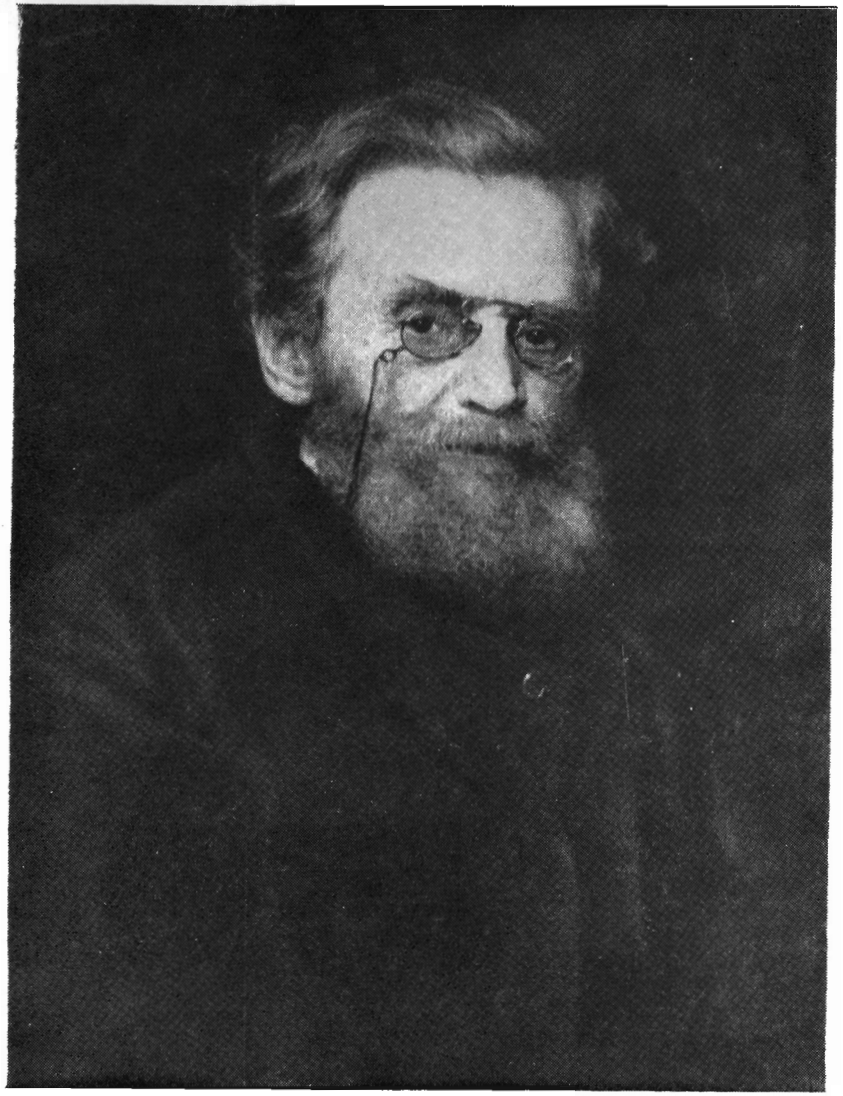

Courtesy of the Carl Schurz Memorial Foundation

CARL SCHURZ, 1829–1906

ELLA LONN

Foreigners in the Union Army and Navy

LOUISIANA STATE UNIVERSITY PRESS
Baton Rouge
1951

comparison with the Germans, who streamed into the Union army in such enormous numbers. Always there existed the necessity to cut down the amount of space given to the Germans. There were two reasons: first, the Germans have been more adequately treated with some degree of scholarship, and many of the leaders (Schurz, Hecker, and Börnstein, among others) have left memoirs; and, secondly, it seemed highly desirable to emphasize the minor nationalities, such as the Scandinavian and Polish, in order to leave in the mind of the reader the varicolored picture of a composite army of many diverse nationalities. Furthermore, a writer is obliged to recognize the danger of piling up too many illustrations, too many characters, too much detail; so much strikes the mind that there is the possibility of nothing striking it clearly. This feeling led the author to exclude from the completed text many German colonels, who really, in her judgment, merited a place in the record by virtue of their contributions.

There remains the pleasant task of acknowledging the help of many persons in making possible this volume. First, the writer makes grateful acknowledgment to the Social Science Research Council for a grant which enabled her to take time off from her college teaching. The many librarians and custodians of archives of places where she has worked have been invariably helpful. In particular she feels indebted to the members of the staff of the National Archives, where she worked several months. The staff at Peabody Library allowed her many privileges which facilitated her work. She owes to the Society for the History of the Germans in Maryland the privilege of using its file of *Der Deutsche Pionier*. To Miss Ruth A. Carlson of Augustana College and to Mr. J. Hovde of Decorah, Iowa, she is indebted for help in translating a few Swedish and Norwegian passages when the going became too rough. She acknowledges with appreciation the help of Dr. Mina Kerr, for many years a professor of English at Milwaukee-Downer College, who has read the entire manuscript and made many valuable suggestions. Finally, the painstaking care shown by Mary Lamury McMinn and other members of the staff of the Louisiana State University Press in preparing the manuscript for the press is gratefully acknowledged.

Ella Lonn

Contents

CHAPTER FIFTEEN

The Draft and Abuses in Recruitment

THE outpouring of volunteers in response to Lincoln's first call for seventy-five thousand men for three months, which was issued immediately after the attack on Fort Sumter, included far more men than the government could accept and was an inspiring manifestation of American patriotism. But the failure of the authorities to accept all the eager volunteers in April tended to dampen their ardor. On May 3 the President called for a modest addition to the Regular Army and Navy. The panic which followed the defeat of the militia at First Bull Run stirred the administration out of its delusion and lethargy, though it still lacked any real conception of the problems before it. The jolt of defeat revived the recruiting spirit in the North. On July 22, 1861, Congress passed an act calling for five hundred thousand volunteers for three years. Then came the call, on July 2, 1862, for three hundred thousand volunteers for three years, to replace the losses of the Peninsular campaign; this call was followed promptly by a new militia law of July 17, 1862, which set the maximum term of service at nine months. For those states without adequate militia laws, the Federal act constituted, by virtue of authority vested in the President, a draft, with exemptions and substitutes permitted by detailed regulations from the War Department. In order to encourage volunteering, the law offered a bounty of $25 to each of one hundred thousand volunteers for nine months, while previous legislation continued to grant a bounty of $100 to each volunteer for three years service. The draft was not intended as a real source of man power, but rather as a whip to stimulate volunteering, and to a degree it did so serve. While this law could not be regarded as a draft law, it clearly pointed to the Federal draft of the next year and met some of the resistance which the draft of 1863 evoked.[1]

[1] Shannon, *The Organization and Administration of the Union Army*, I, 35–36, 259, 271, 273–76, 277–80, 286–87; James Ford Rhodes, *History of the United States from the Compromise of 1850* (New York, 1903–1919), IV, 236–37.

A full discussion of this law and the call issued under its provisions on August 4, 1862, for 300,000 men in addition to the quota of July 2, is not regarded as necessary for this study. For the law and the supplementary act of July 25, 1861, and the law of July 17, 1862, see *United States Statutes at Large*, XII, 268–69, 274; for the amendment of July 17, 1862, see *ibid.*, 597–600. The militia law amended the law of 1795 and later acts.

The spirit of the times looked upon a draft as a disgrace, and consequently an extensive and demoralizing system of bounties was embarked upon in order to so stimulate enlisting that a draft would prove unnecessary. Undoubtedly, in the very beginning, the bounties were intended as an expression of appreciation by the citizens who remained at home to the soldiers for their sacrifices; [2] but—just as undoubtedly—they degenerated into a pernicious evil, besmirching all connected with them. Some discussion of the question in connection with this study is unavoidable. It must be recalled that bounties were paid in addition to the regular monthly pay, which in 1864 was increased from $11 to $16.

The amount of the local bounties differed in various parts of the country. In the agricultural districts, where every able-bodied man could find occupation during the harvesting season, it was no uncommon thing to find bounties of $1,200 to $1,500 offered for three-year recruits; even among the large floating population of unnaturalized foreigners in the seaboard cities, from which substitutes were mainly drawn, the prices demanded were unprecedented in the history of warfare. The Federal government, the states, the counties, and other political divisions were munificent in their offers of bounties. A striking example of the totals which could thus be piled up can be seen in an advertisement in New York County by the Volunteer Committee: thirty thousand volunteers were wanted, to each of whom was offered a county bounty of $300; a state bounty of $75; a United States bounty to volunteers of $302; and an extra bonus to veterans of $100—all of which summed up to a total of $677 to the new recruit and $777 to the veteran. The bounty in New York County was, it must be admitted, more than that generally offered. However, the average sum paid to a recruit in an Illinois district once rose to $1,055.95.[3]

[2] It is difficult to realize in what a fine spirit the bounties originated. In Worcester, Massachusetts, a man, in behalf of his firm, offered $11 to each employee who enlisted and the guarantee of his position on his return. Marvin, *History of Worcester in the War of the Rebellion*, 25.

Another man said at the meeting at which the city was making provisions to meet its quota that he had great regard for the number 75, alluding to the $75 bounty provided for, but declared that he felt a greater thrill for the number 76 and pledged himself to add one dollar to the sum specified for each volunteer. *Ibid.*, 131. The sums involved here were not large, as the firm had comparatively few employees.

[3] For a fuller discussion of bounties and bounty jumping, see Shannon, *Organization and Ad-*

The system was thoroughly vicious, for it nurtured a class of substitute brokers who embarked on getting recruits as a business, a subject to be discussed later in the chapter. It also begot the evil of bounty jumping—which likewise became for a few a business. Thieves, pickpockets, and vagabonds would enlist, take that portion of the bounty which was paid in cash, desert at the first opportunity, go to another district, re-enlist under a different name, collect another bounty, desert again, and play the game until they were finally caught. The number of times that a man could make the trick work seems unbelievable, but the provost marshal–general of Illinois is authority for the statement that one man had jumped his bounty thirty-two times. It is some satisfaction to know that he was rewarded with a four-year sentence in the penitentiary. Sometimes, out of a detachment of new recruits dispatched to the front, hardly one half arrived.[4] The premium paid to any under officer, soldier, or civilian bringing in a recruit was officially fixed by the state or district. In Baltimore, for instance, it was fixed in May, 1864, at $25 for a veteran, and $15 for a new recruit. But such trifling returns for their efforts would hardly have appealed to the type of men who embarked in the business of bounty broker.[5]

Late in the war this was poor business for the government, as it might have invested $100 cash advance on the bounty and two suits of clothing costing $9 each only to find that the recruit had decamped with the clothing, haversack, knapsack, canteen, and rifle. If he were discovered and arrested, he might escape from confinement, in which case the government lost the additional $30 which had been paid for his apprehension; the records in the Descriptive Books show that this happened frequently.

In any case, the entire bounty system came far too high in cost for the government. A few gross figures will be illuminating. From the time of the draft of 1863 to the conclusion of the war, the states and localities paid over $286,000,000 in bounties, while during the entire war the Federal government paid more than $300,000,000. Add to these sums the amounts paid in substitute fees, and the grand total must mount to about $750,-

ministration of the Union Army, II, 79–96; Rhodes, *History of the United States*, IV, 430; Report of the Provost Marshal–General, *Official War Records*, Ser. 3, V, pp. 634, 671–78.

[4] Report of the Provost Marshal–General of Illinois, General James Oakes, *Official War Records*, Ser. 3, V, p. 831. (The entire report is printed here, *ibid.*, 803–42.) For the sentence on the bounty jumper who had violated his oath thirty-two times, see *ibid.*, 725. See also Baltimore *Der Deutsche Correspondent*, May 23, 1864.

[5] John Ely Briggs, "Enlistment of Iowa Troops During the Civil War," in *Iowa Journal of History and Politics*, XV (1917), 377.

000,000—in all likelihood, to even more. Hence, the average recruit cost about $300 regardless of whether or not he received a single dollar of bounty money. This bill was practically the equivalent of the total sum paid the army as wages for the four years of the war. Little wonder that the mercenary bill constituted one of the greatest drains of the war![6] Lest it be thought that only Europeans or depraved natives participated in the bounty jumping, it must be recorded that many Canadians deliberately crossed the border (Windsor, Ontario, was a virtual hotbed of the traffic), collected their bounty of $500 to $600, went as far as Louisville, jumped the bounty, and returned to Canada. General H. B. Carrington of Ohio stated that on a single day he had had to shoot three men, each of whom had been shown in court-martial to have enlisted and deserted three times.[7]

In truth, however, the recruit who wished to follow this game must be a wily fellow. He needed to have some knowledge of the law and of the secret paths for escape in the area where he proposed to desert; and, above all, he must not be handicapped with errors of speech or with the characteristics of a special nationality. Otherwise he might easily betray himself when repeating the trick. Lack of "smartness" or wile, added to unfamiliarity with the locality, probably discouraged many would-be bounty jumpers. Before the end of the war the methods had been reduced to a system—indeed, to a profession. Combining in groups, the men traveled in gangs of from five to twenty or more, one half of the number enlisting in one city while the other half assisted the enlisted group to escape. They used disguises to avoid detection: civilian clothes, false beards, wigs, false eyebrows. In January, 1865, it was estimated that there were from three thousand to five thousand such bounty jumpers on Manhattan Island, organized in small gangs, reveling in good hotels. They did not always go scot free, however, for a government agent once captured almost six hundred in New York City in a raid.[8]

If recruiting was difficult in 1862 under the dismal outlook of McClellan's complete defeat on the Peninsula, it was almost desperate a year later after many men had been recruited for the old regiments and the territory had been thoroughly canvassed to fill the quotas. Discouragement over the defeats on the battlefield and general weariness over the prolonged character of the war, together with the opening of many new avenues of

[6] Shannon, *Organization and Administration of the Union Army*, II, 80–81.

