

Fall 12-15-2015

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Melissa Traub

University of Connecticut - Storrs, melissatraub@sbcglobal.net

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Recommended Citation

Traub, Melissa, “\$300 or Your Life”: Recruitment and the Draft in the Civil War” (2015). *Honors Scholar Theses*. 468.
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“\$300 or Your Life”: Recruitment and the Draft in the
Civil War

By Melissa Traub

One of the most challenging tasks of a nation at war is turning its average citizens into soldiers capable of winning a war. While volunteers flooded to the war front in thousands in the beginning of the Civil War, recruitment in both the North and South slowly dwindled as the war dragged on. Eventually, the North was forced to pass the Enrollment Act of 1863, the first national draft in United States history. Every able bodied man between the ages of twenty and forty-five was subject to the draft.¹ For an already unstable nation, the national draft did little to heal the divides that split the country. The policies of substitution and commutation led to great resentment, eventually sparking the New York City Draft Riots of 1863. While the public outrage and the politics of the draft have been thoroughly examined, little has ever been studied about the reactions and sentiments of the already enlisted Union soldiers who were out on the battlefield. In general, the volunteers of 1861 and 1862 approved of drafting men to fill their depleted ranks, but many condemned the results that it brought.

Almost every aspect of the Civil War has been researched, picked apart, and analyzed by historians for the past two centuries. Many historians have undergone intensive research studying the draft during the Civil War, but each piece of work focuses on one aspect of it. Historians like Barnet Schecter, Ernest A. McKay, and Iver Bernstein have analyzed the war and draft's effects on New York City and the draft riots of 1863 that occurred as a result. Eugene Murdock, in his work *One Million Men: The Civil War Draft in the North*, gives an extensive history of the Union draft, how it came about, its implementation, and the numerous ways men avoided it. Draft resistance has been studied by many scholars, including dissertations by Grace Palladino and Robert E. Sterling.² Others limit their research to the war's effect in one state. While many of these historians have come across the thoughts of Union soldiers' regarding the draft in their research, an extensive study focusing solely on their views has yet to be done. The views on the

draft and the men that it provided of the veteran soldiers gives us insight into how these volunteers viewed one of the most controversial acts during the war, one that affected them personally and significantly. This study, based on their letters and diaries, will give us new insight on the draft from an entirely different perspective.

Despite the inefficiency of the Civil War draft, it did, indirectly, achieve its main purpose: raising troops. According to James Geary, only 3.67 percent of the troops were federal conscripts, but this number doesn't do the draft justice, as it played a major role in stimulating communities to fill quotas, especially when patriotism began to decline in the last two years of the war.³ It also encouraged approximately 118,010 Northern men to secure substitutes. Combining this number with the number of draftees, the federal draft was, according to Geary, "directly responsible for 13.02 percent of the troops raised from March 1863 through April 1865."⁴ The other 86.98 percent of the men were raised through volunteering.

Prior to the Civil War and the first national draft, two methods were employed for raising troops. The first was the militia system. This system prevailed through and beyond the War of 1812, but according to historian Eugene Murdock, it was deficient in many ways. The militiamen had poor training and discipline, and were extremely reluctant to serve beyond their states' borders. During the War of 1812, some states in New England refused to fill their quotas, so President James Madison prompted Congress to pass a conscription law, but the war ended before the legislation could pass Congress.⁵ The second method was through volunteers, as were used during the Mexican War. Volunteer troops composed the majority of the country's fighting forces, but the problem was the uncertainty regarding the number of men willing to serve. For the Mexican War, the supply of willing soldiers was ample; for the Civil War, however, volunteers were just not enough.

The Enrollment Act passed by the North in March of 1863 was the first national draft to be passed by the United States Congress. During the early stages of the war, as President Abraham Lincoln called men to fight, thousands of men volunteered to serve their country, the number of volunteers was so great that many were even turned away and told to await another call.⁶ As time wore on however, the initial excitement that surrounded the war started to diminish. The government began to set quotas for each state to fulfill, and if unable to meet their quota, some states resorted to individual state drafts.⁷

Private Frederick A. Lucas of Company C of the 19th Connecticut Volunteer Infantry (later the 2nd Connecticut Heavy Artillery) wrote home regarding those who were avoiding the state draft that Connecticut had implemented. From Goshen, Connecticut, Lucas wanted to enlist at the first opportunity. His father argued that he needed Lucas's help working on their farm, so Lucas put off his duty until July 1862. After being in the field for just under 2 months, he was already discouraged that men at home were getting out of the Connecticut state draft. In a letter home to his mother in September 1862, Lucas wrote that it "is provoking to us soldiers to hear how easily the 'home patriots' slip their necks from the halter and slink the responsibilities of the times."⁸ It irked him to see the men who urged people like him to enlist were shirking their duty and "evading the responsibilities of true and loyal citizens."⁹ These views would later be mirrored by many with the national draft.

As enlistment numbers dwindled, and as thousands of the volunteers of 1861 and 1862 were killed or wounded, states began to increase monetary rewards, or bounties, hoping to avoid drafting and get men to volunteer by offering an incentive. As the war dragged on, the state and federal bounties increased dramatically. According to Eugene Murdock, "Even discharged veterans who had enlisted for 'love of country' in 1861 caught the fever and re-enlisted for 'love

of money' in 1864.”¹⁰ Bounty jumping became a fine art, and despite the army's efforts to escort the new recruits under armed guard to the front to prevent desertion, even then, many of them escaped en route and enlisted in a different location for another bounty.¹¹

By 1863, however, every state was struggling to provide Lincoln with the men he required for the war. The war had been going on for two years now, the army wasn't making significant progress on the battlefield, volunteers were few in numbers, and the three year enlistment contracts of the 1861 volunteers were coming to an end.¹² Lincoln and his advisors began to propose implementing a nation-wide draft. As news of this proposal started to reach the front, some of the volunteers began to express their views on this proposed draft.

Thirty-one year old farmer and shoemaker Rufus Robbins enlisted in the very beginning of the war, less than a month after Lincoln's first call for men. Robbins and a number of other men from Plymouth County enlisted and formed Company K of the Seventh Massachusetts Volunteer Infantry. Seven months before the passing of the Enrollment Act of 1863, Robbins wrote home to his brother, Henry, expressing hope that Henry not be drafted. Robbins wrote, “I want you to stay at home with Father and Mother. You can be a patriot there as well as here...”¹³ Rufus, despite his patriotic views, shared a this view regarding the draft as many of his fellow soldiers. To some, the draft was necessary to help them defeat the South, but it was only acceptable as long as their loved ones would not be drafted. Rufus's other brother, Edwin, had just enlisted into the army as well, but Rufus would rather serve both his and his brother's terms than have Edwin come to the front.¹⁴

Shortly after Robbins' brother arrived at the front, the Enrollment Act of 1863 was passed. During the draft lottery, names would be drawn at random from enrollment lists and the

selected men would be ordered to report for duty. The names were typically drawn from a sealed chest by a blindfolded person, or if available, a blind person, to ensure the ultimate “incorruptibility.”¹⁵ In order to enroll the men for the draft lottery, officers were sent to the cities and villages to locate and register those who were eligible. This system of enrollment caused many problems for the officers. It was difficult to find and register the men, and the primitive roads and methods of transportation made travel for the officers very trying.¹⁶ The system had many flaws, and as a result, increased the resentment towards the draft. Sometimes people who had moved found themselves enrolled in two separate districts; although he might be exempted or drafted in one district, he would be listed as having failed to report in the other.¹⁷ Dead people were also often registered and drafted, and some draftees took names from tombstones. In Ohio alone, the names of over 162 deceased were drawn in the draft lottery.¹⁸ Due to the unpopularity of the draft, enrollment officers were often threatened with physical violence and enrollment lists were often destroyed. In Hancock County, Illinois, the night of June 28th, enrollment officers in District 4 were held at gunpoint by a gang of armed men and forced to surrender their enrollment lists.¹⁹

