

New York's Civil War Bounty Brokers

EUGENE C. MURDOCK

BY THE winter of 1862-1863 two things had become clear to the Lincoln administration: a great many more troops would be needed for the Union armies, and the volunteer system of supplying troops had broken down miserably. As a consequence, the Enrollment Act, this country's first draft law, was adopted on March 3, 1863. Since the draft was detested by most Americans, the Enrollment Act was designed primarily to stimulate volunteer enlistments; the draft itself would be employed only where a district failed to meet its quota with volunteers. To avoid the dreaded stigma of the draft, communities naturally worked hard to fill their quotas, but unfortunately young men no longer seemed anxious to sign up. It was necessary therefore to offer cash inducements—bounties—to attract volunteers, and these bounties mounted steadily as the months passed. Bitter rivalries broke out between communities, and prospective recruits would shop around for the high bounty districts. The door was now open to many kinds of fraud involving bounty jumpers, bounty brokers, corrupt provost marshals, and corrupt recruiting officers.¹

Although most aspects of the bounty system appear highly objectionable today, that which provoked the most criticism then concerned the brokers. Bounty jumping itself was often stimulated by brokers, who would entice young innocents to desert, reenlist, and desert ad infinitum, making jumping a highly profitable practice. But even worse than aiding and abetting jumpers was the ruthless exploitation of these young men by such devices as kidnaping, immigrant-running, grand larceny, assault, and murder.

While it was legally unnecessary for one to enlist through a broker, agency workers thronged so thickly about recruiting and provost marshal

Mr. Murdock is professor of history in Marietta College.

¹ *U. S. Statutes at Large*, XII, 731-37; *Final Report Made to the Secretary of War, by the Provost Marshal General . . .*, *House Exec. Docs.*, 39 Cong., 1 Sess., IV, pt. 1 (Serial 1251), 6-99. See also Fred Albert Shannon, *The Organization and Administration of the Union Army, 1861-1865* (2 vols., Cleveland, 1928); Jack Franklin Leach, *Conscription in the United States: Historical Background* (Tokyo, 1952).

offices that it was virtually impossible for a volunteer to enlist without broker assistance.² So gullible and misinformed were the young men of the day that they actually believed brokers were required to process their enlistment. They also became convinced that brokers were entitled to a goodly portion of their bounties, and occasionally it required physical force to restrain the rookies from sharing these bonuses. Further complicating the matter was the conviction of many supervisors and some recruiting officers that brokers performed a valuable service and should be allowed to carry on without interference. Although this view prevailed during most of the war Provost Marshal General James B. Fry and the district provost marshals, in their final reports, strongly condemned the brokers, urging that they never again be allowed to control wartime recruitment.³

The broker appeared with the blossoming of the bounty system in the fall of 1862 and became ever more important as the war progressed. He advertised in the newspapers, opened up offices in or near recruiting and provost marshal headquarters, and posted convincing signs. He was on intimate terms with the provost marshals, recruiting officers, and district committeemen; and he employed "runners" to explore the countryside for prospects. The broker overlooked nothing in his effort to convince the public and the government that he alone could supply the needed troops. A look at the broker operations in New York state will give us a fairly clear idea of how the system worked.

Broker advertisements, couched in the most appealing terms, appeared daily in the metropolitan press. Jacob Chapman, for example, advised his fellow Syracusans that he could pay substitutes more than any other firm in the state. One La France of Elmira asserted that "We are prepared to take contracts to fill the quotas of towns, which we guarantee to do . . . at very low figures." Tompkins and Company of New York City advised that "We are daily furnishing large numbers of substitutes . . . to individuals . . . in Pennsylvania, New-England, and New York. . . ." Thomson, Wilcox and Thomson of Utica promised to find substitutes before the draft at much more reasonable terms than other brokers. O'Dea and Warren of Buffalo not only guaranteed the "highest prices for aliens willing to take

² See *New York Times*, Aug. 25, 27, 1864 for specific cases where it was next to impossible to enlist without broker cooperation.

³ General Winfield S. Hancock stated that the brokers dominated five sixths of the recruiting business. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (128 vols., Washington, 1880-1901), Series III, Vol. IV, 1089. For an account of the broker system in Ohio, see Eugene C. Murdock, *Ohio's Bounty System in the Civil War* (Columbus, 1963), 34-52.

the places of conscripts" but also offered to furnish room and board prior to enlistment for all nonresidents rendering their services.⁴

Town, city, and county recruiting committees, whose job it was to fill quotas, often worked with the brokers on the theory that this was the most dependable way to procure men. The most notorious example of this dependence was exhibited by the County Volunteer and Substitute Committee of New York City. In the summer of 1863 the New York County Board of Supervisors authorized a bounty of \$300 for all volunteers and created the above-named committee, under the chairmanship of Orison J. Blunt, to disburse the money. After studying the problem the committee concluded that the most efficient way to hand out the bounty money was through the bounty brokers. When a recruit was mustered in, either at a provost marshal's office or at special recruiting centers, the broker who brought him in would pay him the amount previously agreed to between broker and recruit, and the recruit would assign the full bounty of \$300 to the broker. The latter would then take the assignment to Blunt's office and be reimbursed to the amount of \$300.⁵ Blunt's system quickly came under heavy fire and General John A. Dix, commander of the Department of the East, forced him to modify it.

Toward the close of the war it was not uncommon for recruiting committees to abandon all efforts to meet their quotas and contract with brokers to do the job for them. Provost Marshal S. H. H. Parsons of the Fourteenth District at Albany reported that several towns in Schoharie County "generally filled their quotas by making contracts" with brokers. The town authorities of Waterford in Saratoga County arranged with a New York City broker for the filling of its entire quota in August 1864.⁶

The most celebrated broker contract was negotiated by the supervisors of Oneida County (Utica), who in January 1865 agreed to pay Aaron Richardson \$750,000 to fill their quota. Of the first three shipments of Richardson's men from Utica to the front fifty-three escaped before their train left Albany. A few leaped from the train in West Albany, some made a mass break in the Albany station, and others went free when a fictitious "captain" appeared, relieved the surprised guard, and marched the men

⁴ *Syracuse Standard*, Jan. 16, 1865; *Elmira Advertiser*, Dec. 2, 1864; *New York Times*, July 30, 1863; *Utica Herald*, Aug. 29, 1864; *Buffalo Morning Express*, Aug. 18, 1863.

