

Draft Resistance in Civil War Pennsylvania

HISTORIANS have long known that Civil War conscription was greeted with less than unreserved enthusiasm in New York, where draft riots erupted in 1863, in the Middle West, where Copperheadism flourished, and in the border states, where slaveowners and others viewed the Union government with uneasy eyes. But there was at least one more area in which the draft was exceedingly unpopular. This was Pennsylvania. An examination of contemporary newspapers and federal provost marshal records stored in the National Archives strongly suggests that opposition to conscription in the Keystone State was as widespread as in any other state of the North.

Pennsylvanians, however, have been justly proud of their state's war record, for by April, 1865, perhaps as many as 320,000 residents of the state had donned the blue,¹ a figure exceeded only by the more populous Empire State. As late as the summer of 1862, Pennsylvania with a population of less than three million had more men in uniform than New York with a population of nearly four million. But as the war became more onerous, provost marshals barely had time to solve problems in one township before difficulties arose in two others. Most frightening of all, there were stories of alleged conspiracies to resist the draft and to aid the Confederacy in Berks, Columbia, and Clearfield Counties. Though tales about these disloyal groups were often exaggerated, it was true that several officials were murdered while carrying out their official duties and that desertions were common in Pennsylvania.

In 1861, after it had become apparent that the war would last years rather than weeks or months, many ninety-day volunteers

¹ Sanford Higginbotham, William A. Hunter, and Donald Kent, *Pennsylvania and the Civil War, a Handbook* (Harrisburg, 1961), 2-3, 9.

lost their enthusiasm for soldiering, and officers found it difficult—if not impossible—to persuade their men to re-enlist for three years. Some Yanks bitterly declared, “Should we decline [to re-enlist] . . . we are told that we will be discharged in such a way as not to leave the service with honor.”²

By 1862, volunteers were so scarce that congressional legislation was needed to provide men for the army. However, the Militia Act of July 17, 1862, which authorized state drafts to supply the military with needed manpower, was so inadequate that a comprehensive conscription law had to be enacted on March 3, 1863. This second law, like that of 1862, exempted those men who were physically or mentally unfit or who were the sole support of aged or infirm parents. To help avoid the problems of 1862, an elaborate system for conducting the draft was set up involving a provost marshal and enrollment officers who were responsible for compiling lists of men eligible for conscription in each congressional district. These men were placed under the direction of federal draft officials for each state and the provost marshal general in Washington. A draftee was to be given ten days’ notification, and, if he wished to escape military service, he could furnish a substitute or pay a \$300 commutation fee. Draft resisters and those who obstructed the orderly prosecution of the law were subject to imprisonment and a fine.³

The law had been passed despite the opposition of several of Pennsylvania’s Democratic congressmen. Sydenham Ancona, who had failed in his efforts to reduce the commutation fee to \$200, warned in February, 1863, that unless the government ceased its infringement of civil liberties, he would find it impossible to continue his support of the war. Later that year he called the Conscription Act of March 3, 1863, “oppressive, unjust, and unconstitutional” because it was calculated to create a “military despotism,” to give the federal government powers belonging to the states, and to deprive alleged deserters of trial by a jury of their peers.⁴

² Alexander Harris, *A Review of the Political Conflict in America* (New York, 1876), 246.

³ Fred Shannon, *The Organization and Administration of the Union Army* (Cleveland, 1928), I, 305–307.

⁴ *Congressional Globe*, 37th Congress, 3rd Session, Feb. 25, 1863, p. 1293; *Appendix*, Feb. 28, 1863, pp. 162–163; 38th Cong., 1st Sess., Dec. 23, 1863, p. 95.