Men went to significant lengths to evade the draft. According to historian Barnet Schecter, many potential draftees fled to western territories or to Canada. Others provided incorrect names, addresses, or ages to enrollment officers. Older men stopped dyeing their hair and let it go gray to make them appear older. Others claimed foreign citizenship, but recent immigrants who had declared their intention to become U.S. citizens had 60 days to leave the country or risk being drafted.²⁰ In comparison to draft evasion during later wars the United States has participated in, evasion during the Civil War was much more prominent. During World War I, only 12% of those drafted attempted to escape the draft. During World War II, the numbers

were even less, with estimates ranging from 5% to 0.5%. During the two years of conscription during the Civil War, approximately 161,244 men, or 20.8% of the names drawn under the four federal calls, in the words of Robert Sterling, chose “the less honorable avenues of escape.”²¹

For those who did not attempt to evade the draft, names would be drawn out of a sealed chest by a blindfolded person. Once selected for the draft, the men had ten days to wrap up their personal business and report for examination. It was at this point that the draftees could either pay the \$300 commutation fee, approximately $\frac{3}{4}$ of a workingman’s yearly earnings, to escape military service, or to find a substitute to go in their place. Section 13 of the Enrollment Act, or the “Commutation Clause,” was Congress’s attempt to soften the “impact of conscription on a freedom-loving people.”²² The commutation provision became the basis for the belief that the Civil War was a “rich man’s war, a poor man’s fight,” and was eventually repealed in July 1864 due to the public’s hostility against the clause.²³ However unpopular with the poor, the commutation clause did put a ceiling on the price of a substitute. Prior to its repeal, a poor draftee could avoid service for \$300; after, prices for substitutes rose to \$800 or \$1000.²⁴ According to Murdock, during the first two draft calls, before the repeal of commutation, approximately 133,000 men were held to service, and 85,000 of them, or almost two-thirds, paid the \$300.²⁵ According to James Barnet Fry, Provost Marshall General during the second half of the Civil War, “the draft produced plenty of money but few men.”

If a draftee preferred not to pay the \$300, he could pay someone else to go instead. The original purpose of substitution was to allow people in necessary occupations (i.e. agricultural or industrial) to stay at work, since they could promote the war effort better as civilians than as soldiers. This idea was corrupted during the Civil War, where exemption was not by war-related occupation but rather by individual choice.²⁶ Some draftees were able to find substitutes on their

own, but draftees found brokers who would procure a substitute for them. While the commutation fee was still in effect, draftees could hire a substitute for \$300, but after it was repealed, prices for a substitute skyrocketed.²⁷

If a man chose to accept his patriotic duty to serve as a soldier, he then would have to report for a medical examination to determine if they were fit enough to fight. Sons who supported their widowed mothers were dismissed. During the medical examinations, men were exempt for any kind of illness or injury. During the first year of the draft, men often tried to convince the doctors they weren't fit for duty, and some succeeded. However, as time went on, the medical examiners improved at detecting fraud. In many cases, the attending physicians were either bribed or persuaded to exempt a perfectly healthy male. A paper in Philadelphia questioned the exceedingly large number of men who were exempted, wondering if "two thirds of the male population of this country are physically incapable of performing their duties as citizens, or whether the examining physicians do not perform theirs."²⁸ In many towns, however, the reason for exemption was often published in the newspaper. To most, this didn't matter as long as they could avoid the draft, but for some, despite their legitimate medical excuses, their ailment being published often resulted in them withdrawing their claim and furnishing a substitute.²⁹

The best way to avoid the draft besides legitimate or feigned physical or mental disability, financial dependency, or declaration of immigrant status, was to ensure that the quotas set by the government were filled before the deadline. This is where bounties came in. Money was collected to pay volunteers so their sons and husbands would not be drafted. While healthy and able men would still have to go fight, at least as a volunteer, they would not carry the social stigma of a conscript, and they could also collect both state and federal bounties. While a good

deal of this money was raised by donations, towards the end of the war, the government started to levy real estate taxes to collect the money for the bounties. As Murdock put it, “Appeals to patriotism and honor, wealth and self-interest, family well-being and local self-respect became monotonous. No emotion, no sentiment, and no sensibility went untouched. No argument, reasonable or ludicrous, was overlooked in the mad desire to ‘get the men.’”³⁰

Before we can look at the volunteer soldier’s reactions to the draft, we must first examine why the volunteers of 1861 and 1862 stepped forward to fight in the first place. These men were the ones who would be primarily affected by those that the draft produced as these new recruits would be filling the holes in their regiments. Why men enlisted impacts their views on the draft. For example, if they were reluctant or felt pressured to enlist, they might be against the draft and encourage male family members or friends to pay the \$300, find a substitute, or escape the draft in some other way. Most volunteers who enlisted out of a sense of duty or honor tended to support the draft, seeing it as a way to force all those “shirkers” up North to come and fulfill their duty to their country. Extensive studies have been published on what motivated soldiers to enlist during the Civil War, and most of them come to the same conclusions. These men enlisted due to a complex mixture of patriotism, ideology, concepts of duty, honor, manhood, and community, peer pressure. Their personal experience prior to and through their own enlistment colored their view of newly drafted recruits and influenced the dynamics of the regiments as the new troops moved in.

In his book *For Cause and Comrades: Why Men Fought in the Civil War*, James McPherson discusses the *rage militaire*, or the patriotic furor, that swept through the country after the attack on Fort Sumter.³¹ In the early stages of the war, communities strongly encouraged their young men to enlist and fight for their country out of patriotic pride. David W.

Blight, in his introduction to *When This Cruel War is Over*, calls war a “local festival in this first spring of the conflict.”³² Brass bands played in the streets, feasts and a farewell ball were held, large crowds gathered to cheer on the soldiers leaving for war. Women urged men to “defend them to the death,” telling them to join and fight honorably.³³ Union soldier George Fowle, in his letters home to his wife Eliza, writes of the advertisements posted that read, “Don’t wait for your friend or someone else! Step up and enroll your name on the enlistment paper at once!” or TONIGHT! RALLY! BE ON HAND, EVERYBODY! Young ladies, can you not induce some gentleman of your acquaintance to enlist? TRY IT!”³⁴ Pressure to enlist was coming from not only the community as a whole, but friends and family, women and men alike.

Men like John W. Chase of the First Massachusetts Light Artillery who enlisted in August 1861, did so out of patriotism, fighting to preserve the Union and all that it stood for. Chase signed his letters home “Yours for the Union, John W. Chase,” and “was willing to lay down his life to maintain the Liberties that our Fathers fought to establish.”³⁵ In his diary, Rice C. Bull of the 123rd New York Volunteer Infantry, wrote of the duty he and thousands of men like him had felt when they enlisted, saying “Certainly a meager thirteen dollars a month was no inducement, neither could it have been ambitious desire for promotion or honor, for a man in the ranks had small chance of either. Surely it was no worldly consideration; for those who stayed home had all the opportunities for success. I believe with most of us it was our sense of duty; that we felt that if our country was to endure as a way of life as planned by our fathers, it rested with us children to finish the work they had begun.”³⁶

While most enlisted for patriotic reasons or for a sense of duty or honor, immigrants, particularly the Irish, like Color Sergeant Peter Welsh of the 28th Regiment Massachusetts Volunteers cited other reasons. For many Irishmen, America was a safe haven from the

oppression and persecution in Ireland by the British, and they wanted to protect the land that gave them this freedom.³⁷ He also argues that as the first test of a modern free government, America must survive this rebellion, for “if it fails then the hope of millions fall and the designs and wishes of all tyrants will succeed the old cry will be sent forth from the aristocrats of Europe that such is the common end of all republics.”³⁸ Enlisting in the army was also a valuable opportunity for many young men, particularly those who had trouble finding employment. Welsh points out that the pay for enlisting was better than what he would have been making at home as a carpenter. Like many men, however, Welsh did not think he would have to be enlisted for the full year, as he didn’t believe the war would even last that long.³⁹

As the summer of 1863 wore on, the national draft and the men that would soon be joining them was a widely-discussed topic among the soldiers at the front.