⁵ The details of Blunt's system may be found in the box containing the proceedings of the court-martial of Brigadier General Francis B. Spinola, MM 1527, Record Group 153 (National Archives).

⁶ Report of the Fourteenth District Provost Marshal to James B. Fry, July 10, 1865, *Historical Reports*, Record Group 110 (National Archives); *Albany Atlas and Argus*, Aug. 6, 1864 (hereafter cited as *Argus*).

away. The citizens of Utica and the supervisors were understandably outraged and the provost marshal demanded that Richardson either refund part of the money or supply more men. The broker responded by turning over securities worth \$12,000 to the supervisors.⁷

Among the many kinds of fraud committed by brokers, the forging of enlistment papers was perhaps the most ingenious. Brokers who "worked" the Brooklyn Navy Yard, in particular, were famous for their authorship of such papers. This practice required the collusion of officials in the recruiting office itself, and in the case of the Navy Yard two clerks in charge of the enrollment books were the chief culprits. Each day they would copy down the names of all recruits who had been legitimately enlisted and send these names to the brokers, who would put them on enlistment forms already in their possession. The papers would be authenticated by a corrupt notary public and then hawked about by the brokers in the streets, saloons, and hotels of downtown New York. Unsuspecting agents from upstate districts, hard-pressed to fill their quotas, swarmed about these brokers greedily "buying" all the recruits they needed. Colonel Lafayette C. Baker, who exposed these frauds in February and March 1865, reported that "In the town of Delhi, St. Lawrence County, a quota of two hundred and twenty-three men was filled by these forged papers, and not a single man enlisted."⁸ The supervisors who bought these papers were innocent of fraud, honestly believing that each set of papers represented a man who was going into the service. As one might suppose, the defrauded ones were an angry group of men.

One old gentleman, a supervisor from Lewis County in the Adirondacks, was unperturbed by the uproar following Baker's disclosures. "The old lady cautioned me," he remarked confidently, "to beware of sharpers, and before I paid over my money I saw the names that are written on these certificates recorded on the great book at the office of the Naval Rendezvous." The "great book" was brought forward, and the names on the supervisor's certificates could not be found. Told that such names had been entered on removable facsimile fly sheets, temporarily inserted in the "great book," he turned tearfully away.⁹ The "old lady" no doubt had something to say to the supervisor when he returned to Lewis County.

If recruits were in short supply, brokers would kidnap boys or seize un-

⁷ *Utica Herald*, Jan. 6, 31, Feb. 2, 4 (quoting the *Albany Journal*), 6, 1865; *Argus*, Feb. 4, 1865.

⁸ L. C. Baker, *History of the United States Secret Service* (Philadelphia, 1867), 400-01, 404-05.

⁹ *New York Times*, Feb. 10, 1865.

wary immigrants and force them into service. This might be done either by threatening violence or by befuddling the victim with drug or drink. For example, eighteen-year-old Michael Kelly was met by two men in Chambers Street in New York City on the afternoon of January 9, 1865 and was invited into a saloon for a glass of ale. When Kelly awoke on the morning of January 10, he was in the barracks at Governor's Island, a member of the Nineteenth United States Regulars.¹⁰

Stephen Green was drunk in Dunkirk one afternoon in September 1863 when he was accosted by Eli Standish, Buffalo saloonkeeper and sometime broker. Standish induced Green to enlist as a substitute in Buffalo and then helped him desert. Green, who received \$200 of his \$350 bounty, was later captured near his native Troy and sent to the front. A veteran combat soldier on leave in Elmira in January 1865 was persuaded by some brokers at the railroad depot to join them in drink with the result that the brokers took him to Syracuse and sold him as a substitute. When he regained his senses the soldier resolved to rejoin his old outfit, which meant he was forced to desert the organization in which he had been enlisted while intoxicated. In trying to desert he was shot, arrested, and brought up for court-martial. Even officers were not spared. On recruiting duty in February 1865, one of them was drugged by a broker while on the train to Syracuse and was enlisted at Auburn as a private in the notorious One Hundred and Ninety-Second Regiment.¹¹

Generally, however, the drink and drug device took too long and most brokers preferred simple force or outright falsehood to gain their quarry. In March 1865 a broker was alleged to have abducted two sixteen-year-old boys in Brooklyn and sent them off to Boston in a closed car. A friend of the boys, who informed Colonel Baker of the matter, closed his letter by urging Baker to "ferret out and arrest these body-snatchers."¹² Many abductions reported in the press carry no suggestion of force, but it requires little imagination to conclude that the victim was not a willing one.

As the case of Lonson Putnam illustrates, the hardship inflicted on the victim—even when he did not go into service—was extreme. Putnam, who lived in Syracuse, was a moron, barely able to handle his own affairs. On the night of December 4, 1864 two men posing as policemen came to his home, routed him out of bed, and forcibly abducted him. He was taken by

¹⁰ The Kelly incident is found in the box containing the proceedings of the court-martial of Major John A. Haddock, MM 2612, Record Group 153.

¹¹ *Argus*, Dec. 12, 1863, Feb. 22, 1865, quoting *Elmira Advertiser*; *Elmira Advertiser*, Jan. 31, 1865.