Lame-duck Congressman Charles J. Biddle of Philadelphia alleged that provost marshals provided by the law would promote anarchy and tyranny since they could summarily arrest anyone obnoxious to them or to their superiors. He told his colleagues that the principles behind the Conscription Act differed little from those that motivated the despotic governments of France or Russia. Congressmen Myer Strouse and John Stiles echoed these sentiments when they too voiced criticism of the draft law.⁵

A few days after the enactment of the Conscription Act of March 3, 1863, the Democrats of Crawford County assembled and passed several resolutions, one of which declared that it was unworthy of any American to "accept the office of enrolling marshal" under the federal law. At another meeting in that county provost marshals were likened to pimps, spies, and political informers. The judgment was harsh, for most of Pennsylvania's provost marshals were solid citizens. There were, of course, exceptions; one was a drunk who embezzled several thousand dollars from the government and at least two others had drinking problems.⁶

Whatever the personal characteristics of the provost marshals, the draft itself was quite unpopular. The Easton *Argus* of June 18, 1863, stated that military conscription was as desirable as an epidemic of small pox and that enrollment officers in most towns were as welcome as "a pack of mad dogs." It was not uncommon for enrollers to note that uncooperative citizens pelted them with rotten eggs and vegetables or that women chased them out of their houses.

Since most of those who were unwilling to support the draft law were Democrats, Unionists called their rivals unpatriotic cowards. Naturally the Democracy denied the allegation. The Meadville *Crawford Democrat* insisted on June 16, 1863, that "the butternuts [*the term as used here is a synonym for 'Copperhead'*] are willing to fight for Uncle Sam, but they are not inclined to fight for Uncle Sambo." An editor printed a letter from an angry soldier who declared that he was disillusioned after discovering that the war

⁵ *Ibid.*, 37th Cong., 3rd Sess., Feb. 23, 1863, p. 1215; 38th Cong., 1st Sess., Dec. 21, 1863, Feb. 3, 1864, pp. 74, 475, 478; Harris, *Political Conflict*, 311.

⁶ Meadville *Crawford Democrat*, Mar. 31, July 28, 1863; Eugene Murdock, *One Million Men: The Civil War Draft in the North* (Madison, 1971), 106, 116.

was being waged to promote emancipation rather than to save the Union. He had hoped that northerners would have enough courage to stand up "for their rights and not suffer another draft to be made in such a war as this." Franklin Weirick of Selinsgrove urged his friends to resist the draft until its constitutionality was affirmed in the courts. Until then, he said, "none but abject slaves will cheerfully or without earnest protest submit to it."⁷

Particularly galling to Democrats was the \$300 commutation which they interpreted to be an effort to make the conflict a rich man's war but a poor man's fight. Whereas the wealthy could buy their way out of the service, the impoverished farmer would be "ruthlessly swept into the ranks to waste his blood and sacrifice his life." Moreover, some stated, a number of provost marshals withdrew the names of Unionists from draft wheels and thus "the lottery of death" was more likely to select the names of Democrats than those of supporters of the war. When the only "free American of African descent" in Ebensburg was drafted, he tried to raise enough money to hire a substitute and asked for donations. Local Democrats, who were poor, contributed a total of five dollars, but the president of the local Union League, who was wealthy, pledged only to "give a *dollar and take it out in shaving*. Here then," wrote a resident of that city to an editor in Johnstown, "is the boasted philanthropy of the Union League."⁸

Though Democrats disliked the conscription act, most submitted peacefully. When W. H. Logan, who denounced the Lincoln administration as a "fanatical abolition party," was drafted, he "patriotically bought a ticket of Exemption." Peter Gray Meek, the antiwar editor of the Bellefonte *Democratic Watchman*, was also drafted, and, like Logan, he paid the commutation fee rather than resist the draft.⁹ Even the Johnstown *Democrat*, which called for opposition to the law, explained on July 8, 1863, that it did not advocate armed resistance. "The ballot box is our remedy," editor James Campbell told his subscribers, "and by yielding obedience to

⁷ Tunkhannock *North Branch Democrat*, Mar. 4, 1863; William Russ, Jr., "Franklin Weirick: 'Copperhead' of Central Pennsylvania," *Pennsylvania History*, V (1938), 250.

⁸ Johnstown *Democrat*, July 8, Sept. 2, 1863 (emphasis in original).

⁹ Logan to William Cairnes, Sept. 12, 1863, Cairnes MSS in possession of Mrs. Roy Keene of Christiana, Pa.; Bellefonte *Democratic Watchman*, Aug. 21, Sept. 4, 1863.

the law, distasteful though it may be, we may consistently require like obedience from our enemies when the law is on the side of the Constitution.”