Before we look at these discussions, it is important to acknowledge that there are hundreds of thousands of soldiers of whom we have no evidence of their opinions regarding the draft. Either their letters were lost to the ravages of time, they did not find any importance in sharing their opinions of the draft, or they simply did not have one. In the letters of Peter Boyer and William Henry Harrison Clayton, both of these men mention the draft in their letters home, yet neither took the time to write an opinion on it, just mentioning it. Peter Boyer wrote to his father: “I also saw in the new paper that another draft is to be made in March on our side,” but never seems to have written what he thought about it, at least in the letters that managed to survive.⁴⁰ William Clayton just wrote that his cousin, George Smith, had been drafted and was to report on the first of the month, never mentioning how he felt about a family member being forced to fight.⁴¹

For those who did discuss the draft in their letters and diaries, according to historian Lawrence A. Kreiser, “many veterans relished the thought of their ranks again nearing full strength and impatiently awaited the arrival of the first draftees.”⁴² After two years of fighting, and with the number of recruits diminishing, their regiments were extremely short on men. The draft brought the promise of a full regiment and with it, the promise of victory against the South.

According to the Reverend David T. Morrill of the 26th New Jersey Infantry, he and his fellow soldiers greatly approved of the Conscription bill. Just days after it passed, Morrill wrote that the draft furnishes a guarantee that sacrifices heretofore made shall not be in vain.”⁴³ Morrill also argued that this draft would fill up and keep full the regiments, which he perceived as essential to winning the war. Charles Haydon of the 2nd Michigan Infantry remarked on their low numbers, saying “Nothing produces a worse effect on the men than to let their Regts. run down in numbers so low.”⁴⁴ Captain John Williams De Forest, writing home to his wife, compares the Union’s army to that of the South, who had resorted to conscription in 1862. De Forest argues that it was enacting conscription that allowed the South to resume the offensive, and that “the whole secret of their numbers, and of their energy and effectiveness too, is conscription.”⁴⁵ This view persists throughout the duration of the war as Lincoln called for more and more men. “If only we had that 500,000 men (that the President called for) in the field now we could wipe out this Rebellion by the 1st of January” argues Henry Matrau of the famous Iron Brigade in July 1864. He argued that because the draftees and new recruits would not be available until the spring campaign of 1865, the war would last even longer and 100,000 more lives would be lost than necessary, “just because there are thousands of young men in the north that are either too cowardly or too selfish to shoulder a musket like a man and help fight for their native country.”⁴⁶

Matrau and other soldiers felt that the draft would not only help them bring the war to an end, but it would also make the cowards who did not enlist come out and fight. As one of the men who had enlisted in late 1861, Colonel Marcus Spiegel of the Sixty-Seventh Ohio Volunteer Infantry realized the need for more men as the war dragged on. He believed the draft would “bring this war to a successful and speedy termination,” and would “bring out some of the cowards, who set at home [and] ridicule everybody and too cowardly to go themselves.”⁴⁷ Henry Matrau also brings up the issue of proving one’s manhood, a reason why many felt pressured into enlisting even a year and a half after the draft had passed, declaring that “Any young man who is drafted now and forgets his manhood so far as to hire a substitute is’nt worthy the name of man and ought to be put in petticoats immediately.”⁴⁸

Among the immigrants and colored men, reactions to the draft were a bit mixed. As an Irishman who understood oppression and persecution and therefore valued the freedom that America provided, Welsh enlisted in September 1862 into Company K of the 28th Regiment Massachusetts Volunteers. Insisting that, as the first test of a modern free government, America must survive this rebellion, Welsh, just days after the Enrollment Act was passed, wrote, “I seen in the heareld all about the conscripts law i am very glad it has passed it will bring the people to their senses and the war will either be settled or the skulking blowers at home will have to come out and do their share of the fighting.”⁴⁹ First Lieutenant Karl Adolph Frick of the 17th Missouri Infantry, a German immigrant who came to the US in 1854 looking for business opportunities, also thought highly of his new home. Frick had to opportunity to evade the draft since he was the postmaster and technically already serving the government, but he rejoined the 17th Missouri Infantry. Writing to his mother and sisters back in Germany, Frick expressed that

“it is a shame for any man who can bear arms to desert his adopted fatherland, which always offers help and protection.”⁵⁰

Not all immigrants agreed with Welsh and Frick however. Julius Wesslau, a German immigrant living in the north, never actually ended up serving in the army. His views on the draft, however, reflect those of many Germans during the war. Writing to family back in Germany, Wesslau tells of the draft, saying that it is “especially not to my liking, and if I was unwilling to be treated like a piece of government property in Prussia, I am just as unwilling to do so here...”⁵¹ As a young man in Prussia, he would have been subject to compulsory military service, and upon his immigration to the United States, Wesslau valued his individual freedoms greatly. Many of those immigrants who had volunteered in 1861 and 1862 also did not agree with the forceful enlistment of men. Sergeant Wilhelm Francksen had emigrated to Wisconsin in late 1861 and six months later enlisted in the 26th Wisconsin Infantry Volunteers, an almost entirely German and German-American regiment. Not entirely sure why he enlisted, Francksen did not think too highly of his new home, calling America “rotten, through and through.”⁵² Writing to his father back in Germany, Francksen called the new draft law “flawed and wrong.” He also seemed to think the timing of the call for reinforcements was working against the government, writing that “I don’t think it is very likely that 5,000 men will volunteer now in the middle of the harvest.”⁵³

With the passing of the Emancipation Proclamation in January 1863, Massachusetts Governor John Andrew commissioned an all-black regiment, the 54th Massachusetts Volunteer Infantry, commanded by Colonel Robert Gould Shaw. Corporal James Henry Gooding, an observant, well-informed, fluent writer who was incredibly passionate about the Union cause and black rights, was one of the earliest recruits. Writing letters home to the New Bedford *Mercury*

newspaper, Gooding voiced his opinions on his experience fighting for the Union.⁵⁴ Just weeks after the Enrollment Act of 1863 was passed, while stationed at Camp Meigs in Readville, Mass., Gooding wrote home: “I see a rumor in the Boston Herald that the conscription act will be put in force by taking the Northern colored people. If it be true, the young, able bodied colored men of New Bedford would do well to come up here to Readville...”⁵⁵ Extremely passionate about the cause, Gooding urged his fellow young and healthy blacks to join the fight. He then wrote of a comment The New York World wrote about Governor Andrew, saying that he was exasperated because colored people would not enlist. Gooding wrote, “There may be more truth than sarcasm in the hint,” suggesting that not as many blacks were enlisting as had been hoped.⁵⁶

Those with draft-eligible family members were very conflicted when it came to the conscription law. While the reinforcements were greatly needed, most men didn’t want to see their brothers or fathers forced to endure what they had. With three younger, draft-eligible brothers, Sergeant William Rimmel was torn. After graduating from Fairfield Academy in the summer of 1862, Rimmel and many of his friends enlisted in Companies H and I of the 121st NY Infantry. Unfortunately, less than six months after his regiment was mustered, only about half of the boys that started with him were left. By January 1864, Rimmel and his comrades were desperate for reinforcements. In a letter to his parents, he wrote, “The troops are all in excellent spirits and are all anxious to see the draft come off, if the troops (soldiers) cannot be raised by volunteering. I hope that the quota will be filled up by volunteers, but if it cannot be quickly done then resort to the draft.”⁵⁷

As the war dragged on and his brothers became eligible for the draft, Rimmel urged his parents to dissuade his brothers from enlisting. In September 1864, Rimmel’s brother Charley enlisted for one year. Upon hearing this, he wrote to his father about his other two brothers: “No

father, I would advise the boys not to go...The large bounties all look very nice and the bright side appears for a moment. But there is a dark side to it and no one knows so much of it until he finds himself deprived of the comforts of home and amid the deadly shells and bullets of the rebels.”⁵⁸ Despite their patriotism, Rimmel and his comrades were very well aware of the dark side of war. It was not the exciting adventure that many boys signed up to find. Just a month later, a letter with his brother Caleb’s name on it was delivered to his company. Caleb had enlisted into the very same regiment and company as his older brother William. While one might think that having a familiar face to watch your back and get you through the tough times would be nice, William was distressed that his brother was joining his company. He did not want to have to see his little brother in danger or get wounded or, even worse, killed.⁵⁹ Sadly enough, William’s brother Caleb was the one who had to go through that. Less than a week after receiving Caleb’s letter by mistake, during the Battle of Cedar Creek, William Rimmel went missing in action, most likely wounded and captured during battle. Caleb spent hours after the battle searching for his older brother, but he was never found, assumed to have died as one of the unknown at Andersonville Prison.⁶⁰

The views of George Washington Whitman similarly reflected those of Rimmel. Whitman initially enlisted in the Thirteenth New York State Militia out of a sense of duty soon after the attack on Fort Sumter, volunteering for a term of three months. When he returned home in late August, he quickly re-enlisted, this time into the Fifty-first Regiment of New York Volunteers for three years’ duty. Upon the passing of the Enrollment Act, Whitman had mixed feelings about the draft. In his letters, Whitman hoped that his brother, Thomas Jefferson Whitman (Jeff) would escape the draft, but wanted others to come out and “take their chances with the rest of us.”⁶¹ Many soldiers like Whitman and Rimmel strongly supported the draft;

they wanted every man who could carry a gun to be forced to come out and fight; unless, that is, it was their brothers or father back home.