¹² John Parnall to Lafayette C. Baker, March 7, 1865, "Baker File," Record Group 110.

train to some city in the western part of the state and brought before a provost marshal. When checked by the surgeon he was found unfit for service and rejected. The exasperated brokers thereupon turned Putnam loose without funds or friends. Somehow, in a week or so, he managed to make his way back to Syracuse, where in a wretched state, he was finally located by relatives.¹³

Transporting people either by force or peaceful persuasion—and many did go willingly—to high bounty communities was called “running,” a vicious practice condemned by government, press, and public alike. Legislation was finally adopted to prohibit it. What would seem more objectionable, however, was the abduction of ignorant immigrants, fresh from the boat, and carrying them to distant places for enlistment purposes. Brokers were actually permitted aboard immigrant boats at anchor, and once aboard they would coax and flatter Germans and Irishmen with promises of quick wealth. If such inducements were ineffective, the broker would resort to intimidation and the frightened foreigner would agree, more often than not, to go into service. Hence many were actually bound to the broker before they ever set foot on American soil. One man, down from Rochester, in August 1863 raided an immigrant vessel and carried off a number of “raw Irishmen” whom he later sold for \$325 each.¹⁴

Probably the worst example of cruel treatment of a newly-arrived immigrant was the case of Ferdinand Schafer. Schafer, a medical graduate of the University of Breslau in 1856, arrived in New York City in the early fall of 1863. He hoped to resume the practice of medicine in a western state where German doctor friends had already settled. While in New York, however, he decided to get a job in a city military hospital to improve his skill in “surgical operations.” His landlord, ostensibly to help him find such a job, took him to a Brooklyn recruiting office and since Schafer spoke no English he knew nothing of what was to happen to him. Although he addressed the landlord and the recruiting officials through a German interpreter, the last was in collusion with the others. Finally, Schafer was asked to sign a few papers, one of which contained the word “physician” which he understood. He thought he was getting a job as a doctor, but he was actually enlisting in the army.

Upon leaving the recruiting office, Schafer was quickly snatched by several armed soldiers and thrown into a dark cellar, where he found many other unhappy recruits. In about an hour he was taken to Riker’s Island where he became ill with “inflammation of the lungs, erysipelas,

¹³ *Syracuse Journal*, Dec. 19, 1864.

¹⁴ *Argus*, Sept. 1 (quoting *Rochester Democrat*), 18, 1863.

inflammation of the testicles, and epileptic attacks." (It is little wonder that Schafer had been pronounced unfit for military duty in his native Prussia.) After lying sick for four weeks, he was sent on an eight-day boat trip to South Carolina and assigned to the Forty-First New York. The trip worsened his condition and upon his arrival he had to be carried on a stretcher into the general hospital. The doctor who examined Schafer refused to discharge him, saying that the government would court-martial anyone who would release a patient in Schafer's condition. So there was poor Schafer, dying from illness and neglect in South Carolina, appealing to the Prussian ambassador in Washington for help.¹⁵

Occasionally, nationals of a European state who had contracted to come to the United States for military service would be swindled after enlistment. Two teen-age boys arrived in New York in December 1864 and enlisted as substitutes for \$500—with a broker retaining the money for "safekeeping." The money must have been very safely kept because the boys never saw it again. A young man named Edward Bourke, six months in the country, enlisted in the Twelfth Regulars on April 5, 1865 and planned to use his bounty money to bring his parents to the United States. He received only \$100, however, and wrote Colonel Baker a letter demanding that something be done about it.¹⁶

The obvious purpose of "running" recruits was profit. Brokers would scour town and country in low bounty districts for prospective recruits who would jump at the chance of enlisting in some other city or state for a high bounty. Many brokers had runners in western states to round up prospects for shipment east. Such a swindler was jailed in Cleveland in November 1863.¹⁷ In mid-August 1863 a New York broker took a group of deserters to Providence to serve as substitutes for draftees, but their guilt was detected just prior to muster. In the wake of New York's draft riots, a "Jew broker" took a dozen men, still bearing scars of battle, to Philadelphia. Although half of them were disfigured about the face and hands, one even having "the end of his nose taken off," they all duly enlisted, and later just as duly deserted.¹⁸

¹⁵ Ferdinand Schafer to Prussian Ambassador, Jan. 22, 1864, "Fraud File," Record Group 110. The kidnapping of immigrants, in Ella Lonn's view, was "the worst scandal of the war period, and, indeed, it remains one of the darkest blots on the history of the United States." *Foreigners in the Union Army and Navy* (Baton Rouge, 1951), 451.

¹⁶ Matthew H. Stein to Baker, March 1, 1865; Edward Bourke to Baker, May 21, 1865, "Baker File."

¹⁷ *Argus*, Nov. 9, 1863. See Murdock, *Ohio's Bounty System*, 39-41, for an account of Ohio brokers who regularly ran recruits to Detroit and Buffalo.

¹⁸ *New York Times*, July 31, 1863, quoting *Philadelphia Enquirer*; Aug. 18, 1863, quoting *Providence Journal*.

At Little Falls, a small town east of Herkimer, three brokers and thirteen jumpers held a meeting in late August 1864. The brokers, Albert Fralich, Levi Fralich, and John Korberth, told the men that if they went to Buffalo and enlisted at a certain recruiting office, they would be paid \$100 each and upon leaving the office they would be free to return at once to Little Falls. It was a "soft thing," the men were advised, since the brokers had already paid off the recruiting officers. The plan seemed a good one, so on September 1 the men went to Buffalo where everything proceeded without incident. They liked the idea so much that on September 15 they travelled again to Buffalo, received \$200 each, and returned to Little Falls. Five of the men, led by a farmer named Countryman, could not shake the habit, and late in September they went to Sacketts Harbor where they picked up still another \$200 bounty before going back to Little Falls.¹⁹

Reports of vicious frauds in the Thirteenth District, composed of Greene and Ulster counties, reached Albany and Washington in the winter of 1863-1864, and Captain W. W. Teall of the Provost Marshal General's Bureau was ordered to Kingston to make an investigation. Teall reported that eleven men had been victimized by several brokers, chief of whom were George S. France who doubled as a deputy provost marshal and Daniel D. Bell who held a captain's commission from Governor Horatio Seymour. Nine of the eleven were Negroes and completely ignorant of the workings of the bounty system. The brokers generally threatened their prey with jail sentences for some fictitious crime, then permitted them to escape punishment by enlisting in the army. And because the brokers were such good fellows, in their own view that is, they would give the men \$25 or maybe \$50. Teall closed his report by demanding the instant removal of France as deputy provost marshal and denouncing this exploitation of ignorant people.²⁰