[7] J. M. Callahan, "The Northern Lake Frontier during the Civil War," in *Annual Report of the American Historical Association*, 1896, p. 358.

[8] Shannon, *Organization and Administration of the Union Army*, II, 71–72.

well-paid employment, had conspired to bring volunteering practically to an end by the spring of 1863. Under such circumstances it seemed necessary for the Federal government to resort to a draft. Efforts at a draft by the states had not proved satisfactory; yet to fill the ranks some general measure of compulsion was clearly necessary.

The government was soon to have striking proof of the futility of depending on the volunteer militia. It will be remembered that when Maryland, Pennsylvania, West Virginia, and Ohio seemed in June, 1863, to be in danger of invasion, the President called on those four states to furnish one hundred thousand militia for six months for their own defense during the Gettysburg campaign. When the danger was over, it was found that barely twelve thousand volunteers had responded, of whom nearly one third had been provided by Indiana, which was not included in the call.[9]

Already the government had embarked upon a policy of conscription to secure the soldiers needed. The act signed on March 3, 1863, provided for direct action by the Federal government on the people of the nation instead of action through the medium of the states. It divided the country into enrollment districts, corresponding roughly to the Congressional districts; each of these was headed by a provost marshal, and all in turn were under a provost marshal–general at the head of a separate bureau in the War Department. All male citizens, and all male aliens who had declared on oath their intention of becoming citizens, who were physically fit and between the ages of twenty and forty-five must be enrolled and were liable to be drafted for the service for three years; but anyone drafted could furnish a substitute or gain exemption by payment of $300 to the government.[10] The amendment to the law enacted on February 24, 1864, retained the conscription feature and forbade exemption of persons of foreign birth who had at any time assumed the rights of a citizen by voting at any election or by holding office, such acts constituting a conclusive bar to claims of alienage. Commutation was abolished, but substitutes were still allowed. The last act of this character, passed on March 3, 1865, came so late that it had little effect on the last few weeks of the war and so requires no analysis here.[11]

[9] *Ibid.*, I, 296.

[10] *United States Statutes at Large*, XII, 731–37. While curtailing exemption of clergy and teachers, it still exempted the physically and mentally unfit, felons, and necessary administrative officers.

[11] The act of July 4, 1864, had no changes which related especially to the foreign-born. For the act of February, 1864, see *ibid.*, XIII (Washington, 1865), 6–11. The act of March, 1865, virtually reversed the law of the preceding year and practically nullified conscription.

The large number of aliens in the country vastly complicated the administration of the draft. Naturally, the question of exemption from military service on the ground of alienage had arisen before 1863. As early as May, 1862, the War Department required proof of the claim of foreign citizenship, which usually took the form of certificates of nationality from the consuls of the respective countries. In consequence, however, of the fear entertained by the Irish and other foreign residents of St. Louis of being forced into the militia service of that state, General John M. Schofield issued an order on July 25, 1862, providing that the subjects of foreign powers lawfully pursuing their vocations would be exempt from militia service. General Butler drew the line tighter at New Orleans by demanding that each citizen of a neutral power should present himself with the evidence of his nationality to the nearest provost marshal for due registration of himself and his family.[12] By August of that same year Secretary Seward felt it necessary to assure British subjects through their chargé d'affaires at Washington that none but American citizens were liable to military duty in this country. Already the efforts of military commanders to exact of resident aliens an oath of allegiance to the United States had produced such difficulties that an order had been issued by the War Department enjoining all commanders from imposing such an oath.[13]

President Lincoln, in order to avoid misapprehension concerning the obligations of foreigners under the law of 1863, issued a proclamation on May 8, 1863, declaring no alien exempt who had declared his intention of becoming a citizen of the United States or a state or had exercised other political franchise. Such an alien was allowed sixty-five days to leave the country if he so desired.[14]

Substitutes could be taken from among those subject to the draft. It marked a complete reaction against the sincere efforts during the preceding two years to construct an effective law. It was felt that the war was so nearly over that almost any concession should be made to avoid the necessity of another draft.

[12] The evidence demanded by General B. F. Butler included the country of birth, length of residence in the United States, names of all members of the family, place of residence, occupation, date of certificate of nationality, and date of registration of certificate with endorsement by passport clerk. For General Schofield's order, see Moore (ed.), *Rebellion Record*, V, 47; for Butler's order, see *ibid.*, V, 80.

[13] Halleck to Rosecrans, May 22, 1863, *Official War Records*, Ser. 3, III, p. 217.

[14] *Official War Records*, Ser. 3, III, pp. 198–99. The provision for exemption of Quakers and conscientious objectors in some state drafts of 1862 brought about some strange alignments among the naturalized citizens. For example, in Indiana and Ohio exemption of religious sects brought about an unsought revival among the Society of Friends. One of the singular results in New York was the remarkable increase of Quakers in the Sixth Ward—an Irish ward! "Even broad hats could not conceal the identity of the Celtic faces beneath the

There followed in rather rapid sequence from the office of the provost marshal a number of circulars intended to interpret or clarify the law and to facilitate its administration. Since these were numbered, they are fairly simple to follow. The procedure in regard to enrollment was the first issue and was provided for in Circular No. 17, dated June 2, 1863. The provost marshal–general directed boards of enrollment to instruct their officers to enroll all males of the stipulated age group, whether citizens of the United States or persons of foreign birth who had on oath made declaration of intention to become citizens. This amounted then simply to a mandatory census of the above groups of residents and granted no discretion for exemption to enrolling officers.[15] Six weeks later, on July 19, the provost marshal–general issued Circular No. 53, which prescribed the procedure for an alien claiming exemption: the alien must state his nationality, the date of his entry into this country, and his place of residence; he must affirm that he had never made a declaration of intention or voted in any election; and he must state that he claimed exemption as an alien—the affidavit to be supported by any proof he might wish to offer. If the Board of Enrollment was satisfied, it could discharge him from the draft; but if it was not satisfied, it must refer the case through the provost marshal–general to the State Department for decision, in the meantime suspending all action on the case.[16] On August 13, Circular No. 71 made a further demand of the boards of enrollment—that they forward with the claim to exemption "all evidence they might be able to secure to contravert the claim" or to show that the claimant had exercised the franchise.[17] A few days later, on August 19, another circular, No. 72, dealt with the status of minor children of citizens naturalized according to the law of 1802 or of persons who, prior to the passage of any Federal law on the subject, had become citizens of any state in the Union: if dwelling in the United States,

brim." By 1863, when such blanket immunity no longer prevailed, the Quaker revival was no longer pronounced. See the cartoon in *Harper's Weekly*, VI (1862), 560. Throughout the war, Congress wisely granted no complete exemption on the score of conscience. The law was soon interpreted to exclude any one who had made a Declaration of Intention or exercised the franchise. Shannon, *Organization and Administration of the Union Army*, II, 249.

[15] *Official War Records*, Ser. 3, III, p. 245. This was signed, of course, by James B. Fry, provost marshal–general.

[16] *Ibid.*, Ser. 3, III, p. 545. Seward stated in a letter to Dayton, ambassador to France, that "the law had been acquiesced in by all foreign powers." Instructions to Consuls, France, X, 409–11. Fry's Circular No. 65 of August 6 was merely a further elucidation, stating that where alienage was clearly established, exemption must be granted, but where "any" doubt existed, it must be referred to the State Department. *Official War Records*, Ser. 3, III, p. 632.

[17] *Official War Records*, Ser. 3, III, p. 675.

they must be held as citizens.[18] The procedure in practice, then, amounted to this: No names could be struck from the list on the ground of alienage until the persons concerned had been drafted, whereupon, after formal notice, the man drafted could go before the Board of Enrollment of his district and show cause for exemption.

It was, in truth, only when conscription attached onerous duties to the exercise of the privileges of American citizenship that residents who had enjoyed those privileges sought to discover irregularities in their naturalization papers. Emigrants who had left Europe without any intention of returning should, in all honesty, have been regarded as Americans, and the number of those who meant to preserve their original nationality unimpaired was insignificant. Thousands discovered immediately after passage of the conscription act of 1863 that their original nationality was inexpressibly dear to their hearts. This brought a flood of applicants to the various consular offices to secure the precious certificates of nationality to save them from the draft.

The enforcement of the draft brought, as is well known, resistance and riots, which do not demand lengthy treatment here. There were early evidences that actual drafting might encounter serious opposition. Arms were being brought in and distributed in a manner that implied intention to resist; the Irish in the larger cities were especially restive; from many of the rural areas came reports of military drill by members of secret orders and others hostile to conscription. Outbreaks of violence here and there pointed to an underlying current of passionate emotion which might take form in bloody violence. Conscription was contrary to the genius and habits of the people and could not be enforced unless backed by arms. Fortunately, because of volunteering and surpluses credited on previous calls, the draft proved unnecessary in Ohio, Indiana, and Illinois, in which states the portents had been most ominous.

On June 18, 1863, instructions were issued for the enrollment to go into effect. Despite the fact that this was only preliminary to the actual drafting, it encountered opposition in four of the seven states of the Middle West, reaching its worst manifestation in Milwaukee, where a turbulent population, largely German and Irish, seemed disposed to have a showdown with the whole question of conscription.[19] On July 7, the first draw-

[18] *Ibid.*, 692. It is superfluous to enter into the rules for aliens in regard to militia in beleaguered places, such as Memphis.

[19] An enrolling officer in Dodge County, Wisconsin, and a registration official in Milwaukee were badly injured. Gray, *The Hidden Civil War*, 139. Even in New York City several per-

ings under the actual draft occurred in Rhode Island; the next day drawings were held in other New England districts, where, outside of Boston, the draft proceeded quietly. On July 11, drafting began in New York City but was broken up by riots, which began on July 13 and lasted for about four days. The provision which admitted of commutation for $300 was the main grievance, as laborers felt it a device to enable the rich to escape the burden, which must then fall on the poor. In consequence, the draft there and in other parts of New York had to be suspended until August 19, when better means were at hand to enforce it. The riots of July 13–16 in New York were by far the most serious. So much did they overshadow in violence, bloodshed, and tenacity the lesser outbreaks elsewhere that the others have been largely forgotten. Ultimately the draft embraced twelve states—the New England states, New York, Pennsylvania, Delaware, Maryland, Michigan, and Wisconsin.

The story of the draft riots has been told in such detail [20] that no extended recapitulation should be undertaken here. We are concerned, however, with the resident foreigners and their reaction to the draft. The large proportion of unassimilated foreigners in New York furnished just the right kind of material for an outburst. The large Irish element constituted the prime factor in the revolt. Lacking American background, volatile by nature, deprived of their real leaders and better element by the volunteering of two years, the residue of the Irish population was occupied mainly with the mercenary aspect of the question, in which respect, as already stated, they felt aggrieved. In addition, they were bitterly opposed to being forced to fight to free the negro. Their prewar feeling toward the negroes as their chief competitors in the labor market had been aggravated during the war. Wages had been boosted by the war and they naturally wished to maintain them at that level; they feared that if the negroes were freed they might easily reverse the existing favorable situation by glutting

sons were arrested for giving false names or refusing to give any name. Shannon, *Organization and Administration of the Union Army*, II, 210.

[20] For the whole subject of the draft and riots, see Shannon, *Organization and Administration of the Union Army*, II, 205–37; Kirk, *Heavy Guns and Light*, 104 ff. Archbishop Hughes himself held in addressing a gathering that the blame was "justly laid on Irish Catholics." *Appletons' American Annual Cyclopaedia*, 1863, p. 816. It was reported that some of the residents of the Ninth District met secretly on Sunday, July 10, resolved to resist and, if necessary, to "proceed to extremities." At least five hundred of the mob were killed or died shortly afterwards while ten to twenty soldiers were killed and as many injured quelling the riot, Shannon, *Organization and Administration of the Union Army*, II, 213.

the market. The existence of this sentiment is attested by the antinegro demonstrations and by the fact that most of the eighteen persons murdered during the riots were negroes.

Natives should not, however, forget that the discontent was fanned by the acts of unscrupulous politicians, ready to resort to any measures to discredit the administration. Among this number must be reckoned the editors of certain of the large newspapers and two of the chief Democratic leaders, Governor Horatio Seymour and Mayor Fernando Wood, who, though perhaps not guilty of complicity, encouraged the mob by their denunciation of the draft as unconstitutional. Of course, the War Department made a serious and almost disastrous mistake in holding the draft at a moment when the city had been denuded both of the soldiers usually stationed in the forts about the harbor and of the militia in order to deal with the menace presented by the Gettysburg campaign.