While the draft itself created much controversy in the North, the clause of the Enrollment Act regarding the \$300 commutation fee that one could pay to escape the draft worried many of the soldiers on the front. Men like Private James T. Miller of the 111th Pennsylvania Infantry and Alonzo Bryant Searing of the 11th New Jersey Volunteers, while in support of drafting men to fill up their ranks, were particularly wary of the commutation clause. Miller wrote home of his dislike of the \$300 clause numerous times, arguing that paying the \$300 is cowardly. While writing to his brother, Miller expressed his disgust for those who will pay, saying, “if as you say that there is not a man in that town who will come if they can raise the 300 dollars it shows an amount of cowardice I did [not] think existed any where in the north.”⁶² Just weeks after the draft was passed, Alonzo was already predicting the conflicts that would arise as a result of the \$300 clause. He did not think it was fair that the rich could easily pay the fee, yet the poor will be forced to come and fight, arguing that both rich and poor alike should serve their country.⁶³

Charles Harvey Brewster of the 10th Massachusetts Regiment, however, while not in favor of the \$300 clause, was a bit relieved it was there. Echoing the sentiments of many soldiers with brothers back home, Brewster wrote that “with a very natural selfishness I am glad it is in force if Tom should be drafted.”⁶⁴ Brewster still thought the commutation clause was “one of the most outrageous laws ever made,” but could not help but feel grateful that if his brother Tom was drafted, that he may escape the harsh life on the front.⁶⁵

Besides the commutation clause, soldiers were also outraged that so many men were escaping the draft during the medical examinations, the easiest and cheapest way to avoid service. Captain Alanson Crosby captured this sentiment perfectly, mocking the “three or four

thousand lame-backed, sore-livered, squint-eyed, bad-kidneyed, broken-legged patriots, whose maladies were produced by sudden exposure to the draft” in his county back home.⁶⁶ Perfectly healthy men would either bribe the medical officers or fake illnesses. Some surgeons handed out hundreds of certificates of disability simply in protest at the draft. By 1864, the government had enough of all the frivolous medical exemptions and began to crack down on the surgeons performing the physicals. Placed under more scrutiny and required to submit more extensive paperwork with proof of illness, medical examiners began to be more selective as to whom they exempted. In a circular sent out to all surgeons associated with the Medical Director’s Office, Charles McCormick, the Medical Director, ordered all medical officers to excuse only those that have a disease of the heart of which they have “no doubt of entire disability.”⁶⁷ Certificates of disability were only to be given to the “well marked and unmistakable cases accompanied by constitutional symptoms,” and the surgeon had to “set forth these facts fully” before the Medical Director would approve the exemption.⁶⁸

Perhaps the soldier who best represents the internal struggle that most volunteers felt when forming opinions on the draft is Private Wilbur Fisk of the 2nd Vermont Volunteers. Wilbur Fisk wrote as a war correspondent to a newspaper back home called *The Green Mountain Freeman*, signing all his letters “Anti-Rebel.”⁶⁹ Unlike the professional correspondents that Fisk met and read about, he did not have access to rank and headquarters like they did. An unusually honest reporter, Fisk instead gave the people back home a look at what life was like on the war front. Fisk expressed these mixed emotions on the draft in his letter on September 12, 1863. Temporarily stationed in Poughkeepsie, NY at the time, Fisk reported the negative parts of the draft. He told the story of one young man with a wife and three little children who had just built a house. Too much in debt to pay the \$300 commutation fee, the man was forced to go himself,

but with him gone, his family had no chance in paying off his house.⁷⁰ Fisk then voiced a completely opposite opinion, expressing his hatred of all the healthy young men with no families who evade the draft simply because they did not want to go. Here he tells of three young men whose names were drawn in the draft lottery. The three boys bragged to him the ways they were going to get out of the draft. One had lost his front teeth so expected to be dismissed because he could not bite off a cartridge. The second had had a lame hip years before and ever since the draft was enacted, it seemed to have gotten worse. He too, was hoping to get off on medical exemption. The third had a wealthy father-in-law that he expected would pay his commutation fee. To Fisk, these men were “fighting against their country and against God – fighting in the service of Stan and Jeff Davis and they are fools if they think they shall win in the end.”⁷¹ For the men whose names were selected and simply accepted their duty, with no substitutes or commutation fees, Fisk had deep respect for. The man “who has resolutely made up his mind to do his duty like a worthy American citizen, who scorns to pay his \$300 or plead disability, all honor to him. We ask your hand. With you we will willingly, gladly fight side by side...”⁷²

Fisk represents the complex emotions that came with this draft and all of its exceptions and evasions. The need for men was too great to continue with volunteers only, but no one wanted to see families fall into poverty with the men off at war. The men that were healthy and had no responsibility to a wife or children were resented for staying home. Three months later, Fisk and his men were forced to bury one of his regiment, a substitute for a drafted man. He had already fought in the war, but was discharged due to an injury. Despite the fact that he was not fully recovered, he enlisted again in place of a drafted man for a sum of money. The men had little sympathy for him though, as they “thought it a punishment well deserved...have cheated the government, and after getting out here and unable to do their share of the duty...”⁷³ It was not his

excessive zeal that they were critical of. Rather, they felt that instead of getting a healthy new recruit to fight for the cause, they got a disabled man who was not healthy enough to stay in the army the first time.

What angered the volunteers of 1861 and 1862 the most, however, was the number of men who resisted the draft. Alonzo Bryant Searing enlisted in the 11th New Jersey Volunteers on August 18, 1862 and served for nearly three years as a private in the Union Army. During this time he wrote 110 letters home to his sister, Phebe. Twenty five years later, Alonzo edited these letters, adding information from his journals and his memory, and from 1890-1893 they were published in the local *Morris County Journal* newspaper. As the war dragged on and the need for men increased greatly, Alonzo wrote home to his sister, expressing his anger in regards to those who resisted the draft in any way. A man who had a particularly strong hatred for the Southern rebels, Alonzo wrote, “any man who resists the draft I would shoot with as good a will as I would a rebel in arms.”⁷⁴

Private Henry Bear of the 116th Illinois wrote home to his wife, expressing his deep hatred of those who remained at home: “You must tell evry man of Doubtful Loyalty for me, up ther in the north, that he is meaner than any son of a bitch in hell. I would rather shoot one of them a great deal than one [Southerner] living here.”⁷⁵ Historian James Geary writes of the contempt that these men had for those who remained at home, arguing that they were especially critical of those who paid the commutation fee or found a substitute. Unfortunately, many of these soldiers did not realize that towards the end of the war, these practices no longer carried the stigma they once did, and instead had become “commercial processes complete with advertising, agents, brokerages, complex financial negotiations, and exchanges of large sums of money.”⁷⁶