In December 1863 one John J. Robinson arrived in New York City from Albany and encountered James Cook, formerly an officer in the Sixth New York Cavalry, but now a broker. Cook wore his officer's uniform, however, and pretended he was still on active service recruiting for his old outfit. Robinson expressed a desire to enlist in the cavalry, so Cook took him to the headquarters of Provost Marshal Theodore B. Bronson of the Sixth District, where he was passed by the surgeon. But when Bronson learned that Robinson was only eighteen, he told Cook he could not accept him without the written consent of his parents or guardian. Cook thereupon

¹⁹ *Utica Herald*, Dec. 22, 1864; *Syracuse Standard*, Dec. 23, 1864. Unfortunately we are not told who the Buffalo officers were.

²⁰ W. W. Teall to Townsend, Jan. 8, 1864, "Fraud File."

took Robinson to a surrogate's office where papers were made out appointing Cook the young man's guardian. The two then returned to Bronson's office where Robinson was accepted for service by the provost marshal. When the recruit was asked if he had received his bounty, Cook said it had all been taken care of. In fact Robinson saw no money at all, except \$50 slipped to him by Cook.²¹

Two other devices frequently employed by brokers should be mentioned, the "fictitious mother" and "doping." The "fictitious mother" was usually some unscrupulous woman who cooperated with the broker in the kidnapping and enlistment of a young boy. The woman, in no way related to the victim, would testify before the provost marshal that she was the mother of the boy and perfectly willing that he enter the army. "Doping" meant the prettying up of some old human derelict so that he would be acceptable for military service. Such a person would be taken to a nice hotel, given good food, a haircut, and shave, and have his hair dyed and his cheeks rouged. Then, dressed in a new suit, he would be marched to the provost marshal's office or run off to some other town and enlisted.²²

A St. Louis broker in August 1864 found an old man who agreed to be doped and enlisted as a substitute. The broker

first administered to his patient a liberal dose of the essence of rye; then took him to a barber's shop, had his neck and face washed and powdered his hair and whiskers neatly and the wrinkles in his cheeks smoothed over. . . . Another snifter of rye was poured down the patient's throat to straighten his spine, clear the rheum from his eyes, and make his breast swell out in martial style. . . . A pair of substantial brogans was purchased, and a nice yellow linen duster added, and the old man presented the appearance of a biped of not more than thirty. . . .

Trouble developed on the way to the recruiting office, when the broker, exalted by the prospect of easy wealth, decided to stop at a saloon and treat his man to a drink. After three shots of rye, the latter, feeling "as independent as a newly-appointed corporal," underwent a change of heart and re-

²¹ *New York Times*, March 12, 1864. Cook was brought to trial for obtaining money under false pretenses in March 1864 with District Attorney A. Oakey Hall prosecuting the case for "the people." The historian must be pardoned a passing snicker at the irony of a legal proceeding where "the people" were represented by Hall who was one of the four leaders of the notorious "Tweed Ring," which bilked "the people" of New York City of an estimated \$200,000,000 from 1865 to 1871. M. R. Werner, *Tammany Hall* (New York, 1928), 160. It should also be noted that Tweed himself was a member of Blunt's committee, although he appears to have played a minor role.

²² *Buffalo Morning Express*, March 14, 1865; *New York Times*, Aug. 27, 1864, quoting *Detroit Advertiser*. See Murdock, *Ohio's Bounty System*, 40, for an account of Ohio's most celebrated "doper-broker," Joe Fitzpatrick of Toledo. *Harper's Weekly*, Jan. 23, 1864, p. 64, carries a cartoon showing a broker bringing a decrepit old man into a barbershop for preliminary "doping."

solved against a military career. And in spite of pleas, threats, and a flying beer mug, the doped one went home, and the broker was out \$19.35.²³

Violence was a way of life for brokers, just as it was for jumpers. If the victims did not submit to persuasion, they would be threatened, beaten, and even murdered. A man named William Coyne, who went to Rochester from Syracuse to volunteer in September 1864, was badly mauled by two brokers who wanted him to go as a substitute. A merchant seaman, Daniel Lawrence, was in a Hester Street saloon in New York City one night when a gang of brokers came over and ordered him to enlist. Lawrence refused, and in the ensuing fight was savagely beaten and stabbed before being dumped out in the street. He died three days later with seventeen stab wounds in his head, chest, and arms.²⁴

Brokers fought violently among themselves. Frank Cotten and Aaron Richardson got into a struggle over Negro recruits in the Utica provost marshal's office in September 1864. Cotten, who received a blow on the head and a bite on the nose, swore out a warrant against Richardson, who was held in \$200 bail for violating a city ordinance. In February 1865 two Brooklyn brokers went at it, the losing party winding up with severe stab wounds and no money. A general melee erupted in the provost marshal's office in Albany in June 1864 when several brokers disputed "ownership" of a substitute prospect.²⁵

Although many brokers made fortunes from their illicit practices,²⁶ a number of them were caught and either thrown into jail or compelled to part with their money. Among the numerous examples of those forced to part with their ill-gotten gains was one Malloy who swindled a man in New York City out of a \$270 bounty in December 1863. The angry wife went to Supervisor Blunt who told Malloy that he must pay the wife the balance or lose the right to do business with Blunt's committee. Rather than forego such a "privilege" Malloy paid up. Harlan Van Wagner of Rhinebeck, who defrauded one Orlando Golder, was compelled to pay over the \$550 which he took from his victim. A broker named Brady who per-

²³ *Argus*, Aug. 4, 1864, quoting *St. Louis Democrat*.