Scarcely a county in Pennsylvania was free of draft problems in 1862, or in 1863. The most serious difficulties arose in the coal mining regions and counties in the central, southeastern, and southern parts of the state. Yet even in western Pennsylvania, where Unionist sentiment was stronger than in any other region of the commonwealth, a number of men made known their dissatisfaction with the draft. In 1862, men opposed to conscription in Fayette County allegedly constructed a fortified log cabin and announced that they would resist the law. The army sent troops to two rebellious townships to restore order, and it was later discovered that the men were angry because they believed their county had not been given proper credit for volunteers already furnished for the service.¹⁰

Draft officials reported a number of problems in the western part of the state in 1863. General William Brooks decided to remove Negro recruits from Pittsburgh lest there be a riot. In Washington County members of antiwar organizations were supposedly active in six townships, and the provost marshal called for troops after someone shot at enrollers serving notices on draftees. An enroller in Greene County reported that a group of men had threatened to hang him. When he returned from Pittsburgh, accompanied by twenty-three soldiers, the ringleaders fled to Virginia. After he arrested five deserters he encountered no more trouble. Many of Mercer County's 900 draftees spoke about resisting the conscription law but most later changed their minds and found a substitute or paid the \$300 commutation fee.¹¹

¹⁰ Philadelphia *Public Ledger*, Oct. 29, 1862; Tunkhannock *North Branch Democrat*, Nov. 5, 1862.

¹¹ John Cuthbertson to [?], July 19, 1863; Cuthbertson to Maj. Gen. William Brooks, July 23, 1863, Provost Marshal General's Bureau (PMGB), Twenty-Fourth District, Pennsylvania, Letters Sent (L.S.), IV, 66, 69, Record Group 110, National Archives. All items from this record group will be cited as PMGB with location in letter book specified. Washington *Reporter and Tribune*, July 29, 1863; Beaver *Argus*, Aug. 12, 1863; United States War Department, comp., *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1880-1901), series 3, III, 351-353, 543, hereinafter cited as *O.R.*; Dennis Ziccardi, "Conscription, Draft-Dodging and Desertion in Mercer County in the Civil War," *Mercer County History*, I (1971), 59.

George Eyster, the provost marshal for Fulton and Bedford Counties, which were located in the south-central section of the state, wrote of similar troubles. His enrollers complained that they could not complete their work because women were harassing them; such disruptions in Fulton County markedly declined after Eyster was instructed to arrest the unruly ladies. Unidentified persons burned the sawmill of one Bedford County enroller and the barn of another. The two men resigned, and, after a third enroller in the same county was shot, morale plummeted. When federal officials authorized the use of troops stationed at Carlisle for trouble spots, the draft was completed without further complications.¹²

In nearby southeastern counties draft officials met much opposition. In Lancaster, on July 15, 1863, as the names of draftees were being drawn, a mob of German-speaking residents gathered about the county courthouse to prevent the provost marshal from carrying out his work. The mayor asked the malcontents to disperse, but they ignored his pleas. Only when a posse of soldiers arrived did they return to their homes. An enroller was murdered in Montgomery County while trying to arrest a deserter; soldiers later apprehended the murderer and incarcerated him in Philadelphia. Mahlon Yardley, the provost marshal for Pennsylvania's Fifth District, reported that one of his men was forced to flee a tailor shop in Bucks County when the proprietor menacingly raised a club at him. Another was trying to enroll employees at a tannery, but gave up because he feared being attacked by a large dog. As he left, the men who had been uncooperative called him a "d——n dirty rascal" and threw stones and fired shots at his wagon. Yardley also noted that some unpatriotic men were observing the movements of his agents and were warning deserters whenever enrollers approached their homes.¹³

¹² George Eyster to Col. James Fry, June 8, 10, 11, 1863, PMGB, Sixteenth District, Pa., L.S., IV, 38-39, 47, 51, 55, 59-60, 75; O.R., ser. 3, III, 324-325, 341, 353, 550; Meadville *Crawford Democrat*, June 16, 1863; Bellefonte *Democratic Watchman*, July 31, 1863.