While many soldiers were at least partially in favor of the draft, hoping to fill their ranks and win the war, the public was outraged by it. Although the Enrollment Act was passed in March 1863, it was not until Saturday, July 11th that the first draft in New York City would be called. Two days later, on the morning of Monday July 13th, riots began to break out in the streets of New York City. It began in the Ninth Ward and quickly spread to other parts of the city. A mob of more than fifty thousand men destroyed the New York draft office and set it on fire.⁷⁷ According to historian Jerome M. Loving, a large majority of the rioters were Irish laborers. They feared that they would be particularly affected by the draft law as very few Irishmen could afford to pay the \$300 commutation fee or to hire a substitute. They felt that they were being compelled to fight a war to free blacks from slavery, the same people who would then take all of their jobs by accepting jobs at reduced wages.⁷⁸ What began as a draft riot soon turned into anti-black riots. The mobs attacked the offices of *The New York Times* and the *New York Tribune* (Republican papers in favor of the draft), burned the Colored Orphan Asylum, lynched several black men, and destroyed homes and businesses of prominent Republicans.⁷⁹ As the days wore on, the mob began to spiral out of control. Railroad tracks were torn up, telegraph poles were torn down, paving stones were thrown through windows; the draft had become an excuse for running wild. As Ernest A. McKay put it, “No one was safe because the aimless mob forgot all reason. They shouted ‘Down with the rich’ and attacked the poor. They shouted ‘Down with the niggers’ and attacked whites.”⁸⁰ Union troops who recently had fought at Gettysburg called in to repress the mob. Finally suppressing the riot, at least, 120 people, mostly rioters, were found dead, hundreds more wounded, and millions of dollars in property damage.⁸¹ Historian Charles Switzer called it “one of the darkest home front episodes of the war and the worst race riot in American history.”⁸²

While the volunteers of 1861 and 1862 may have been upset at the sheer number of people who evaded the draft in one way or another, the draft riots in New York City infuriated the soldiers. Men like Elisha Hunt Rhodes of the 2nd Rhode Island Volunteer Infantry held strong opinions about the riots, and wanted nothing more than to quash them. Writing in his diary, he wrote, “The riots in that city are a disgrace to the nation and ought to be suppressed at any cost of money or life.”⁸³ Many men wanted to see this draft enforced, even if it meant going there and fighting themselves. Charles Harvey Brewster wrote that he would “force that draft in NY City or I would bury every inhabitant under its ruins.”⁸⁴

In his memoir, Thomas H. Mann remembers many regimental commanders begging their superiors to let them take their troops to New York to teach the rioters a lesson, and “the rank and file showed extreme anxiety to be allowed to opportunity of showing the Bowery toughs a little real war from the muzzles of their Springfield rifles.”⁸⁵ These veterans would show no mercy to the rioters and held no sympathy for the potential draftees. George Washington Whitman wished he was there to fight the insurgents, saying he “would have went into that fight with just as good a heart, as if they had belonged to the rebel army” and that he was “sory there wasent 10 as many killed of the rioters as the was.”⁸⁶ John W. Chase, outraged by the riots and desperate for the relief the drafted men would bring, wrote, “Kill all the Rioters you can and send us out the Conscripts and down goes the Southern Confed Right Smart.”⁸⁷ Sergeant Peter Welsh wanted “the originators of those riots” to be “hung like dogs,” calling them agents of Jefferson Davis.⁸⁸ To them, the riot was not only resistance to the draft that would bring them the men they needed to win the war, but it was also a sign that the men at home were unwilling to support their men on the front, to the point where they destroy and kill to avoid service.

While the soldiers on the war front were outraged by the draft riots and were eager to have their ranks filled with new men, they soon found themselves disappointed with the quality of men that the draft produced, creating tensions between new and old soldiers.

Once the draft was passed and conscripts, substitutes, and bounty men started to arrive at the front, veteran soldiers quickly formed negative opinions towards their eagerly anticipated new comrades. As correspondent and soldier Samuel Fiske predicted, tensions and ill feelings arose between new and old soldiers. McPherson argues that the draftees, substitutes, and bounty men that the draft produced “had a particularly poor reputation among the volunteers of 1861 and 1862,” partly because the volunteers had enlisted early in the war with motives of duty, honor, and patriotism, while these new soldiers had to be forced or paid a great deal of money. While most conscripts turned out to be decent men, the seasoned soldiers saw the substitutes that were sent in the place of drafted men as a lower quality of men.

In regular letters to the *Springfield Republican*, Samuel W. Fiske, under the nom de plume Dunn Browne, wrote about various hot topics during the war, especially regarding the draft and the men that it produced. As a previous correspondent for the paper prior to the war, the adventures of ‘Mr. Dunn Browne’ as he traveled across Europe developed a large audience. When he entered the war, he continued his letters to the newspaper, with a letter published almost every week under the heading ‘Dunn Browne at the War.’ By writing under a nom de plume, Fiske was able to speak his mind without fear of retaliation or repression from anyone who read his letters, allowing us to get a glimpse into the honest mind of a Union soldier. Samuel Wheelock Fiske, Captain of the 14th Connecticut Volunteers, enlisted on August 8, 1862 as a second lieutenant in Company I of the 14th Connecticut, at the age of 34. Writing to his brother

Asa shortly after enlisting, Fiske justified his actions, saying “I stood it just as long as I possibly could & then caved in...I want to fight for my country.”⁸⁹

Shortly after the draft riots of New York City in July of 1863, Fiske sent a letter to the *Springfield Republican* to be published, sharing his view, and his observations of other soldiers’ thoughts, on the draft. Fiske was not entirely in favor of the draft, more so because of when it was implemented rather than what it did. He actually thought it was “the most fair and righteous way to have obtained our soldiers in the first place...and would have saved vast sums lavished in extravagant and unequal bounties.”⁹⁰ He foresaw the troubles that implementing the draft halfway through the war would bring, including the problem of desertion. He also predicted the tensions that arose between the old soldiers and the conscripts; “There will be much ill feeling bred between the old soldiers of the various regiments and the new ones brought in to fill up their ranks. The cry of ‘conscripts’ will be the greeting of the new men from the mischief-makers in our ranks. The old soldiers will want all the promotions, and the new will be and will think themselves entitled to their share.”⁹¹

Fiske did have hope however, that both new and old soldiers could work together to crush the Rebellion. He published “A Pressing Invitation,” encouraging his audience to save the \$300 and take up arms against the enemy. He was sure that if they came willingly, they would be welcomed, filling their depleted ranks and helping the North to win the war. At the end of his call for help, he managed to slip in his opinion of those who would not come, saying “And we’ll soon go home together, rejoicing in a saved country...with a leg or arm less than now, perhaps, but what there is left at least loyal, and not a nuisance and a disgrace to the community.”⁹²

Less than a month later, Fiske wrote again to the *Republican* expressing his and his comrades' contempt for all those that stay home and avoid their duty. To them, the North is saying

“Far from accepting the president’s very general and pressing invitation to join your ranks and work by your side for a time, we will pay any sum of money, we will try all sorts of excuses and evasions... We’ll take advantage of your absence to lay taxes on your property to raise money... and (if any must go) to buy murderers, thieves and other villains to go to you in their places, men who will be more likely to cut your throats than those of the enemy.”⁹³

Fiske was greatly discouraged by the lack of response from the Northern public. Their ranks, so thinned by disease, wounds and death, were being filled by substitutes who he referred to as “mercenary wretches who care neither for country or reputations” who were only there to get the money, desert, and repeat in another state.⁹⁴

Fiske did not really have a problem with drafted men, but rather with the substitutes who took their place. In a letter to the *Republican* in August of 1863, Fiske wrote,

“I have seen only one real ‘drafted’ man out of 500 substitutes, and he was a right good fellow. All the men who meet the draft in their own person will be received by our boys in the kindest spirit, and honored as true patriots and worthy comrades. Those who come as substitutes for others will be received and treated as they shall show themselves to deserve.”⁹⁵

To Private Frederick Lucas, those who avoided the national draft with the \$300 commutation clause were evaders and shirkers of their duty. He believed that the true patriots would come and fight for their country. In August 1863, just under a month after the draft riots in New York City, Lucas’ regiment received 137 new recruits, all but 3 of whom were substitutes. Writing to his mother, he said “The conscripts were the N.Y. Rioters now become substitutes, to escape the punishment they richly deserve for their doings when resisting the draft,” expressing his disapproval of those who resisted the draft, but also of those who were hired as substitutes simply to escape the punishment awaiting them at home.⁹⁶