²⁴ *Syracuse Journal*, Sept. 16, 1864, quoting *Rochester Democrat*; *New York Times*, March 1, 1865.

²⁵ *New York Times*, Feb. 2, 1865; *Utica Herald*, Sept. 3, 1864; *Argus*, June 29, 1864.

²⁶ Certain Poughkeepsie operators were alleged to have made at least \$10,000 each during the second draft, while James Cook, who robbed John Robinson, reportedly amassed a "fortune." Franklin Krum of Schoharie accumulated \$15,000 in broker activities before he was drafted in June 1864. Needless to say he had little trouble furnishing a substitute. Probably the most affluent broker, however, was Theodore Allen of New York City, who purportedly made over \$100,000 in his interstate operations. *Poughkeepsie Daily Eagle*, Aug. 24 1864; *New York Times*, March 12, May 21, 1864; *Argus*, June 25, 1864.

sueded two boys to enlist in Albany in the fall of 1863 was forced to pay the full bounties to the parents of both, since the boys were away with the Army of the Potomac.²⁷

General Dix disliked brokers intensely and constantly crusaded against them. Whenever a broker accused of fraud was brought before him he would demand that the money be refunded. A young man named John Richler was swindled by two New York brokers in February 1864 when he thought they were helping him secure transportation to Iowa. When he wound up on Riker's Island, he notified Dix who investigated and forced the brokers to return \$150 to Richler. The following month Dix launched a major campaign against dishonest city brokers, and for a short time was collecting more than \$1,000 a day from them. "He is determined if possible," wrote the *New York Times*, "to break up this swindling business, and the brokers finding they cannot keep the money are getting tired of it."²⁸ Naturally, however, when Dix relaxed his energies, the brokers returned in full force. There was no unofficial way to dispose of them. Only city, state, or federal law could do the job, but no such legislation was enacted until the last weeks of the war.

Brokers unwilling or unable to pay went to jail. James Weaver, apprehended in New York City in February 1864 for enlisting a boy and appropriating \$255 of his \$300 bounty, was ordered by Dix to refund the money. When he refused he was confined in Fort Lafayette. A belligerent broker named John Connell defied Dix, shouting that he would stay in jail six years rather than return a penny of the \$450 he had stolen from three recruits. After a few days he calmed down, paid the \$450, and was released. Broker John Crocker told Dix he would pay the money he had taken if he could go home and procure it. Accompanied by officers he went home, but alas no money. Thereupon he and the officers visited several places where Crocker was well known, but still no money. Weary and impatient, the officers returned Crocker to Dix who confined him in Fort Lafayette. In Dix's big crackdown in March 1864 a number of other brokers were unable to raise the money and were likewise incarcerated. And poor old "Bowery Sam" Garman was also sent to jail because he was unable to return the \$270 he had swindled from William Coeler; it had already gone for "refreshments."²⁹

On several occasions, brokers who had induced young boys to leave

²⁷ *New York Times*, Dec. 5, 1863; *Poughkeepsie Daily Eagle*, Feb. 28, 1865; *Argus*, June 2, 1864, quoting *Rochester Union*.

²⁸ *New York Times*, Feb. 28, March 5, 1864.

²⁹ *Ibid.*, Jan. 24, Feb. 5, 6, 28, March 26, 1864.

home and go to other cities to enlist were apprehended before they had carried out their plans. And although ignorant Negroes were badly exploited by brokers, once in a while the deception was uncovered. In February 1864 a Buffalo broker brought a Negro to Albany; he enlisted the Negro and demanded \$200 of the \$300 bounty. The officer gave him \$25. About a month earlier two Columbia County brokers had persuaded a Negro to let them enlist him for \$150. They took him to Massachusetts, where—before the brokers could prompt him—he blurted out that he did not live in Massachusetts. He was then taken to Poughkeepsie and enlisted, the brokers demanding \$175 for the costs involved in recruiting the man. Ignoring the brokers' demands, the provost marshal awarded the full \$325 bounty to the recruit and sent him to the Soldiers' Rest under guard so the brokers could not rob him en route.³⁰

Brokers were sharp and shrewd, but once in a great while one of them was really "taken," either by ill fortune or by his intended victim. In the summer of 1864 a Poughkeepsie broker spied a promising Irishman on a street corner, got him drunk, and took him to the provost marshal's office. Bad news awaited the broker, however, because the man had an incurable ailment of the leg. Some months later another Poughkeepsie broker checked into Rutzers Hotel with a recruit he planned to enlist the following day. That night while the young man was writing a letter to his girl friend the broker fell asleep. When he awoke in the morning the recruit was gone. A brief note left on the table read: "Dear Sir—You consider yourself pretty smart. You thought you had me all right. You also had \$200 in greenbacks. I love greenbacks so I'll just take them with me. Good-bye."³¹

Another sleepy broker dozed off while riding on a train from Dunkirk to Buffalo in September 1863, and when he awoke he was minus \$800. "As far as heard from," observed the unsympathetic *Express*, "the light-fingered gentleman has not offered himself as a substitute." Three months later, a New York City broker who had just swindled a group of recruits in Goshen tried to escape with his loot by boarding a moving train. He misjudged the distance and as he slid under the car one of his legs was amputated. And at least one broker's wife suffered for the misdeeds of her spouse. A woman in a veil appeared at the door of a Cohoes home in February 1865 and inquired for the broker. When the man's wife, who an-

³⁰ *Syracuse Standard*, Aug. 15, 1864, quoting *Buffalo Courier*; *Buffalo Morning Express*, Feb. 16, 1864, quoting *Albany Knickerbocker*; Jan. 11, 1865; *Poughkeepsie Daily Eagle*, Jan. 13, 1864.