¹³ Mahlon Yardley to Col. C. F. Ruff, June 10, 1863; Yardley to Col. Fry, Oct. 10, 1863, PMGB, Fifth District, Pa., L.S., III, 11-12, 16, 79; A. W. Bolenius to [?], July 16, 1863, *ibid.*, Ninth District, Pa., L.S., I, 143-144; O.R., ser. 3, III, 244-245, 357; Philadelphia *Evening Bulletin*, June 15, 1863; Gettysburg *Adams Sentinel*, July 7, 1863; Harrisburg *Telegraph*, July 17, 1863; William Itter, "Conscription in Pennsylvania During the Civil War" (doctoral dissertation, University of Southern California, 1941), 125-129.

In Philadelphia threats of draft riots in 1863 caused residents to suggest that the enrollment be postponed. Fearing that any delay would only encourage similar agitation elsewhere in the state, the army sent General George Cadwalader to the city to suppress outbreaks of violence. The General, who had helped quell Philadelphia's nativist riots in 1844, made it known that he would tolerate no nonsense, and city officials reported no major draft problems that year.¹⁴

Agents in the central counties of the commonwealth were not as fortunate as those in Philadelphia. In 1863, twenty of the twenty-eight enrollers for Clearfield County resigned; seventeen of the twenty-five in Jefferson County and eight of thirteen in McKean County quit their jobs. Enrollers reported obstruction in Centre and Northumberland Counties, where secret societies supposedly flourished, and in Cambria County, where a government agent was told to quit his work or to "make peace with his God." Morale, already low, tumbled even further after a man arrested for assaulting an officer was freed on a writ of habeas corpus. Reuben Keller, former postmaster of Williamsport in Lycoming County, allegedly urged local Democrats to resist the draft and said that, if the government dared to arrest any of them, they should retaliate by burning the property of the Unionists. Though these words frightened the local provost marshal, there were fewer difficulties than he expected. Similarly, bands of Democrats in Union County spoke about causing trouble, but their actions did not measure up to their words. However, there was a disturbance when Union officers tried to arrest James Hummel, a deserter, at the funeral of his sister. Hummel wounded a soldier in the melee before he was fatally shot in the lungs. Women mourners attacked the injured soldier, and he was forced to flee the church.¹⁵

¹⁴ Philadelphia *Evening Bulletin*, July 25, 1863; *O.R.*, ser. 3, III, 543; Jack Leach, *Conscription in the United States* (Rutland, Vt., 1952), 327-328.

¹⁵ J. D. Campbell to [?], May 19, 1863, PMGB, Seventeenth District, Pa., L.S., II, 1; Capt. W. W. White to J. W. Butts, June 15, 1863; White to [?], July 4, 1863; White to M. L. Lutzer, July 6, 1863; White to Col. J. V. Bomford, July 18, 1863, *ibid.*, Eighteenth District, Pa., L.S., II (unpaged notebook); William Roshang to Eli Slifer, Apr. 27, 1863; S. D. Munson to Slifer, Nov. 17, 1863, Slifer-Dill MSS, Dickinson College; Harrisburg *Telegraph*, Mar. 24, 1863; York *Gazette*, May 12, 1863; Ebensburg *Democrat and Sentinel*, Oct. 7, 1863; Itter, "Conscription," 135-136; William Schnure, "The Fishing Creek Confederacy," *Northumberland County Historical Society Proceedings*, XVIII (1950), 96.

Such incidents spread to other parts of the state. Provost marshals in Pike, Monroe, Lehigh and Northampton deluged their superiors with accounts of the many difficulties they faced when trying to carry out the law.¹⁶ The most serious problems of all occurred in the coal mining regions. The miners, many of whom were Irish, had no desire to fight for the Negro, and peace men easily convinced them that emancipation was the sole aim of the war. Uneducated, overworked, underpaid and exploited, they saw no reason to leave their families and risk their lives to take up arms against southerners who had never bothered them. Despite efforts of enrollers to avoid trouble with the miners, serious affrays marred the drafts of 1862 and 1863.

