



ABOUT the ALCWRT

- *The Abraham Lincoln Civil War Round Table is the oldest Civil War Round Table in Michigan, founded 1952. This year is our JUBILEE ...! Our 65th anniversary is September, 2017.*
- *Meetings are each 3rd Thursday, September through May (except December), 7:30 pm, at the Charter Township of Plymouth City Offices, 9955 N. Haggerty, in the Chamber Council Room. **The SEPT 21 meeting will be in the Multi-Function Room.***
- *For more information, contact ALCWRT President Liz Stringer at stringerL@aol.com*
- *Our web site is ALCWRT.org*
- *Like us on FACEBOOK...! "Abraham Lincoln Civil War Round Table"*

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POSSE COMITATUS:

Connecting the dots from Reconstruction to Hurricane Harvey

Posse comitatus, from the Latin for "power of the county" or "force of the county", is a legal concept dating back to around 1411 in England. It refers to the authority under which a county sheriff, or other local law officer, could conscript any able-bodied man to assist him in keeping the peace.

The Posse Comitatus Act, in concert with the Insurrection Act of 1807, limits the powers of the federal government to deploy federal military personnel to enforce domestic policies within the United States:

"... it shall not be lawful to employ any part of the Army of the US, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or Act of Congress".

Posse Comitatus and the end of Reconstruction.

The Posse Comitatus Act resulted from the Compromise of 1877, in which three former Confederate states agreed to certify Rutherford B. Hayes as President in exchange for the removal of Federal troops from the South, thus effectively ending the 10-year military occupation of the southern states during Reconstruction. Prior to that, there was a growing fear that the Army was becoming too politicized. Besides its role during Reconstruction, the Army had been used to enforce fugitive slave laws, to suppress violence in "Bloody Kansas", and in the capture of John Brown at Harpers Ferry in 1859. In a letter to Congress in 1875, President Grant noted that *"... the Army is not composed of lawyers capable of judging at a moment's notice of just how far they can go in the maintenance of law and order..."*. Army commanders, too, were concerned that diverting soldiers from the military chain of command to address local matters would erode their readiness to fulfill their primary mission of protecting the country.

When does the Posse Comitatus Act not apply?

The PCA does not apply to all branches of the service. It explicitly names the US Army and (as amended later) the US Air Force as being subject to its provisions. While the Navy and the Marines are not explicitly mentioned, the Department of the Navy's regulations generally apply the same restrictions to its personnel as to the Army and Air Force. The Coast Guard is not subject to the Act, as it has a

maritime law enforcement mission and a federal regulatory agency mission. Finally, National Guard units are not subject to the Act when they are operating under the authority of the governors of their states.

Presidents have used the Enforcement Acts of 1870-71 and the Insurrection Act of 1805 to override the Posse Comitatus Act, for example in using federal troops in the LA riots in 1992 and sending troops into Little Rock in 1957. The PCA also allows the Attorney General to request that the Secretary of Defense lead emergency operations that domestic law enforcement does not have the capacity to handle, such as a nuclear emergency.

Which brings us to natural disasters, like Katrina and Harvey:

Over the years there have been calls to expand the military's domestic role, most recently in the context of the war on drugs, the aftermath of Hurricane Katrina, and terrorist attacks such as 9/11. In fact, after 9/11, then-Senator Joe Biden endorsed the idea (never enacted in legislation, President Grant would be pleased to know) of granting soldiers the power to arrest civilians.

The Posse Comitatus Act allows the use of US armed forces for humanitarian and civic assistance when they complement, rather than supplant, the efforts of civilian agencies. During natural disasters or terrorist events, Presidents must be careful to receive a governor's formal request for aid before sending in troops. After 2005's Hurricane Katrina, Congress did amend the Insurrection Act (not the PCA) to allow use of the armed forces to restore order in major public emergencies. This amendment was prompted, in part, by then Louisiana Governor Blanco waiting until after several days of looting in New Orleans before she requested aid. This amendment was repealed in 2008.

The debate about the Posse Comitatus Act continues today:

Concerns from the 1870's are echoed in today's debates about whether to loosen restrictions in the Posse Comitatus Act:

- * Do we want the American public turning to the military, rather than to civilian agencies, for solutions to domestic problems? What would that mean for healthy, or unhealthy, civil-military relations?
 - * Do we want to saddle the military with a variety of new, non-combat missions, with the potential to erode military readiness to protect the country?
 - * Should a more centralized system of coordination and control be instituted to deal with such things as natural disasters, public health emergencies, or terrorist events? If so, authority and responsibilities at the state vs federal level must be defined with the context of Posse Comitatus.
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HAPPY ANNIVERSARY, ALCWRT..!!

In celebration of the 65th anniversary this month of the Abraham Lincoln Civil War Round Table, here's one of Abe Lincoln's favorite celebratory recipes from the *Descendent's Reunion Cookbook, New Salem*. The cookbook notes that this recipe was tested and is excellent.

CHOCOLATE SAUERKRAUT CAKE**CAKE**

1/2 cup butter

1-1/2 cups sugar

3 eggs

1 Tb. Vanilla extract

2 cups flour

3/4 tsp cream of tartar

1/2 tsp salt

1-1/2 Tsp. baking soda

1/2 cup cocoa powder

1 cup water

2 cups sauerkraut, drained and washed thoroughly, and chopped finely.

* NOTE: use a reliable brand of sauerkraut

In one bowl: * Cream together butter and sugar. * Beat in eggs one at a time. * Add vanilla extract.

In a separate bowl: * Sift together the flour, cream of tartar, salt, baking soda, cocoa powder.

Alternate in adding the sifted ingredients and the water to the butter mixture.

Stir in the sauerkraut.

Pour into a greased and floured 9x13 pan. Bake at 350 for 35-40 minutes.

ICING

6 oz. semi-sweet chocolate

4 Tb. Butter

1/2 cup sour cream

1 tsp. vanilla extract

1/4 tsp. salt

2 cups powdered sugar, sifted

Melt chocolate and butter over low heat.

Remove from heat and blend in sour cream, vanilla extract and salt.

Add powdered sugar, and blend until smooth.

Ice the cake when it has cooled.

SAD NOTES -

* **JUNE MacLENNAN's DAUGHTER** passed away in July. A memorial service was held in August.

* **DIRK OLTMAN**, longtime ALCWRT member, passed way Thursday, August 17th.



Obituary from the Fred Wood Funeral Home website:

Dirk Oltman, age 86 of Livonia, cherished husband of Sally, loving father of Mary Ann (Richard) Krueger, Susan (Charles) Wehr, John (Michele) and the late Thomas John, proud Papa of Garrett, Kathryn, Taylor, Jack, Madison, Brooke, Tommy and Great Papa of Mackenzie and Shelby. Also survived by many other loving family and friends.

Memorial contributions may be made to:

- *The Arbor Hospice Foundation, 2366 Oak Valley Drive, Ann Arbor, MI 48103*
- *The Leukemia & Lymphoma Society, PO Box 4072, Pittsfield, MA 01202*

THIS and THAT -

* **DINNER before the MEETING --**

The group meets at STATION 885 in PLYMOUTH at 6pm prior to each meeting.

Please join us!