³¹ *Poughkeepsie Daily Eagle*, July 27, 1864, Jan. 23, 1865.

swered the knock, said that her husband was out of town she was savagely assaulted by the veiled woman.³²

But by far the most delightful tale of a "taken" broker was entitled "John Waggoner's Recruit." Waggoner, it seems, had a high tolerance for liquor and a low opinion of brokers. He decided to teach one C. E. Miggs a lesson, so he answered Miggs' advertisement in the newspaper, met him in a downtown street, and invited him into a saloon for refreshments. Playing the hale fellow, Waggoner kept joshing Miggs, refilled his glass several times, and began to feign intoxication. "Miggs—hic! old boy, I b'lieve I can lick Deff Javis or any other man. I b'lieve you an' I could, anyhow."

"Of course you could," replied Miggs. "I tell you what, Waggoner," confided the broker, feeling pretty good by now, "I've half a notion to enlist myself."

"Bully f'you!" rejoined Waggoner. Miggs' glass was again full, and after about two more refills Waggoner marched, or dragged, the broker across the street to a recruiting office and enlisted him in the army. "There is one mighty mean man wearing the army blue," concluded Waggoner, "and that man is John Waggoner's recruit."³³

The above story cannot be verified, but at least one broker was actually victimized in this fashion. A Poughkeepsie operator saw a country greenhorn in town in August 1864 and invited him into the inevitable saloon. But it was the broker who got drunk, and the farmboy who enlisted the broker and pocketed the full bounty. At last reports the broker was sobering up on Hart's Island along with several of his recent victims.³⁴

In view of what has been said, the reader must be puzzled as to why brokers were tolerated right down to the end of the war. The simple truth is that most people felt that brokers were necessary to the raising of troops. As with slavetraders in the antebellum South, few persons liked them, but many believed that they were essential. Whenever criticism of the brokers was raised the reply came quickly back that they were "necessary evils." Periodically military officers, provost marshals, and recruiting committees would publicly condemn the brokers and announce their refusal to work with them again. But then recruiting would fall off, and with the quota deadline looming ahead the newspapers would cry out that at least brokers could "get the men." Soon they were restored to good standing.

³² *Buffalo Morning Express*, Sept. 3, 1864; *Argus*, Dec. 12, 1863, quoting *Goshen Democrat*; Feb. 9, 1865.

³³ *Harper's Weekly*, Sept. 24, 1864, p. 615.

³⁴ *Poughkeepsie Daily Eagle*, Aug. 10, 1864, quoting *Poughkeepsie Press*.

Although brokers were considered necessary evils, the press often mentioned that recruits did not need to enlist through brokers. Young men wishing to enter the service, it was noted, might go directly to the provost marshal's office and receive the full bounty as well as the "hand money"—the legal bonus due anyone who enlisted a man. During the summer draft of 1864 the *Elmira Advertiser* published such a notice: "The recruit himself," it pointed out, "by volunteering in his own person, will be entitled to the agent fee [i.e., hand money] and the entire bounty." In February 1865 a Syracuse paper reminded recruits that they could make a good deal more money by going straight to the provost marshal.³⁵ Of course, alongside such announcements appeared conspicuous and convincing broker advertisements which probably neutralized their effect. But even the *Albany Argus*, which led the "necessary evil" school of thought, boasted in January 1864 that the county had filled its quota "without the aid of bounty brokers."³⁶

Blunt, chairman of the New York County Volunteer and Substitute Committee, exasperated the public and the press because he tried to work with the brokers and then because he refused to work with them. In the former instance he was contributing to the swindling of recruits; in the latter he was preventing the county from meeting its quota. The trouble began over Blunt's plan of paying the county bounty to any broker who appeared at his office with the bounty assignment of an enlisted recruit. Blunt felt that the best way to disburse the bounty was to utilize the brokers, and as long as they possessed the assignment they should receive the bounty. When told that recruits were being defrauded, Blunt retorted that he "did not care a damn" what bargains the brokers made with the recruits. The committee had "made up their minds to carry out the bargains."³⁷

Reports of fraud began to pour into General Dix's office and on December 3, 1863 he instructed General William Hays, Acting Assistant Provost Marshal General for the Southern Division of New York, to take steps to protect all recruits. A week or so later Hays ordered that every recruit mustered into service in New York City must receive the full \$300 bounty, and it should be paid to the recruit directly, either by the committee or an agent of the committee. Somewhat pleased, the *Argus* predicted that this ought "to put an end to the bounty swindles on volunteers."³⁸ The New

³⁵ *Elmira Daily Advertiser*, July 30, 1864; *Syracuse Journal*, Feb. 21, 1865.

³⁶ *Argus*, Jan. 25, 1864.

³⁷ See MM 1527, Record Group 153.

³⁸ *New York Times*, Dec. 13, 16, 1863; *Argus*, Dec. 14, 1863. The *Argus*, Dec. 15, 1863, quickly retreated to its "necessary evil" position. Admitting that the brokerage

York *Times*, however, was greatly disturbed by Hays' order. Though prompted by the best of motives, it had led to a 50 percent decline in recruits the first few days it was in force. It would be nice, the *Times* conceded, if the men enlisting could receive the full bounties, but unfortunately the only people who could obtain the men were brokers, and they rightfully expected expense money for their labors.³⁹

At the height of this controversy Hays stated that brokers were deliberately withholding men, even paying them not to enlist, just to embarrass him and force him to rescind the order. He added that he would rescind it if the Supervisors' Committee would publish a signed statement in which it endorsed the broker system and assumed full responsibility for settling all complaints of swindled recruits. Since the committee was unwilling to do this, Hays offered a substitute scheme by which a recruiting officer would be established in Blunt's headquarters with a provost marshal in constant attendance. Then, whenever a recruit was mustered in by the provost marshal, Blunt could hand the \$300 directly to him. This plan was put into operation but did not work too well. Because the recruit had already made his arrangement with the broker, he merely passed the agreed amount on to the broker as soon as he received his money from Blunt.⁴⁰

Blunt was in the middle again late in the war, by which time he had changed his strategy and was now not cooperating quite so fully with the brokers. In January 1865 the supervisor was accused of treating the brokers like dogs, insulting them in front of their recruits, and giving the hand money to the recruits instead of the brokers. If the broker argued with the supervisor, it was reported, he would be summarily evicted. Was it any wonder that Blunt was unable to procure men? The upstate districts, the *Times* noted, were having no problem filling their quotas, and many of the men were coming from New York City. It was hoped that Blunt would change his ways so that the brokers would keep the men in the city and fill local quotas.⁴¹

The broker question came into sharp focus in Albany in mid-summer 1864, as the outgrowth of an incident which occurred in the offices of Pro-

system had many faults, it added that "the success that had attended recruiting the past Fall is, to a great extent, attributable to these [broker] agencies."