During the state draft of 1862 enrollers reported that women and boys threw hot water, stones, sticks and other missiles at them. Some miners refused to be enrolled, and others ignored their draft notices. On October 16, a riot broke out in Tremont, Schuylkill County, when a train transporting draftees to Harrisburg was stopped by a crowd of 1,000 miners who were determined to prevent the induction of their friends. Order was restored only after Bishop James Wood, the spiritual leader of Pennsylvania's Catholics, toured the area and called for obedience to the law.¹⁷

In 1863, there was even more resistance to the draft in this area. In Carbon County an official of a coal mining company was murdered in his home because he had allegedly supplied draft officials with information about his employees. Charlemagne Tower, the provost marshal for Schuylkill County, reported that local citizens fired shots at a number of his enrollers and threatened others. He declared that his agents could not carry out their duties without troops; sometimes he was forced to seize the payroll books of mining companies to help him compile draft lists.¹⁸

There were those who blamed the Knights of the Golden Circle (KGC) for the widespread hostility to the draft, but it is not likely

¹⁶ Philadelphia *Evening Bulletin*, June 12, 1863; *Clearfield Raftman's Journal*, June 17, 1863; *O.R.*, ser. 3, III, 357; Itter, "Conscription," 129, 151.

¹⁷ Philadelphia *Public Ledger*, Oct. 25-28, 1863; Wayne Broehl, Jr., *The Molly Maguires* (Cambridge, 1964), 90-91; *O.R.*, ser. I, XIX, pt. 2, 46, 468-469, 473-474, 479-480, 489-490, 500.

¹⁸ *Ibid.*, ser. 3, III, 330-333, 351, 372-373, 382, 421, 459, 543-554, 562, 573, 590, 620, 629, 1004-1006.

that this suspicion was well founded. With good reason Democrats declared that the only knights in the state were in the imaginations of panicky Unionists. One man, however, accused the supporters of the war of organizing peace lodges for political purposes. Samuel Bigler insisted that an employee of Governor Andrew G. Curtin traveled about the state to establish branches of the KGC so that he could later expose its members and denounce Democrats for having been disloyal.¹⁹

But if Democrats did not form KGC lodges, some did join mutual protection societies which were critical of the war and of conscription. Government detective William Lyon was sent to Reading in 1863 to investigate reports that meetings were being held in Berks County to promote discontent with the conscription law. On April 8, he ordered the arrest of four men for organizing antiwar meetings, and, believing that the farmers and industrial workers of the county were so opposed to the government that they would never convict anyone of discouraging enlistments, he sent the captives to Philadelphia for trial.²⁰

At the trial of the four men, Philip Huber, Dr. Augustus Illig, Gabriel Filbert and Harrison Oxenrider, it was alleged that there had been a seditious meeting in the county at which plans were made to kidnap President Lincoln. Moreover, Huber had supposedly called the conflict a "nigger war," stating, "God has put a curse on negroes and Abe Lincoln had put himself above God by trying to remove that curse." There was also testimony about secret grips, but the longer the hearing lasted the more obvious it became that the government's case was weak. Defense attorneys produced witnesses who declared that Huber was merely expressing his opinion on political matters and was collecting money to test the constitutionality of the conscription law. After the hearing was concluded, the government abandoned its plans to prosecute.²¹

Others shared with Huber his doubts about the constitutionality of the conscription act, and some brought the issue before the courts. On November 9, 1863, in the case of *Kneedler v. Lane*, the

¹⁹ Samuel Bigler to William Bigler, Aug. 30, 1863, Bigler MSS, Historical Society of Pennsylvania (HSP).

²⁰ *O.R.*, ser. 3, III, 75, 187; *Gettysburg Compiler*, May 18, 1863.

