

LAST CAMPAIGN OF THE CIVIL WAR

Aged Minnesota Veteran Takes On the GAR

Walter N. Trenerry

"OLD SOLDIERS never die. They just fade away," goes the song. Old soldiers' gripes never die, either, and there's no time in life when all passion's spent, as Orrin S. Pierce of Minneapolis showed startled Minnesotans in 1945 when at the age of ninety-seven he took up arms against a sea of gripes. Pierce was one of seven Civil War veterans and members of the Grand Army of the Republic (GAR) still living in Minnesota at that time.¹

Thanks to him, Minnesota can claim a last action of sorts arising out of the Civil War, one that was eighty

years later than military surrenders of the spring of 1865 in Virginia (Appomattox), North Carolina (Goldsboro), Alabama (the Spanish fort at Mobile), and Texas (the surrender of Kirby Smith at Galveston), even though the Minnesota's action took place in the courtroom and not in the field.

From first skirmishes to final stillness, the campaign, which ran from 1942 through 1947, took a little longer than the time between the attack on Fort Sumter in 1861 and Lee's surrender at Appomattox in 1865. It went nearly unnoticed. The bomb bursts of World War II being fought at the same time drowned out its popgun fusillades.

The fire fights, such as they were, took place in the old Hennepin County Courthouse in Minneapolis where the last of Father Abraham's sons to tussle in combat deployed his forces and gave battle. This time the enemy was not Johnny Reb but the Grand Army of the Republic, the men in blue who put down Johnny Reb in '65. Comrade Pierce loosed the fateful lightning of his terrible swift sword in order to make his old comrades eat crow.

Why? The GAR had trod on the toe of Orrin S. Pierce by suspending him as a member and by disbanding the George N. Morgan Post No. 4, of which he had been acting commander. Although at the end of the campaign he would have been the post's one and only member, he still felt hungry for command. In his mind the Minneapolis post was a shrine that he feared other hands, such as the hands that shoved him out, might desecrate.²

BY 1942 THE GAR had dwindled from its 1890 summit of 409,489 members to a tiny band. GAR babies had to be at least ninety-five years old. The commander-in-

¹ Much of this article is based on two Minnesota Supreme Court cases, the records for which are available in the Minnesota Law Library at the State Capitol. The first is *Orrin S. Pierce v. Grand Army of the Republic*, 220 *Minnesota Reports* 552, 20 *Northwestern Reporter*, second series, 489 (1945), hereafter cited as *Reports I*, with page references to the *Minnesota Reports*. The record in this case is cited as *Record I*. The second case is *Orrin S. Pierce v. Grand Army of the Republic*, 224 *Minnesota Reports* 248, 28 *Northwestern Reporter*, second series, 637 (1947), hereafter cited as *Reports II*, again with page references to the *Minnesota Reports*. The record in this case is cited as *Record II*. The last statement's source is *Record II*, 163.

² *Reports II*, 250.

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chief was urging members to surrender post charters and become GAR members at large, but in a bow to sentimental feelings a GAR rule was left in force that let a post keep its charter if one member wanted to. George N. Morgan Post No. 4 had at least one member other than Pierce — the record is not clear as to how many — and that one member (Henry Mack) gave his written OK to surrender the post charter.³

Although seemingly protected by the “one-yes-you-keep” rule, comrade Pierce apparently felt uneasy. He called a post meeting at his house one evening in 1942 and then and there enrolled as members two other comrades in Minnesota — one the commander and last survivor of the Cady Post of Anoka (Nathan Colburn of Champlin), the other the commander and last survivor of the Princeton Post (William Lovell of Zimmerman). The new members may possibly have agreed beforehand to back Pierce in hanging onto the charter.⁴