By September 1863, conscripts, or rather their substitutes, were coming to the front in a constant flow. By this time, the old soldiers like Lucas had realized what kind of men were being sent. Seasoned soldiers like Lucas argued “If we cannot recruit our numbers with good respectable volunteers we wish to be left as we are by all means. Such help as we might get from the addition of a crew of thieving, riot loving ‘scape-graces as the majority N.Y. and Connecticut conscripts are would be anything but agreeable or acceptable.”⁹⁷ On their way to the front, conscripts had to be guarded at all times, less they try to desert. Because of this, a small detail of officers and soldiers had to accompany the drafted men, decreasing the number of soldiers eligible for battle.⁹⁸ By August 1863, so many conscripts were escaping before they even reached the front that in Maine, Charles Mattocks and the 17th Maine Volunteer Regiment had to move the conscript camp to a Mackie’s Island, an island about 2 miles north of the entrance to Portland Harbor, Maine, to make it harder for them to escape.⁹⁹

Lucas did not have any problem with regular old recruits, despite their late arrival. At least they recognized their duty to their country and, for the most part, did not desert in large numbers like he claimed the draftees did. They were still kept under guard for a period of time, but Lucas felt “there are many fine men among them.”¹⁰⁰ There was a stark difference between the new recruits and the old soldiers however, and while writing home, Lucas commented on this, saying “you have no idea what a striking contrast there is between new recruits and old soldiers. The former appear stooping, lounging, careless, and gaping. The latter straight, firm, quick, and manly. I had no conception of the change wrought in men by fifteen months of military service.”¹⁰¹

Thomas H. Mann of the Eighteenth Massachusetts had a mixed view on the men that the draft produced. Caught up in the fervor of the call to arms in the summer of 1861, Mann and 43

other men from Wrentham, Massachusetts excitedly signed their enlistment papers as part of Company I and joined the fight in what would be the nation's bloodiest war. By August and September of 1863, Mann and his fellow soldiers were seasoned fighters and had little love towards these soldiers-by-compulsion. In his memoir, Mann writes about the first infusion of the draftees, bounty men and substitutes to the 18th in early September. Mann claims that most of the conscripts were just as good as any of the other men in the regiment, as many of them had responded to the draft in person from a sense of duty, believing that when volunteers ran out, it was their duty to respond to the draft.

As far as substitutes went, Mann felt they were not the highest quality of men, claiming that the draft "developed a 'shady' class of people who were always existing on the 'ragged edge' of things, and ever ready to act as if the government was lawful plunder. When the draft took place these unscrupulous men sprang up at once, ready and eager to profit by the opportunities that were immediately presented."¹⁰² He did make sure to say that not all substitutes were bad men, arguing that "the Eighteenth was honored with several of them who did their duty and became part and parcel of its history."¹⁰³ Mann's good friend Sergeant William Alderman felt that the substitutes were "a poor lot", using the example of a man named Sherman in his company. According to Alderman, Sherman, a healthy young man, would turn up after a fight with a different excuse for his absence every time. He did everything he could to get out of a fight, and quickly became known as a liar by everyone.¹⁰⁴

Sergeant Austin C. Stearns of Company K of the 13th Massachusetts Infantry disliked substitutes even more than Thomas Mann. To Stearns, the new "subs" that had come in were "all the worst specimens of humanity," representing "all other classes of villains" besides outright murderers.¹⁰⁵ They formed cliques and would constantly steal, curse, and fight. The old

volunteers would often go to hear them answer to roll call. Many had forgotten what name they enlisted under, while others would try and convince them it was their name if no one else answered to it.¹⁰⁶ According to scholar Ella Lonn, author of *Desertion during the Civil War*, these men would often enlist under false names like Abe Lincoln, Johnny Boker, and Jim Crow. To remember the name they enlisted under, the substitutes would often write their “names” in their hats and look there during roll call to answer to the correct name.¹⁰⁷ It also did not help that the quality of the substitutes were abysmal. Soon after they arrived, Sergeant Stearns took about half of the substitutes of his Company to be examined by a board of surgeons. The men were pronounced as “old, diseased men and unfit for the service.”¹⁰⁸ Stearns later wrote that “the prospect of having this crowd turned loose upon us was not pleaseing.”¹⁰⁹

By September of 1863, draftees had started to reach the regiment of Alonzo Bryant Searing, and his antipathy for conscripts grew. In a letter home to his sister in early September 1863, Alonzo wrote, “I would rather have ten volunteers for service down here than fifty of these bounty jumpers and conscripts.”¹¹⁰ Alonzo was unhappy that so many of the conscripts were newly arrived foreigners who knew “little about our country and its laws and constitution and the principles for which we are fighting,” and who he believed were there simply for the money.¹¹¹ From the very beginning, those who were drafted were looked down upon for evading their duty and having to be forced to fight. Alonzo describes this separation between the new and old soldiers, saying how if they were drafted they would be called “Conscripts,” while those who went of their own accord would be called New Jersey Volunteers.¹¹²

John A. Woodside of Company D of the 48th New York Volunteer Regiment remarked on the difference in his company after it was filled with conscripts and substitutes. In a letter home to his friend’s sister, Maggie Jones, Woodside writes “Tell Thomas that Company D is not

what it used to be for they have filled up the regiment with substitutes and conscripts. They are not the same good-natured boys that our last ones were.”¹¹³ Also in a letter to Maggie, her brother William also remarks on the number of foreigners that came as a result of the draft. In November of 1863, his company received 30 conscripts, all of whom were “Dutchmen,” referring to German-Americans. According to historian Richard Trimble, over 200,000 German-Americans served in the Union army during the war.¹¹⁴ As a result of these ‘Dutchmen’ conscripts, William writes “our camp is not the same company.”¹¹⁵

Elisha Hunt Rhodes of the 2nd Rhode Island Volunteer Infantry described the draftees as looking “lonesome,” while Charles Wainwright of the 1st New York Artillery wrote in his diary that they needed to stop “the paying of so many useless men.”¹¹⁶¹¹⁷ Some veteran Union regiments that had their ranks replenished by draftees, substitutes, and bounty men, had their own way of dealing with the “sneaks” that the draft brought to the front. A sergeant in the 9th New Jersey told of old volunteers shooting at both the rebels and the cowards within their own ranks. According to him, this was a daily occurrence and that not every man that is killed was killed by the rebels, but these incidents were never reported in the papers.¹¹⁸

Charles Pollard of the 14th Connecticut Infantry was actually a substitute, most likely for his brother William. Only a handful of Pollard’s letters home were preserved, so little other information is known about his experience in the army as a substitute. In the few that were preserved, Pollard never mentions the draft, other conscripts or substitutes, or if he was treated any differently or had any hostility towards him as a substitute. The only thing he does mention is in a letter to his mother, saying that the 14th “is a hard regiment pretty rough men in it.”¹¹⁹

Those who enlisted as volunteers later on in the war were not treated like those who were drafted. Despite their late-coming to the war, some of the seasoned soldiers appreciated that

these men at least acknowledged their duty to their country without having to be forced to fight. Charles Lynch, a soldier in the 18th Connecticut Volunteers, wrote in his diary about the new recruits, referring to them as “fresh fish.”¹²⁰ Even those who enlisted as late as 1865 were greeted with relief. To men like Lynch, more recruits meant more men for duty, making it easier for them. It also helped that many of the recruits had friends or relations in the regiment.¹²¹

While most soldiers did not think very highly of conscripts or substitutes, one must take a step back and consider more carefully the dynamic of an existing unit incorporating new members. When many of the older soldiers initially volunteered in 1861 and 1862, they often did so with groups of friends and classmates. While most soldiers wanted the recruits to refill their ranks, they were also a bit apprehensive about new recruits before they had even met them; a bit of a double edged sword. By 1863 and 1864, these seasoned soldiers, with over two years of experience, had been through hell together. Distrust of newcomers was almost inherent in a situation like this. Conscript, substitute, and volunteer alike would feel out of place coming into an already cohesive unit. Finding themselves obliged to fight amongst these greenhorns who were only there because they were either forced to or paid to be there, the veterans often looked down upon these new recruits. No matter the status of how they came to fight, they were still new to a tight-knit unit; “fresh fish,” as Lynch calls them.

As a result of the draft, desertion increased exponentially. Army officials found that those men who were forced to come because of the draft, or who volunteered to be substitutes for the money, deserted at the first opportunity. Because of this belief, armed guards were sent to retrieve the conscripts and escort them to the front. Though this helped discourage some men from escaping, it only delayed their plans to desert. While the veteran soldiers already had

negative feelings towards conscripts and substitutes, almost all of them had a burning hatred for deserters.