²¹ Philadelphia *Evening Bulletin*, Apr. 11, 23, May 6, June 3, 1863.

state Supreme Court ruled that the March 3, 1863, conscription law was unconstitutional and issued an injunction forbidding the government from continuing the draft in the commonwealth.²²

When angry authorities in Washington ordered that the draft be continued as usual, and provost marshals acted as though the court had issued no opinion on the case, there were many in Pennsylvania who were shocked. The Philadelphia *Age* of November 12, 1863, boldly denounced the federal authorities and told its readers that it was the duty of every good citizen to resist the enforcement of the draft. In December, Congressman Philip Johnson introduced a resolution that would require Lincoln to agree with the verdict of the Pennsylvania Supreme Court or to submit the question to the United States Supreme Court. Congress rejected his proposal.²³

Soon the state Supreme Court was asked to reconsider its verdict. One of the judges on the court had been voted out of office, and his successor was a known Unionist. The case had been decided by a vote of three to two, and the departing justice had voted with the majority. To no one's surprise, on January 16, 1864, by a vote of three to two the court reversed itself, and the draft in Pennsylvania was again legal.²⁴

The Democratic press, however, continued to denounce conscription. According to the Ebensburg *Democrat and Sentinel* the choices before the draftee were decidedly unappealing. He could submit to the law and end up in a hospital or get "cut into sausage meat under drunken, incompetent officers"; he could become a fugitive; he could mutilate himself to avoid the army; or he could sell all of his property to pay the exemption fee and discover that he would be again liable for the draft a few months later. On August 6, 1864, the editor of this paper asked:

Does this Administration, after taking every available man we could spare, and leaving his bones to rot in some Southern soil, or else sending him home mutilated and crippled to us, expect us to give all our available means to support the Shoddy Government, and have our aged, our young and our females to starve and perish for the want of the necessaries of

²² Pittsburgh *Post*, Nov. 10, 1863.

²³ Pittsburgh *Dispatch*, Dec. 26, 1863.

²⁴ Philadelphia *Evening Bulletin*, Jan. 16-17, 1864.

life and make a charnel of our once beautiful country? . . . Is it any wonder that the war is unpopular with the masses, indeed, with every one who is not making money out of it?

When the government exempted the insane from the draft laws, editor Franklin Weirick of the Selinsgrove *Times* wrote, "This is unquestionably for the benefit of the abolitionists, who are all crazy as march hares." The draft law so disturbed the editors of the Philadelphia *Age* that they wondered how much longer the nation could tolerate conscription, and suggested that the people choose wiser rulers in the future.²⁵ Perhaps the most vehement opponent of the draft was James F. Campbell, the editor of the Johnstown *Democrat*, who composed the following headline on September 28, 1864, when he listed the names of local draftees: "TO WHOM IT MAY CONCERN, MORE VICTIMS FOR THE SLAUGHTER PEN. ANOTHER WHIRL OF THE BLOODY WHEEL, THE LOTTERY OF DEATH. MOTHERS, SISTERS, AND WIVES, PREPARE YOUR MOURNING CLOTH."

Draft enrollers encountered about as much resistance in 1864 as they had in 1863. No less than five were killed while trying to arrest deserters, several others were shot, and at least two were warned that they would be killed if they carried out the law. A Unionist claimed that men eligible for the draft were hiding in lumber shanties in the mountains of Clinton and Centre Counties, where they eluded the enrollers and found employment at high wages. He suggested that the governor send bloodhounds to the local provost marshals to help them ferret out the potential draftees. Another supporter of the war alleged that weekly meetings of the KGC were being held in three townships of Bucks County. According to him, officers of the 174th Pennsylvania Volunteers were drilling the Knights, who marched about with guns.²⁶ Even in Unionist McKean County, lamented the *McKean County Miner* of January 26, 1864, desertion was common. Five deserters in one township were

²⁵ Philadelphia *Age*, Feb. 1, 1864; Ebensburg *Democrat and Sentinel*, July 6, Aug. 3, 1864; Russ, "Weirick," 247.

²⁶ Mahlon Yardley to Fry, Feb. 20, 1864, PMGB, Fifth District, Pa., L.S., III, 244-245; Joseph Quay to Gov. Curtin, September [?], 1864, Slifer-Dill MSS; Murdock, *One Million Men*, 28; Stroudsburg *Jeffersonian*, Oct. 6, 1864.

able to elude authorities because of the hostility of the local population toward the draft.