The disorders other than in New York were also largely attributed to foreigners: in Vermont, to the Irishmen in the marble quarries at Rutland, where officials serving notices were driven away with stones and sticks; in Boston, to Irish men and women; in Troy, to Irishmen (the fact that a Catholic priest did the most to quell the riot by his influence over the Irish, argues Irish prominence in the riot); in Pennsylvania, to Irish and Welsh miners in the Pottsville region, a hard lot who confused labor grievances with the draft; and in Milwaukee, to the German and Irish elements, particularly the women and children.[21]

There can be no doubt that the local provost marshals and enrolling officers threw obstacles in the way of the aliens. Exemption was not the simple matter of producing a consular certificate. Sometimes even the procuring of such a certificate was not an easy matter. Take the case of Britishers who were working in Pennsylvania mines remote from a consular officer. They had difficulty in securing the certificates in time to

[21] For the disorders outside New York, see Shannon, *Organization and Administration of the Union Army*, II, 219–37. The Chicago *Times*, October 4, 1864, indicated that scarcely any except Germans were being drafted in Milwaukee and Illinois and tried to detect a political motive. "It seems strange that in a fair draft, nobody but Germans are called upon to do military duty. Is it because so many of them are turning democrats and going to McClellan that they are drafted. . . . Very few of the Germans in Woodford County are responding. They have sold out their farms, their homes, the products of all their labor since immigrating to this country, including money brought from the old country. Thus they have realized a thousand dollars and purchased substitutes and are now homeless. These things are telling strangely against the Lincoln Party." The reader must recall that there was a strong reaction against the administration after Chancellorsville.

prevent their being hurried into the service. The President suspended the habeas corpus so far as draft dodgers were concerned, so that appeals to the courts of justice were closed to them. The British consul at Philadelphia wrote British Minister Lyons on November 15, 1863, of how universal was the statement of all applicants for consular certificates that "the Provost-Marshals of their districts throw every possible difficulty in the way of making good their claims as aliens." They all complained of expense, personal fear, and contumely.[22]

The first ground of complaint seems to have been refusal to accept the consular certificate or other papers of identification. A Canadian complained from Louisville on July 12, 1863, that he had showed the captain of his company an affidavit sent him from Canada with the Canadian seal attached to prove his nationality; the captain had directed him to present his papers at headquarters, where he would be exempted. His reception by the major in command was an abrupt order to "go right straight, and pick up my musket" or he would put him in prison as he would any other British subject seeking exemption.[23] The provost marshal at Frankford, a suburb of Philadelphia, seems to have been even more peremptory. One Thomas Armrod, a British subject, took his consular certificate and one other document (the nature of which is not disclosed) to the provost marshal, Mahlon Yardley. The latter said the certificate was of no use whatever and added, "I don't want to see it." When Armrod said that he would go back to his consul, Yardley pointed to another room and said, "No you won't; go in there." Then, turning to an attendant, he said, "Guard, take charge of this man." After one hour's confinement Armrod was released to go to an alderman for an affidavit, but when he returned with it, Yardley rejected it because it was not accompanied by proof from every state in which he had resided. The draftee asserted that it would be impossible to obtain such proof. When Yardley insisted that he could not be exempted without it, Armrod left without any satisfaction as to his exemption.[24] Several Frenchmen, among them Jules Biette, clerk in chancery in the French consulate general in New York, found their consular certificates rejected without examination by a provost marshal in New York. Seward ordered the provost marshal to strike Biette's name

[22] British Consul at Philadelphia to Lord Lyons, November 15, 1863, Notes from the British Legation, LI.

[23] G. I. Shaw to *id.*, July 12, 1863, *ibid.*, LIII.

[24] Thomas Armrod to the British Consul at Philadelphia, undated, *ibid.* The writer infers from the placement of the letter in the bound volume of manuscripts that the date is probably about July.

from the rolls unless proof existed of his having exercised the rights of citizenship.[25]

The provost marshal Yardley seems to have imposed unjust financial burdens on draftees. Philip Quinn was required to prove the date of his arrival in the United States and to produce in person the vouchers before the Board of Enrollment. The draftee was poor, had been ill, and would have to pay witnesses for their loss of time from work in attending the Board. At times the provost marshal required the testimony of two witnesses. George Lee, a British subject, made the trip from Smyrna, Delaware, to Warwick, Maryland, to secure the affidavit of two acquaintances residing there, only to be told that the papers were not in due form. He then procured a certificate from his consul, but still he could not satisfy the provost marshal. His financial losses to no purpose were his wages for two weeks and $32 in travel expenses. Though Martin Taylor offered an affidavit drawn up in Philadelphia, where he had produced two witnesses to prove his alienage, the provost marshal at Smyrna refused to accept this paper because it had not been made out in Delaware—despite the fact that Taylor had been in Wilmington only two months and had no acquaintances there. A poor man, Taylor had lost eight days from work to produce proof which was unacceptable.[26] This situation bore especially hard on foreign laborers, who were notoriously migrant, moving from state to state and settling wherever they were able to find work.

Exemptions were refused on slight or frivolous pretexts. One Bernard Leddy's claim to exemption on the score of British citizenship was rejected by a Philadelphia Board on the ground of his father's American citizenship, though he held that he was of age at the time of his father's naturalization. A similar instance arose in connection with two Swedes drafted in Minnesota in 1863. Lewis Lorenson claimed that he had come to the United States in 1853 at the age of twelve years and to Minnesota two years later, where he had resided ever since. He had never voted or been naturalized, in proof of which fact he pointed to the absence of his name from the poll lists. Reference of his case to Washington was denied, so that he and his comrade, John Holmes, each paid $300 commutation

[25] Notes to the French Legation, VIII, 95, 96–97, 100. Charles Roussell and Pierre Pflaum were the other two Frenchmen whose certificates were rejected.

[26] Notes from the British Legation, LIV. The requirement of two witnesses is found in a note to the State Department, August 25, 1863. For George Lee, see an affidavit executed before George Crump for the Philadelphia consul, August 27, 1863, *ibid.*; for Taylor, see affidavit before George Crump. The boards of enrollment were regularly alluded to by the British consuls as boards of examiners.

money—under protest. Since Lorenson's father had declared intention to become a citizen before the son was of age, the Board of Enrollment decided against exemption. It is interesting that this decision was later reversed. Because Arthur J. King had been connected with a home-guard company in Cincinnati during the General Kirby Smith raid in 1862, serving during the thirty days of martial law as a lieutenant without commission or pay, his claim to exemption was rejected by an Enrolling Board in Kentucky; but his indignant remonstrances brought submission of his papers, with the adverse opinion of the Board, to the provost marshal general at Washington for confirmation. In the spring of 1864, under the call for one-hundred-day men, many British subjects in Cincinnati had been compelled—under the same pretext of their having enrolled in the militia corps organized in 1862 for home defense—to find substitutes or else serve.[27] A flagrant case was that of the Irishman John Walsh. Drafted in one of the Pennsylvania districts, he was ordered to report at Scranton in mid-November, 1863. He appeared, prepared to prove his alienage and also the enlistment of two brothers in the service. The Board of Enrollment refused to hear his witnesses and sent him under guard to Philadelphia and thence to South Carolina, where he was still held months later in the Fifty-second Pennsylvania Volunteers. The only reply to his father's petition for his discharge was that the case had been referred to the Board of Enrollment and reported on adversely.[28]

Very late in the war, in January, 1865, Provost Marshal W. G. Collins wrote from Alton, Illinois, in reply to an inquiry as to what constituted proper papers for exemption, that an alien draftee who had lived in the country more than five years should present to the Board of Enrollment a certificate by the county clerk that he had never voted and a second certificate from the clerk of the Circuit Court that he had never declared an intention of becoming a citizen, inasmuch as the experience of the Board rendered that course necessary to prevent imposition.[29]

With all due allowance for deliberate evasion of the draft, the statement

[27] For Leddy, see Lyons to Seward, January 2, 1864, *ibid.*, LVIII; for Lorenson, see Notes from the Swedish Legation, II. King had joined a home-guard company under rather unpleasant circumstances. He was stopped in the street by a squad of armed citizens and ordered to fall in. He explained his status as a noncombatant, but because his own home was endangered, he took a musket. Later the members of the company made him a lieutenant. See King to Lyons, June 18, 1864, Notes from the British Legation, LXV. Evidence that British subjects were compelled to serve or furnish a substitute appears in a note from Lyons to Seward, May 10, 1864, Notes from the British Legation, LXIII.

[28] Memorandum, February 13, 1864, Notes from the British Legation, LIX.

[29] Note dated January 23, 1865, *ibid.*, LXXVI.

made by William Stuart of the British embassy to Secretary Seward on September 23, 1863, pictures fairly the situation for many provosts. The British consul at Philadelphia had reported that one of the provost marshals continued to reject almost every claim to exemption, "often on most frivolous grounds." [30]

There can be no question that, in one way or another, many aliens were coerced into the army. One favorite device was to arrest a man on suspicion of draft evasion or desertion and then to apply pressure for enlistment. Thomas Maguire, who claimed British citizenship, is a case in point. Arrested in Vermont for trying to evade the draft, he was induced, by threats of rigorous treatment during his confinement, to enlist in Company D of the Tenth Vermont Regiment. W. P. Grant was arrested in Virginia and imprisoned for over a year; the only cause to which he could attribute such treatment was his refusal to enlist. However, it must in justice be recorded that he had been living in the United States continuously for fifteen years, so that his three visits to his native Ireland did not justify the assumption that his sojourn in America was merely temporary.[31] Alleged desertion could easily be—and was—used as a pretext for unjust coercion. Such coercion could verge on cruelty. Patrick Connaughton, whose nationality scarcely needs to be stated, asked for a furlough—evidently to prove his alienage—but his request was refused. He consequently declined to put on his uniform, whereupon he was sent to jail in irons and confined for eighteen hours. When threatened, however, he put on the uniform. Under guard he was allowed to go to see a lawyer; but while waiting in the lawyer's office, he was seized and taken away, to be escorted the same day to the cars and sent to the camp at Philadelphia. If he had had time to go to Baltimore, he insisted, he could have proved his British citizenship.[32]

It must be pointed out that there was much evasion of the draft by foreign-born, as well as by native-born, citizens. Hundreds of citizens of the West and of other parts of the North fled into Canada "like cravens" to escape the draft. The exodus through Detroit was especially large. An episode related by the Cincinnati *Gazette* shows the extremes to which draft dodgers would go. A deputy marshal of Coshocton County, Ohio, went to a house near Chillicothe with a squad of five men to arrest two

[30] *Ibid.*, LV.

[31] W. Stuart of the British Legation to Seward, November 3, 1862 (an early instance), *ibid.*, XLIII. Grant was imprisoned at Camp Chase. *Ibid.*, XLVI.

[32] Affidavit of Patrick Connaughton, *ibid.*, LIV. A later note shows that he was sent to the One Hundred and Eighteenth Pennsylvania Regiment.

Germans who had evaded the draft for many months. When they approached the barn, the two evaders came out and opened fire. In the melee which followed, the two Germans and one of the marshal's men were killed, while another of the marshal's men was severely wounded.[33] One feels considerable sympathy with the provost marshal who rejected the plea of Isaac Bradley that he was an alien, for Bradley had come to the United States in 1843 at the ripe age of three and so was claiming British citizenship under the technicality that his citizenship had never been altered.

The crime of desertion also plagued the army, until it became one of the major problems presented to the authorities during the war. The question has been the subject of special study and so it is unnecessary to devote space to it here; [34] however, it should be reiterated that the numbers of deserters, according to the statistics of the provost marshal–general, was far higher for the eastern states, with their large foreign population, than for the western states, where the native-born were in the majority. Furthermore, no one could examine the Descriptive Books for foreign regiments during the later years of the war without being struck by the number of desertions. It is little wonder that men suspected of being deserters were promptly arrested or that the procedure of arrest first and investigation later brought forth many injustices. Since a man's citizenship could not be determined by his appearance or speech, and since the protests of a possible deserter could not be accepted as necessarily truthful, wrongs were bound to occur. The historian deplores the abuses dealt out to some foreign subjects but has to recognize that under the pressure of a great civil war there was no time for nice discriminations. Probably, also, provost marshals who had had experience with foreign-born residents who had sought a refuge in the United States and enjoyed the benefits of the economic opportunities of a rich country in time of peace, but who now in time of war were seeking to evade a debt of gratitude, became bitter against "draft dodgers," as those who invoked foreign protection seemed to them.

Cases of maltreatment of alleged deserters were charged which, if true, were outrageous. William Rodgers, who was arrested in Baltimore on October 27, 1864, reported that a gag was forced into his mouth—a detail not mentioned in his first statement—and that he was subjected to such maltreatment that, to escape further torture, he admitted to being a deserter. The second case was worse. Luke Riley, who was arrested as a

[33] Cincinnati *Gazette*, August 25, 1862.

