

A Record of Pennsylvania Deserters

A number of years ago Sally McMurry of the Pennsylvania State University came across an intriguing item while digging in the tax records in the basement of the Centre County Library and Historical Museum in Bellefonte, Pennsylvania. Sitting on an open metal shelf was a sheaf of papers bound in deteriorating leather. The item was twenty-seven inches long and seventeen inches wide. Curious, McMurry opened it and discovered that it contained 274 pages of information on the men who had deserted from Pennsylvania infantry, artillery, and cavalry regiments during the Civil War. Why did such a document exist? What was its purpose? And how did such an extensive federal record come to Bellefonte?

The answers lead to a larger story: the use of loyalty as a criterion to determine eligibility to vote. The list of names was employed by judges of elections to prevent deserters, presumed to be disloyal, from voting after the war. Even though this particular document fell out of use within a relatively short time, the record that has been left behind—and which has been digitized for open access as part of a special project at Penn State—provides a wealth of details concerning the men who chose to leave the ranks.

“The Descriptive List of Deserters, Supplied by the U.S.” consists of typescript pages printed by the Office of the Provost Marshal General in Washington. Each page contains nineteen tabulated columns of material, dealing with such things as name, rank, physical description (including age, height, complexion, eye color, hair color), residence, occupation, nativity (foreign or native born), and where and when the men deserted. When massaged by historians, the data could reveal regional patterns of desertion in the state, the social status of the men (working or middle class), whether foreigners deserted more than native born (or vice versa), and the peak times for desertion. Historians may discover other ways to employ the information in the future.

The Pennsylvania legislature requested the document in September 1866, just before the 1866 gubernatorial election. John White Geary, a Democrat turned Republican, faced off against Heister Clymer. Black suffrage formed a central component of the campaign, with Democrats proclaiming that they stood for the white man. Pennsylvania’s Republican-dominated legislature amended the election code on June 4, 1866, to allow denial of the rights of citizenship to deserters. This measure was intended to give every possible advantage to the Republican Party in the race. The

party was accused of trying to use this means to deny the suffrage to Democrats, since they had been the principal critics of the war.¹

The list of deserters was circulated to election districts (county court-houses such as Bellefonte), where judges of elections used the information to scrutinize voters at polling places. Having a name on this document became *prima facie* evidence of guilt. The men were treated similar to criminals—stripped of citizenship during incarceration, but without the same opportunity to defend themselves in court or before a military tribunal. Individuals blocked from voting had little recourse except to sue in courts, which delayed a resolution until well after the votes could count in an election. The lack of due process became the law's downfall, and it was finally struck down by the Pennsylvania Supreme Court in 1868.²

The extent of screening using this technique is yet unknown. Preliminary research reveals that a few contests for mayors, township officials, district attorneys, and the state senate featured instances in which votes were overturned or forbidden because the men exercising the franchise had deserted from the Union army.³ Besides Pennsylvania, legislatures in Massachusetts, Louisiana, Ohio, New York, New Jersey, Wisconsin, and Tennessee put similar measures into effect.⁴ Pending further inquiry, the best one can say is that it was not implemented uniformly or systematically, but episodically.

The deserter roster is part of a larger project by University Libraries and the Richards Civil War Era Center at Penn State to document the lived experience of Pennsylvanians during the era. It appears on the website The People's Contest, under the "PA Civil War Collections" link via the Resources Center, at <http://peoplescontest.psu.edu/psul/peoplescontest/resource.html>. It is a bit cumbersome to use now; we plan to make it easier to search the materials and to conduct inquiries about particular research questions. We are grateful to the Centre County Museum, which donated the descriptive list of deserters to Penn State for safe keeping.⁵

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¹ *Milwaukee Sentinel*, Nov. 4, 1865.

² *Erie Observer*, July 30, 1868. For the court case, see *McCafferty v. Guyer et al.*, 59 Pa. 109 (May 18, 1868).

³ *Lancaster Intelligencer*, Oct. 3, 1866.

⁴ *Agitator*, June 21, 1865; *Albany Evening Journal*, Oct. 27, 1866.

⁵ List of Non-Reporting Drafted Men and Deserters, Eberly Family Special Collections Library, Pennsylvania State University Libraries, University Park, PA; also at <http://collection1.libraries.psu.edu/cdm4/document.php?CISOROOT=/digitalbks2&CISOPTR=90175&RE>