³⁹ The point that the *Times*, Dec. 16, 1863, makes here may seem valid on its face, but the truth was that the brokers were not interested in mere "expenses," as the paper implies. Brokers generally wanted every bit of bounty money they could possibly obtain. No reasonable relationship whatever existed between broker expenses and broker profits.

⁴⁰ New York *Times*, Dec. 16, 22, 1863.

⁴¹ *Ibid.*, Jan. 27, Feb. 4, 1865. Of course, many of these upstate quotas were being filled with fraudulent enlistments, which, after Colonel Baker's investigation, were all invalidated.

vost Marshal Parsons of the Fourteenth District. A runner named Holley, who had brought two men down from Canada to serve as substitutes, called on an Oswego broker, A. B. Pratt, asking if Pratt could find principals for his substitutes. The broker eventually located two draftees in Schoharie County who needed substitutes, and a bargain was struck whereby the principals agreed to pay the substitutes \$150 each for entering the service in their places. When they reached Parsons' office one of the men was rejected, while the other, Joshua Long, was accepted as a substitute for James Spore, one of the two draftees. Parsons then asked Long how much he was getting, and when he said \$150 he was told he could get \$300. Holley next asked Pratt to tell Long he wished to speak with him, at which point Eliakim Chase, a clerk in the office, seized Pratt and flung him to the door where a guard shoved him down the stairs. It was not clear why Chase attacked Pratt. Parsons testified later that he had not ordered the broker's eviction, but Chase was arrested for assault and battery and in late July 1864 found guilty.⁴²

The *Argus* capitalized upon this episode to reiterate its "necessary evil" doctrine. Its position was that even though it would be fine if troops could be raised without brokers the fact was that they could not be so raised. Hounding the brokers simply caused them to take their recruits elsewhere. Moreover, if a broker and recruit worked out some financial arrangement which was agreeable to both and no fraud was involved, then there was no cause for complaint. This was a private contract, and even though it might not be fair to the recruit and the broker might be a scoundrel it remained a contract which no outsider had a right to upset. The *Argus* denied "the right to interfere where a fair bargain has been made between two men of common sense" even though a recruit may have "agreed to go for a less sum than some third person thinks he ought to."⁴³

⁴² *Argus*, June 30, July 27, 28, 1864. Parsons defended his tough policy toward substitutes and brokers in his final report to Fry. Bounty crimes, he said, had grown to such alarming proportions that, unless checked, they would have resulted in the theft of all the money without furnishing a single recruit. In the absence of any safeguard, he continued: "I found the only remedy to be to reject every recruit that by the best judgment I could give the matter, I believed to be dishonest. . . . I based my action . . . upon the conviction that my duty to the government as a mustering officer was not simply to fill the quota of my district on paper but to furnish to the service *men*—men not simply able physically to perform the duties of a soldier but men who would not desert the service . . . men who would be true to their enlistment, to their oath, and to their country. . . ." Report of the Fourteenth District Provost Marshal to Fry, July 10, 1865, *Historical Reports*.

⁴³ *Argus*, July 26, 27, 29, 1864. Just as the *New York Times* missed the point on broker "expenses," so did the *Argus* miss the point when it spoke of a "fair bargain" between men of "common sense." The point was that broker bargains were inherently unfair, and

As the war progressed and as broker swindles became more widespread, the "necessary evil" theory gradually gave way to a kind of "some good-some bad" theory. Now it was generally conceded that many brokers were brazen thieves, but it was also pointed out that many others were reliable and not known to defraud a recruit. Men wishing to enlist were strongly urged to seek out the latter and shun the former. The brokerage business itself, observed a Rochester newspaper, was not dishonorable. The broker was not allowed to make false representations and was required to split the money liberally with the recruit. By so doing he would make three people happy—the principal, the substitute, and the broker. However, since the commutation clause had been repealed, the prices for substitutes had shot up and many unscrupulous people had entered the field. These must be guarded against.⁴⁴

Actually, strong condemnation of the brokers had appeared in other states by late 1863. "Cannot something be done to stop this nefarious practice?" beseeched the angry Cleveland *Herald* in December of that year.⁴⁵ But New York state seemed undisturbed by the crimes of the broker system for many months after the first reports of large-scale swindles. And the fact that the New York *Times* could defend the brokerage business as late as February 1865 does not speak well for the judgment of that newspaper. But even in New York the time came when not only the "necessary evil" but also the "some good-some bad" schools of thought would be largely rejected. It was becoming more apparent that brokers were "totally evil"; not only should they be shunned entirely, but they should be eliminated by statute.

Steps to regulate brokers were halting at first—mere efforts to prohibit running or to guarantee the recruit his full bounty—but as the frauds continued unabated, absolute prohibition of broker activity became mandatory. By the time such regulation had been enacted, however, the war was all but over and the laws served little purpose. Had strict antibroker legislation

officers who interfered with such bargains were trying only to protect naive young men who had been badly tricked into making unfair bargains. If the bargains had been fair there would have been no problem.

⁴⁴ *Syracuse Standard*, Aug. 15, 1864, quoting the *Rochester Express*. The commutation clause, found in Section Thirteen of the Enrollment Act, permitted any draftee, who so desired, to pay \$300 and gain exemption from the service. The clause had the effect of stabilizing substitute prices at about \$300 because no one was likely to pay more than \$300 for a substitute when he could "commute" for that amount. Hence, when the clause was repealed in July 1864 substitute prices mounted rapidly, and before the end of the war many men received over \$1,000 each for enlisting as a substitute.