[34] Ella Lonn, *Desertion during the Civil War* (New York, 1928), especially Chap. XVI.

deserter, claimed that he was subjected to nine cold drenchings a day when the temperature was down to zero and was held in solitary confinement on hard bread. He further charged that when he was transferred to Alexandria, he was knocked senseless by a revolver, handcuffed, strung to a chain suspended from the ceiling with his back bent, and for three days swung up and down every half hour. He had been in the country only six months and took pride in the fact that he could not be forced into renouncing his allegiance to Queen Victoria. After being sent to the headquarters of various regiments for identification, he was finally dispatched to the Ninth New York Cavalry.[35]

Much more serious and morally culpable than the rejection of legal exemptions, the rigid regulations as to evidence of foreign citizenship, the financial burdens imposed by the necessity of producing proof and witnesses, or even the coercion was the actual impressment and kidnapping of unwary foreigners newly arrived in our port cities or of Canadians who had dared to cross the border. This was the worst scandal of the war period, and, indeed, it remains one of the darkest blots on the history of the United States.

Before such a traffic can be intelligible, a brief explanation of the type of men who engaged in it is necessary. The very names applied to these men are offensive—"runners," "crimps," "bounty brokers." These men monopolized the business of seeking out and presenting volunteers and substitutes to recruiting officers, pocketing a handsome profit on the transactions. The broker stood to gain not only his brokerage fee of approximately $15 for each new recruit or $25 for each veteran (the fees varied from state to state and from time to time) but also whatever proportion of the huge bounty he could appropriate from the victim, this often amounting to as much as three fourths of the whole, or perhaps $600. These men covered the country in so well contrived and adroitly handled a network that it was seldom that a recruit or substitute entered the service except through their hands. The worst aspect of the situation was that there was considerable wrongdoing and corruption among the subordinates in the provost marshals' offices.[36]

The methods of these bounty brokers were as vile as their business. They seized indiscriminately upon sailors, foreign visitors, or aliens long

[35] For these two cases of cruelty, see Joseph H. Burnley to Seward, November 25, 1864, Notes from the British Legation, LXXIII, and *id.* to *id.*, December 1, 1864, *ibid.*

[36] This charge of corruption was made by Governor John Brough of Ohio, February 6, 1865. He was satisfied "that there is more or less corruption in at least one-half of the subordinate provost-marshalships of the States." *Official War Records*, Ser. 3, IV, p. 1150.

resident and pressed them into the army or navy as best suited their purposes. The diplomatic correspondence between Seward and the ministers of the various countries is full of complaints and countless instances of this despicable business. A few striking cases will sufficiently illustrate the techniques. One method of kidnapping grown men for the Union army followed a set pattern: the "runner" hung about the docks and taverns of the cities, on the watch for some unwary man, a sailor off a ship or some other stranger to the city; under the friendly offer of a glass of liquor—for he was always a good friend of his victim—he managed to hand him a drugged potion, which stupified him. When the man awoke, he found himself in the United States army or navy uniform, was told he had enlisted, and sometimes found a portion of his bounty money in his pocket, though usually the larger portion had vanished with his erstwhile friend. The practice of kidnapping and coercing British subjects began shortly after the opening of the war, but cases of drugging began to appear in the records only by 1863. Noteworthy is the fact that the British minister, Richard B. P. Lyons, reported to Seward on February 3, 1863, that a "practise" of kidnapping British subjects and forcing them into the army had "prevailed for some months in New York."

The story of one McGinis was simply that he landed at New York on the twenty-eighth of April, 1863, on his way to New Haven to reach some friends; and as it was too late for him to catch the boat to that point, he was obliged to spend the night in New York, where he fell in with some men and got drunk. In that state he was kidnapped by some soldiers, who took him to a recruiting office, insisted when he became sober that he had enlisted with them, and finally forced him to allow himself to be sworn into the service of the state of New York. Before long he found himself at New Bern, North Carolina, in the Third Regiment of the New York Cavalry.[37]

The case of Clark King engaged the warm efforts of the British consul, E. M. Archibald, at New York. On February 9, 1863, King "fell in" with some men who induced him to drink until he was in a state of gross intoxication. The fact that he was ill from the effects of the drink as he never had been before from too much liquor suggests that it had been drugged. He was taken to a recruiting rendezvous, where he signed enlistment papers while he was not in a condition competent to enter into such a contract. As soon as he recovered from his inebriation, he returned openly

[37] The case of McGinis was described in Lord Lyons' note of June 9, 1863, to Seward. Notes from the British Legation, LII.

to his daily work at the place where he had been employed for double the pay he was to receive as a soldier. His bounty money had, according to a receipt for $54 signed by King and witnessed by a W. Blake, been given him in the form of a due bill and been invested in an outfit for a seaman. His arrest a fortnight later for failure to report back for service was his wife's first intimation of his enlistment.[38]

William Whitehead had left a wife and four children in Manchester, England, to visit a brother in Ohio, whom he had not seen in eleven years. Upon his return to New York after his visit he was accosted by a man terming himself a recruiting officer, who drugged him and then enlisted him in the Tomkins Cavalry. It was possibly his good fortune that the surgeon rejected him because of rupture and varicose veins, but that did not save him from arrest later as a deserter and from detention for three months without pay.[39]

In other instances the runners did no drugging but resorted to bold, ruthless force. The case of James S. Bassett well illustrates this technique, and, because it shows the contemptible connivance of others, it will be told through Bassett's own words. He and a companion were attacked by five men on a New York street: "They immediately drew pistols, saying we had either to go with them or *die*. We suspected what they wanted us for, and told them we were British subjects. . . . We then resisted for about a quarter of an hour, but three of the men had clubs and commenced beating us very severely. We called for a policeman and saw one coming toward us, when one of the men went up, and said something to him, whereupon the officer of the law turned away. They then began to push and drag us, and we were obliged to give up to them. They attempted to take us to Brooklyn, but we again resisted, and, while struggling, a decently dressed man came up and told us that rather than see us so ill-treated, he would let us go into his room near by. After talking together a little while, they consented to let us go there, but as soon as we entered they locked the door and remained in the next room all night. . . . They then told us not to give in our right names, that we would soon get out, that

[38] Archibald wrote lengthily to Minister Lyons on this case on April 28, 1864, pointing out many details which made a voluntary enlistment seem improbable. His very sharp comment on Lieutenant McLeod Murphy, who had evidently investigated and written Archibald about this case, is worth recording: "Lieut. Murphy with a ruthlessness which he has displayed on similar occasions heretofore pronounces King's statement 'entirely false,' a statement in which a responsible, though humble man, asserts facts of which he himself was more competent to speak than any one else." *Ibid.*, LXIV.

[39] Memorandum dated August 10, 1863, *ibid.*, LIV.

when we got on the cars to return to the city, they would give us some money." Of course, the victims never saw them again, did not receive any bounty money, and lost their clothes and wages.[40]

Sailors seem especially to have been regarded as fair game. On November 12, 1862, William Gibbon got shore leave for twenty-four hours from the British steamship *Great Eastern*. The next day a man offered to take him to see some Englishmen at a naval rendezvous but instead lodged him in the Debtor's Gaol in New York City and denied him permission to communicate with anyone. Gibbon was then conveyed by a transport to Newport News, where the military officers tried to swear him in as a soldier. He hoped to escape through the fact that he had never signed a document, taken an oath, or accepted bounty money.[41]

One of the cases which seems especially dastardly was that of three colored men in the British navy from the Bahamas. According to the master of the British schooner *Mary Harris* of Nassau, the three men were allowed, as usual, to leave the boat in New York Harbor at noon on July 3, 1863. On shore two strangers induced them to drink with them; when the Bahamians attempted to leave, however, the strangers locked the doors, overpowered them, and took them aboard the *North Carolina,* the receiving ship for recruits. These terrified victims of foul play succeeded in getting word to the master of their vessel, who visited them on July 6 and then made an affidavit before Consul Archibald, who promptly brought the matter to the attention of Admiral Paulding of the United States Navy.[42]

Especially telling is a general statement made by Consul Archibald on March 3, 1864, concerning the crew of the wrecked vessel *Antonica,* twenty-six of whom were British subjects and had been confined in the county jail since mid-January because of being captured on a blockade-runner. These men complained of being constantly pestered by men trying to make them enlist in the naval or military service of the United States

[40] James S. Bassett to Archibald, February 28, 1864, from Riker's Island, *ibid.*, LXI.

[41] Lyons to Seward, December 3, 1862, *ibid.*, XLVII. The statement says he went ashore the "12th instant," which must refer to a preceding month; it seems reasonable to think that that was the last month preceding.

[42] Archibald to Paulding, July 8, 1863, *ibid.*, LIV. There are several instances of such kidnapping of colored seamen. For an example of one such kidnapping from the *Bounding Billow* in New York in October, 1864, see J. T. Brown to the British consul in New York, October 23, 1864, *ibid.*, LXXII; for another example of kidnapping, from the *Phoenix,* see Archibald to General Dix, February 7, 1865, *ibid.*, LXXVI.

and reported that they were informed that that was the only way in which they would be able to obtain their liberty.[43]

In the interior of the country there were, of course, cases of kidnapping with a slightly different technique. James Brown, residing in Cincinnati in 1862, was assured after examination before the provost marshal that as an alien his name would be removed from the list; however, three soldiers came to his house subsequently, and, refusing to pay any heed to his protests, would have dragged him away, had he not had a sore arm, on account of which they allowed him a respite of a few days. This did not prevent them from carrying off by force another British subject who happened to be with him, one Andrew Hardie. While Andrew McMillan, also a British subject, was on his way from Wisconsin to fulfill an engagement in Canada, he was arrested and kept in prison for fifteen days at Cleveland; there he was coerced into enlisting by a captain, who told him he must do so or be sent to Columbus and put at hard labor. He chose service in the One Hundred and Third Ohio Regiment. From Prince Edward Island came complaint of the coercion of John Trowsdale, a Canadian employed on an Illinois farm, into the Kentucky Brigade; a recruiting officer had encountered him on a train and forced him to enlist, not even allowing him time to collect the wages due him—some $150.[44]

Similar complaints of kidnapping and browbeating came from the ministers of most of the European countries—of France, Prussia, Belgium, Italy, Denmark, and Sweden. The correspondence with the French diplomatic officials shows some cases of kidnapping and coercion, chiefly of French seamen, but also cases of desertion from the French sea service, probably because of the larger monetary returns in the American service. The Prussian minister, Baron Friedrich von Gerolt, also had countrymen to rescue. Among the more interesting of these were Dr. Ferdinand Schafer, Charles Spierling, and Consul C. Kirchoff. The first-named came to America intending to practice medicine in a western state, but after his arrival in New York he felt that he might have an opportunity to perfect himself by experience in a military hospital. He was "swindled" into the ranks of the Forty-first New York Regiment by a German innkeeper and runner and was serving at Folly Island, South Carolina, when

[43] Archibald to Lyons, *ibid.*, LX.

[44] For Brown and Hardie, see Marsh to Seward, September 6, 1862, *ibid.*, XLV; for MacMillan, see Stuart to *id.*, September 6, 1862, *ibid.*; for Trowsdale, see letter from the Governor of Prince Edward Island to Lyons, April 6, 1862, *ibid.*, XLIV.