Desertion was still quite prevalent in the early months of the war, though the motivations were much different than what they were after the draft was put in place. The main cause for desertion by the 1861 volunteers was the hardships of war. Inadequate supplies like blankets and tents, as well as a lack of clothing, particularly shoes, were unfortunately quite common. In combination with long marches and numerous defeats, the Army of the Potomac was almost destroyed by 1863.¹²² If the regular troops were already losing morale despite their patriotism, those who were forced to be there had even less reason to stay. It also did not help that the Union soldier often had to wait months for his pay. By summer 1862, some of the original enlistees had not received a cent of pay since their first day in the service.¹²³ Sergeant Remmel remarked on this shortly before the passing of the Enrollment Act, writing to his parents that “Many men in the regiment were very much discouraged from not receiving pay, for their families are in an almost destitute condition at home, and many more have deserted from this account. But, now that we have been paid, the men will again be contented and willing to remain.”¹²⁴

According to Lonn, the most serious cause of desertion was the caliber of recruits that were remarkably inferior after 1862.¹²⁵ The large bounties given to volunteers, particularly after the 1863 draft, only encouraged deserting for the purpose of reenlisting elsewhere, also called bounty jumping. In a letter to Secretary of State William Seward, General Ulysses Grant wrote that “for every eight bounties paid, he did not receive one good soldier for the service.”¹²⁶ Colonel Dodge, an assistant in charge of the Deserters’ Branch of the Provost’s Office, estimated that the general average of desertions per month from 1863-1865 was about 5,500 men.¹²⁷ Provost Marshal General James Barnet Fry, responsible for tracking deserters and enforcing

military laws, estimated that at the close of the war, about 197,247 men had deserted the Union army, taking into account those that had been returned to the army during the war.¹²⁸

In the early years of the war, the most common way to desert was simply to fail to return from a sick leave or a furlough. As officers began to realize that their men were not returning after excused leaves, men resorted to a number of other methods of escape. Escape during the confusion of battle by slipping to the rear and then from the field was a very common trick. Others would escape while on the march or en route to the front or to camp. Already on the borders of their camps, those on picket duty would often sneak out during the night or in the early hours of the morning.¹²⁹ Deserters even received help from citizens back home. Family members and friends would often send civilian clothing in packages labeled as provisions. If they could not get a relative to send civilian clothing in the mail, they would often exchange their uniform for clothing from civilians in the vicinity of the camp either before or after escape.¹³⁰

As the war dragged on and as more and more men deserted the army, the officers had to become more creative in how to prevent such large numbers of deserters. Passes for leaving camp became harder to come by, and packages were sometimes searched for civilian clothing. Roll calls were taken with arduous frequency. Regimental and company officers would march at the rear of their commands to hurry along the stragglers and prevent them from deserting. If given permission to leave the march for some reason, a soldier would be required to leave behind his musket, haversack, and knapsack to make escape harder to survive without supplies.¹³¹

Despite the preventative measures taken, men still deserted by the thousands; something had to be done or there would be no army left to fight the war. Even prior to the draft, desertion was a serious problem. According to Thomas Mann's corporal, in January 1863, their corps had

“lost 3,000 men by desertion during the past two weeks, 300 having taken that kind of leave from one regiment. The Eighteenth has lost less than a dozen by desertion...”¹³² The Army of the Potomac was literally disintegrating because of desertion. The War Department’s Official War Records reported the ratio of desertions to enlistments as high as “244.25 per thousand of enlistments in the regular army, while in the volunteer army it rose to but 62.51 per thousand.”¹³³

Early in the war, the punishments for desertion were mild. The soldier would simply be dismissed with a loss of pay. With such high rates of desertion, the army started to crack down, drumming stragglers out of the service. With the draft came a large number of desertions, so by 1864 almost every regiment had its own Court Martials authorized to dish out punishments. Deserters would be tied up, forced to ride wooden horses, tied behind wagons during marches, assigned to hard labor on fortifications or trenches, and lose at least 8 months of pay.¹³⁴

Deserters were sentenced to a number of different punishments for their disloyalty. Frederick Lucas wrote to his mother of the execution of the sentence of ‘Newy the Deserter.’ Newy deserted while on guard duty and was caught, but because he got sick he was sent to the hospital. After he was discharged, he came back to camp and was arrested. The Court Martial came to the verdict of ‘To be drummed out of camp.’ His head was shaved and he was forced to walk back and forth in front of the entire battalion. The band played the comical tune of ‘Rogue’s March’ as soldiers jeered at him from the sidelines. The Sergeant told him that if he was ever caught inside the lines of the 19th Connecticut, he’d be shot, and gave him a swift kick.¹³⁵ Another deserter named Barnum of Plymouth of Company D was sentenced to six months of hard labor and the loss of two months’ pay.¹³⁶ Due to the sheer number of deserters, Lucas found himself arguing that “some must be punished I think by death for severe measures must be resorted to as a preventative of further examples of the kind.”¹³⁷ Alonzo Smith witnessed

a fellow soldier have a similar punishment, where the deserter had his head shaved, was drummed out of the regiment, and saluted with a good kick. Another deserter, Berten Brown, had the letter 'D' branded on his thigh.¹³⁸

By 1864, men were deserting by the dozens, so much so that it became an almost every day occurrence. In his diary, Alonzo Smith of the 19th Connecticut Regiment took note of the desertions occurring around him. On December 28, 1863, Smith wrote "Have not drilled much to day, one of our recruits have left, guess he has deserted, mailed a letter to my wife..."¹³⁹ He wrote about desertion and of his wife in the same sentence, not dwelling on it, making it seem like a common occurrence. During the last week of February 1864 and the first week of March, Smith records the desertion of over fourteen men, saying "we have more and more desert every day from the Regt."¹⁴⁰

One cannot simply explain the sheer number of desertions as being a result of cowardice, as many of the soldiers fighting did. With both men in the same boat, the soldier who stayed found it hard to explain why he continued to fight while the other left without saying something about one's character. The context of these desertions must be taken into account as well. By 1864, people were deserting every day by the hundreds simply because the chances of dying in battle were so high. In May and June of 1864, the Army of the Potomac was thrown into three particularly deadly battles: the Battles of the Wilderness, Spotsylvania, and Cold Harbor, with almost 50,000 casualties in the one month, according to military historian Edward Bonekemper.¹⁴¹ Even early on in the war, the Battle of Antietam is still regarded as the day on which the greatest number of Americans died. Sergeant William H. Relyea of the 16th Connecticut Volunteer Infantry actually writes of men who deserted right after the Battle of Antietam, calling them "scalawags" and cowards who ran away from fights, even going so far as

to list their names in his letters home to “make their cowardice known.”¹⁴² To many, the risk of getting caught after deserting, no matter how harsh the punishment, was better than the very high odds of dying in battle.

The government also authorized the use of execution by firing squad or hanging to set an example and serve as a deterrent for future would-be-deserters. According to Lonn, during the winter of 1863-1864, barely a Friday passed without the execution of a deserter in the Army of the Potomac. By late 1864, Lonn argues that “the death penalty was used so unsparingly that executions were almost a daily occurrence in most of the armies.”¹⁴³ So common were these executions that many men were becoming disaffected by these scenes. Sergeant Austin Stearns recounts with great detail of an execution that he witnessed, but inserts almost no emotion into his retelling. He simply described it, saying “The soldiers were drawn up before him and at the command ready, aim, fire, the fellow fell back and all his earthly accounts were forever settled. We shouldered arms and marched back to camp, having witnessed an event that was becoming common.”¹⁴⁴ He even sketched an illustration of the execution (see appendix).¹⁴⁵