⁴⁵ Murdock, *Ohio's Bounty System*, 48.

been adopted in 1863 it might have saved the taxpayers of New York state much of the \$86,000,000 paid out in bounties and provided real troops for the army, rather than a mass of nonexistent "paper" credits.

John T. Sprague, adjutant general of the state, in his annual report for 1863 strongly urged the legislature to curtail the activities of out-of-state recruiters. He reported that at one time seventeen such agents were active in New York City, while others were operating in Utica, Rochester, Lockport, and Buffalo. Their interference was discouraging the various county, town, and city committees. Taking its cue from Sprague, the legislature on January 29, 1864 passed such a law as the adjutant general advocated, prohibiting running recruits to other states.⁴⁶ The only significant instances of running, following the passage of this law, were of an intrastate rather than an interstate character.

More important was the effort to undercut broker strength by paying the full bounty directly into the hands of the recruit in the presence of the provost marshal. Something like this had been tried in the Hays-Blunt affair with mixed results. But in the spring of 1864, the indomitable Dix, continuing his war on the brokers, revived the idea. In March he learned that Richmond County and certain towns within his command had authorized a \$300 bounty with the unusual stipulation that "at least \$100" of the bounty should go to the recruit. This meant, in effect, that the remaining \$200 would go to the broker, because by his "fraudulent representations" he would convince the recruit that it rightfully belonged to the broker. This, said Dix, must cease.

In General Orders Number 23, issued March 25, 1864, the Commander of the Department of the East instructed all provost marshals under his authority to refuse to muster any recruit from a county or town which had a bounty ordinance similar to that in Richmond County. If, however, the provost marshal knew for a fact that the recruit had received the full \$300, then it was all right to muster him even though the ordinance required that he receive only \$100. Also, if a town adopted legislation expressly stating that the recruit and the broker should each receive a specific percentage of the recruit's bounty, the provost marshal should respect such legislation. What Dix would not tolerate, however, was a situation where money was specifically appropriated for bounties, but only a portion of it was required to go to the recruit. Yet General Orders Number 23 was no doubt difficult to enforce, and the evidence suggests that it was ineffective. In December

⁴⁶ *Annual Report of the Adjutant-General of the State of New York for 1863* (Albany, 1864), 32; *Laws of the State of New York*, 1864, p. 2.

1864, for example, Major John A. Haddock, Acting Assistant Provost Marshal General for the Western Division, was compelled to reissue the order.⁴⁷

Several informal techniques at broker regulation were attempted prior to the statutory prohibitions. In Rochester, in August 1864, brokers were required to pay a license fee of \$7.50 each if they wished to continue in business. It was also suggested by the Poughkeepsie *Daily Eagle* that United States assessors and collectors check up on a few brokers and in particular scrutinize the amounts of their income tax. In the last two weeks of the war an Albany recruiting committee opened its own office in Parsons' headquarters where recruits could enlist without going through brokers.⁴⁸ Voluntary circumvention of the brokers through special offices where recruits could enlist directly had been tried in Cleveland and Cincinnati in 1864, but with poor results.⁴⁹ No major city in New York, except Albany, attempted it, and the office there was not in business long enough to allow us to judge it fairly.

Nor did any large New York city pass ordinances strictly regulating broker activity, as were adopted in Ohio in January 1865. The only regulatory legislation enacted in New York was the state law of February 10, 1865; the war was all but over. Section Five provided that all bounties must be paid directly to the recruit and that any agreement between a broker and a substitute or a volunteer, by which the bounty money would be divided, was void. Furthermore, any money paid to a broker in the future might be recovered by the substitute or volunteer, his heirs, or legal representatives, with full interest from the date of the first payment. The federal government also cracked down on brokers in its March 1865 amendment to the Enrollment Act. Under Section Seventeen a broker who defrauded a recruit of "any portion of the State, local, or United States bounty," would be jailed for from three months to two years and be fined from \$200 to \$1,000.⁵⁰

After the war when the provost marshals had put their notes together and submitted their final reports, it became clear that few, if any, of them thought that brokers were necessary. When the war was in progress perhaps brokers were the only people who could "get the men," but the pro-

⁴⁷ *Official Records*, IV, 203-04; *Elmira Advertiser*, Dec. 30, 1864; *Syracuse Standard*, Dec. 29, 1864.

⁴⁸ *Argus*, Aug. 8, 1864, March 18, 1865; *Poughkeepsie Daily Eagle*, Aug. 3, 1864. Nothing more was heard of the income tax suggestion.

⁴⁹ Murdock, *Ohio's Bounty System*, 50.

⁵⁰ *Laws of the State of New York*, 1865, pp. 41-42; *U. S. Statutes at Large*, XIII, 489-90.

vost marshals were united in their belief that the brokerage system should have been abolished. Parsons reiterated that under the system the taxpayers were robbed and few recruits were supplied. John T. Wright of the Twenty-Seventh District affirmed that the only way to stop the outrageous swindles was "by prohibiting entirely and radically the operations of so-called substitute brokers." Samuel B. Hayman, who succeeded Haddock as Acting Assistant Provost Marshal for the Western Division, urged an absolute ban on brokers and recommended that all such recruiting activities be carried out by authorized ward and town committees. Lastly, Provost Marshal General Fry, in his *Final Report*, endorsed all these recommendations that flowed into him and urged that in future wars some other system of raising troops be employed. This was good advice, which happily has been followed ever since.⁵¹

⁵¹ Report of the Fourteenth District Provost Marshal to Fry, July 10, 1865; Report of the Twenty-Seventh District Provost Marshal to Fry, May 30, 1865; Report of the Acting Assistant Provost Marshal General of the Western Division to Fry, Aug. 26, 1865, *Historical Reports*; Provost Marshal General, *Final Report*, 86-87.