Von Gerolt secured his dismissal. Spierling was a German who had been drugged and enlisted into the First Connecticut Cavalry; although he escaped, he was recaptured and condemned to imprisonment for three years at Fort McHenry. This created a serious situation, as under Prussian law he must return at once to fight in the threatening Austro-Prussian War of 1866. C. Kirchoff had landed in California in September, 1850; on December 3 he had made a declaration of intention to become a citizen but had taken no further steps and in fourteen years had never exercised the franchise. By 1853, Prussia, Hamburg, and the Grand Duchy of Oldenburg had appointed him consul at San Francisco for those three states, whereupon he had renewed his allegiance to Oldenburg by signing a paper sent out for the purpose. Later he left for South America, but he was drafted in Hoboken upon his return, as the draft law of 1863 withdrew his exemption.[45]

When Guido von Grabow, chargé at the Prussian embassy, learned that a number of German immigrants had been lured into the army by the promise of $100 in gold (paid, however, in paper), he visited Gallop Island in Boston Harbor, where they were being detained. He then dispatched a sharp note to Seward on September 11, 1864, threatening serious consequences if these Germans were enlisted "by means contrary to good faith." He did not want the act repeated and hoped for a friendly settlement.[46]

The chief consequences with Prussia came at the close of the war, for that country pressed insistently for indemnities to its wronged subjects. One Jacob Rübel, who had been arrested as a deserter in Washington, on January 21, 1865, and several times subjected to the cold-water treatment to make him confess, claimed thereafter to be unable to work and acted deranged, according to a United States surgeon. Another, Martin Drier, subjected to the same treatment about the same time, confessed to deserting from a gunboat but became so ill that he had to go to a hospital. For these men, Von Gerolt demanded indemnity to the amount of $1,000 for Rübel, $500 for Drier, and $500 for a Frederick Ruschke, imprisoned for alleged desertion, with a covert threat that more would be asked if the health of the last two were impaired. It should be recorded that the Federal government did pay indemnities to these three men.[47]

[45] For Dr. Schafer, see Von Gerolt to Seward, February 15, 1864, Notes from the Prussian Legation, IV; for Spierling, see *id.* to *id.*, August 2, 1864, *ibid.*; for Kirchoff, see *id.* to *id.*, June 17, 1864, *ibid.*

[46] *Id.* to *id.*, September 11, 1864, *ibid.*

[47] The above information was gleaned from a note from Johann Nooski to the Prussian minister, January 8, 1865, *ibid.*, V, and affidavits of Ruschke and Drier, January 22, 1865, and January 30, 1865, respectively, *ibid.*

It is worthy of note that naturalized German citizens tried to help their countrymen. At least one German paper published the names of Germans drawn for the Fifth Congressional District of Maryland in the draft of May, 1864. In Baltimore County 37 of the 546 names drawn sounded German. After the arrival of the emigrant ship from Hamburg in the spring of 1864 with laborers aboard who were diverted to the army, the German residents of Boston published a protest against all contracts of that type.[48]

The complaints with regard to illegal drafting of Italian subjects were of the same tenor and were all proffered by the envoy extraordinary of that country, Count Joseph Bertinatti; but all date after the passage of the first Federal draft law. The same tales of drugging and coercion appear. Antonio Cutormini, a seaman, was arrested as a deserter, drugged, and put into the Thirty-ninth New York at Petersburg. His utter helplessness is set forth by the ambassador's remark that the man could not defend himself in English. The fact that foreign-born shared in the nefarious traffic is illustrated by the case of Antonio Ferrari, who was falsely enticed by one Polini, leader of the "military music (band)" at Hart's Island, to enlist as a musician, only to find himself a private in a New York regiment. Because of a confusion of identities, Dominico Cavagnaro was drafted for a John Bassio. The experience of Joachim Gafferalli was more serious. Seaman in the First Marines of the Italian Bersaglieri, he found himself in the same situation that so many foreign sailors fell into. Lured to drink some liquor while on shore leave, he awoke to find himself at Folly Island, enrolled in the Fifty-fourth New York. Carabino Polidrotti was a humble organ-grinder who was arrested in October, 1864, as a suspected rebel; he was still languishing at Camp Chase in January, 1865.[49]

Probably the case most offensive to the envoy was that of P. E. Benzi, an officer of the Italian army; resigning his Italian post nine months before his unhappy experience, he went first to London and then to New York

[48] Baltimore *Der Deutsche Correspondent*, May 23, 1864; the fact of the protest of German residents in Boston appears in the note from Johann Nooski to the Prussian minister, January 8, 1865. Notes from the Prussian Legation, V.

[49] For Cutormini, see Minister Bertinatti to Seward, August 11, 1864, Notes from the Italian Legation, III; for Ferrari, *id.* to *id.*, October 26, 1864, *ibid.*; for Cavagnaro, *id.* to *id.*, October 7, 1863, *ibid.*; for Gafferalli, *id.* to *id.*, April 13, 1864, *ibid.*; for Polidrotti, *id.* to *id.*, January 3, 1865, *ibid.*, IV. Note that all except one of these letters are dated within the last two years of the war.

in the hope of a commission in the United States Army but was prevented from obtaining one by his lack of command of English. He was preparing to return to Italy when two men offered to take him to Montreal to secure him a post as private secretary to a rich merchant. The usual drinking and drugging followed, with the result that he was soon Carlo Gianotti, by his own signature, in the First Connecticut Heavy Artillery. General Ferrero advised appeal to his ambassador.[50]

The cases complained of by the Scandinavian ministers, W. von Raasloff for Denmark and Count Piper for Sweden, add little that is new. Several of the men pressed into the Union service were Danish seamen coerced into the Union naval service. The search revealed very few complaints from Swedish subjects. Count Piper secured a permit for a vice-consul of Sweden and Norway at Boston to visit four Swedish subjects confined in Fort Warren; later the report made by the vice-consul was forwarded by Count Piper to Seward.[51]

The proximity of Canada to the United States led to violations of Canadian neutrality in various ways by the more vicious of the enrolling officers and bounty brokers. Canadians resident in the States became victims,[52] and just as there was disguised recruiting in European countries, so recruiting under one guise or another occurred in Canada. The questions of the abuse of the neutrality of Canadians within the United States and of the violation of the border are so interlocked that it seems wise to deal with the wile, force, and imposition practiced on Canadian citizens once and for all in this chapter.

The first cases of coercion and kidnapping of Canadians to come to light occurred in 1862, with the mistreatment of John Roge, who had come from Canada to the United States in 1862. At Portland, Maine, he met a party of men who asked him to enlist and on his refusal forced him to go to their camp. They kept him three days until the arrival of the com-

[50] *Id.* to *id.*, February 20, 1865, *ibid.*, IV.

[51] Illustrative cases are Johannes Ahlmann, seaman, Von Raasloff to Seward, November 5, 1861, Notes from the Danish Legation, III; and Jacob Johnson, seaman, captured on a blockade runner, *id.* to *id.*, October 21, 1865, *ibid.* The data concerning the visit of the vice-consul to the Swedes confined at Fort Warren is found in Notes to the Swedish Legation, VI, 136–37, 138. The report of the vice-consul, forwarded by Count Piper, appears in Notes from the Swedish Legation, July 1, 1864, IV.

[52] Almost at once, the newspapers of Montreal complained of forced enlistments—even into the famous Sixth Massachusetts Militia. This is based on a statement in the New York *Courrier des États-Unis*, May 1, 1861. This can hardly be taken seriously, in view of the thousands of volunteers who had to be rejected in the first months of the war.

manding officer, who tried to swear him in. Upon his flat refusal, he was thrown into the guardhouse; after a month's confinement he was induced "through cold and misery" to enlist in the regiment, which proved to be the Seventh Maine Infantry. When transferal to Washington gave him an opportunity to escape, he deserted, only to be arrested and put in prison, where he had been languishing for nearly six months by the time the British embassy brought his case before Seward.[53]

There is no point in piling up instance after instance of drugging, kidnapping, and coercion. More is to be gained by discussion of the way in which the frontier was violated and the tactics boldly pursued on alien soil. Stated in the words of Governor General Monck of Canada to Lord Lyons, the enormity of the offense stands out in its nakedness: "These papers appear to establish the fact that a serious violation of British Territory was committed by a Party of United States soldiers who crossed the frontier armed and in uniform, entered a house in the township of Wolfe Island in Canada West and thence forcibly carried off a man named Ebenezer Tyler." On January 8, 1863, a party of four men in United States uniform crossed the frontier. On March 9, the Governor General reported that he had heard that Tyler had been seen confined as a deserter in Watertown, New York.[54] A similar case was reported by a Peter Needham who wrote to Lord Lyons from Irving Block Prison in Memphis, Tennessee, that he had been kidnapped from his own home in Canada on August 18, 1863, by Americans, who had gagged him and removed him during the night; that he had ever since been detained as a prisoner; and that at the time of his writing he was chained to the floor with a chain only two feet long.[55]

The greater number of complaints dealt, however, with the luring of Canadians across the border by false promises of work at high wages. A few of the many cases will suffice to point the fact. Richard Malone was represented as the victim of fraud by parties who engaged him, along with "many other young men of the city" of Montreal, to work as a laborer in the mines of Lake Superior. When the Canadians reached their supposed destination, they were told that there was no work for them in the mines

[53] Burnley to Seward, December 10, 1864, Notes from the British Legation, LXXIV.

[54] The affidavits which Governor Monck stated that he was sending in connection with his report seem to be missing.

[55] Lyons to Seward, December 31, 1863, *ibid.*, LVII. Although Needham was arrested on the charge of obtaining money from the Adams Express Company at Vicksburg, it is difficult to regard his case as other than a kidnapping.

and that their only recourse was to enlist in the United States Army.[56] In the fall of 1863, Clark E. Lloyd, a blacksmith by trade who had a wife and seven young children in Montreal, fell into company with a person representing himself as the agent of a railroad company in the United States, offering Lloyd steady employment with good wages, and promising that there was no danger of any British subject being "draughted" into the army. Lloyd was tempted into going to the States, where he was drugged by a recruiting agent and induced to enlist.[57]

French-Canadians speaking only their own patois were even more helpless. Two Canadians, whose real names were Dasité and Maxime Millette, were hired in Canada by an American to chop wood; but when they reached a point near Concord, New Hampshire, they were enlisted in the army under false names. On the same date that he reported the case of these two youths (April 2, 1864), Lyons reported to Seward that thirteen men, all with French names, had been brought over the border, ostensibly to cut wood but actually to be drugged and put into the Second New Hampshire Volunteers.[58]

The last case to be here cited is that of James Fitzgerald, who landed in Quebec from India on August 1, 1863, and wandered on to Montreal in search of work. There he signed a contract for six months labor on a railroad and accompanied his "employer" to Burlington, near which place he understood he was to be employed. His employer left him at a hotel, but when he returned it was with a man in uniform, to whom Fitzgerald was presented as a deserter. The defense given by the supposed employer for his use of such underhand tactics was that he was only doing his duty in getting a recruit out of Canada any way he could. When the victim produced a certificate proving his recent return from India, the provost marshal promised to help him out but left him in the charge of a guard, who threatened to shoot if he attempted to escape. That evening the provost marshal returned and, with fair words, proposed a drink "to kill the time." The victim accepted the drink from one he thought a friend, with the usual consequences—unconsciousness and awakening in a guardhouse in the American uniform. When he told his tale, the officer

[56] The petition of the father to Secretary of War Stanton for his son's release was dated August 7, 1863. A similar petition was sent by Francis Xavier Gunther for his son Joseph. See *ibid.*, LV.

[57] Lyons to Seward, November 18, 1863, *ibid.*, LVI.

[58] The affidavit of the father affirmed that the younger of the youths was not yet eighteen. *Id.* to *id.*, April 2, 1864, *ibid.*, LXII. The instance of the thirteen men appears in the same volume.

advised him to say no more about it, "if I did not want to get a hole in my jacket." When he could get no redress, he wrote to Ambassador Lyons, but the letter was opened and brought the threat that a second such letter would keep "him from writing for some time." He was then sent to a Maine regiment in the Army of the Potomac. Despairing of redress after repeated efforts, he deserted, "if it could be called such." He was rearrested, tried by court-martial, and, despite his written defense, dishonorably discharged from the army. He then was sent to Fort Delaware and told that he must go to Dry Tortugas for the period of the war.[59]

Complaints began to be heard as early as the fall of 1861, about a Lieutenant Colonel William C. Davies of the Second Michigan Cavalry—"If, indeed," one writer added, "he holds the rank in the service of the United States which he professes to do"—who was distributing handbills calling for five hundred "young men of good habits and character accustomed to farm labour and the care of Horses," to whom steady work at good wages was offered—"$13 a month and upwards, with good board and clothing," and traveling expenses to Detroit upon the duly certified statement of a railroad agent at the point of departure. The similarity of pecuniary returns to those offered at that time by the army could hardly escape Canadian authorities. The handbill was signed by J. N. Tillman and was being circulated broadcast by mail; eight hundred copies were distributed in Hamilton alone, and it did not pass unremarked that Lieutenant Colonel Davies had been seen in uniform in Hamilton (which is only seventy miles north of Buffalo) only a few days earlier. Furthermore, it was charged that he was there, "according to his own confession, to offer Capt. Villiers of the Field Battery, a major's rank and $200 a month." [60]

Naturally, the advertisements in the papers, the handbills, the tales of the kidnapping and the enticing of men to the United States, combined with the lure of high wages attracting labor from Canada, could not fail to disturb Canadian officials and editors. The Quebec *Daily News* did not mince words in mid-August, 1863:

[59] James Fitzgerald to Lord Lyons, Fort Jefferson, Florida, December, 1864, *ibid.*, LXXIV. Dry Tortugas, a barren isle south of Florida which was being used as a Federal military post, was to American prisoners a synonym of desolation.

[60] The above charge is made in a letter from Edmund Neal to Lord Lyons, October 10, 1861. He sent a copy of a letter from Lieutenant Colonel Bowder of the Canadian militia at Hamilton: "I shall be obliged if Your Lordship will call the attention of the United States Government to the conduct of the person calling himself Lt. Colonel Davies. . . ." The writer declared that Colonel Davies "made no secret of his purpose." *Ibid.*, XLII.

> An advertisement appears in today's paper calling for 500 laborers to work on the Great Western Railway, Ohio. The wages offered is $1.25 per diem. We do not think that the party who brought this advertisement to our office would willingly lend himself as a recruiting sergeant in Canada for Uncle Sam, but we deem it our duty nevertheless to put the laboring classes on their guard against being caught in any such trap. There are plenty of laborers idle in the large cities of the Northern States who would be willing to work on the terms offered, and therefore we look upon the demand for laborers from this section as only a ruse to catch substitutes for unwilling conscripts. When those who may go are conveyed into the centre of the State of Ohio, they will be too far removed from home and friends to seek redress.