Undoubtedly the most incredible tale of draft resistance concerned the so-called "Fishingcreek Confederacy" of Columbia County. This rural county near the center of the state was a Democratic stronghold. In July and August, 1863, officials had to suspend operations in a township after a nocturnal visitor stole all of the records pertaining to the draft. A significant number of draftees failed to report in 1863 and 1864, and therefore it was not surprising that the local provost marshal turned in dismal reports. Tensions in the county reached a new high on August 1, 1864, when Lieutenant J. Stewart Robinson, the assistant provost marshal for the district, was murdered while searching for draft dodgers.

Soon Unionists were fabricating stories that several hundred farmers and deserters had banded together and had fled to a remote part of the Fishingcreek Valley. There they had allegedly constructed a fort armed with four pieces of artillery smuggled from Canada. These men supposedly intended to violate the draft law and to help southerners invade the state. Gullible draft officials, believing that the story merited investigation, wired the War Department for help in suppressing the conspiracy.²⁷

As a result, on Saturday, August 13, 1864, forty-eight soldiers armed with rifles and two cannon suddenly appeared in Bloomsburg and encamped at the agricultural fair grounds. Surprised and worried, Democrats, fearful that the military planned mass arrests and the burning of their homes and barns, held a meeting in nearby Benton Township. Although one or two speakers imprudently called for violent resistance, nearly all of the men present opposed causing trouble unless the soldiers bothered them first.

During the next two weeks hundreds of army re-enforcements led by Generals Darius N. Couch and George Cadwalader searched the countryside for a nonexistent arsenal. On the morning of August 31, nearly 100 residents of Columbia and neighboring Luzerne Counties, all of whom were Democrats, were seized at their homes and marched to a church in Benton Township. Forty-four of the captives were

²⁷ *O.R.*, ser. 1, XLIII, pt. 1, 106; pt. 2, ii, 354; ser. 3, III, 550; IV, 607, 621; *Philadelphia Evening Bulletin*, Aug. 23, 1864.

designated as prisoners and sent to Fort Mifflin; the rest were allowed to return to their homes. Apparently Couch was afraid to admit that the expedition was a mistake—Cadwalader had already decided that there was no hidden arsenal in the county—and the arrests were made to allow the army to save face.

The episode enraged local Democrats, especially after one of the prisoners died, another become insane, and five of the remainder contracted serious maladies. Embarrassed officials then released twenty of the captives and the body of the deceased farmer, and charged the rest with organizing to resist the draft.²⁸

Trials for the twenty-three began in Harrisburg on October 17 before an inexperienced military tribunal. To complicate matters, one of the three judges was replaced during the middle of the trial by a man who had heard none of the evidence previously presented; nonetheless, the new man helped judge the case. The evidence against the Columbia County farmers was reminiscent of that presented one year earlier at the Huber trial. Prosecution witnesses testified to having attended secret antiwar meetings, which, they claimed, were supervised by the KGC. According to one witness, John Freeze had addressed a gathering at which he had supposedly said that Illinois was about to secede from the Union and that Pennsylvania should follow suit. Freeze, who served as one of the defense attorneys at the trial, denied the allegations. Others spoke about secret passwords and discussions of efforts to rescue drafted soldiers and to oppose the continuation of the “abolition war.” When cross-examined, these witnesses had trouble remembering details about the secret ritual of the meetings. Moreover, they suddenly recalled that the children of the defendants in several cases were serving as soldiers and that many of the accused had generously contributed funds to soldier bounties. Defense witnesses admitted that meetings critical of the activities of the Union League had been held in Columbia County, but denied that they had encouraged violence or were affiliated with the KGC.²⁹

²⁸ William Hummel, “The Military Occupation of Columbia County,” *Pennsylvania Magazine of History and Biography*, LXXX (1956), 320–333; printed petition and documents relating to William Appleman (Bloomsburg, 1864), newspaper clipping folder, George Cadwalader MSS, HSP.

