the government to pay the farmer millions in subsidies not to grow crops, to enter plants to conduct union elections, to regulate business enterprises from utility companies to airlines, or even to compete directly with business by generation and distributing hydroelectric power."¹⁶⁰ Amazingly, President Roosevelt could set in motion legislation that redefined the role of the federal government but he was not able to realize passage of the federal gun control act that his administration desired.¹⁶¹

In August of 1938, General Reckord reported that "the new law must, therefore, not be confused with the much-publicized Cummings Bill which was introduced at the request of Attorney General Cummings about sixty days ago...that bill would have imposed registration requirements on all pistols, revolvers with federal authorities and imposed a transfer tax on sale, gift or loan of firearms. No hearings were held on the Cummings Bill and it died with the adjournment of Congress."¹⁶² In a subsequent article, as if to reaffirm victory after a long

¹⁶⁰ William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940* (New York: Harper & Row, 2009), 335.

¹⁶¹ The effectiveness of the NRA's campaign is summarized by Spitzer, *Politics of Gun Control*, 111, 112. Leff and Leff, "The Politics of Ineffectiveness: Federal Firearms Legislation, 1919-38," provides an excellent summary of the various firearms control legislation of the 1920s and 1930s. Vizzard, *Shots in the Dark*, 59 addresses resistance to Cummings' efforts by the NRA.

¹⁶² "Sportsmen's Victory," *American Rifleman*, August 1938, 4. This article appeared as the magazine's monthly editorial.

legislative battle, Reckord posed the question, "And why should the honest citizen be required to register? The question has been asked repeatedly and no satisfactory answer has yet been given."¹⁶³

The War Department budget debate of 1928 and its impact on guaranteed annual national matches was an issue for the Secretary of War and did not play a direct role in the debates over the Cummings Bill. Furthermore, the 1928 budget battle addressed here has not been addressed as a component of the NRA's increase in strength during the early part of the twentieth century. In fact, none of the authors mentioned in the discussion of the passage of the NFA address the budget debate. However, the 1928 budget and the changes that were made to the law that required annual matches were just as significant as the 1904 budget that had first authorized expenditure for a national trophy. More importantly, the new law removed any question of whether or not the matches would be held. The new law clearly removed any discretion that might have been assumed in the earlier law that directed that the matches be held "under such regulations as may be prescribed by the Secretary of War."¹⁶⁴ The regulations regarding national matches were now directive in nature as had been desired by the NRA.

The NRA would not again get involved in federal legislation that concerned gun control until the 1960s. The lapse of over thirty years was neither because the NRA was not interested nor because the NRA had lost the ability to influence Congress. To the contrary, there was no need to become involved as there were no meaningful federal efforts towards gun control.

¹⁶³ Reckord, "Senate 3," *American Rifleman*, August 1938, 11.

¹⁶⁴ This excerpt is from the 1904 Army Ordnance Budget, which is discussed in Chapter 5.

That is not to say that there were not meaningful efforts to control guns. At the state and local level, tens of thousands of gun control measures were implemented during the first half of the twentieth century.

Political scientists like Spitzer, Vizzard, and Goss have recognized that the NRA resisted efforts by Attorney General Cummings for sweeping legislation to control guns and “finally agreed to the largely ineffective Federal Firearms Act, which the NRA authored,” without offering an explanation for the effectiveness of the Association's campaign.¹⁶⁵ Similarly, historians, like Bakal, Kennett, Anderson, DeConde, and Winkler, appear to have accepted that the NRA had in the 1930s the power to influence the federal agenda that it wields today. Both political scientists and historians have accredited the NRA with tremendous strength without explaining the basis for that level of influence.

The basis for the NRA's strength was a consequence of the legitimacy guaranteed the Association as the implementation arm of the National Board for the Promotion of Rifle Practice and the grassroots vigor generated by a relationship with the National Guard. Neither the Board nor the Guard offer the NRA that level of influence today. Furthermore, without the strength enjoyed by the NRA in the early years of the twentieth century Attorney General Cummings and the millions of Americans in favor of federal gun control would have prevailed and the "National Matches" might have become a marginal event.

¹⁶⁵ Vizzard, *Shots in the Dark*, 59; Leff and Leff, "The Politics of Ineffectiveness: Federal Firearms Legislation, 1919-38."