The newspaper then reminded its readers of the experience of some laborers from Ottawa who had been inveigled by a contractor named McDonnell into the States, drugged, and put into the Northern army uniform, and whose claims of British citizenship brought only ill usage. The editor then threatened to publish the name of the person inserting the advertisement in that day's issue.[61]

The Quebec *Chronicle* not a great deal later stated baldly with regard to items in the French papers, "It would appear from the statements of several of our French Canadian contemporaries, that the steady and continuous drain upon the rural population of Lower Canada has commenced to assume alarming proportions. The *Journal de St. Hyacinth* [a town near Montreal], in a recent issue, alludes to the fact of a very large number of active young men leaving that town and the surrounding parishes, in order to obtain, in the United States, a market for their labor." [62] The Montreal *Transcript* expressed alarm over the loss not only of the French element but also of the English-speaking population. The writer expressed, moreover, his belief that most men went to replace the American laborers who had been drained off to the war but frankly stated that he personally was not aware of emigration to such an extent as was claimed.[63]

[61] Quebec *Daily News*, August 18, 1863. This is found with Dispatch No. 73 from the United States consul at Quebec. Consular Dispatches, Quebec, I. This newspaper is not otherwise available in this country.

[62] It was impossible to determine the exact date of this clipping, sent by the consul at Quebec with his Dispatch No. 132 (undated), but it was obviously after August 20, 1863, the date of his Dispatch No. 73. It was also after December 13, as appears from Note 63. (Neither of these papers is available in this country.)

[63] Montreal *Transcript*, December 13, 1863. This clipping was sent with Consular Dispatch No. 132 from Quebec by Consul Charles Ogden. Consular Dispatches, Quebec, I.

The matter then received an airing in the lower house of the Canadian legislature on September 7, 1863, on the day when Lord Lyons on a visit attended a session. One member sought information from the government in relation to organized recruiting in Montreal for the United States Army. He held in his hand a placard, which he had been told had been widely circulated in Montreal, stating that two hundred men were wanted for government service in the United States, to whom $200 would be paid at once and who would ultimately receive $500 in addition to clothing and pay. Applicants were invited to apply at Ogdensburg, New York, where they would be inspected. Another speaker also reminded the house that Canadians had been offered work at high wages in the States, but, that the road to employment lay through New York, where the deluded workers had often in the past been forced to enlist in the army. Members were reminded that the Foreign Enlistment Act and the Queen's Proclamation of 1861 made it a misdemeanor to enter another country to enlist. The proper minister promised that care would be taken to detect and punish such infringements of the law.[64]

Charles Ogden, United States consul at Quebec, had already made on August 20, 1863, in regard to the advertisements for laborers which had so exercised the press of that city, a report worth quoting: "I deem it right to place upon record in the state department, my investigation relative to this and similar advertisements for laborers, farm hands, etc, that have appeared from time to time, as the necessities of the advertiser required; as the daily papers have often warned the people of Canada from engaging with said advertising parties, insinuating and in some instance, openly stating that they were federal recruiting agents in disguise. I have yet to find that any one party or parties, were in any way direct or remote, engaged with any recruiting service in any state of the union." In this particular case, he added, the principal contractor upon the railway under construction was a former member of Parliament; the subcontractor, chief engineer, and chief superintendent were all residents of Canada (except when engaged upon similar enterprises) and had no intention of renouncing their allegiance to the British realm.[65]

Meanwhile, however, a refutation of the charges of dishonest advertising—by the contractor who had inserted the advertisement for the labor-

[64] Consul Ogden, in reporting to Seward the situation in Canada, gave a résumé of the parliamentary session of September 7, with the substance of the speeches and names of the speakers. It was pointed out how difficult it was to trace persons placarding a city by stealth. Enclosure No. 1, Dispatch No. 82, September 10, 1863, *ibid.*

[65] Ogden to Seward, August 20, 1863, *ibid.*, No. 73.

ers for the Atlantic and Great Western Railroad Company of Ohio in the papers of August 18—had appeared in the daily journals: "I now offer to furnish a free ticket to the works and back, and also pay the parties' time, if any man in Quebec who is of standing will agree to go to the works and give a truthful statement of the whole matter on his return. I will deposit $100 in the hand of any gentlemen in Quebec to bind me in the above, provided any other person in that City will stake the same amount. I will also deposit a like amount if any British subject has been forced or drafted off the works or been induced by any person in the employ of the Company, to enlist in the Northern army. The last amount to be paid to any charitable institution in the City." [66]

Deplorable as were all of the instances of kidnapping, there were certain types of cases which were truly pitiable. Among these were a number of old British soldiers and sailors. It would seem that David Brooks, for twenty-one years in the British army, an outpensioner of Chelsea Hospital, was entrapped while en route to Canada and sent to the Forty-first New York at Folly Island off the South Carolina coast. The state of mind of these old soldiers still loyal to the British flag is well exemplified by Brooks's letter to Lord Lyons: "My Lord it is out of my power to give you an idea of my anxieties and trouble of mind during the four months I was on the island [Folly Island] without my Papers. A thousand times I conjured up the infamy that would be attached to me and my family when it should be reported at home that I deserted my flag after nearly twenty-two years faithful service in the field and camp as my discharge can certify." [67] John Crozier Lloyd was discharged on January 3, 1856, from the British army after eight years in the Eleventh Regiment of Hussars. About the end of January, 1863, while intoxicated, he was enlisted at Buffalo into the Ira Harris Cavalry and taken to Staten Island. Though he applied repeatedly to his superior officer for permission to see the British consul, he was insultingly refused. He was denied a discharge even though he held from a British regimental surgeon a certificate of disability caused by injury to his leg. On one occasion when he tried to escape to see his consul, he was, he asserted, tied by the thumbs for eleven hours. He also claimed certain knowledge that there were at least two hundred British

[66] This appeared in the *Journal de St. Hyacinthe*, September 4, 1863, and also in the *Canadian Journal and News*, presumably on the same date. Ogden does not state whether the latter paper was published at Quebec or elswhere.

[67] Lyons to Seward, June 5, 1864, Notes from the British Legation, LXIV.

subjects in the same regiment enlisted under similar circumstances.[68] Another case is that of Thomas C. Cannon, who had served in the Crimean War and was entrapped in Albany en route to Troy, where he meant to seek work as a stonemason. One glass with two soldiers proved his undoing, for he awoke in a police-station cell. Despite his protests that he was a British subject and still liable to military service if called up, he was examined by a doctor, escorted under guard to barracks, and finally sent to Newport News. Because he refused to perform any duty, ill-treatment was his portion.[69] The plight of Patrick McCann, another old soldier enlisted under the usual deplorable conditions, engaged the attention of such high British officials as the Secretary for Foreign Affairs and the Field Marshal Commander in Chief of the British Army.[70]

The entrapping of grown men by the various tricks of the runners is enough of a blot on our history; the entrapping of minors, sometimes mere lads, is something over which the historian must blush. The number so enlisted and brought to the attention of the State Department, when the enrollment of American sons under twenty-one except with the consent of their parents or guardians was illegal, is appalling. Of the hundreds of instances reported to Seward, a few of the most glaring will be presented. In the first place, it is necessary to know what legal basis foreign parents had on which to claim for their sons the right to discharge from the army. The point of departure was the Act of 1850, under which the Secretary of War was to order the discharge of any soldier under twenty-one years of age upon evidence of enlistment without the consent of parent or guardian. General War Order No. 14 of August 28, 1854, embodied the opinion of the Attorney General and would exclude minors whose parents or guardians were not domiciled in the United States.

The question arose early with Great Britain, for although the American

[68] Deposition of John Crozier Lloyd, *ibid.*, XLIX. The number may be an exaggeration, but that there were many Britishers in the regiment is amply testified to by the Descriptive Books of the Ira Harris Cavalry (There were three regiments of cavalry of this name—the Fifth, Sixth, and Twelfth New York Cavalry). Angus McDonald was one member of Company E whose physical qualifications left much to be desired: his one leg was lame, one arm was stiff from a broken bone, and he was suffering from tuberculosis! *Ibid.*

[69] Lyons to Seward, January 24, 1863, *ibid.*, LXVIII. He was put into Company B, Fourth Regiment (the One Hundred and Seventy-fifth) of Corcoran's legion. He was seized October 11, 1862.

[70] When Seward reported that the discharge of McCann was not recommended, Lyons intimated the interest which the case was arousing in England. *Id.* to *id.*, June 5, 1864, *ibid.*, LXIV.

Secretary of War refused to assent to the discharge of minors who had enlisted without due consent of parents or guardians, Lord Lyons held the belief that he was entitled to claim such discharges; by October 10, 1861, he had already made numerous applications for discharges, and by December 9 he had sent a list of nearly a hundred British minors enlisted in the Union army.[71] Some anxious parents besieged Lord Lyons with distressing letters, and others made long journeys to secure by their personal presence the discharge of their sons. Seward informed the British ambassador on December 11 that a discharge would be granted in each case where the proof was considered adequate. Lyons admitted later that discharges had, in general, been granted in all cases where sufficient evidence was adduced. However, Seward also stated that the President was about to ask for revision of the law; hence the Secretary of State would not take up any new cases until the legislation had been considered. In fact, Congress did on February 13, 1862, pass an act which relieved the Secretary of War from discharging minors. Lyons, however, continued to press for the release of minors who had enlisted before the new act had come into operation.[72] He accordingly pressed for the release of Richard Lambert, aged sixteen, who had been for more than three years at the Wesleyan Collegiate School at Dublin and, without the knowledge of his father, had left school in July, 1862, to join a ship at Liverpool for California. Before long the father learned that his son was serving as a common sailor aboard the United States frigate *Narragansett*—a post, as his father felt, utterly unsuited to his education and family status. Influence counted in this case, as it usually does; thus, when Lord Russell, Minister of Foreign Affairs, brought pressure to bear on the British ambassador, the United States acted promptly to release Richard Lambert.[73]

The respect which the British held for American law, however much they may secretly have disagreed with that law, did not extend to the kidnapping and coercion of British minors. The case of Richard Doherty from West Canada is interesting because of the extreme youth of the "soldier." He had entered Oberlin College and enlisted under "undue pressure," his father, Captain Doherty, felt. As the son was only fourteen

[71] See the communications of Lyons to *id.*, November 4, 1861, *ibid.*, XLII and December 9, 1861, *ibid.*, XLIII. See Volume XLIII for the amended list of British minors with the regiments in which they were serving.

[72] *Id.* to *id.*, May 24, 1862, *ibid.*, XLIV.

[73] *Id.* to *id.*, April 30, 1863, *ibid.* Seward had acted before May 5, 1863, for that is the date on which Lord Lyons thanked the Navy Department for the "obliging readiness in the discharge of Richard Lambert." *Ibid.*

years old, the father refused consent for his enrollment and sent the boy's mother to camp at Cleveland to bring him back home. The officers and men at the camp evaded her questions, denying any knowledge of the lad, so that it was by accident that she discovered him. Fearing efforts to detain him, she did not deliver the affidavits of his age, which she felt would be useless, but induced him to go off at once with her. The father wanted a regular discharge to obviate the possibility of the son's arrest as a deserter in the event of his ever returning to America.[74] The fact of such discharge does not appear, but obviously the son reached his home in Canada.

A particularly aggravated case was that of Michael Quinn, seventeen, who had in January, 1863, emigrated from Ireland with his sister-in-law to Portland, Maine, en route to San Francisco. As the sum advanced by a brother was not sufficient for the fare of both, they agreed that the sister-in-law should go on and Michael should remain in New York until more money arrived from the brother. Enticed by an offer of work from some runners, he accompanied them to a rendezvous, where he changed his clothes, evidently for a uniform, and was taken to the receiving ship *North Carolina* to serve as a seaman. He managed to get a note to his uncle, John Quinn, who visited him and brought the facts to the attention of the British consul on February 4, 1863; the consul wrote to Admiral Hiram Paulding, who in turn referred the matter to the Secretary of the Navy. An order from the Navy Department directing a thorough examination did not prevent Quinn's being conveyed to Cairo, Illinois, to join the Western Flotilla. Before arriving at that point, he leaped from the train while chained to another man and was seriously injured. An Illinois farmer and a physician gave him harborage and medical attention. After he recovered from his injuries, he returned to New York, where he made a full statement to the consul before he carried out his original plan to go to California. Consul Archibald's plea for an indemnity was supported by Lyons with an appeal to the "benevolence and compassion not less than to the justice of the government." [75]

[74] Captain Doherty to Lyons, November 20, 1862, *ibid.*, XLVII, and Lyons to Seward, November 7, 1862, *ibid.*

[75] The soldier to whom he was chained escaped injury because the handcuff was slipped over his hand. For the details of this case, see Deposition of John Quinn at New York, February 4, 1863, *ibid.*, XLIX; letter of Jeremiah Pittinger, Illinois farmer, to Henry Ward (the man with whom Quinn stayed while in New York), Salem, Illinois, February 25, 1863, *ibid.*; and Archibald to Lyons, March 12, 1863, *ibid.* See also letter of Archibald to Lyons, July 8, 1863, *ibid.*, LIII.

The case of Samuel Tillotson will serve to show how inadequate was the action of reviewing boards on these cases. A mother came all the way from Bowmansville, Canada, to Boston in search of her fifteen-year-old son. A resident of Boston had decoyed the boy from home by telling him that his uncle had found work for him in Buffalo and had arranged for his expenses to that point. In Buffalo there was, of course, no uncle; but the plot broke down when the youth refused the proffered drink. The man then threatened him with arrest if he did not at once repay the travel expenses. This inevitably led to the suggestion of enlistment as the alternative. The mother succeeded in getting an inquiry ordered at Fort Independence, but before the inquiry could be made, the lad had been sent on to the Army of the Potomac. The mother found her son at Fort Independence on October 4. Here more tricks were played. The lieutenant colonel, to vindicate the recruiting officer, secured from the lad an affidavit that he had been accompanied to Buffalo by his guardian, but the fact still remained that an oath under durance was void. When the Board finally met, its members found that Private Tillotson was, in their opinion, fully seventeen years of age. The examination was made without the knowledge of those acting for the mother, no witnesses were called, no testimony was introduced, and the proceeding did not, in the opinion of Hanson Hawley, who acted for the mother, "rise to the dignity of a decent farce." When Hawley asked a Board member on what evidence the Board had based its opinion, the member replied with a smile that they had judged only by the boy's appearance. To the credit of Hawley, it must be added that he wrote Governor Andrew and tried to get some redress for the lad and his mother.[76]

The number of cases of enlistment of French minors presented to the Department of State by the French minister at Washington amounted to only twenty-seven for enlistments dating from September 25, 1861.[77] Particularly touching, however, is the case of a French lad whose story has come to us from Confederate sources. An officer of the Southern army heard a lamenting cry, "O! Mon Dieu! Mon Dieu!" which proved to come from a French boy who did not appear to be over seventeen years of age. He had been inveigled into enlisting in the Northern army, had been put in the cavalry, and was in the front line with his captain when ordered to charge. He soon found that the rest of the company had been cut off,

[76] Hanson Hawley to Governor John Andrew, October 15, 1864, *ibid.*, LXXIII.

[77] Notes from the French Legation (scattered through Vol. VI).

so that he and the captain were surrounded by the enemy. Because he did not understand the demand to surrender he continued to slash with his saber until he received a serious scalp wound. One of his captors spoke enough French to understand the boy. The writer added, "I think the boy would have died of fright and grief or become insane if it had not been for us." [78]

The carelessness in impressing feeble-minded and insane persons was beyond belief. The case of Cornelius Garvin, whose British mother spent six weeks in a journey from camp to camp in Virginia in search of her only son, affords a striking illustration of the ills stemming from such wrongdoing. The boy was sold as a substitute in September, 1863, by the heartless keeper of the asylum at Troy, New York. Before the order for his release reached Riker's Island, he had been sent to Alexandria and thence to various stations; but no trace of him could be found after February 14, 1864, when he was being drilled in the Fifty-second New York Regiment. His case attracted the attention of General John A. Dix, who was anxious to discover the parties to the villainy, including the medical examiners. The mother testified that once before he had been induced to enter the military service but had been discharged. This was not the only case of insane persons being accepted in the army.[79]

The reader will be interested in knowing how many cases of kidnapping and coercion of one sort or another and how many cases of illegal drafting (drafting done on the basis of technicalities or by arbitrary action of draft boards) there were. The reader will recall that Lord Lyons sent in almost a hundred complaints in behalf of British nationals in the fall of 1861. A count of all the cases which were discussed in Seward's correspondence with the various diplomatic representatives does not yield unassailable figures, since there were cases of impressment which never came through to the ambassadors because of inability to make contact or despair of ever escaping from the net. For what the figures may be worth, it may be stated that the British legation presented some 235 cases; the French, 50; the Italian, 22; the Scandinavian, 11; and the German, a negligible number. On so large a scale did impressments occur that the careful reader of

[78] Frederick W. Wild, *Memoirs and History of Capt. F. W. Alexander's Baltimore Battery of Light Artillery, U.S.V.* (Baltimore, 1912), 92–93.

[79] Acting Consul Pierrepont Edwards, at New York, to Lyons, October 15, 1863, Notes from the British Legation, LV; Archibald to *id.*, March 28, 1864, *ibid.*, LXII; for the case of John S. Sturgis, see Lyons to Seward, May 19, 1864, *ibid.*, LXIV; for the case of Jeremiah Barrett, see Barrett to Lyons, March 30, 1864, *ibid.*, LXXIV.

Seward's correspondence, incoming and outgoing, on this one subject marvels that Seward had time to attend to any of the other duties incident to the secretaryship of state.

The vast majority of the United States officials were upright men, condemning such vile practices when they were brought to their attention. We have seen the attitude of General Dix in the case of the insane British subject. General N. J. Jackson wrote on January 28, 1864, concerning the treatment of the Britisher James Murphy, "This is a most aggravated case, [*sic*] the rascality it discloses among recruiting Parties is shameful." [80] A head surgeon of the Forty-seventh New York Regiment urged a British subject to lay his case before Lord Lyons and promised the Britisher to furnish additional information concerning his drugged condition upon arrival if it should be desired.[81] Likewise, the assistant surgeon at Camp Bradford near Baltimore reported to the British consul at New York fully on three colored men from St. Vincent's who had been kidnapped from the *Bounding Billow* and put in as substitutes. The commander of the receiving ship *Vermont,* at the Navy Yard in New York, wrote Admiral Paulding, suggesting that the Britisher Francis Ashton, who had been arrested aboard a British merchant schooner as a deserter and delivered to the *Vermont,* be discharged.[82] The difficulty almost always lay with the subordinate enrolling officers; with the low "crimps," who made the profits from delivering recruits and robbing them of a large part of the bounty; and with the police, against whom the evidence is overwhelming. Governor John Brough of Ohio was convinced that at least one half of the subordinate provost marshals were involved in the corrupt dealings, it will be recalled.

It is apparent that knowledge of the traffic had percolated through to high officials by the close of the war. Indicative of this fact is a letter from an assistant provost marshal to Colonel John Ely in relation to three colored men from the *Phoenix* who enlisted under false names: "As complaints of this kind had been made in several instances in the cases of colored men in filling a former draft, we have been very careful to question every colored man brought to this officer, and did so with these men. . . . I have ascertained the names of the runners who brought the men from

[80] General N. J. Jackson, quoted by Lyons in his letter to Seward, January 28, 1864, *ibid.*, LIX.

[81] Ebenezer East to Lyons, from Hilton Head, South Carolina, March 2, 1864, *ibid.*, LXI.

[82] J. T. Brown, assistant surgeon at Camp Bradford, October 23, 1864, to the British consul at New York, *ibid.*, LXXII; Commander of the *Vermont* to Admiral Paulding, *ibid.*, LXXVI (letter undated).

New York, and they can be arrested whenever an order is given to that effect." Colonel Ely had the colored men detained and also arrested the men concerned in the enlistment and held them to bail in the sum of $1,000. General Dix then sent all the papers in his office relating to the case to the Adjutant General and a report to Consul Archibald.[83] Even then there had been variation in the stories of the men to Archibald and in Colonel Ely's report from the provost marshal at Elizabeth, New Jersey. By the spring of 1864, reporters and editors of the daily metropolitan papers were alert to the situation and were printing frequent notices of the unlawful proceedings. General Dix sent a report on the outrage to the legislature of New York. It is a commentary on human nature that these contemptible men, relatively few in numbers, should add to the burdens of upright leaders at the head of the state.

There were, of course, some discharges of foreign subjects wrongfully impressed into the military service, though these occurred in smaller numbers than the modern citizen could wish. There were also, on the other hand, refusals to discharge foreign subjects and interminable delays and evasions, partly owing, no doubt, to the exigencies of war. Secretary Cameron set the example in the first October of the war by denying all of the requests for discharges, which were "daily pouring in from various quarters, and which multiply with the encouragement given by each fresh discharge." [84] The British ambassador received little satisfaction from the State Department. In the period from October 28, 1862, to April 23, 1864, there went from the British legation no less than twenty-two inquiries about British subjects, apparently without tangible results.[85] Delays occurred even after a discharge had been granted. For instance, Seward notified Lord Lyons of the discharge of a Canadian minor in the Third Wisconsin Regiment on March 7, 1863; almost six months later, on August 25, 1863, the father wrote Lord Lyons that an officer had informed his son that there was no order for his discharge.[86]

[83] Captain W. M. Shipman, assistant provost marshal at Elizabeth, to Colonel John Ely, January 17, 1865, *ibid.*, LXXVI.

[84] Secretary of War Cameron to Seward, *Official War Records,* Ser. 3, I, p. 563. Cameron specifically refers to discharges requested by Lord Lyons, which, he regretted, "It is not in my power to accede to."

Seward used much more diplomatic language to Lord Lyons. He regretted "that in obedience to a rule which it was necessary to adopt, he [the Secretary of War] is unable to grant the discharge." Notes to the British Legation, IX, 13.

[85] Notes from the British Legation, XLVIII and XLIX.

[86] Chargé d'Affaires Stuart to Seward, September 7, 1863, *ibid.*, XLV. The person in question was William Alexander Doyle, who had enlisted under the name of John Doyle.

Long and inexplicable periods elapsed without action being taken. Lord Lyons complained that three months had elapsed without action since he had made application for the release of Robert Cooper; that James MacHugh was not free two months after the Military Commission had recommended his release; and that Richard S. Lee was not free one month after the Secretary of the Navy had sent the order for his discharge. Seward stated on May 18, 1864, that Charles Lamb had been discharged, but the British consul at Philadelphia reported on June 8, 1864, his capture in the battles in Virginia. His discharge came too late, for on December 21, the same consul reported his death at Andersonville on August 18.[87] Neal McMonigal and Michael King, who claimed the right to exemption as aliens, were sent to Morris Island and then to the rendezvous in Philadelphia, where they were detained in prison five weeks without action, awaiting Seward's decision. Where an order from the War Department for the return of men to headquarters was not followed up by an explicit order to proceed with an investigation, such men remained prisoners. McMonigal was finally released early in May, 1864, after detention since mid-January; however, King was still being detained on June 7, 1864.[88]

In view of the multitude of charges of drugging and swearing in of the victim without his knowledge, it is difficult to feel that the lower recruiting officers had always been as careful as two at the Cherry Street rendezvous in New York professed to have been: the surgeon declared that it was his invariable rule never to make examinations when the men were intoxicated; Henry Laler, acting master, wrote that he did not hesitate to say that the statement of a William Smith that he was shipped " 'without his knowledge or consent' was wholly and utterly untrue." [89] Certainly, there has been in these pages much evidence of connivance of the city police in New York with the "crimps."

Seward himself, in the face of the preoccupation of the Secretary of War with military problems and the lack of decisions on many cases, had to be noncommittal, merely stating that the case had been referred to the War or Navy Department, sometimes promising a prompt investigation,

[87] For Cooper, see Lyons to Seward, June 15, 1864, *ibid.*, LXV; for MacHugh, see *id.* to *id.*, April 28, June 5, 1864, *ibid.*, LXIV; for Lee, see *id.* to *id.*, June 4, 1864, *ibid.*, LXIV; for Lamb, see *id.* to *id.*, June 8, 1864, *ibid.*, LXIV; and Consul Charles E. Kortright to Burnley, December 9, 21, 1864, *ibid.*, LXXIV. Much correspondence followed as late as March 30, 1865, with regard to an allowance to the mother of Charles Lamb.

[88] Kortright to Lyons, February 26, 1864, *ibid.*, LX. For release of McMonigal, see *id.* to *id.*, June 7, 1864, *ibid.*, LXV.

[89] Report of Captain Oscar Bulles, Recruiting Officer at Cherry Street Rendezvous, *ibid.*, LXI.

sometimes saying that the case had been "submitted to the favorable consideration" of the Secretary of the Navy or of the War Department.

Sometimes the alien was guilty of neglecting to mention pertinent facts in his affidavit to his consul. John Jones, whom the consul had reported as kidnapped on January 21, 1864, into the De Kalb Regiment, failed to mention that he belonged to the British Fourth Regiment of Lancashire Militia and that it was his duty to present himself at the beginning of the next month for twenty-eight days of drill, in default of which action he would be considered a deserter; also he did not add that he had a wife and family in England entirely dependent upon him. Lord Lyons had to come trailing along with this information three months later.[90] Furthermore, the government had to be constantly alert to false representations by persons seeking to evade service.

Some exemptions, discharges, and even reparations remain to be noted. On the whole, as would be expected, it was in the matter of discharging minors that the government was the most co-operative.

On September 24, 1861, orders for the release of a British minor, Thomas Sinclair, from the Sixth New Jersey Regiment were issued. Three days later Seward sent notice of the discharge of two Irish lads. On April 18, 1862, he again notified Lord Lyons of the discharge of a number of British minors.[91] Likewise, record exists of the discharge of several French subjects who were minors.[92] The search revealed, of course, discharges of other aliens of various nationalities, but, as indicated by the diplomatic correspondence, they certainly were not numerous; in fact, there is a striking difference between the number of alien subjects represented as impressed into the service as compared with the number released. Only nine French subjects, in addition to those under age, have been noted as discharged. It is impossible to attempt to give any figures in connection with discharges of British subjects because of the indefiniteness of such statements as that made by Chargé d' Affaires Stuart when he acknowledged to Seward "the release of the *rest* of the British subjects who had been

[90] Letter to Seward, April 24, 1864, *ibid.*, LXIII.