²⁹ John Freeze, *A History of Columbia County Pennsylvania* (Bloomsburg, 1883), 395–525; May McHenry, *Military Invasion of Columbia County and Fishingcreek Confederacy* (Bloomsburg, 1938), *passim.*; Philadelphia *Inquirer*, Oct. 26–Nov. 3, 1864.

Two men "confessed" their crimes in return for a promise of immunity, but impartial observers reported no real evidence against the accused. Nonetheless, only fifteen men were found innocent of all the charges against them. Some of the guilty were fined; others were jailed and were later pardoned by Presidents Lincoln and Johnson. Many believed that the trial was a farce, and on December 1, 1864, the War Department liquidated the Department of the Susquehanna which had been involved in the matter and replaced it with the Philadelphia-based Department of Pennsylvania.³⁰

Provost marshals, continuing to insist that treason flourished in the state, sent troops in December, 1864, to Clearfield County to investigate stories about draft resistance. A deserter had killed an army officer there one month before, and enrollers regularly reported difficulties when trying to serve draft notices in the county and in adjoining Cambria County. Before long thirty-six men were arrested, and yet another trial was held.

Events followed the familiar pattern of the Huber and Fishing-creek conspiracy cases. Government witnesses testified to attending secret meetings at which there was talk of resisting the draft and of rescuing deserters. Evidence was so scanty that the military judges at the army trial were persuaded that only three men were guilty of any misdeed and sent the others home. Democrats, however, pointed out that there was no real evidence against the three and claimed that they had been convicted only so that the army could save face.³¹ There may have been some truth in this, for the head of the Department of Pennsylvania was so disillusioned with these trials that he directed his subordinates to try their nonmilitary prisoners in civil courts.³² Within a few weeks the war ended, and the army no longer worried about draft problems.

Conscription was at least as unpopular in the Keystone State as in most of the states of the Middle West. Nonetheless, there is no reason to believe that treason flourished in Pennsylvania. To be sure, there was bloodshed and violence, but this was inevitable given a climate in which Unionists considered all Democrats to be traitors and in which the Democracy felt that it was being unfairly

³⁰ Hummel, "Military Occupation," *passim*; Schnure, "Conspiracy," *passim*.

³¹ O.R., ser. 1, XLIII, pt. 2, 525-535; Clearfield *Raftman's Journal*, Mar. 15-May 17, 1865; Philadelphia *Evening Bulletin*, Feb. 27, 1865.

³² Itter, "Conscription," 183.

forced to fight a war in which abolitionism was more important than restoration of the Union as it was.

As for the draft in Pennsylvania, contemporary evidence in the newspapers and National Archives records shows that it was at best only partially successful. About 8,500 draftees and 12,500 substitutes were added to the army because of its provisions. Doubtless the conscription laws stimulated volunteering, but the state rarely met its quotas and on several occasions in 1862 Governor Curtin was forced to postpone the draft. Of the hundreds of men who were drafted in Venango County during the first months of 1864, between eighty and ninety paid the commutation fee, thirty furnished substitutes, twenty per cent failed to report, and the remainder were exempted because of physical disabilities. "Not one of those originally drafted," noted the Franklin *Venango Spectator* of June 29, 1864, "has gone into Father Abraham's service." The same was doubtless true of many other counties.

Historians disagree about the practicality of the draft. Eugene C. Murdock thinks that, on the whole, it was successful. James G. Randall and David Herbert Donald, on the other hand, noting that the number of draftees and substitutes constituted a mere six per cent of the total Union forces, have called Civil War conscription a failure.³³ The case of Pennsylvania does much to substantiate the latter argument.

On February 10, 1864, the Johnstown *Democrat* well summed up the attitudes of many people when it published the following doggerel:

Fathers and sons, and old bachelors too
 Are sweating their brains to know what to do,
 But 'mid hope, fear, and a good deal of craft,
 They all seem bent on avoiding the draft.

Winthrop College

ARNOLD SHANKMAN

³³ Murdock, *One Million Men*, xi, 333-349; James G. Randall and David Herbert Donald, *The Divided Union* (Boston, 1961), 315.