But the clandestine machinations of these wily nonagenarians ran aground. When he heard about the new enrollments, the GAR commander-in-chief himself, comrade John S. Dumser, ruled them unlawful. He wrote, among other things, that the swearing-in had to take place in the same room with the charter. That would mean that the proper place was at the post headquarters in the basement of the Hennepin County Courthouse. When Pierce got Dumser’s letter of December 1, 1942, he clamped his jaw. The commander-in-chief was acting as though he had caught some respectable comrades scheming some monkey work.⁵

Pierce appealed to the GAR National Council of Administration which met in September, 1943, at the national encampment in Milwaukee. When his turn came he stood up and argued. The fellow graybeards listening must have thought it late in the day to hear a far-out harangue about as important as why in the Tweedle family Dum was a better fellow than Dee. They purred conciliation, asking, in effect, “Why not forget it, comrade? Why not surrender the charter and take membership at large?”⁶

On September 20, 1943, Pierce offered to the national council’s sixteen members to surrender the charter of the George N. Morgan Post No. 4, turn its property over to the department of Minnesota, and take GAR membership at large. Three days later he sat quietly in the audience while the full national encampment (thirty aged comrades on hand) voted to accept his offer. He was given, and willingly received, a certificate of membership at large.⁷

Things looked settled, but once he got back home in Minneapolis and away from his tottering but honey-tongued comrades, Pierce felt overreached. What on earth happened? He went there to save the charter and now he had given it away. Now he felt he had been “cajoled, threatened and intimidated” by some of the



ORRIN S. PIERCE, pensive pipe smoker

encampment officers so that his promise was not binding. Moving fast, he called a post meeting in October, 1943, less than a month after his promise in Milwaukee, and called another vote about surrendering the charter. Not surprisingly the vote was “No!!!!”⁸

News of the turnabout reached national headquarters, and in March, 1944, George H. Jones, then commander-in-chief, sent Pierce an official letter telling him that he was suspended until the next national encampment at Des Moines in September, 1944, or until he got in line and carried out his promise.⁹

³ Frank H. Heck, *The Civil War Veteran in Minnesota Life and Politics*, 12, 257 (Oxford, Ohio, 1941); *Reports II*, 250; *Record II*, 32. For an early history of Minnesota GAR posts, see Frank H. Heck, “The Grand Army of the Republic in Minnesota, 1866–80,” in *Minnesota History*, 16:427–44 (December, 1935).

⁴ *Record II*, 119, 160.

⁵ *Record II*, 120.

⁶ *Record II*, 122.

⁷ *Record II*, 59, 60.

⁸ *Record II*, 40, 119.

⁹ *Reports II*, 249.

On top of this, Albert Woolson of Duluth, commander of the department of Minnesota, wrote Pierce that as a suspended member he could not attend the state encampment in June, 1944, and that if he tried to sneak in the police would be asked to throw him out.¹⁰

Barred from the state encampment, Pierce planned to attend the national one. But, he said, when the GAR officers refused to let his secretary talk for him, since he did not feel up to doing it himself, he decided to stay home. This may have been unwise. In his absence the national encampment voted to continue his suspension until he kept his promise. The post was treated as disbanded.¹¹

Such were the fruits of diplomacy. By the end of 1944, comrade Pierce and the GAR stood eyeball to eyeball. Pierce seemed "out": out of a membership, out of a post, out of a command, outmaneuvered. At ninety-seven he was nearly out of time.

¹⁰Record I, 11.

¹¹Record II, 40; Reports II, 250.

¹²Record I, 53; Record II, 67.

¹³Record I, 1; Karl von Clausewitz, *Vom Kriege* (On War), trans. by Anatol Rapoport, 101, 123 (Harmondsworth, Middlesex, England, Penguin Books, 1976).

¹⁴Journal of Proceedings of the Eightieth, Eighty-First (and final) Annual Encampments of the Department of Minnesota, Grand Army of the Republic, 70 (1950), hereafter cited as *Proceedings*.

¹⁵Proceedings, 16, 71.

¹⁶Heck, *Civil War Veteran*, 11; Heck, in *Minnesota History*, 16:427; *Proceedings*, 7; United States, *Statutes at Large*, 43:358-60.

¹⁷Record II, 93.

ALBERT WOOLSON outlived them all.



When diplomacy fails, an aggrieved party has two choices: take up arms or forget the grievance. Pierce had his *casus belli*. Since he seemed unable to forget it, he took up arms. After some lesser skirmishes in the form of uncompleted lawsuits against the department of Minnesota, he moved against his real enemy, the GAR.¹²

PIERCE LAUNCHED his attack on February 1, 1945, by serving a long complaint upon Minnesota department commander Woolson. It is enough to say about the complaint here that Pierce aimed to tear the GAR apart by wrecking its power to make rules and run its house affairs. This was war à la Clausewitz, who said that, since the attacker aims to impose his will on the enemy, he has got to destroy the enemy's fighting power.¹³

An estimate of the situation at the outset of this strife would show fairly evenly balanced forces. Numbers add little when all combatants are ninety-seven and over. Attacker Pierce was once a corporal in Company E of the 146th Illinois Volunteer Infantry Regiment in the Civil War. He enlisted in the army in 1864 at the age of seventeen and served less than one year, all of it on Illinois garrison duty. In 1865 he was a member of the honor guard that marched with Lincoln's body from the Illinois State Capitol to the tomb in Springfield. In 1945 he was certainly one of the last who had looked on the face of Lincoln.¹⁴

Pierce's GAR service became pertinent when he began to fight the GAR. Until 1936 he had been a member of John Ball Post No. 45 in Winona, but in 1936 he retired, moved to Minneapolis, and joined George N. Morgan Post No. 4. He was its acting commander from 1939 through 1943. In 1937 he was assistant adjutant and quartermaster general of the department of Minnesota and in 1941-42, department commander. His one national post was inspector general in 1939-40.¹⁵

The "enemy" was the Grand Army of the Republic, a veterans' fraternal order set up in 1866 and made welcome in Minnesota by Governor William R. Marshall that same year. It waxed in the 1880s and 1890s but by 1945 was much on the wane, although its few remaining members still insisted on forms, order, and discipline, as Pierce's wrangles show. The group was unincorporated until it got a Congressional charter in 1924.¹⁶

Since no GAR member could have been born later than about 1847, none could be called a very effective combatant in 1945. The real 1945 "effectives" in this warfare were three women. One was Mrs. Ina L. Peters, secretary to the adjutant and quartermaster of the Morgan post and also to Pierce. She was probably a fellow belligerent; if the post vanished, her office also vanished.¹⁷

Another woman was Mrs. Marion G. Jewell, secretary to the Minnesota department of the GAR. She had an office in Room 321 of the State Capitol. Given under a

law of 1901, it is today the office of the secretary of the senate. When Pierce opened his attack, the legislature was meeting, and, as prearranged, the GAR had temporary quarters in the Minnesota Historical Society building.¹⁸

At the top of the GAR distaff side pyramid was Cora E. Gillis, permanent executive secretary of the national organization, who ran the headquarters office in Washington, D.C. Miss Gillis's hand does not show in the Pierce imbroglio, but she doubtless knew and watched every move.¹⁹

Such were the fighting forces and auxiliaries on February 1, 1945. Some three weeks later, on February 23, the GAR moved. But this enemy did not meet firepower with firepower; instead, it thumbed a collective nose and taunted that the GAR was not within range of Pierce's artillery.

In legalese, the GAR made a special appearance to contest jurisdiction and moved the court to dismiss Pierce's complaint. "This is a foreign corporation of the District of Columbia," the GAR cried, in effect. "It is not doing business in Minnesota, and Minnesota courts cannot touch it." Furthermore, Minnesota, not the GAR, put Albert Woolson in as department commander. He was no GAR officer. The GAR never appointed him agent or, for that matter, anything else. He had no legal authority whatever to accept service of process on the GAR.²⁰

Here was an unforeseen how-d'y'e do. (Pierce could have avoided this and the appeal to come by starting over in the District of Columbia, but he was too old to travel and, besides, probably did not want to strain the war chest.)

The hearing on this GAR move came up on March 19, 1945, before Judge Paul S. Carroll of the Hennepin County District Court. Both belligerents showered the court with affidavits, counter affidavits, and supplemental affidavits. (Courts do not call witnesses when deciding motions.) The main question was whether the GAR as a corporation was "doing business" in the state of Minnesota.²¹

Acting as GAR generals in this action and claiming that the corporation was not "doing business" were Francis M. Smith of St. Paul, former Minnesota commander of the Sons of Union Veterans of the Civil War and general counsel of the department of Minnesota, and James H. Willett of Tama, Iowa, judge advocate general of the GAR.²²

These military advocates had to fire ammunition packed before 1865 but which had oozed most of its legal zap by 1945. They nevertheless struggled to show that the department of Minnesota, an outfit separate from the GAR, was the critter "doing business" in the state and that whatever the department and its commander might do would not bind the GAR.²³

(A court of state "A" cannot touch a corporation set up in state "B" unless the corporation is "doing business" in state "A" "Doing business" is an arcane phrase of consummate legal art. Courts and counsel survey mankind from China to Peru and use up time, paper, money, and gab trying to sniff out the rabbit hole that gives away "corporate presence.")

COMRADE PIERCE and his field commander, attorney A. S. Dowdall of Minneapolis, could not have been worried very much. History backed them. After the GAR swept into Minnesota in 1866, it set up in all a total of 229 posts in the state. Its peak Minnesota roll call brought the shout "Present!" from 8,404 members. All posts collected dues and forwarded part of them to national headquarters. Minnesota played host to comrades nation-wide in four national encampments: at Minneapolis in 1884 and 1906 and at St. Paul in 1896 and 1933.²⁴

Millions of dollars in greenbacks and gold dug out of Congress by the national GAR lobby poured into Minnesota, and the national office played a not-so-hidden hand in Minnesota politics. A "good luck, old comrade" greeting to former GAR state commander-in-chief Samuel R. Van Sant (in 1894-95), for example, did not hurt his campaign for governor of Minnesota in 1900. Van Sant served as national commander-in-chief in 1909.²⁵

The upshot of the Pierce-GAR clash was that he got the outfit within range and won his first skirmish. Although Judge Carroll did not think much of the combat, on April 6, 1945, he denied the GAR motion to dismiss. In his memorandum opinion he grouched: "Apparently death will be the only way that this litigation, which Mr. Pierce persists in through his advisors, will ever be concluded." Service of process on department commander Woolson was good service on the GAR since whatever bigwiggery Woolson enjoyed came in the end from the national outfit.²⁶

Before Pierce could fire a salvo the enemy counterattacked on April 23, 1945, by appealing to the Minnesota Supreme Court. The seven justices heard the same ar-

¹⁸*Record II*, 148; *Record I*, 44; Minnesota, *Laws*, 1901, p. 158; Minnesota, *Statutes*, 1941, p. 1555 (sec. 197.54).

¹⁹*Record I*, 50.

²⁰*Record I*, 30.

²¹*Record I*, 32, 39, 45, 49, 53, 56.

²²*Record I*, 56.

²³*Record I*, 30.

²⁴*Record I*, 39; Heck, *Civil War Veteran*, 11, 26, 27, 33; *Proceedings*, 18; Program, Eighty-First Annual and Final Encampment of the Department of Minnesota, Grand Army of the Republic, St. Paul, Wednesday, June 4, 1947 (copy in Minnesota Historical Society library), hereafter cited as Program.

²⁵Heck, *Civil War Veteran*, 188, 198, 253; *Proceedings*, 14, 16.

guments fired at Judge Carroll, mulled the matter over at their leisure until November 2, 1945, and gave judgment for Pierce.²⁷

Justice Leroy Matson wrote the court's opinion. An earnest lawman given to fussy detail, constitutionolatry, and dryness of touch, he drily allowed Pierce to keep the field. The GAR, Matson said, cast such an "inference of corporate presence" in Minnesota that Woolson, who was *ex officio* a member of the national encampment and so a voting member of the supreme governing body, could accept service of process on the corporation. Justice Matson would, of course, be happy to see these quavering relics of antiquity lay down their arms. "May these valiant warriors in blue, all past 97 years of age, bury their differences and forget the bitterness of litigation," he intoned piously.²⁸

Pierce felt he had already made one mistake in listening to men who advised, "Forget it!" He had his case set down for trial. A campaign, as Clausewitz said, must face the test of battle sooner or later.²⁹

ON MAY 21, 1946, the forces of Pierce and the GAR locked in combat on their Minneapolis battleground —

²⁶Record I, 57.

²⁷Record I, 58; Reports I, 558.

²⁸Reports I, 555, 558; *Minneapolis Star-Journal*, November 2, 1945, p. 15.

²⁹Clausewitz, *Vom Kriege*, 137.

³⁰Record II, 54.

³¹Record I, 8–20, 21–23.

³²Reports II, 250.

³³Reports II, 251.

³⁴Reports II, 250; Record II, 35.

PIERCE SAT in Judge Paul Guilford's court.



the courtroom of Hennepin County District Judge Paul W. Guilford. Both factions agreed to let the judge act as sole arbiter.³⁰

In legal battles both sides have to start by firing paper missiles at each other to let the other side know their war aims. Then they can engage in lung-to-lung combat in the courtroom. This is a good time to look at the war aims of Pierce and the GAR. Pierce's complaint charged that through cajolery and conspiracy the GAR unlawfully suspended him as a member, declared George N. Morgan Post No. 4 disbanded, and removed him as post commander. He was taking the field to reverse this and also to get himself declared a post member instead of the GAR member at large when reinstated.³¹

Because of the byplay about the GAR "doing business" in Minnesota, it did not have to answer until the Supreme Court solemnly decided that issue. Meanwhile, some of the old but by no means senile boys in blue seem to have reread their manuals of tactics and decided to take the risky military move of changing bases while under fire.

In fact, while the Minnesota appeal was pending, comrades attending the 1945 national encampment at Columbus, Ohio, resolved to fix Pierce's wagon. The GAR had a rather slippery provision for amending the rules. It said that by unanimous vote the national encampment could suspend all the rules. It did. Pierce leaned his case in part on a GAR provision that one favorable vote kept a charter in force. Very well. The governing body now changed that rule by adding: "but this shall not deprive the National Encampment of the right to take a charter from a Post when it is deemed best for the good of the Order."³²

Pierce also leaned on a GAR rule that suspension for disobedience could only follow judgment of a court martial. Very well. The governing body now attended to that by allowing "suspension from membership for a specified period at the discretion of the National Encampment."³³

With these changes pasted in the rule book, the national encampment resolved on October 3, 1945, that Pierce's suspension would continue until he kept his 1943 promise to turn over all the Morgan Post records and property to the department of Minnesota and, *requiescat in pace*, "that said post be and the same is hereby declared to be forfeited, disbanded and surrendered and that all prior acts concerning such forfeiture, abandonment or surrender be and the same are hereby ratified and confirmed."³⁴

After the Minnesota Supreme Court sniffed out enough "inference of corporate presence," the GAR finally met Pierce's complaint on January 4, 1946, in an answer that set out the 1945 national encampment proceedings and pointed out that Pierce had made a solemn promise that he was now trying to back out of. Pierce

wound up the paper swapping in a reply that cried of cajolery, conspiracy, and *ex post facto* skulduggery.³⁵

Issue was joined, as the law says. The forces were on the field, ready to move.

Alas, all the glories, conquests, triumphs, and spoils of the once great Union army, and all the fanfare and bravado of the paper campaign, now shrank to this little measure: a dingy, ill-lighted courtroom with yellowish oak woodwork, three men glaring at each other from two sides of an oaken counsel table, three women witnesses sitting on an oaken bench, a clerk and a reporter scribbling in their notebooks, and an elderly judge in black robe peering down impatiently from the height of his bench at the huddled tableau.

Pierce opened the attack. Old, tiny, feeble, nearly deaf, peering shortsightedly, he did not seem the man who made those loud charges in the paper barrage. He was, rather, confused and pathetic. Here is some of his testimony:

Q. And when did you join the Grand Army of the Republic?

A. Well, I have forgotten the date.

* * *

Q. When did you join George N. Morgan Post, do you remember that?

A. I don't remember the dates. The secretary has all the records.

* * *

Q. Don't you remember receiving this letter [from GAR Commander-in-Chief George H. Jones, telling him he was suspended]?

A. No.

* * *

Q. Do you want to sue the Grand Army of the Republic?

A. No.

Q. You do not want this lawsuit pending, then, is that it?

A. I do not want to sue the Grand Army of the Republic.

Q. You realize that is what you are doing here?

A. No, I don't, not the Grand Army of the Republic.

Q. This is a lawsuit by yourself against the Grand Army of the Republic. You know that, don't you, Mr. Pierce?

A. I didn't know it was against the Grand Army of the Republic.

* * *

Q. Whom do you think the suit was brought against, that is what I am asking you.

A. It is brought against me.³⁶

IN SPITE OF his client's obvious uncertainty of purpose, attorney A. S. Dowdall managed to get the facts before the court through the additional testimony of Pierce's daughter, Evelyn B. Caldwell of Minneapolis, and of Ina L. Peters, one of the GAR women regnant. Mrs. Peters said that by this time in 1946 Pierce was the

only living former member of George N. Morgan Post No. 4.³⁷

Francis M. Smith, counsel for the GAR, thought it enough to cross-examine Pierce, who mumbled, forgot, and seemed lost, and to have Marion G. Jewell, another of the GAR women regnant, testify to a few facts, one of them being that now, in 1946, only seven Civil War veterans were left in Minnesota.³⁸

Introducing into evidence the 1945 GAR national encampment proceedings, counselor Smith ended by saying that the new GAR rules and the resolutions based on them had to be conclusive. When he had heard all the testimony Judge Guilford might have dismissed the case because Pierce really did not understand what was going on. The judge felt, however, that he had to decide the question and on July 5, 1946, gave judgment for the GAR. The national encampment had power to change its rules, and those changed rules bound Pierce. He now stood a shaky, vanquished survivor among wrecked guns, but he would not accept defeat. He still dimly coveted his old post and his old title of commander. On September 24, 1946, he appealed to the Minnesota Supreme Court.³⁹

It was not until the following year that the justices again heard the two belligerents. This time the question had to be decided. After hearing arguments they chewed the matter for a longish time in view of the fact that the clock was ticking as fast as it was. Pierce was nearly 100 years old.

While the decision was still up in the air the department of Minnesota held its eighty-first, and final, encampment on June 4, 1947. The program listed five surviving Minnesota comrades but left out Pierce, who was still under suspension. Regretfully, the encampment voted to disband the department and surrender its charter to national headquarters. The scaffolding for George N. Morgan Post No. 4 no longer existed.⁴⁰

On June 27, 1947, the Supreme Court gave its second judgment in the case and this time named the GAR the victor. Justice Frank T. Gallagher wrote the opinion; he was the court's newest member, replacing Luther W. Youngdahl who had become governor of Minnesota. The GAR, said Gallagher, had undoubted power to make and change rules. Its charter and rules were "a contract between plaintiff and the Grand Army of the Republic by

³⁵Record II, 25, 40.

³⁶Record II, 55, 56, 61, 113, 114.

³⁷Record II, 121, 122, 126, 129.

³⁸Record II, 163.

³⁹Record II, 164, 199, 223; *Minneapolis Tribune*, July 6, 1946, p. 1.

⁴⁰In addition to the Program, the department also had its resolution printed on an ornamental parchment sheet, meant as a souvenir, June 4, 1947. The "Official Report of the Final Closing of the Department of Minnesota" was published in *Proceedings*, 47-51.

which plaintiff has consented to be bound by his membership in that organization." Even so, the justice added, comrade Pierce could be reinstated any time he carried out his 1943 promise.⁴¹

A curious reader might ponder a "contract" that let one party change it retroactively and at will. It looked as if the justices were in a hurry to get rid of the case. Why not dismiss it as moot when the department of Minnesota had disappeared? But the wisdom of judges differs from that of laymen.

In winding up his opinion Justice Gallagher felt he ought to try binding up the wounds of battle:

It is questionable from the record whether, because of his advanced years, he really understood the purposes of the trial. We believe that under the circumstances the kindest thing that can be done for this aged veteran is to let this case write *finis* to his litigation. We express the hope that he will be restored as an honorable member of the Grand Army of the Republic so that he can march with his few surviving comrades until they join the thousands of former ones who have gone before them on that "long, long trail" which leads to their eternal glory.⁴²

So ended the Grand Army of the Republic's "last great battle in the West," leaving its prime mover standing alone, defeated, on an empty shore, on the outs with his comrades of eighty years, looking wistfully at the phantom of George N. Morgan Post No. 4, the prize he could not win. Like many before him, he had risked the fortunes of war — and lost.

Afterword

COMRADE Orrin S. Pierce celebrated his 100th birthday on September 6, 1947, less than three months after the Minnesota Supreme Court gave its final judgment. He was in fading health. He soon moved into the Minnesota Soldiers' Home, where he died on February 23, 1948.⁴³

Although the final encampment of the department of Minnesota took place on June 4, 1947, the formal minutes of proceedings were not printed until 1950. A biography of Pierce took its place in it without editorial comments in the list of comrades recently deceased.⁴⁴

⁴¹*Reports II*, 252, 255; *Minneapolis Star*, June 27, 1947, p. 21.

⁴²*Reports II*, 255.

⁴³*Proceedings*, 71; *Minneapolis Tribune*, February 24, 1948, p. 1.

⁴⁴*Proceedings*, 70.

⁴⁵Mary R. Dearing, *Veterans in Politics: The Story of the G.A.R.*, 497 (Baton Rouge, La., 1952).

⁴⁶*St. Paul Dispatch*, August 2, 1956, p. 1.

⁴⁷*Reports I*, Appellant's (GAR) Brief, 23, 24.

The Grand Army of the Republic held its final national encampment at Indianapolis in September, 1949. Six out of sixteen living members were present.⁴⁵

Albert Woolson, last commander of the department of Minnesota, lived until August 2, 1956, when he died at the age of 109. The last survivor of the GAR, and its senior vice-commander at his death, Woolson outlived all the many hundreds of thousands who served in the Union Army during the Civil War.⁴⁶

Cora E. Gillis took charge of dissolving the GAR corporation. The ranks were empty. Left behind among the living were dusty books, yellowing records, and the corporate charter and rule book, tested and vindicated.

* * *

WHY DID PIERCE go so far? Judge Carroll hinted that his advisers egged him on. Judges Guilford and Gallagher felt the same way. The long-winded pleadings and arguments of counsel, which space limits will not allow setting out, suggest that the lawyers were also keeping the thing going.

But it was Pierce who had to decide. Before he got into a lawsuit he proved himself a seasoned griper and backbiter. The GAR said he wanted to run the outfit and that he kept fighting out of personal spite. There is truth in both charges.⁴⁷ The most likely answer is that all passion's never spent. The GAR kept the Civil War hot for nearly a century and made its veterans feel that their war service was the time when their lives reached their zenith. They felt passionately about the war and everything connected with it.

What, really, was the army to Pierce? He served on garrison duty for about eight months as a boy of seventeen and eighteen — about .0066 of his life, as things turned out. That is all. But he had worn the blue uniform, and that was enough. From the wrath he stirred up, his fellow centenarians must have felt the same way he did; what affected the "order" (the GAR) was of first importance.

Thousands of men spent four years in the Union army and then a lot more years doing something else. Yet, who thinks much about Ulysses S. Grant as president, George B. McClellan as governor of New Jersey, Robert E. Lee as president of Washington College (later Washington and Lee), James Longstreet as assistant United States attorney, or William Tecumseh Sherman as a respected member of the Players' Club in New York City?

Pierce's feud with the GAR was, of course, a fight among shaky old men with cracked voices, a sunset outburst that newspapermen could write about with a snicker and judges could hear with exasperation. But if that case had popped up in 1890, when the average GAR member was about fifty, it would have fluttered some spines among those in the GAR superstructure.

If Pierce had won his case, the court would have had

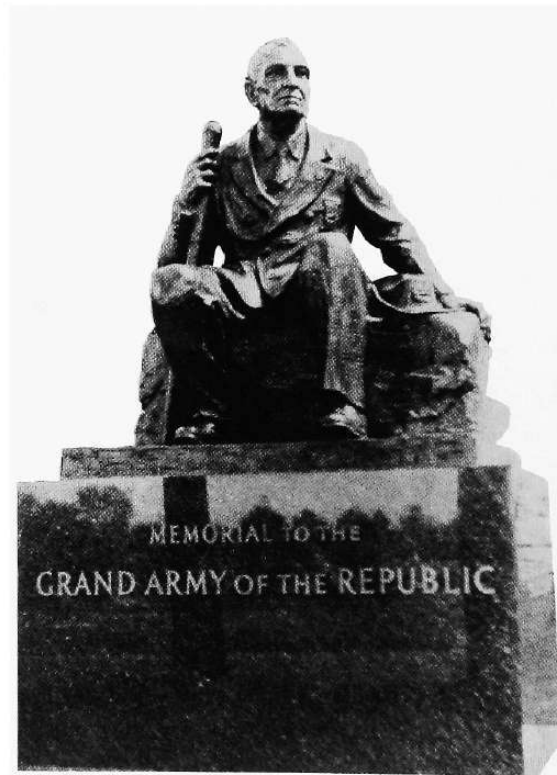
to order him taken back in good standing and the Morgan Post exhumed and brought to life. The implication would have had to be that the GAR could not use summary discipline and could not make new rules for new cases; in short, it could not run its household affairs. The further implication could have been made that a member could do anything, disgraceful or not, and still wave the GAR banner.

In 1890 the GAR was a political phalanx that wrung from Congress such handouts as pensions, disability benefits, and equalization of enlistment bounties. Until the giveaway administrations that began in the 1930s, the GAR was the most effective and thorough siphoner of other people's money. Its power rested on its being a nation-wide bloc. A decision for the comrade in a case like this could split the bloc wide open and make it im-

possible for national headquarters managers to deliver 100 per cent of the votes on any demand.

Luckily, this hassle came late in the GAR's life. Perhaps Pierce just wanted to throw an egg at a commander-in-chief without worrying about where the resulting uproar might lead. There is no reason to think that the boys of 1861-65 loved their officers, who ordered them around from perches on horseback; and there is no reason to think that the GAR lads had any exalted view of the officers of their "order," either.

THE PHOTOGRAPH on p. 134 is from the *Minneapolis Star and Tribune*; that on p. 137 is from the Minneapolis Collection, Minneapolis Public Library; that on p. 135, a *St. Paul Dispatch and Pioneer Press* photo, and that on p. 140 are from the MHS audio-visual library.



WOOLSON'S STATUE is a memorial to the GAR at the national cemetery at Gettysburg, Pennsylvania.



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