[91] For these releases, see Seward to Lyons, September 24, 1861, Notes to the British Legation, IX, 8, 9; and Lyons to Seward, April 18, 1862, Notes from the British Legation, XLIV. In his letter Lyon calls attention to those who had not been released "through some error."

[92] This group was compiled by the author from communications of Seward to the French minister, Henri Mercier. They included the following: Alphonse Surgent, released October 21, 1862; Joseph Enderlin, released October 21, 1862; Gilbert Moise, applied for discharge January 30, 1863, released June 20, 1863; Émile Joseph Miget, discharged June 15, 1863; Leon Paul, applied July 14, 1863, discharged July, 1863; and Michel Weltz, discharged October 8, 1863. Notes to the French Legation, VII, 133, 231, 230, 236, 273, 216.

drafted in Pennsylvania." [93] Lyons, in writing to Seward about the kidnapping of Ebenezer Tyler from Canadian territory, said that the Governor General conveyed his cordial thanks through Lord Lyons "for the promptitude and for the ample redress made by the government of the United States." [94] The drafting of Alex Gau, chancellor of the Prussian legation, was an error and was promptly rectified. The discharge of John Icorokfalvi, a Hungarian who had been enrolled on April 12, 1862, for three years, came with unusual speed; for he was discharged on May 23, little more than five weeks later. The discharge of a lone Swede through Count Piper's protest is on record.[95]

After bounties reached astronomical proportions, they became a serious factor in the release of kidnapped persons. The War Department took the position that certain recruits would be released upon refund of the bounties and substitute money. Sometimes these were paid under protest by the father, who was anxious to release his son on any terms; it was rare indeed that the victim had received all the money to which as a recruit he was entitled.[96] Sometimes this condition created the greatest possible difficulty and distress, as when the parent was poor, which often proved to be the case. The mother of Samuel Tillotson, to take a single concrete instance, could not pay the expenses for the discharge, let alone return the bounties; for, as a matter of course, "it mostly went into the pockets of the men who decoyed him from his home by false pretenses. . . ." [97] The author feels that when everything is taken into consideration, it must in fairness be said that the diplomatic representatives of the foreign governments dealing with this harassing subject took a fair and reasonable attitude toward,

[93] Stuart to Seward, November 5, 1862, Notes from the British Legation, XLIII. A few discharges appear in Volume XLIX.

[94] Lyons to *id.*, May 9, 1863, *ibid.*, LI.

[95] For Gau, see Notes from the Prussian Legation, III; for the Hungarian, see Consular Dispatches, Altona, II, No. 56; for the Swede, Ole Michelson, see Notes to the Swedish Legation, VI, No. 107.

[96] Samuel Potter wrote Earl Russell, October 29, 1864, that Henry Delafield, Esq., of 269 Fifth Avenue, New York, had been instructed to pay the money and send it to Lord Lyons. Potter continued, "But as Y.L. will see by my declaration, my son only received a small portion of the bounties to which he was entitled." Quoted by Joseph H. Burnley to Seward in his letter of November 11, 1864. Notes from the British Legation, LXXIII.

[97] Hanson Hawley to Governor Andrew, October 15, 1864, *ibid.* The extreme hardship of such a demand is illustrated by the case of James Walsh. He was to be discharged when he refunded $450 to the United States, although he received only $100, which he had paid over to his brother and which the brother had transmitted to the mother. See John Walsh to Lowell, February 13, 1865, *ibid.*, LXXVI.

and manifested patient understanding of, the problems besetting a government at war.[98]

The protests against impressment of foreign subjects and against the practices of the kidnappers and bounty brokers poured into the files of the Department of State with undiminished frequency, becoming stronger as the enormity of the wrongs practiced became more clearly revealed. The British ambassador's views were necessarily largely colored by the reports sent him by the consuls of his country. The consul stationed at New York, where the largest number of foreign boats docked, where the largest immigrant population was congregated, and where a corrupt police force was in control, experienced the evil situation in its most aggravated form, and so from E. M. Archibald came the most vehement denunciations. As early as March, 1863, he suggested that the consul or someone appointed by him have in these cases access to the complainant in order to test the truth of the charges, a position later strongly supported by the ambassador. Lord Lyons pointed out that this method would prevent the submission of unfounded complaints and expedite redress of real grievances.[99] The consul revealed a judicial attitude of mind. A little later, on March 31, 1863, he wrote, "Making great allowances for exaggerated statements, there can be no doubt that the complaints of abuses which have been practised in recruiting in New York are to a great extent well-founded; and, further, that many of the aggrieved parties are prevented from preferring their complaints to me. . . . From what I can learn . . . the unfortunate men, after being detained for a week or ten days, yield to their fate and accept pay." Again, about a month later, he frankly admitted "that were it not for the present troubles, Mr. Finn like many others, who have lived from almost infancy in this country, have married and become permanently domiciled here,—would hardly have asserted their rights as British subjects, were it not for the perils to which they are liable during the existing Civil War." [100] Archibald was still restrained when he wrote in the spring of 1864, "I have complained merely of a want of vigilance on the part of the Recruiting officer. . . . I am constrained to repeat that complaint. . . . To hold him to service on an engagement

[98] It is possible, of course, to trace through the diplomatic correspondence the legal positions of the American government and the British government on this issue, but the legalistic question hardly concerns this study.

[99] Extract enclosed in a letter from Lyons to Seward, March 14, 1863, *ibid.*, XLIX.

[100] Letters from Archibald to Lyons, March 14, 1863, *ibid.*, LIX.

entered into under such circumstances, would, as it appears to me, be taking a most unfair and unjust advantage of him." [101] But already a sharper note had begun to creep into his communications, which reached a climax in a lengthy report on conditions to Lord Lyons on February 22, 1864. He detailed the nature of the traffic and then stated baldly, "The seperate [*sic*] and independent statements made to me by individual sufferers, only serve to confirm the notorious fact of their vile and detestable practice." His dealings with the recruiting officers had brought him to a low opinion of them.

When Archibald submitted to the officer commanding the Naval Station complaints of fraudulent enlistments, they were generally referred to the recruiting officers at the Naval Rendezvous, at which the men appeared in order to be enlisted. A report made there in reply to complaints was almost invariably in the same terms: it declared that the recruit had complied with rules and enlisted voluntarily and was therefore guilty of gross falsehood. Archibald pointed out that the officers of the Rendezvous held, in most cases, a merely temporary rank in the navy. He then reported personal visits to the *North Carolina* (the receiving ship) and an interview with Captain Richard Worsam Meade (commander of the ship), who had frankly stated his conviction that the complaints of the victims were true and that they ought to be discharged. Meade had said further that the Recruiting Rendezvous was not, in his judgment, conducted properly, had read copies of two letters he had written to Admiral Paulding, complaining of the two Rendezvous Acting Masters, and had stated belief that the Rendezvous should be suppressed. Archibald wrote, "The separate statements of similar facts and circumstances by so many complainants, furnish a cumulative testimony in proof of the abuses and deception practised upon them individually, which cannot be rejected without greatly disregarding the interests of truth and justice." The case of the man from the *Bounding Billow* in the fall of the year he declared "one of gross villany on the part of the 'substitute brokers.' " [102]

Archibald's report of February 22 spurred Lord Lyons to a firm, if temperate, demand shortly afterwards: "It is not for me to suggest any particular measures to the Government of the United States, but it is certainly my duty to make an appeal to the justice and humanity of that

[101] *Id.* to *id.*, April 28, 1864, *ibid.*, LXIV.

[102] This long report is found in Volume LXI, under date of March 2, 1864. For Archibald's comment on the men entrapped from the *Bounding Billow*, see Archibald to Lyons, October 26, 1864, *ibid.*, LXXII.

Government and earnestly to request that a stop be put to a system from which British Subjects appear to suffer so often and so severely." [103] About this time also the British representatives began to insist on punishment: Consul Archibald asked General Dix for the punishment of the brokers who had carried off the men of the *Bounding Billow;* Lord Lyons asked not only that "measures be taken to bring to justice the perpetrators" of another outrage but also, in another communication, for the "prevention of a recurrence of such acts of fraud and violence." [104] Similar complaints came from the British consuls at Philadelphia and Boston and from the attorney general of Bermuda.[105] It is perhaps a sufficient commentary on the entire situation that a foreign government felt obliged to suggest means to combat the evil: consideration of the advisability of abrogating the regulations under which payments were made as bounties or payments for bringing in recruits.[106]

While the suggestions as well as the complaints from other countries were almost negligible compared with those from Britain, a few were encountered. The Prussian envoy Von Gerolt protested against the Conscription Act of 1863 as authorizing conscription of any Prussians who had preserved their nationality according to Prussian law.[107] If the amount of correspondence is any gauge, the success which crowned the efforts of Ambassador Henri Mercier to secure the discharge of Frenchmen who were enlisted was out of proportion to the effort put forth at the French legation. Sweden was perhaps the most generous of all countries in her interpretation of continuing Swedish citizenship. The foreign minister wrote the Swedish minister at Washington that after a Swede had formally declared his intent to become a citizen of another country, he saw no reason for granting him a protection which he had voluntarily renounced. The Swedish government was unwilling to encourage a mixed position, under shelter of which individuals could screen themselves from the citizens' duties as well toward the country in which they were born as toward that

[103] Lyons to Seward, March 7, 1864, *ibid.*, LXIV.

[104] Archibald to Burnley (first secretary at the legation), on the matter of the *Bounding Billow*, October 26, 1864, LXXII; Lyons to Seward, March 7, 1864, *ibid.*, LXI; *id.* to *id.*, May 14, 1864, LXIV.

[105] Kortright to Lyons, Philadelphia, August 11, 1863, *ibid.*, LIV; Memorandum (undated), citing remarks of the British consul at Boston, *ibid.*, XLV; Attorney General Gray to the Governor General of the Bermudas, Hamilton, Bermuda, February 14, 1864, *ibid.*, LXI.

[106] Burnley to Seward, November 16, 1864, *ibid.*, LXXIII. The suggestion was made as a means to aid Governor General Monck to protect the frontier against violations of this character.

[107] Von Gerolt to *id.*, May 6, 1863, Notes from the Prussian Legation, III.

in which they had freely chosen their residence. He ordered, therefore, that Count Piper inform the Swedish consuls to grant protection only to those who intended to remain subjects of the King of Norway and Sweden and intended to return to establish their domicile in the land of their birth.[108]

It seems superfluous to devote more than a single paragraph to discussion of the effect on the quality of the military service of the presence of the conscripted foreigners—whether conscripted legally through the draft or forced by one trick or another into the Union army. The quality of the army had deteriorated during the two early years of the war. The kind of men who sprang forward to respond to the President's first calls were no longer enlisting; many of them were already in the ranks, or dead. Foreigners who were enticed, kidnapped, or bludgeoned into the army could hardly make good soldiers. Either they spent their time in prison, claiming exemption as aliens or refusing to render service, or they performed their service sullenly or indifferently. Despite all the strenuous efforts of the government and the bounty brokers, the conscripts were relatively few. The product secured was clearly not worth the enormous sums expended by the government.

[108] Minister of Foreign Affairs Manderström to Piper, May 31, 1863, Notes from the Swedish Legation, IV.

CHAPTER SIXTEEN

Service During Period of Defeat

GENERAL FRÉMONT was criticized for appointing so many foreign-born officers to his staff. He had the choice, in the main, of selecting his officers from green native civilians or from foreign-born civilians who had had military experience abroad. Later he might also have foreign knights-errant or adventurers added to his staff from Washington.

It seems unnecessary to analyze meticulously the contribution of each of the principal foreign-born generals, apart from what has already been said, for it is obvious that promotion and the bestowal of brevet rank was in itself a measure of success as evaluated by the superior officers and by the authorities at Washington. Furthermore, no matter how brilliant the strategy, no matter how able the execution of the strategy by the maneuvers of the men commanding on the field, no war can be won except by the fighting qualities of the rank and file. It is exactly in this way that the service of the foreign-born troops must be measured. Did the conduct of the German Division at Chancellorsville cost the Union the victory? Did the Eleventh Corps help win the battle of Gettysburg? What did the Irish valor at the storming of Marye's Heights at Fredericksburg accomplish, despite the fact that Fredericksburg had to be written down as a failure? What credit is due the Wisconsin Germans when we note that the presence of the Twenty-sixth Wisconsin on the field was felt as a good augury? Did the Scandinavians of the Fifteenth Wisconsin actually contribute toward ultimate victory by preservation of their morale after Chickamauga, though they had lost their colonel? Individual acts of bravery (as the capture of a Confederate flag or the recovery of a lost cannon), whether they received the recognition of a Congressional Medal or not, were inspiring—and some of them have merited our attention—but they seldom determined battles. The battles were won by good officers directing the work of good soldiers in companies and regiments.