CONCLUSION

In 1871, motivated by their concern for the nation's defense, George Wingate and William Conant Church met in a small office in New York City and brought into being America's National Rifle Association. Wingate and Church understood that, like their English ancestors, American citizens believed that a large standing army was inconsistent with a free government and that the defense of the nation "rested upon faith in the civic virtue and military prowess of the armed yeoman."¹ They also believed that by the end of the nineteenth century, the growing nation needed a more effective, trained professional force. Experience during nineteenth century conflicts had confirmed Friedrich von Steuben's advice to General Washington that it is "a mistaken idea that every Citizen should be a soldier" and he averred that, like other trades, an apprenticeship was necessary.² Von Steuben's words may well have been ringing in the ears of the Civil War veterans determined to improve the rifle marksmanship skills of the young Americans who might one day be called to defend the nation without creating a large standing army. Through the efforts of Wingate and Church the civic virtue and military prowess of the armed yeoman is today found in the membership of the National Rifle Association (NRA) in America and elsewhere in the world.

Today, America's NRA and its members represent one of the nation's most powerful special interest groups. But its origins over a century ago were far more humble. Interest in the

¹ Hofstadter, "America as a Gun Culture," 82.

² Baron Friedrich von Steuben, "A Letter on the Subject of an Established Militia, and Military Arrangements, Addressed to the Inhabitants of the United States, 1784." Steuben's letter was sent in response to a request for information from General Washington and published as part of Washington's "Sentiments on a Peace Establishment," an unsolicited description of Washington's design for America's military that he provided to the Continental Congress. In George Washington and von Steuben we see the germ of the NRA member who has a desire for military skill and some sense of citizen obligation but self-interest that conflicts with compulsory service.

improvement of marksmanship amongst the citizenry as a whole helped create a nationwide grassroots organization that was then fortified by direct government affiliation and aid. The NRA came to understand that its success depended on support from the federal government and that "no outlay by the government could be more judiciously expended or tend to improve the efficiency of the national guard as a generous appropriation for rifle practice."³ As noted by historian Martha Derthick, "The Guard is a community institution, rooted in the city, the village, and even rural areas."⁴ By supporting the emerging National Guard, the NRA allied itself with an institution that would eventually provide a nationwide grassroots organization of considerable power. David Fautua summarized this strength: "Herein lies the Guardsmen's most potent power, stretching back three centuries before towns became colonies and ultimately a nation: their indestructible 'connectedness' to the people; where all power in America is derived and translated by the power of the vote."⁵

Today, the NRA is a part of America's culture, and though its membership is much smaller than numerous other special interest groups, its strength belies its numbers. The NRA developed that strength in the early part of the twentieth century and its political authority should be traced to those years in order to appreciate how it has such power today. This conclusion contradicts those political scientists and historians who have found the basis for the NRA's strength in the 1960s, when the organization first reacted to public calls for greater gun control. Among historians, Donald Lefave and Russell Gilmore have suggested that the NRA's strength could be traced back decades earlier. However, like other historians and political

³ A. S. Jones, "Need of Rifle Practice in United States," *Shooting and Fishing*, July 25, 288.

⁴ Martha Derthick, "Citizen Soldier on Capitol Hill: The Political Life of the National Guard" (PhD diss., Harvard University, 1961), 6.

⁵ David T. Fautua, "How the Guard and Reserve Will Fight in 2025," *Parameters* 29, no. 1 (Spring 1999): 133.

scientists, neither gives sufficient attention to the organization that was created in concert with the National Guard or the strength that was gained through association with the federal government. Both historians concluded that the strength of the NRA was found in the creation of a national organization with influence in Washington, D. C., with Lefave emphasizing the militarism sweeping the country during the Progressive Era and Gilmore focusing on the Association's ability to represent arms and ammunition manufacturers. Both also recognized the importance of the National Board for the Promotion of Rifle Practice and the leadership roles that some individuals played in all three organizations—the Guard, the National Board, and the NRA.⁶ What both missed, however, was that the NRA did not gain its strength in the nation's capital but in the offices of state Adjutants General. The Adjutants General were political appointees, members of the National Guard and staunch supporters of the NRA with ready access to the congressmen who would travel to the nation's capital with messages from their constituents, the grassroots membership of the NRA. It was only with that grassroots support that the National Board could be used to leverage the NRA into a more powerful position.

At the end of the nineteenth century, following the difficulties experienced in mobilizing a force for the Spanish American War, military leaders sought clearer lines of responsibility and accountability for a reserve force. The need for a more reliable reserve force led to the development of the federally instantiated National Guard, an effort that was led by George Wingate, who had earlier founded the NRA. During those same years, the NRA, now led by another National Guardsman and founding member of the NRA, General Bird Spencer,

⁶ Lefave makes a point of the fact that Wingate, Spencer, and Reckord held leadership roles in all three organizations and Gilmore acknowledges the importance of all three.

struggled to retain its relevance in the marksmanship community. However, at the beginning of the twentieth century, the Guard became part of the federal government and the War Department created the National Board for the Promotion of Rifle Practice, the organization that would offer the NRA a place and a voice in the federal bureaucracy.

The Board was first established by Secretary Root as an advisory board that was in agreement with the recommendations of the NRA and remained so until the end of the twentieth century.

The Board empowered the NRA through War Department General Order No. 53, of March 23, 1904.

Resolved, That in the opinion of the National Board for the Promotion of Rifle Practice, rifle practice will be greatly promoted by the formation in each state of state rifle associations, to be affiliated with the National Rifle Association: and that copies of this resolution be transmitted to the Adjutants General of the States and Territories and of the District of Columbia, with the request that they take steps for the organization of such associations.

Resolved, That the National Rifle Association be requested to prepare suitable by-laws for affiliated clubs, and when the by-laws have been approved and the clubs become affiliated, the results of practice shall be

collected by the National Rifle Association and forwarded to the Adjutant General of the Army annually.⁷

It is not difficult to understand the mantle assumed by the NRA when considering the role that General Spencer played in influencing Secretary Root's implementation of the Army Appropriation Act signed in 1903.⁸ An NRA talking paper traced the Board's founding with the following: "1903 – War Department appropriations bill authorizes the establishment of the National Board for the Promotion of Rifle Practice (NBPRP) as well as the National Rifle and Pistol Trophy Matches."⁹ The War Department appropriations bill authorized and funded the support of national matches and authorized the Secretary to provide needed regulations to administer those matches. The NRA, with the help of the National Guard, translated that minimal advisory role into the creation of a Board to control matches, but even more importantly, to act as the government arm responsible for the distribution of arms and ammunition to the NRA's rifle clubs.

The three organizations grew together. The NRA reached its goals based on the support of the federal government. That support was dependent on the creation of the Board and the redesign of the National Guard. The Board was the government agency that the NRA needed to provide the Association with direct access to the War Department's budgeting process. The Board was also a participant in policymaking decisions that controlled federal assets,

⁷ U.S. War Department, Adjutant General's Office, "General Order 53," in *General Orders and Circulars* (Washington: Government Printing Office, 1904), 4-5. Also printed in *NRA Annual Report for 1904*, 11-12. The *Army and Navy Register* reported that Adjutant Generals were being notified to "form in each state rifle associations." "Militia News," *Army and Navy Register*, February 13, 1904.

⁸ The ability of the Association to influence policy is also suggested by Sandusky who offers that "the NRA traditionally regarded itself as a quasi-public body." Sandusky, "Working Papers," 18.

⁹ NRA talking paper prepared by the NRA subsequent to the establishment of the Civilian Marksmanship Program as a private corporation. Provided by Gary Anderson, Director Civilian Marksmanship Program, October 9, 2009.

particularly arms and ammunition. The Guard was now a state soldiery with a statutory place in public policy and was the national organization that would provide the depth and breadth of support necessary to avoid the earlier failure that dependence on a single state had wrought. That organization was the transformed republican militia led by state Adjutant Generals who were both emotionally and legally connected to the NRA. It was filled by members who were drawn to rifle club membership for social and communitarian reasons. Thus, it created a ready market for the arms and ammunition that would become available through affiliation with the NRA. The mutual benefit gained from the provision of inexpensive arms and ammunition would, in turn, create the loyal, dues-paying memberships to further the NRA's future goals. Furthermore, the Guard, as noted by Derthick, was an atypical pressure group that was grounded in Constitutional law. As a public and official part of the nation and the government, it was exempt from lobbying restrictions, had a nationwide presence, and was well connected with the state patronage systems.¹⁰ The NRA would benefit from that nationwide presence and those same exemptions well into the twentieth century as it became an "unofficial advisor" to the United States Government.

The voice in the federal bureaucracy and the grassroots network of rifle clubs had been established by focusing on the importance of rifle marksmanship for national defense. With a presence in Washington and a nationwide network of associates, the newly elected NRA leadership adjusted the Association's focus to a more political agenda. Lefave pointed out that James Drain, the NRA president from 1907 to 1910, was a past state Adjutant General who was "prominent in the National Guard Association...was a member of the Militia Board and had

¹⁰ Derthick, 1-2.

been on the National Board for the Promotion of Rifle Practice since its inception."¹¹

Conversely, Gilmore suggested that James A. Drain, of all NRA presidents, (was) the most narrowly military."¹² Neither author mentions that Drain had also served in Europe during World War I, earning the Distinguished Service Medal "for meritorious and distinguished service...as an Ordnance Officer of the 1st Division during its early months in France" or that he had been a very active lobbyist for the Powder Trust.¹³ Drain's overseas service would give him significant credibility as he sought to expand the NRA, and his role as a lobbyist would serve him well as he sought a more political agenda for the Association. Drain successfully expanded the NRA to almost every state and into secondary schools, colleges, and universities nationwide. Though the NRA remained relatively small, Drain's efforts resulted in an expanded membership that when called to "contact your congressman," would react with alacrity; and so they did in the 1920s and 1930s and so they do to this day.

In 1928, support was needed to ensure that the War Department budget continued to support the national matches. By calling on friends in Congress and allies in the military, the NRA was able to overcome a Presidential veto and guarantee the continuation of their annual showcase, the National Rifle and Pistol Matches at Camp Perry, Ohio. In the 1930s, the battle was more difficult as the NRA challenged the popular President Roosevelt over federal gun control. A call to their grassroots supporters generated a letter-writing campaign that encouraged the Congress to endorse the NRA-proposed legislation. Their efforts were successful, and the NRA recommendations regarding gun control were passed into law in direct

¹¹ Donald George Lefave, "The Will to Arm: The National Rifle Association in American Society, 1871-1970" (PhD diss., University of Colorado, 1970), 67.

¹² Russell Gilmore, "Crackshots and Patriots," 271.

¹³ See discussion of the Powder Trust on pp. 243-244 of this dissertation.

opposition to the publicized desires of the sitting Attorney General, Homer Cummings. Following that legislative success, the NRA's Executive Secretary, General Milton Reckord, posed the question, "And why should the honest citizen be required to register? The question has been asked repeatedly and no satisfactory answer has yet been given."¹⁴ That 1938 question remains a major component of the NRA's twenty-first century argument against gun control and, as has been shown in contemporary debates, it remains a question for which the majority of the U.S. Congress does not have a satisfactory answer.

Political scientists and historians have found a variety of reasons for the unique strength of the NRA. However, none of their conclusions provide a fully satisfactory answer. The challenge to find that definitive answer and the difficulty in understanding where the NRA draws its strength is perhaps a distinctive quality of the NRA. However, identifying the strength of a special interest group is not always easy given a democratic society that depends on representatives who are selectively responsive to their constituents and often less than transparent about the forces that influence their deliberations. How elected representatives champion the factions they choose to support remains their decision, and they are in turn responsible to the electorate for those choices. The federal bureaucracy on the other hand is not responsive to the electorate and, as seen in the role it played in supporting the NRA, is capable of providing special advantages to select interest groups. My conclusions, by offering a different view of how the federal bureaucracy is subject to special interests, raise important questions. America's federalist system of government has endured through some trying times. It has also been responsible for the creation of a large bureaucracy with innumerable levels of

¹⁴ Reckord, "Senate 3," *American Rifleman*, August 1938, 11.

responsibility and authority. The NRA has been successful in combating gun control by aligning itself with both the state and federal governments. In light of its success, was Richard Hofstadter right in suggesting that America's gun culture is an example of a failure of federalism? If so, how might other special interests achieve their objectives by taking advantage of the bureaucracy that has become necessary to deal with the dual sovereignty of federalism? Has the structure of our government as one of divided power and responsibility created a condition that fosters abuse by special interest groups? Perhaps more directly to the point, are special interests practicing or subverting democracy when they leverage the bureaucracy that is necessary for a federal government? James Madison was convinced that "if a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote."¹⁵ Has the NRA's ability to control the majority proven Madison wrong and, in so doing, subverted the democracy that he sought in a republican form of government? These questions, and I am confident others, are beyond the scope of this dissertation but deserve further consideration.

¹⁵ James Madison, "Federalist No. 10," in the *The Federalist* (New York: Barnes and Noble Classics, 2006).

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36th Congress 42nd Congress
 44th Congress 45th Congress
 47th Congress 56th Congress
 57th Congress 58th Congress
 59th Congress 70th Congress
 73rd Congress 74th Congress
 75th Congress

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There have been four NRA related publications, beginning with the publication of *The Rifle* by Arthur Corbin Gould from 1885 through 1888 in Boston. In 1890, Gould reopened publication of his paper as *Shooting and Fishing*. He moved the publication offices to New York City in 1894 and continued publication until the magazine was purchased by General James Drain in 1906. Drain changed the publication's name to *Arms and the Man* and moved its offices to Washington, D.C. Drain sold the magazine to the NRA in 1916. In 1923, the NRA changed the magazine's name to the *American Rifleman*, the name it carries today. Bound copies of all four magazines are available from various libraries across the United States and the Smithsonian's archives.

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