In the letters and diaries of soldiers, the death penalty figured the most prominent of punishments for desertion after the implementation of the draft in 1863. All men were required to witness the punishment in the hopes of discouraging many from deserting. Most executions were carried out by a firing squad while the blindfolded and bound deserter sat on his coffin. Just days after fighting in the bloody Second Battle of Kernstown where Colonel Mulligan and his division suffered severe losses, Charles Lynch witnessed the execution of a deserter of the 34th Ohio Regiment and wrote in his diary “don’t wish to witness anything more like that.”¹⁴⁶ Many other men held similar views. A few days after a particularly hard snow storm in February 1865, when Lynch and his regiment were called to witness the execution of another two deserters, a

pardon was received from President Lincoln at the last minute, and a few cheers rang out from some of the men, thankful they would not have to witness it.¹⁴⁷ Harlan Rugg, upon witnessing a couple of executions, described them as a “dreadful sight.”¹⁴⁸ In a history of the 7th Connecticut Volunteer Infantry, Stephen Walkley writes of an execution he and his regiment were forced to watch, remarking that “this severe lesson had a powerful effect.”¹⁴⁹

Father William Corby, a chaplain in the Iron Brigade, gives us a slightly different perspective on the executions. At one point in 1863, Father Corby was not only the lone Catholic priest in his brigade, but also in the entire Army of the Potomac, often called to speak to deserters before their deaths. In his memoir, Corby writes of an army execution he witnessed.¹⁵⁰ Called to attend to a young man of 19 in the hours before his death, Corby sat with him and baptized the deserter so that he could go in peace to God. Forced to watch the boy’s execution, along with eight or ten thousand other troops, he recalls witnessing the twelve soldiers fire at the boy. As per the rules, one musket was left empty, and eleven bullets hit the young man, yet he was still not dead. The provost-marshal was forced to use his own revolver to put him out of his misery. Recalling this many years later, Corby wrote “Scenes like this jarred my nerves much more than battle. And now, when more than a quarter of a century has passed since this took place, it causes a shuddering sensation to think of it; still more to write all the circumstances of such a dreadful spectacle.”¹⁵¹

Men like Samuel Fiske, however, found the execution of deserters to be a necessary evil. He wrote of the execution of two Connecticut deserters, Elliot and Eastman, in September 1863. The whole division was ordered to be present, and Fiske calls it a “most painful scene” but also a “sad necessity.”¹⁵² He claimed it was necessary because of “the style of recruits the draft was sending.”¹⁵³ What made this particular execution especially hard to watch were the unfortunate,

yet not uncommon, circumstances that surrounded it. The poor quality of ammunition in the guns caused only three of sixteen guns to go off, wounding one of the men and completely missing the other. One man's blindfold slipped off, making him stare at his executioners. The sentence was finally carried out but was "made into such a scene of butchery that all eyes were turned away from it and all hearts shocked by it."¹⁵⁴ With fellow comrades still dying of wounds from the Battle of Gettysburg a month before, Alonzo Searing witnessed the execution of five deserters from the 118th Pennsylvania, saying "It was a dreadful sight to witness, but of late there has been so many desertions among the bounty jumpers and conscripts, that it seemed necessary to make a public example of a few to prevent others from deserting."¹⁵⁵

Sergeant William Rimmel however most likely represents the average soldier, one with mixed views that changed as the war dragged on and desertion got more pronounced. In January 1863, Rimmel writes home to his parents about a few men in his regiment deserting, but then says "I would rather stay than go, for it is so very cold."¹⁵⁶ Rimmel did not seem to really care or blame them for deserting. It almost seems like he has thought about it himself but it is just far too cold without the shelter of camp. Just two months later, a man from his town, Nathan Wood, was home on furlough and never returned to the regiment. Rimmel was furious, not because Wood was shirking his duty or many of the other reasons that angered most about deserters, but because Wood was supposed to be delivering him a package of provisions from his family. When he found out Wood had not returned, Rimmel wrote "You wrote me that you had sent a lot of articles to me by Nathan Wood...He has not yet returned and probably will not...He is a villain and deserves a rope around his neck."¹⁵⁷ By the end of 1863 however, as desertions became so common, Rimmel began to see why many felt punishment by execution was necessary. About to go and witness an execution, he writes that "This is a very painful duty, but

we have to witness it...It seems hard to have to shoot the men of our own army, but it is the only way to stop desertion. If there was no check of this kind made, the army would in a short time be reduced to a very small standard.”¹⁵⁸

Other seasoned soldiers felt that deserters got what was coming to them for deserting their duty. John Pardington of the Iron Brigade wrote home to his wife Sarah about a deserter from his Company named James Newington from Wyandotte, saying “So if any of them around there should see him left them Point the finger of scorn at him.”¹⁵⁹ Pardington wrote that he would rather “be brought home in my coffin to you” than “Bring such disgrace on you and my little darling.”¹⁶⁰ Written less than a month before the Battle of Gettysburg, Pardington believed that, “Any man that will desert his countrys flag at this Hour of Peril Deserves to be shot. It will be an example for others.”¹⁶¹ Charles Harvey Brewster, serving with the 10th Massachusetts, reflects very similar views in his letters home, telling of the conscripts who quickly deserted from the 2nd Rhode Island Volunteers, saying “I hope they will be shot...”¹⁶² John W. Chase did not want to see anyone hanged, but thought all deserters should be shot, especially those who enlist with the intention of deserting. He hopes “every other traitor will share the same fate,” and as far as he was concerned, “I could see them shot with a good relish.”¹⁶³ These men had very little empathy for men who avoided their duty, and felt they were cowards and traitors for deserting their comrades.

According to the US National Park Service, approximately 2,672,341 men fought for the Union during the four years of the Civil War.¹⁶⁴ During this time, approximately only 46,000 conscripts were actually drafted into service for the North.¹⁶⁵ As hundreds of thousands of their comrades died, the volunteers of 1861 and 1862 continued to fight. After extensively studying a large number of diaries and letters from Union soldiers during the Civil War, these ideological

motifs practically leap from the pages. These men were intensely aware of the political issues surrounding them and were passionately concerned about them. Even before the passing of the Enrollment Act of 1863, soldiers were aware of the possibility of a draft, and several men began to record their thoughts to their loved ones back home. After March of 1863, the draft became one of the most discussed and controversial topics among these men. While each soldier had a slightly different opinion regarding the conscription bill, the large majority of them seemed to come to a general consensus: a draft was needed to raise the men necessary to win the war, but when these men finally arrived, to say the veterans were disappointed would be an understatement. To many Union soldiers, drafted men and those who enlisted for a bounty were “unscrupulous men” who lied, stole, deserted, and shirked their duty to their country. Others however, though they themselves had volunteered and knew they needed more men, urged their loved ones to escape the draft, to support the war effort from home, and to let others come in their place. Despite the quality of men that the draft brought, the draft did have its intended result: to raise men. While the majority of people escaped the draft, it did scare thousands into enlisting, giving the North the numbers they needed to win the war.

Not only was the Enrollment Act of 1863 the first draft in American history, but the Civil War in itself was particularly unique. Unlike other previous wars in US history, there were a vast number of letters sent home from the war front, and the large majority of soldiers kept diaries of their adventures and perils. In contrast with twentieth century wars, the letters of Civil War soldiers were not subject to censorship nor was the keeping of diaries discouraged. According to historian James McPherson, this allowed soldiers’ letters to be uncommonly blunt and include details about issues that would probably not pass a censor, such as “morale, relations between officers and men, details of marches and battles, politics and ideology and war aims, and other

matters.”¹⁶⁶ It is because of this that historians are able to get a deeper glimpse into the thoughts and minds of Civil War soldiers compared to later wars.

Studying the reactions of both the public and the soldiers to Civil War draft also gives us reasoning behind the changes that were implemented when the draft was employed again in World War I. The Civil War draft served as an example of what to do and not do when it came to designing the draft for World War I fifty-two years later. Assistant Provost Marshal General of Illinois during the Civil War, James Oakes, made a series of recommendations in the Historical Reports after seeing the failures of the Union draft. His suggestions later became a guide in designing the Selective Service laws of World Wars I and II, and Oakes soon became known as the “father of modern selective service.”¹⁶⁷ He proposed that every draftee must serve personally in the army; no commutation clause or substitution or any other way of escaping the draft. Men would enroll for the draft by personally registering, as sending officers to enroll into the field was costly, time consuming, dangerous, and often led to inaccurate registration lists. The draft also would be run by local civilian boards rather than military-appointed district provost marshals.¹⁶⁸ These changes directly resulted from the difficulties presented by the Civil War draft.

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APPENDIX

Sketch from diary of Austin C. Stearns:

